

20  
**LANKA**

# **GUARDIAN**

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## **AMNESTY**

**AND**

## **THE HUMAN RIGHTS TASK FORCE**

### **the press**

- **media and ethnic co-existence**

— Victor Gunewardena

- **the dangers of self-censorship**

— V. Jayanth

- **SRI LANKAN SOCIETY: The Crack-Up**

— Mervyn de Silva

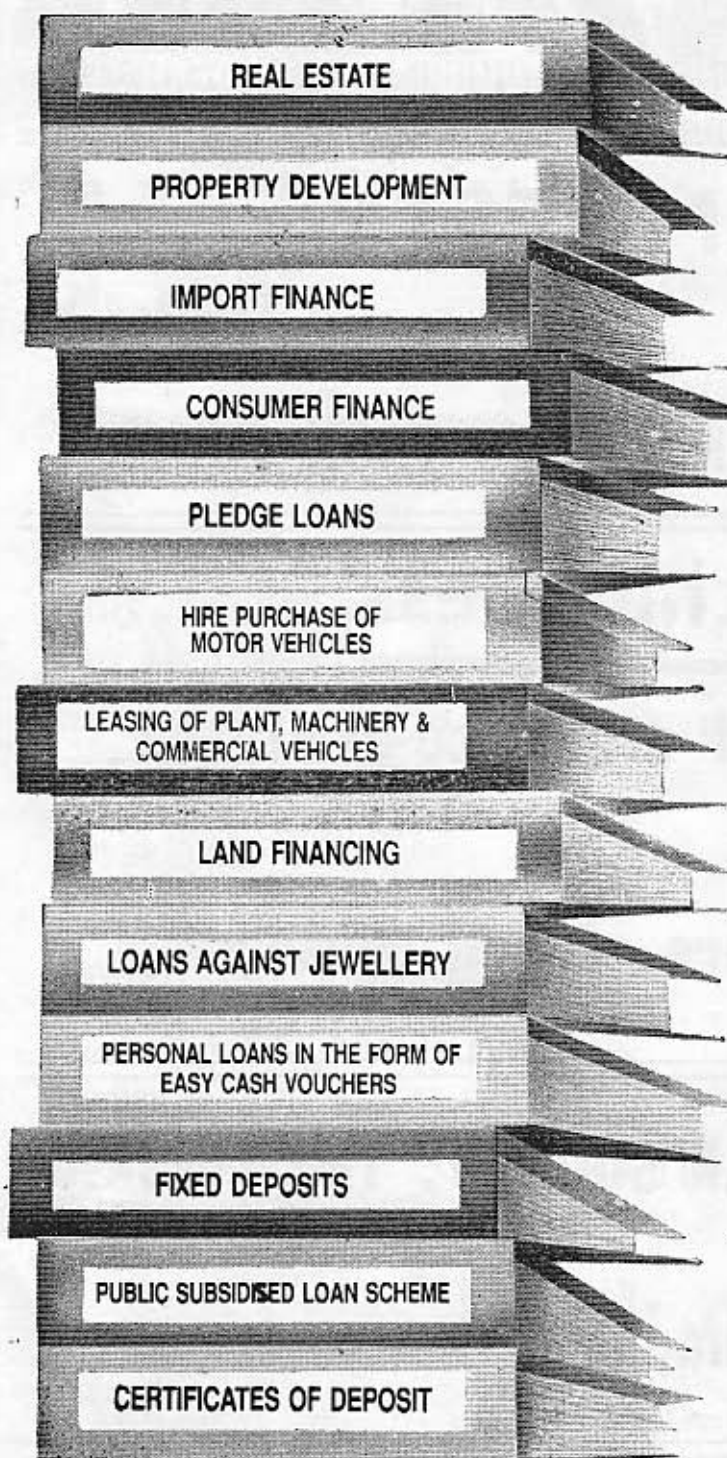
- **Soviet collapse** — Sumit Chakravarty

**Buddhist Courage** — Jane Russell

**Solzhenitsyn** — Noel Fernando

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— U. Karunatilake



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## TRENDS

### Thondaman stirs...

Plantation union boss Saumya-murti Thondaman who is also a Cabinet minister has threatened "non co-operation" with the government if it permits the private companies which recently took over estate management to reduce work days. Mr Thondaman was reported to have said that he would not "tolerate any nonsense which would affect the interests of plantation workers".

The Ceylon Workers' Congress (CWC) boss delivers a block vote to the UNP come election time. Non-cooperation from him could be more than somewhat uncomfortable for the ruling party.

### Journalists arrested

Journalists protesting the sealing of a weekly tabloid press for delay in paying municipal taxes were arrested by the Borella police. They were released after the recording of statements. The police said that the protest — picketing on the sidewalk — was illegal.

### India for bi-annual SAARC

India wants the annual SAARC summit held only once in two years, according to the well informed Indian media commentator Venkat Narayan. Heads of Government of the seven nation South Asian Association for regional Co-operation first met in Bangladesh in 1985 followed by meetings in India (1986), Nepal (1987) and Pakistan (1988).

Then it ran into trouble. Sri Lanka refused to play host till the Indian Peace Keeping Force quit its soil. There was no summit that year (1989). Maldives hosted the regional leaders in 1990. The 1991 summit was scheduled to be held in Colombo in November but Bhutan's King Jigme Syngye Wangchuk was unable to make it; and Indian Prime Minister Narasimha Rao kept away too. It was however rescheduled for December, but the three day pow-wow was trimmed to one.

## Briefly...

### LANKA'S HR RECORD DISCUSSED

They talked about Sri Lanka's human rights record, when the UN Human Rights Commission met in Geneva. A Working Group report acknowledged that the government had taken some measures to curtail violations. The report covered January to October 1992.

Government delegates from Colombo were reported to have detailed to the UNHRC sessions steps taken by the government after the period covered by the report. Among these steps was "one relaxing the severity of Emergency regulations."

### NO-GO ON LAGOON

The LTTE has refused to negotiate on the issue of a free passage across the Jaffna lagoon for civilians until the Pooneryn army camp is vacated, according to the UNHCR Colombo office chief Dr Peter Nicolaus, quoted in the government-controlled Daily News.

Civilians now cross over to the mainland at risk to their lives. Food supplies too are shrinking in the peninsula. "If a safe passage is opened the situation in the Jaffna peninsula should ease", Dr Nicolaus said.

### A REFERENDUM CALLED FOR

The ethnic conflict could be resolved if the UNP and the SLFP recognise the need for a federal constitution and allow the people to decide the issue at a referendum. This is the view of constitutional specialist and TULF politician Dr Neelan Thiruchelvam. He was speaking at a symposium on the ethnic issue in Colombo.

He said that only a federal constitution in which there would be a clear separation of power between the centre and the provinces could resolve the problem.

### KOBBEKADUWA DEATH PROBE SOON

A Commonwealth Commission to probe the circumstances of the death of General Denzil Kobbekaduwa and other military men in an explosion is to be appointed in the first week of March, legal sources said. The commission was asked for by the general's widow, when an internationally recognised explosives expert's views conflicted with those of a preliminary committee of inquiry.

### WILL KEEP HANDS OFF PRESS — SLFP

A statement issued by SLFP leader Sirimavo Bandaranaike promised not to interfere with the freedom of the press in future under any circumstances.

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ENRICHING RURAL LIFESTYLE

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# FAMILY AND PARTY

## class and caste: division and discord

NEWS  
BACKGROUND

Mervyn de Silva

“One might distinguish a nationalist or ethnic *polypartism*, peculiar to countries divided into several traditional or racial groups: here racial antagonisms overlay the social and political, producing extreme complexity. ‘25 parties’ sadly noted Andrassy, Minister of Foreign Affairs in the Austro-Hungary on the eve of the 1914 war.

Maurice Duverger makes this observation in his classic study on ‘Political Parties’ when he discusses ‘polypartism.

Apart from the CWC which represents the Indian Tamil plantation community geographically confined more or less to the hill-country tea-growing areas and politically preoccupied for several decades with the single issue of citizenship, there are more than half a dozen Tamil parties today — from the secessionist LTTE guerrillas to TULF, T.C., EPRLF, EROS, EPDP, PLOTE and ENDLF. While the UNP and SLFP command the support of the vast majority of Sinhalese, there are the old Left parties LSSP, CP and MEP, and such new formations as the NSSP, SLMP, DJVP, BJP etc.

The other major characteristic of our party system is the dynastic: two powerful families — the Senanayakes and the Bandaranaiques. While father and son, D. S. and Dudley did dominate three post-war decades, with R. G. Senanayake too playing an active role in party politics, Mr Rukman Senanayake's party has been eclipsed and then reduced to a mere appendage of the parent UNP. But it did, in its time, earn the not-too-pleasant nickname the Uncle Nephew Party, a salute once more to the strength of kinship. The arrival of Mr. R Premadasa,

the first Prime Minister under the Presidential system, and now President in his own right, changed all that.

Not so the Sri Lanka Freedom party, branded by opponents as the Sri Lanka Family party, (SLFP).

Unlike the UNP, the SLFP has failed to emancipate itself. Family domination continues:

In fact the feudal inheritance has now become a divisive factor, causing serious domestic discord. In a city where there are no real secrets, the bitter battle between party leader Mrs. Bandaranaike and her only son, Anura, is threatening to tear the family apart, and with it, the party. Mrs. Bandaranaike regards her daughter Chandrika, who has socialist ideas, as a more ideologically reliable successor than Anura. The family feud is now a frontpage story. In fact, the battle is waged in the columns of the national newspapers and the weeklies.

The only exception to the general rule governing the behaviour of our political formations is the Sri Lanka Muslim Congress which had its annual sessions recently. While Dr. M. C. M. Kaleel has held a post in the UNP's governing council, Dr. Baduiddin Mahmud, founder of Islamic Socialist front, was a close friend of Mr. S.W.R.D. Bandaranaike and Education Minister in Mrs. Bandaranaike's government. Dr. Mahmud who attended the SLMC sessions was accommodated in the front row. More interestingly, the Iranian Ambassador had a seat close to President Premadasa while the Ambassadors of Egypt, Libya and PLO, and charge D'affairs of the Iraqi Embassy were also present too. In this, the era of identity conflicts,

Islam should be regarded as a regional and international force strong enough to mobilise even the smallest community in a multi-ethnic society such as ours.

Disunity in the United National Party exploded in the face of the island's strongest party when a sizeable group of UNP dissidents-turned conspirators in the infamous impeachment plot against their leader, President Premadasa. The failure of the plot produced the Democratic United National Front (DUNF). Here it was ‘class’ rather family or political beliefs which inspired the plotters — class in the broadest sense in a society where feudal values and caste allegiances persist. Mr. Premadasa does NOT belong. He is not a product of elite schools nor a member of the westernised upper-class. The seeds of rebellion lay there not in serious policy differences.

The old, traditional as well as modern structures, whether family or political party, cannot withstand the pressures released by a society in deep crisis. While the ethnic may be its most prominent cause, other conflicts have aggravated the problem. A persistently divisive discord is now a striking feature of society and politics in Sri Lanka. Nothing illustrates that better than open warfare in the family-centred SLFP, where Mrs. Bandaranaike has already announced that the SLFP is once more the vanguard of a Left-inclined united front, minus Mr. Dinesh Gunawardena's M.E.P. (The MEP is the largest South-based party in the ranks of the Opposition, after the SLFP. The MEP is also a staunchly Sinhala-Buddhist organisation, closer in spirit to the pro-Anura HELA

(Continued on page 17)

## 1992: Bad year for the press

V. Jayanth

**The Lanka Guardian described 1992 as "The Year of The Press". For V. Jayanth, Colombo correspondent of the respected Madras-based HINDU, it was a "bad year of the press". How does a foreign journalist whose professional base is in Colombo see the media scene. Excerpts:**

The year 1992 seems to have been a particularly bad year for the print media and the journalists in the island. At least 32 instances of attack on or threat to journalists/media have been reported by the media organisations.

The print media in Sri Lanka assumes importance because the State-owned 'Rupavahini' television and the Broadcasting Corporation (SLBC) have been instructed to completely keep out the Opposition news ("conspiracies" as the Information Minister prefers to call them). Further, the 'Lake House' group of English, Tamil and Sinhala newspapers are controlled by the Government.

That leaves three publishing houses outside State control and any number of tabloids or periodicals, some of which are politically oriented too.

The Upali group publishes *The Island* and *Divaina* (Sinhala) newspapers, the Wijeya publications bring out *The Sunday Times* and *Lankadeepa*, while the Independent Newspapers publish the Tamil *Veerakesari*.

Among the tabloids, the Government has to reckon with *Ravaya* and *Yuktiya*, which constantly run a campaign against the Government and come up with many investigative stories, though not fully authenticated sometimes.

Things came to a head a fortnight ago when the revenue and

tax wings of the Government along with the Colombo Municipal Corporation officials descended on the offices of these "independent" publishing houses. *The Island* publisher is a relative of the Bandaranaiques.

In the build-up to this, the journalists organisations have been drawing international attention to the series of assaults on working journalists, threats from 'goon squads' and a few cases where the police manhandled or beat up reporters and photographers performing their duty.

When no action was forthcoming on these complaints, the organisations resorted to walk-outs, demonstrations and even representations. It was left to the Cabinet spokesman, Mr. Ranil Wickramasinghe, and the Presidential Adviser, Mr. Bradman Weerakoon to intervene in some way.

So a retired judge of the Court of Appeal, Mr. Tudor de Alwis, was appointed to inquire into a specific case when a photographer and a journalist were allegedly assaulted by the police while covering a demonstration on World Human Rights Day — December 10 last. The inquiry is now on.

With so much happening, the Opposition could not let go of the opportunity to launch a tirade against the Government and what it called "attempts to silence

and intimidate the independent media." It has planned a full-fledged agitation.

The Leader of the Opposition, Mrs. Sirimavo Bandaranaike, has lodged a strong protest in Parliament against these tactics and even charged the President with using vile language against a publisher. She described these developments as a threat to the democratic fabric and freedom of expression in the country.

Obviously, the Government could not let her get away with such vocal criticism. So, the very next day, the Prime Minister, Mr. D. B. Wijetunga, in a 11-page statement in Parliament, questioned the "moral right" of Mrs. Bandaranaike to speak out for a free media. He utilised the opportunity to remind her that she was so intolerant of criticism herself, when in power, that she brought in legislation to take over the Associated Newspapers — or the Lake House group — in 1973.

As for the officials 'visiting' newspaper offices recently, the Prime Minister wanted to know why they should be spared when every individual in the country had to pay taxes.

Adding to the woes was the sudden ban on two Sinhala television serials shown on Rupavahini. 'Ava Sanda' was taken off because the serial was slowly going into the sensitive issue of disappearances — which remains a burning human rights subject. The other was dealing with kidnapping.

Under these circumstances, some kind of "self censorship" became inevitable for the publishers and journalists to keep the show going. Some groups even complained that banks and leading advertisers were subtly pressured to tighten the screw on anti-Government media.



## **Creating a climate**

### **Recommendations to create a climate in which human rights violations are less likely to occur**

For effective remedial and preventive measures to be introduced, and for any sense of impunity to be removed, Amnesty International believes it is important for the government to publicly acknowledge that widespread human rights violations have been committed by government forces, and to make clear to the security forces that violations of human rights will not be tolerated and perpetrators will invariably be brought to justice. It suggested that security forces officers should regularly visit troops deployed in "sensitive" areas, where human rights violations are most likely to arise. It urged the government to repeal the Indemnity (Amendment) Act, in order to signal its clear intention to remove any sense of impunity, and to expedite pending criminal cases against members of the security forces in order to signal clearly that violators of human rights will not escape justice.

The government had said that by publicly announcing its acceptance of 30 of Amnesty International's recommendations, and in its statement to the United Nations Commission for Human Rights in Geneva in February 1992, it has made the public acknowledgement suggested. And as noted above, the government has become increasingly open to scrutiny and comment by international human rights bodies. However, no statement of acknowledgement of the type envisaged by Amnesty International has been made to the local population. Indeed the climate of intimidation which still prevails in southern Sri Lanka — where lawyers involved in human rights cases have continued to receive death threats, for example, and where fear of repercussions deterred some people from seeing Amnesty International's representa-

tatives — suggests that the intended message has yet to be conveyed internally.

Clear orders on the protection of human rights and the procedures to be followed in arresting and detaining prisoners have been issued within the armed services. Copies of these orders had earlier been provided to Amnesty International by the government. In practice, however, important procedural safeguards for prisoners which are required under these orders are not implemented on the ground (see below). Nevertheless, some steps have been taken to reduce the incidence of gross violations, and Amnesty International learned of several recent instances where the commanding officer had personally intervened immediately on receiving a report that a gross violation had been committed in order to try to protect the victims. For example, in December 1992 the Brigadier, in charge in Batticaloa intervened immediately on learning that during a round-up at Pullumalai several young women had been raped by soldiers. About 13 soldiers were transferred from the area, but it is not known whether any disciplinary action was taken.

Criminal cases pending against security forces personnel at the time, Amnesty International's report was published (September 1991) had not been expedited. The government has listed eight cases in which security forces personnel have been charged with abduction, rape and murder. Some of these cases have been pending for up to three years and have yet to be concluded. In one, the accused were discharged after the witnesses failed to appear in court. Amnesty International understands that the witnesses themselves were abducted and "disappeared" during the period that the accused were on bail. No investigation has been held into the non-appearance of the witnesses. Not one of these

cases has yet reached a conviction for murder.

### **Recommendations intended to prevent "disappearances"**

These recommendations mostly concerned the work of the Presidential Commission of Inquiry into the Involuntary Removal of Persons, which was established for a period of one year in January 1991 to investigate "disappearances" occurring after 11 January 1991. Amnesty International also urged that, in addition to clarifying the fate of the "disappeared", the government should bring to justice those responsible for "disappearances" and provide adequate compensation to victims or their relatives within a reasonable period of time. Many of Amnesty International's recommendations on the protection of prisoners, discussed below, are also relevant to the prevention of "disappearances".

### **The Presidential Commission on the Involuntary Removal of Persons (CIRP)**

The CIRP was created in January 1991 for a period of one year to investigate and report on "disappearances" occurring in the year beginning 11 January 1991. It is also expected to recommend remedial measures for the prevention of "disappearances". Although the government did not enlarge the CIRP's mandate to encompass "disappearances" committed before 11 January 1991, it did extend the mandate of the CIRP for a further year. In January 1993 its term was again extended for one year. Hundreds of cases remain under investigation by the commission, and public hearings had been completed in only six individual cases at the time of Amnesty International's visit.

Many of the "disappearances" reported to the CIRP occurred before 11 January 1991 and therefore fall outside its terms of reference. Indeed, 3,669 such cases had been reported to the CIRP by 5 November 1992. The CIRP informs complainants when they cannot investigate

their cases, and said it passes the information to the Human Rights Task Force (see below), which keeps a list of "disappeared" people. By 30 October 1992 the CIRP had received complaints of 501 "disappearances" occurring between 11 January 1991 and 10 January 1992, and 81 complaints of "disappearances" occurring between 11 January 1992 and 30 October 1992.

As explained by the Commissioners, when complaints are received, they are first investigated by a team of ten investigating officers under the direction of the Chief Investigating Officer, who is a retired policeman. Once they have established there is *prima facie* evidence of "disappearance" relatives are called to Colombo to give evidence. Sometimes, however, the investigators visit the locality. Once the evidence has been collected, the Senior State Counsel assigned to the commission decides whether there is sufficient evidence available to proceed to a public inquiry before the five Commissioners. Of the 1991 cases, 11 complainants had failed to appear to give statements; 53 people reported to have "disappeared" were traced; 10 cases have been sent for public inquiry and 421 cases were still under investigation. Of the 1992 cases, one complainant had failed to appear 24 people had been traced and 56 cases were under investigation.

At the time of Amnesty International's visit, the CIRP had completed its public inquiries into six cases of "disappearances", and the seventh case, covering a group of four people who had "disappeared", was being heard. On the completion of the public hearings into each case, the CIRP submits a transcript of the proceedings and its findings to the President. Amnesty International was informed by the Presidential Adviser on International Affairs that President Ranasinghe Premadasa had authorised publication of these case reports, but that a publication date had not yet

been fixed. Amnesty International understands that in some of these cases, the Commissioners have recommended that the individuals believed responsible for the "disappearance" should be prosecuted, but that no decision on such prosecutions had yet been made. In one case heard by the CIRP, however, murder proceedings had already begun against a police officer suspected of causing a "disappearance". After the CIRP concluded that it was unable to establish beyond reasonable doubt that the particular police officer concerned had last had custody of the "disappeared" prisoner, the case was withdrawn by the Attorney General. Two further cases have been forwarded to the Attorney General to decide whether to bring criminal charges against the alleged perpetrators.

The cases investigated by the CIRP so far all involve "disappearance" in police custody. The Commissioners told Amnesty International that, although their terms of reference enable them to investigate any involuntary removal regardless of perpetrator, in practice they expected only to investigate cases of "disappearance" in police custody and not "disappearances" in military custody. They said that it would be difficult to investigate "disappearances" in a context of armed conflict; that as there was less stringent record-keeping in the army than the police it would be more difficult to collect evidence; and that complaints of "disappearances" in military custody usually fail to identify exactly who carried out the arrest, so there was no starting-point for investigation. Amnesty International questioned these presumptions and expressed concern that the military should not remain outside the scrutiny of the commission, especially as the majority of "disappearances" reported during the past year are from military custody in the east.

The CIRP has not yet recommended any measures to prevent "disappearances". Am-

nesty International discussed with the Commissioners the possibility of their examining practices which facilitate "disappearance", such as failure to adhere to proper detention procedures. These would include the prompt acknowledgement and reporting of arrests, transfers and releases and accurate and thorough record-keeping. Amnesty International believes that failure to adhere to the required procedural standards to protect prisoners from abuse, including "disappearance", should be treated as a serious criminal or disciplinary offence.

Amnesty International had recommended that the CIRP establish regional offices, giving priority to those areas where most "disappearances" occur. Officers authorised to record and transmit cases to the CIRP in Colombo have since been appointed in each of the following Government Agent's offices; Amparai, Batticaloa, Hambantota, Jaffna, Mannar, Matara, Trincomalee. The complaints are then processed in Colombo and investigated as described above. The regional officers have no powers of investigation, and the Commissioners have not held public hearings outside Colombo, although they did not rule out holding hearings in the provinces if they considered them necessary. But the end of October 1992, 540 cases had been reported by the authorised officers, 457 of which fell outside the CIRP's terms of reference. Sixty-six of the remaining cases had not previously been reported to the commission.

In Batticaloa, Amnesty International found that the existence of the authorised officer was not known by members of the local Peace Committee or by staff of the local Human Rights Task Force office. Both these local bodies regularly record complaints of "disappearance" and refer relatives to other relevant local agencies. Amnesty International's delegates suggested that the presence of the authorised officers could be more widely publicised in the relevant



areas in order that relatives are aware of all local avenues of redress available. Sixty-nine cases had been submitted to the CIRP by the authorised officer in Batticaloa by the end of October 1992, 24 of which fell within the commission's terms of reference.

The Commissioners said that they believe their work has had a deterrent effect, as the number of reported "disappearances" has reduced since the inception of the CIRP. The commission's hearings are public and reported in the press so police officers now know that they may not act with impunity. Amnesty International agrees that publicity is important, but pointed out that the commission may not be aware of the true number of "disappearances" in the east in 1992, as few people in the area were aware of the presence of the local authorised officer. Amnesty International also believes that if a lasting deterrent effect is to be achieved, perpetrators must be brought to justice whenever they can be identified.

The CIRP has been criticised for employing slow procedures. The Commissioners explained to Amnesty International that it follows the provisions of the Commissions of Inquiry Act, and that as the five Commissioners had been appointed under a single warrant, they are required to sit as a single body when they hold public hearings. They are not empowered to sit separately. They pointed out that if their warrant is altered to enable them to hear cases individually, or if further Commissioners were appointed to expedite the work, they would need additional teams of investigating officers and other support staff to service their increased work-load.

### **Compensating relatives of the "disappeared"**

In 1991, the government had told Amnesty International that it intended to introduce new legislation to enable relatives of "disappeared prisoners to obtain

death certificates after a certain period which would allow them to qualify for relief or pension payments. Amnesty International had said that the provision of death certificates would not absolve the government of responsibility to try to establish the fate or whereabouts of the "disappeared", to bring those responsible for "disappearances" to justice and to adequately compensate victims of the relatives.

In October 1992, Amnesty International was given a copy of draft legislation concerning "temporary death certificates" which, once issued, could be used to claim compensation. As explained by the Secretary to the Home Ministry, it was envisaged that the certificates and the compensation would both be issued through the new Divisional Secretariats, and that compensation would be available to all persons who had genuine case, regardless of ethnic group or of whether the person had "disappeared" in the custody of government or opposition forces. However, according to the Presidential Adviser on International Affairs, the government had not yet decided whether it would pay compensation to relatives of people who are known to have "disappeared" in the custody of government security forces.

### **Recommendations intended to protect detainees and their families**

Special legal provisions which differ from normal criminal procedure are applied to political prisoners. Prisoners detained under the Emergency Regulations or the Prevention of Terrorism Act (PTA) are denied the protections provided under the normal criminal law. There is no requirement for political detainees to be brought promptly before a magistrate, for examples, which means that there is no legal provision for independent supervision of their detention for long periods. Also, confessions made before a police officer of the rank of Assistant Superintendent of police or

above are admissible in court under Emergency Regulations, unlike under normal criminal law which requires confessions to be made before a magistrate in order to protect prisoners from confessing under duress. As safeguards to protect prisoners are reduced under emergency provisions, the risk of torture and "disappearances" increases. For this reason, Amnesty International has long called for specific safeguards to protect political detainees.

Amnesty International urged the government to ensure that mechanisms for supervising arrests and detention are established in accordance with the United Nations Body of Principles for the Protection of all Persons under Any Form of Detention or imprisonment and the international instruments designed to protect prisoners. Further recommendations concerned the work of the Human Rights Task Force (HRTF), the body established by the government in August 1991 to establish and maintain a central register of detainees and to monitor their welfare; procedures to be followed by any arresting agency; and procedures specific to military practice.

### **Detention Procedures**

In order to protect detainees from "disappearance" and torture, Amnesty International recommended that all prisoners without exception should be seen promptly after the arrest or capture by representatives of an independent body, and that detainees should only be held in official, publicly known places of detention. All detainees, whether arrested with or without warrant, should be given prompt access to medical care, lawyers and relatives, and be brought promptly before a judicial authority. In addition, because of the specific problems relatives of detainees have had in identifying the agent who has carried out an arrest, Amnesty International recommended that all military uniforms should have the insignia of the soldier's battalion or detachment clearly

marked, and that all police and military vehicles should be clearly marked as such and carry number plates at all times. Detailed records should be kept by the military and police of all arrests, transfers and releases of prisoners, and this information should be reported immediately to the HRTF. As many "disappearances" had been reported following cordon and search operations, Amnesty International suggested that a system be introduced by the army during these operations to issue "receipts" to relatives stating that the individuals concerned had been taken for questioning, so that there could be no question later about official responsibility for their safe custody. When prisoners are released, Amnesty International recommended that there be independent verification of the release, such as by a representative of the HRTF.

In order to show how it has implemented these recommendations, the government has stated that arrests are made in accordance with the Emergency Regulations and the PTA and has provided Amnesty International with copies of orders and circulars issued by the security forces concerning arrest and detention procedures.

For arrest procedures to comply with Amnesty International's recommendations, the Emergency Regulations and the PTA would have to be amended. For example at present prisoners held under the PTA need not be brought before a judicial authority for 90 days, and under the Emergency Regulations prisoners can be held for 30 days before a magistrate sees them. Furthermore, under these provisions, prisoners need not be held in publicly known places of detention. Indeed, officials of various ranks are empowered to decide where detainees may be held without any requirement that they make these places publicly known. The PTA permits prisoners to be detained for up to 18 months in any place and "subject to such conditions" determined

by the Minister of Defence. The Emergency Regulations permit prisoners to be held in preventive detention indefinitely in any place authorised by the Inspector General of Police (IGP) or a Deputy Inspector General of Police (DIGP). Alternatively, if they are suspected of having committed an offence, they may be held for up to 90 days in any place authorised by the IGP, a DIGP or a Superintendent or Assistant Superintendent of Police. Whether authorized or not, there is evidence that police have sometimes used unofficial "safe-houses" to torture suspects. A case of this kind from Nuwara Eliya District is given below.

The Human Rights Centre at the University of Colombo has reviewed the Emergency Regulations for their conformity with international standards, and has submitted its findings to the government. The government has not announced whether it intends to act on the Centre's recommendations and has not said whether it intends to amend the regulations concerning arrest and detention procedures to bring them into line with international standards and ensure that the rights of prisoners are safeguarded.

The circulars issued by the police and armed forces cover most of Amnesty International's recommendations and are an encouraging manifestation of a desire at senior levels in the forces to improve human rights practice. The issuing of orders does not in itself ensure that procedures are modified or corrected in practice, however. Indeed there is now great need for follow-up to ensure that all relevant commanding officers are fully aware of the orders which have been issued, as some appeared unaware of them, and that they in turn ensure the orders are rigorously implemented. Amnesty International believes that continuing vigilance by senior officers, accompanied by prompt intervention and disciplinary action, is necessary to check abuse and reform practice.

Several crucial primary protections included in the circulars, such as the issuing of receipts by the military during cordon and search operations, had not been carried out at all in the Batticaloa area. The Brigadier who had recently taken charge in Batticaloa confirmed to Amnesty International that the recommended procedure would provide a practical safeguard, if implemented, given the systemic way in which cordon and search operations are carried out, and believed that it could help with the confidence of the civilian population. Instructions had been received shortly before Amnesty International's visit that arrests following cordon and search operations should be reported to the ICRC directly, and Amnesty International was told that the prisoners' names are also sent to the Directorate of Military Intelligence in Colombo with 48 hours. However no acknowledgement of the arrest was made to prisoners' relatives by the military directly.

The fact that it does not acknowledge arrests directly has led to unnecessary anxiety for relatives and embarrassment for the military in some instances. When Amnesty International visited Batticaloa there were reports that over 40 men had "disappeared" following a cordon and search operation at Kakkachchivaddai on 19 October 1992. After they had been detained, the men had been taken to the Paliyadivaddai army camp. Relatives who followed them there told Amnesty International that soldiers fired at them and chased them away. The military continued to deny that these men had been taken into custody and the apparent "disappearances" were given wide publicity two weeks later after a local representative raised questions in parliament. By then, and without the member of parliament's knowledge, the relatives had learned from the ICRC that the men were held at the military camp at Hardy College in Amparai and that they had not "disappeared". Had the army issued certificates of arrest at the time



of the cordon and search operation, as required by the circular issued from Army Headquarters on 1 July 1992, and had it not then repeatedly denied these men were in custody, it would have provided relatives with a measure of assurance and saved itself much adverse publicity. Given the thousands of "disappearances" in military custody which have occurred in the east to date, including some from the Kakkachivaddai area, it must be expected that relatives and others will fear the worst when arrests which have been witnessed are denied.

Senior military officers told Amnesty International's delegates that at times it may be necessary to hold certain prisoners in unacknowledged detention, even hidden from ICRC representatives who visit prisoners at army camps. These prisoners were said to be assisting the military by providing information with direct operational value. Should the whereabouts of such prisoners be disclosed, it was argued, the value of their information would rapidly diminish because the LTTE would alter its tactics and move its camps accordingly. Further, it was said that some prisoners requested that their whereabouts be kept secret as on their release they feared reprisals if anyone suspected they had cooperated with the army. Opinions differed on how long such a prisoner would need to be held in secret. One officer said that secret detention would only be necessary for a couple of days, because after that time the operational value of their information would diminish. Others, however, said secret detention might continue for several weeks. It was also admitted that records of such a prisoner's arrest would probably be falsified to hide the true date of their arrest. Amnesty International learned of one prisoner who had been secretly detained by the army for a year, during which time he was severely tortured (see below).

Circulars issued by the security forces on arrest and detention procedures state that pris-

oners must only be held in known, official detention centres, and that representatives of the ICRC and the HRTF must be granted ready access to them. However, no list of officially authorised places of detention has been issued. Once they are in the custody of a civilian authority, most detainees do appear to be permitted visits from relatives, but such visits might only start after a period of *incomunicado* detention.

Orders concerning the keeping of records on prisoners, and the requirement that no prisoner can be held without a detention order, have also been issued. Amnesty International's delegates did not examine any registers kept by the military. The police registers they saw indicated that on the days of their visits in late October and early November, 14 people were detained under Emergency Regulations at Kandy police station and 21 in police custody in Batticaloa. Of the latter, 14 were held at the Deputy Inspector General of Police's office and seven at the former District Judge's bungalow in the Pioneer Road police camp. Two prisoners in Batticaloa had been held in police custody since April 1992 under the PTA.

In order that a complete, centralised and up-to-date register of detainees could be compiled, Amnesty International had recommended that all detentions, transfers and releases should be reported to the HRTF, which has the task of creating and maintaining a central register. Orders regarding the reporting of arrests to the HRTF have been issued by the military and the police, but have not been adequately followed. Indeed, the military order fails to include information on how the HRTF can be contacted. The situation regarding reporting of arrests by the police was confused. At Police Headquarters, Amnesty International was informed that arrests are reported to the HRTF by local police stations directly. At police stations, however, Amnesty International was told that the arrests are reported to headquarters, which in turn informs

the HRTF. Arrests by the military had only started to be reported to the Joint Operations Command (JOC) shortly before Amnesty International's visit. The information provided by the JOC was variable, was not necessarily up-to-date, and was not in a clear, usable format. The problems this poses for the work of the HRTF are discussed below.

Release procedures have generally improved to enable verification of the release. In Batticaloa prisoners have been released in the presence of the ICRC, a member of the Batticaloa Peace Committee, or a local member of parliament. In other places, too, prisoners have been released in a manner which enabled verification.

Although the government accepted Amnesty International's recommendation regarding the wearing of insignia on military uniforms, Amnesty International's delegates were informed by military officers that it is their policy not to wear anything indicating either rank or unit when conducting operations as they might risk conveying such information to the enemy. Police and military officers assured Amnesty International that their vehicles are now required to carry numberplates and official markings. However, Amnesty International learned of arrests carried out in the south in 1992 by plainclothed police and military personnel who did not identify themselves, and who used unmarked vehicles (see below).

### **The Human Rights Task Force (HRTF)**

The HRTF was established in August 1991 under the Emergency Regulations "to monitor the observance of fundamental rights of detainees". Its officers have been appointed for a period of three years, and the HRTF can remain in existence for as long as the state of emergency lasts.

The HRTF is expected to maintain a comprehensive, accurate register of detainees, to investigate the identities of detainees, to monitor the welfare of detainees, to ensure their safe

release from custody, to carry out regular inspections of places of detention and to record complaints and take immediate remedial action. In addition, the HRTF keeps a list of people reported to have "disappeared". It checks this list against the names of detainees it has seen in custody in order to try to trace "disappeared" prisoners. Only those areas of the HRTF's work relating to the protection of detainees from "disappearance" and torture are discussed here.

Amnesty International had recommended that the HRTF should be given unrestricted access to prisoners held by the military and that all detainees should be seen promptly after arrest by representatives of an independent body such as the HRTF; that it should establish regional offices and a 24-hour information office; that all arresting agencies should inform the HRTF immediately and directly of any arrest with or without warrant, and also inform the HRTF of any transfer or release of detainees; that detainees should be released in the presence of a representative of the HRTF; that the annual report of the HRTF should be made public and widely publicized.

Amnesty International's delegates met the Chairman of the HRTF, Justice Soza, and visited the HRTF offices in Kandy and Batticaloa. At the time of their visit, HRTF offices had been opened in Colombo, Kandy, Matara, Anuradhapura and Batticaloa; an office was planned in Trincomalee, and a sub-office in Kattankudi, near Batticaloa.

The HRTF has compiled a list of detainees, but this list cannot be considered comprehensive or up-to-date. For a central, publicly-available list of detainees to fulfil a protective function, all arrests must be reported to the HRTF promptly and the list must be regularly updated with information on transfers and releases, which should be promptly reported by the custodial authorities as a matter of routine procedure. If this is not done, accurate information

cannot be given to relatives about the whereabouts of recently-arrested people, who are usually at most risk of abuse, or about the place of detention of prisoners who have been moved. The ability of the HRTF to maintain such a register is hampered by the fact that the police and armed forces do not supply it with the necessary information. Police and military authorities should be required to inform the HRTF immediately, and in an agreed and usable format, of all detentions, transfers and releases. The HRTF could then conduct spot-checks to ensure that full reports about detainees are indeed being made.

The HRTF lists is compiled by visiting police stations, army camps, detention centres, prisons and rehabilitation camps and recording the names of the detainees seen in each place. In practice, the visiting has mostly been done by the Chairman himself, a retired judge of the Supreme Court who commands great public respect, sometimes accompanied by another HRTF officer. Practice varies in the dif-

ferent regional offices, however, depending upon local conditions. In Kandy, the local officer visits police stations, but not army camps, himself in Batticaloa, the local officer had only visited prisoners in the company of Justice Soza, who visits the town approximately once a month. It would appear that the police and army forces may not provide other officers of the HRTF the access they provide to Justice Soza himself. However tirelessly Justice Soza pursues these visits, it is impossible for him to record all detentions promptly after arrest by this method. He has visited an impressive number of police stations and army camps, but has not visited them all and it would be unreasonable to expect him to do so. Furthermore, as no list of authorised places of detention has been published, he could never be sure whether he had visited all such places. Until the HRTF as an institution is accorded the facilities granted to Justice Soza individually, local officer will not

(Continued on page 24)

## The Non-Entits Tale (Prologue)

Asian Bureaucrats come in three Styles  
The Vintage one is hailed the Old School Tie  
The OST is dutiful but dull  
That does not mean he is quite numbskull.  
Tis only that his thoughts go round in circles  
Career bound he encounters no hurdles  
With OST's to lend a helping hand  
In mutual boosting Wagon or in Band  
Pawn, Bishop, Knight and King they'll run the state  
And suffer any Fool if Old School Mate

The other one is a Walking National Flag  
Of encounters with Sahibs he will brag  
But when the Sahibs have left him in his bile  
He will for Aid the entire World beguile  
Thus boosted with borrowed pocket money  
On Self Reliance he will talk baloney  
By Nation he only means his Class  
All else is Gesture and just high Farce

The Third is one the Third World exports in droves  
Their loyalty to Raj so much a habit  
They need an anchor in a Global Office  
To this end they will think out their moves  
Stooge to the World Bank, dismantle Controls  
Free Exploitation for their Dollar payrolls

So for this Trinity we labour (you and me)  
Pay Tax on Food, Water and the Air we breathe  
Have our children shut out of School  
And too sick to care, have Doctors play the fool

**U. Karunatilake**



## **PART 2**

# **The Role of Media in Nation-Building**

**Victor Gunewardena**

### **INFORMED DISCOURSE**

The foregoing discussion on the conceptual basis of the media, their rights and responsibilities and their role as purveyors of socially relevant information, of educating the public on the various aspects of the country's development process, of providing fora for informed discourse to as many citizens as possible who choose to avail themselves of that facility, and of maintaining vigilance to check abuses of power or excesses on the part of the State, should give us a better idea of what functions the media are expected to perform. Whether in fact they do so, and the causes or constraints responsible for failure or inadequacy are another matter altogether. The limitations of space precludes fuller discussion of this aspect of the subject.

Sri Lanka being a multi-ethnic and multi-religious society, some measure of recognition of that fact is evident in the functioning of the country's media. At the level of language, there are mainstream newspapers, both dailies and weeklies in the three languages, Sinhala, Tamil and English. The Sri Lanka Broadcasting Corporation, too, broadcasts programmes in the three languages and the State-run Television Corporation screens its programmes also in a similar manner.

However, one pertinent criticism of this linguistic division of the media is the lack of openness of the particular language medium to the culture and ethos of the other language media. Consequently, the respective newspaper, radio and television audiences are inadequately exposed to the other group's cultural identity, perceptions and concerns, hopes and aspirations, and their problems and challenges.

An unfortunate outcome of this narrow orientation is that the

audiences in the respective language media have access only to a partial picture of the social reality of Sri Lanka. The danger is that many persons tend to accept uncritically such desperate media presentation as a correct reflection of the social reality.

The greater danger stems from the particular policy stances of the media, be they political, ethnic, religious, cultural or economic. Invariably, they are partisan and reflect the bias and/or prejudice arising from their particular orientation. Further, when the media are unfree in that besides their partisanship they also shut access to the particular medium of news and views other than those supportive of its own, then the task of media in nation-building becomes increasingly difficult.

The informed discourse which one expects the media to provide for is not for is not forthcoming because the information flow is fouled by bias, slant or distortion or is restricted by blatant partisanship.

### **HETEROGENEITY OF IDENTITIES**

A medium of mass communication which claims to be national in its scope and concerns and in its reach and coverage, and is said to be in furtherance of the public interest, must firstly recognise the plural character of Sri Lankan Society. Not only is it multi-ethnic and multi-religious but also it is ideologically diverse and is also differentiated in terms of social class, income and economic power. Further, even within our separate ethnic, religious, linguistic or social groups there is a large degree of heterogeneity of various kinds. In fact, most Sri Lankans have multiple identities, which make for diversity within their own primary group. This diversity notwithstanding, there is a

sense of belonging to the primary group, which transcends the intra-identities. At given times, the person's sense of belonging and identity within his primary groups may vary, depending on the circumstances.

For example, one can be a Sinhalese, a Buddhist, belong to a high income group and be ideologically a believer in the free market economic system.

Another can also be a Sinhalese, a Christian, belong to a low income group and be ideologically committed to a socialist system of society. There is no inherent incompatibility of identity in either case.

Both persons have a strong sense of identity as Sinhalese, which is an overarching sense of unity with the primary group transcending other particular identities.

Thus, the primary identity of ethnicity in this instance is large enough to accommodate other identities. It does not, however, preclude the persons concerned from emphasising his/her identity with other categories — religious, ideological or social class etc.

Likewise, a Sri Lankan identity which expresses itself in a strong attachment to this country as the land of one's birth and upbringing and the repository of one's cultural heritage does not necessarily deny the validity of other identities which are as strongly experienced and as steadfastly sought to be promoted. The different identities could co-exist and mutually enrich the large, overarching identity.

### **RIGHT TO EQUALITY**

The popular understanding of the term "nation" implies a collective identity of people inhabiting a defined territory, sharing its resources and interacting among themselves in an interdependent manner, being

administered by common forms and institutions of governance, and evidence of a consciousness of belonging to a socio-cultural and politico-geographic entity with a history and traditions special to it.

Nation-building does not imply the acceptance of ethno-centrism. While there could be an ethnic group which is numerically the largest, there could also be several other ethnic groups, some large and others small. No matter to which ethnic, religious or linguistic group one belongs, what is fundamental is the recognition by law and in society of every person's right to equality.

It is the right to equality, which the media would be expected to articulate, protect and promote. It must do so in the very exercise of the right of freedom of speech, expression, publication and information. Media that are controlled by the State and are used primarily to serve the State's publicity purposes, often also crudely propagandist, lose their credibility because of their blatant partisanship. Likewise, other media, although owned and managed by private corporate bodies or persons, do not necessarily make for freedom and responsibility in the exercise of the right of expression or as vehicles of socially relevant information. They too could be biased ideologically and restrictive of public access to the particular medium and could manipulate public opinion.

This is not to deny to a particular medium the right to ideology or a political option. While it is entitled to do so, its claim to be a national newspaper, radio or television medium would not carry conviction if its news and views are restrictive and exclude expression of opinion that is not supportive of its own stance. A plural society requires media that are plural in expression and promote people's participation in the use of the media or in interaction with them.

It has been said that "a free press is a condition of a free

society". This does not, however, mean that the State cannot introduce and enforce regulatory legislation in order to ensure the rights of others as well as to protect the public interest. But those identical principles and norms which the legislation is intended to protect and promote must be equally applicable to State-run media.

There are those who argue that a regulatory framework for the media is not at all necessary because an essence of freedom is the absence of law, and that the media should be depended on to regulate their own functioning. However, experience does not support that contention. Abuse of media freedom is prevalent to this day in Sri Lanka even by State-run media institutions, despite there being a regulatory framework.

It has been argued that an essence of freedom is the need for order. Self-regulation is one means by which to ensure order. However, where it is absent or lacking the discipline of law must prevail.

#### INFORMATION POLICY NECESSARY

A further requirement is a clearly-articulated national policy on information and on the media. Such a policy must be promotive of access to information as a social right and seek to foster the functioning of media with freedom and a due sense of responsibility.

This paper has discussed at some length the conceptual basis of freedom of speech, expression, publication and information because a clear understanding of those concepts is essential and is a prerequisite to an examination of the role of media in nation-building. Concepts are also important because they influence human behaviour through their value-orientation and normative principles.

Besides what has already been said in this paper about the role of media in nation-building, it must also be emphasised that a paramount objective of the media should be to strive towards achieving the objective of

an informed citizenry. Not only must the information be accurate but also the presentation of news must be balanced and objective, in other words, factual and fair.

Sri Lanka claims to be a representative democracy, "assuring to all peoples freedom, equality, justice, fundamental rights and the independence of the judiciary..." in its Supreme Law.

Further, the Directive Principles of State Policy and Fundamental Duties State inter alia.

"The State shall strengthen national unity by promoting cooperation and mutual confidence among all sections of the People of Sri Lanka, including the racial, religious, linguistic and other groups, and shall take effective steps in the fields of teaching, education and information in order to eliminate discrimination and prejudice" [Article 27 (5) Sri Lanka Constitution].

The elimination of discrimination and prejudice through the action process is thus seen as a necessary task in order to strengthen national unity by promoting cooperation and mutual confidence among sections of the people. This is a special responsibility of the media, an aspect of their social accountability.

The media must be authentic and credible in their functioning, must ensure access to the public, recognising also the people's right to dissent and express contrary views. The media must so function that no section of the country's plural population would feel marginalised or alienated by the policies or performance of the media.

Positively, the media must strive to promote a corporate unity within Sri Lanka which, while recognising distinctive identities and steadfast group loyalties at different levels, would seek to achieve an overarching solidarity as a nation, transcending the multiple identities of the people who inhabit this land



## PART 2

# Democracy and the Soviet collapse

Sumit Chakravarty

"... Any sustained rule by a state of siege inevitably leads to arbitrary rule and has a corruptive effect on society...

"Decrees, the dictatorial power of factory overseers, severe punishment and terror are all palliatives. The dominance of terror has a very demoralising effect. The only road to revival is through the school of public life, unlimited democracy and public opinion."

These words have a remarkably familiar ring in today's context. But in the light of Rosa Luxemburg's criticism of Lenin and Trotsky one only wonders how she would have responded, were she alive, to Stalin's insensate display of violence and terror that became the order of the day only a few years after Lenin's untimely death in 1924.

Let us now turn to a highly interesting evaluation of the Soviet denouement published in the September 1992 issue of the well-known independent American socialist publication, *Monthly Review*. In his article, "The Direction of Soviet Economic Reform: From Socialist Reform to Capitalist Transition", David Kotz, a member of the Economics Department at the University of Massachusetts, Amherst, writes in the journal: "It is tempting, particularly for socialists, to attribute the Soviet collapse and turn toward capitalism to external pressures. Pressure from world capitalism was a factor all during the life of the Soviet system. However, the collapse came after the USSR and its allies had finally achieved military parity with the capitalist world, forcing an end to Western dreams of eliminating socialism by military conquest. A CIA that was never able to eliminate Fidel

Castro right on the US doorstep cannot be supposed to have engineered the remarkable collapse of the Soviet superpower."

According to Kotz, "while external pressure has been a factor in this process, these events have been driven primarily by forces internal to the state socialist system." Gorbachev understood the real ailment and spelt it out in his book, *Perestroika*, that came out in 1987; lack of democracy. The solution, in his view, was "broad democratisation of all aspects of society". (p. 18) and he was certain that the result would be "to strengthen socialism, not replace it with a different system." However, the course adopted by him was not based on a "consistent programme" rather, what surfaced was a "tension between two potentially different directions for reforming the economy" as Kotz put it. "One direction was that of democratising economic institutions, including enterprises and the planning system. The second direction of reform was the introduction of more market elements into the economy... Certainly there was no countenance of privatisation of enterprises in the original plan. Indeed, Gorbachev wrote that 'Socialism and public ownership, on which it is based, hold out virtually unlimited possibilities for progressive economic processes'. (p. 69) But combining democracy and markets is no easy task, and as the reform process developed, the elements of marketisation contained in the plan expanded, grew in influence, and eventually came to define the reform. As this happened, the initial insistence on maintaining public ownership of enterprises was dropped and replaced by a commitment to 'privatisation'. Instead of

reforming and democratising socialism, the process turned into one aimed at replacing it with capitalism."

In order to realise how such a turnabout took place it must be appreciated that democratisation of the state socialist system was imperative for the very purpose of carrying out reforms. The vehicles of such a democratisation was the instrument of *glasnost* (openness) which was responsible for the emergence of a "civil society" in the USSR. The media became articulate, and presented all kinds of views — nationalist, anti-Semitic, anti-socialist. In fact those who trenchantly criticised the failings of the old system even from anti-socialist positions evoked a sympathetic response from the people. This provided a measure of the public revulsion to the undemocratic and lawless rule they had been subjected to for 70 years. Thereafter the process of democratising political institutions that began in 1989 was the Communist Party humiliated in several elections at the hands of opponents who were openly critical of Communists and some of whom were openly critical of socialism. "For generations," Kotz notes, 'socialism' had meant the existing state socialist system and rule by the Communist Party; thus anti-socialist positions became popular despite the public's overwhelming acceptances of what can only be regarded as socialist values."

Kotz classifies three major groups that spearheaded the move towards capitalism. First was the relatively small interest group of the new class of entrepreneurs. Second came the bulk of the intelligentsia. In this context Kotz makes the following observation: "It is

striking how many members of the Russian intelligentsia are true believers in capitalism. Many of them believe in an idealised, nineteenth-century picture of capitalism, which they see as a system of economic freedom and opportunity for all. Milton Friedman probably has more adherents in Moscow and St. Petersburg than in New York and Boston. This may be partly an ideological phenomenon: as the ideology associated with the old system weakened, many intellectuals were attracted to its opposite. If the official media had previously not been telling the whole truth, perhaps the whole truth was the opposite of what they had previously been told."

But it was the third group which gave the protagonists of capitalism a dominant political position in society. This was the group representing the political and economic elite of the state socialist system. It is worthwhile to quote Kotz here again: "On a trip to Moscow during July and August 1991 I received a first hand report of a weekend dinner at the *dacha* (countryhouse) of former President Leonid Brezhnev's granddaughter in the exclusive vacation village of Jukovka. This report says something about the evolution of some of the leading families of Soviet communism, which were represented at the dinner. According to my informant, all of the people present had shifted from the high positions in the institutions of the old system to becoming business people. The grandson of Mikhail Suslov, the former (now deceased) chief ideologist for the Communist Party, is a commercial banker working at a bank that is currently converting from state to joint-stock corporate ownership. Brezhnev's granddaughter had become a businesswoman. Ironically, even Dmitri Sakharov, son of the famous physicist and dissident Andrei Sakharov, was present at the dinner and turned out to be a businessman. Others present were working in joint ventures of trading companies.

They had traded in their luxury Lada automobiles for Mercedes-Benzes. Their only complaint was that they were now working harder than previously." (Source: Fred Weir, a Canadian journalist, in an interview on August 2, 1991. Weir has lived in Moscow for six years, is married to a Russian citizen, and knows Brezhnev's granddaughter.)

Kotz tries to bring into focus a major difference between capitalism and state socialism. "When capitalism faced the crisis of the Great Depression, it had a ruling class of capitalists determined to save the system, whether by repression (as in Germany and Italy), or concession (as in Sweden and the United States). The alternative system threatening them from within, socialism, would have meant complete loss of their privileged position in society.

"Like capitalism, state socialism evolved a ruling group that ran the system and had a privileged position within it. But, unlike that of capitalism, the ruling group of state socialism did not own the means of production. Furthermore, according to the official ideology, the ruling group of state socialism was supposed to operate the economy and government selflessly for the direct benefit of the working people. Since the system was undemocratic and authoritarian, the workers who were the supposed beneficiaries had no power to enforce their official status as the ruling class. . . The group that stood to benefit from democratising socialism was the working class, but they lacked the power to direct the process. The only choices the working class was able to make were between different factions of the ruling group. Yeltsin and his associates were able to seize the leadership, with initial majority support, by virtue of their opposition to the old system and their claim to favour the democratisation of society. But after his election as the President of Russia, Yeltsin soon turned out to be the leader of the part of the old elite that

clearly saw capitalism as its best option.

"While various accidental events and personalities played a role in the developments, the underlying structural factor at work was the failure of undemocratic state socialism to develop a ruling class with an abiding interest in protecting and defending the system over which it presided. Once the system went into a moderately serious social and economic crisis, the bulk of the ruling group deserted the system and opted for capitalism. If this analysis is valid, it explains how such a seemingly stable and relatively successful socioeconomic system could collapse so rapidly and peacefully."

This analysis needs to be qualified with two points; the system's "relative success", as mentioned in the analysis, does not take into account (a) the economic crisis generated by the tenacious efforts to achieve strategic parity with the US — resulting in massive burdens on the exchequer at a time of substantive fall in oil prices, one of the principal sources of revenue for the Soviet state and (b) the grotesque deformities of the system wrought by the depredations of Stalin and his cohorts on practically every sphere of life. In fact the Soviet people were rendered sick as a result of the brutalities of the Stalinist regime that survived the death of the great dictator.

As a Russian friend, writer-intellectual Mariam Salganik (better known as Mira), underlined, not only had Stalin killed more people than Hitler, he did something Hitler was never accused of, except in relation to Jews, indiscriminate assault on his own people. Lately Yeltsin has by a decree rehabilitated the former prisoners of Hitler's concentration camps. None has cared to publicise it since few are aware of its significance. But, as Mira informed, it revealed a lot and reopened old scars: the prisoners of Hitler's concentration camps

(Continued on page 22)



# Literature as Dissent

**Noel Fernando**

**S**olzhenitsyn, the Russian novelist and historian, was born the year after the Russian revolution of 1917. He graduated in mathematics and physics at the University of Rostov and took correspondence courses in literature from Moscow University, indicating his early interest in writing. Solzhenitsyn joined the army in World War II rising to the post of captain of the artillery and was twice decorated.

It was during the latter part of the war in 1945 that Solzhenitsyn began his confrontation with the Soviet authorities and system. He had been critical of Stalin in letters to a friend. He was arrested and sentenced to 8 years hard labour and he spent 8 years in a special prison in Moscow and in the Karlag concentration camp near Karaganda in Kazakhstan.

On his release from the camp in 1953 Solzhenitsyn was again sentenced, this time to perpetual exile, which he spent in Southern Kazakhstan. He was there stricken with a severe cancer of the stomach which was successfully treated in a hospital in Tashkent.

Solzhenitsyn was released from exile in 1956 and rehabilitated in 1957. He then moved to Ryazan about a hundred miles from Moscow and taught mathematics at a local school. There he started to write.

## One day in the life of Ivan Denisovich

Solzhenitsyn wrote a short novel and submitted it to the literary periodical *Novy Mir*. The novel was accepted and published in the journal in 1962 and the first printings were immediately sold out. It is based on Solzhenitsyn's own experiences and was one of the first truthful accounts of camp life to be published in the Soviet Union. This was during the era of Nikita Khrushchev when there was some relaxation of restraints on writing. The novel is written in

simple, direct language and describes the thoughts and activities of a prisoner in one winter's day from early morning till late at night. It explores the material hardships and rigours of camp life in Stalin's Russia. The novel was immensely popular in the Soviet Union.

## The First Circle and Cancer Ward

In 1964 Khrushchev fell from power and conditions in the Soviet Union hardened again. Solzhenitsyn had written two major novels, *The first circle* and *Cancer ward* between 1955 and 1967.

*The first circle* describes life and conditions in a prison research institute in Moscow, where prisoners are engaged in research work for the secret police and in particular the identification of voices recorded by the tapping of telephone conversations. Those who refuse to cooperate are under constant threat of transfer to more brutal camps.

One of the characters in *The first circle* states

"For a country to have a great writer is like having another government" This comment is applicable to Solzhenitsyn himself and exemplifies his own life and work.

*Cancer ward* describes events in an hospital ward for the treatment of cancer patients. This is again based on his own experiences as a cancer patient in a hospital in Tashkent with severe cancer of the stomach and his successful treatment for cancer.

Both books can be read as straight-forward realistic novels as well as allegories of life in the Soviet Union, cancer representing suffering and death.

Solzhenitsyn attempted to get both novels published in the Soviet Union but failed to get through the barriers of censorship. His writings were however widely circulated in the Soviet Union by the *Samizdat* — do it yourself — publishing system. Un-

der this system it was possible to circulate material not officially permitted, usually in the form of typewritten home done reproductions of books or portions of books.

Eventually both books were published abroad in 1968. This was followed by increasing and vicious attacks on Solzhenitsyn in the press and by the literary establishment. His position now steadily deteriorated and Solzhenitsyn was expelled from the Soviet Writer's Union in 1969.

## The Gulag Archipelago

During the years 1958-1967, while also working on his novels, Solzhenitsyn was engaged in writing a monumental work on the vast system of prisons and labour camps which had been established in the Soviet Union shortly after the revolution of 1917, and which were enormously expanded during the regime of Stalin (1924-1953).

This work, running into 7 parts and about 2,000 pages was written in the greatest secrecy without any normal research facilities. Knowing he would be unable to publish such a work in the Soviet Union, Solzhenitsyn had sent a manuscript to his publishers abroad for safe keeping. His intention was to publish this work at some future date even after his death, to protect persons mentioned in the work. However a copy fell into the hands of the KGB after they had interrogated the woman who had typed the manuscript for Solzhenitsyn. Thereafter she committed suicide. Solzhenitsyn promptly requested his publishers outside the Soviet Union to bring out the work which was published in 3 volumes from 1973 — 1978.

The gulag archipelago is a literary-historical work. The cruel and brutal prison system is catalogue with a wealth of detail, description, comment and analysis. Sections of the work record the procedures of arrest, interrogation, conviction, transportation and imprisonment of the victims of gulag in chilling detail. Solzhenitsyn uses a variety of sources and of forms of writing:

autobiographical narrative; testimony of other inmates; official Soviet documents and publications including trial records and the works of Lenin himself; and historical research. Much of this material he retained using only his photographic and prodigious memory.

Again, as in other work, Solzhenitsyn writes the truth as he sees it without any concessions to ideology or the rulers. He writes in a note to the book:

"In this book there are no fictitious persons, nor fictitious events... It all took place just as it is here described." Millions of innocent persons who were victims of the gulag, are commemorated in this epic work.

#### **Expulsion from the Soviet Union**

The publication of the gulag archipelago so disturbed the Soviet authorities that Solzhenitsyn was arrested on Feb. 12th 1974 and threatened with imprisonment once again. He was deprived of citizenship and expelled from the Soviet Union the following day by decree of the Supreme Soviet.

#### **The Nobel Speech on Literature — 1970**

In 1970 Solzhenitsyn was awarded the Nobel prize for literature for

"The ethical force with which he has pursued the indispensable traditions of Russian literature"

He was unable to receive the prize personally in Stockholm as he feared to go abroad and run the risk of his being refused to come back to the Soviet Union. In due course he issued the text of his Nobel address in which he discusses and defines the purpose and function of literature as an art form.

"But woe to that nation whose literature is disturbed by the intervention of power. Because that is not just a violation of 'freedom of the press', it is the closing down of the heart of the nation, a flashing to pieces of its memory."

"More over, writers and artists can do something more: They can vanquish the lie. Wherever else it fails, Art always has won

its fight against lies, and it will always win. Its victory will be obvious, irrevocably obvious to all men. The lie can withstand a great deal in this world but it can not withstand Art."

#### **Solzhenitsyn Concludes**

"In Russian the most popular proverbs are about truth. They express the not inconsiderable and bitter experience of the people, sometimes with astonishing force. One word of truth outweighs the whole world. And on such a fantastic breach of the law of conservation of mass and energy are based my appeal to the writers of world."

#### **Open Letters and Statements**

Solzhenitsyn, together with Sakharov and other dissidents, was constantly engaged in a struggle with the Soviet authorities and literary establishment on behalf of writers and others who were subjected to repression and persecution and confinement in prisons, labour camps and psychiatric hospitals.

#### **Letter to the Union of Writers — 16th May, 1967**

Solzhenitsyn demanded the removal of literary censorship and the gagging of writers who wanted to write freely, frankly and truthfully about life and conditions in the Soviet Union.

"Literature cannot develop in between the categories of 'permitted' and 'not permitted', 'about this you may write' and 'about this you may not'. Literature that is not the breath of contemporary society, that dares not transmit the pains and fears of that society, that does not warn in time against threatening moral and social dangers—such literature; it is only a facade."

Solzhenitsyn exposed to view the chronicle of repression, exile, vilification, persecution, suicide and extermination that characterized the history of soviet literature:

"There were more than 600 writers whom the Union had obediently handed over to their fate in prisons and camps"

Solzhenitsyn concludes with the strident words:

"I am of course confident that I will fulfil my duty as a writer in all circumstances — from the grave even more successfully and more irrefutably than in my lifetime. No one can bar the road to truth, and to advance its cause I am prepared to accept even death. But may it be that repeated lessons will finally teach us not to stop the writer's pen during his lifetime?"

#### **Letter to the Union of Writers — 12th November, 1969**

This letter was written following his expulsion from the Union of Writers and concludes:

"It is high time to remember that we belong first and foremost to humanity. And that man has distinguished himself from the animal world by **THOUGHT** and **SPEECH**. And these, naturally, should be **FREE**. If they are put in chains, we shall return to the state of animals."

**OPENNESS**, honest and complete **OPENNESS** — that is the first condition of health in all societies, including our own. And he who does not want this openness for our country cares nothing for his fatherland and thinks only of his own interest. He who does not wish openness for his fatherland does not want to purify it of its diseases, but only to drive them inwards, there to foster."

#### **Statement in Defense of Jaures Medvedev — 15th June, 1970**

In 1970, Jaures Medvedev, a Soviet biologist was taken by force from his home and confined in a psychiatric hospital for 19 days.

"Without any arrest warrant or any medical justification four policemen and two doctors come to a healthy man's house. The doctors declare that he is crazy, the police major shouts 'We are an **ORGAN** of **FORCE**! Get up!', they twist his arms and drive him off to the madhouse."

Solzhenitsyn concludes.

"It is time to think clearly: the incarceration of free-thinking healthy people in madhouses is



**SPRITUAL MURDER**, it is a variation on the **GAS CHAMBER**, but is even more cruel: the torture of the people being killed is more malicious more prolonged. Like the gas chambers these crimes will NEVER be forgotten."

**Letter to the head of the KGB, Andropov — 13th August, 1973**

Solzhenitsyn commences

"For many years, I have borne in silence the lawlessness of your employees: the inspection of all my correspondence, the confiscation of half of it, the search of many correspondents' homes, and their official and administrative persecution, the spying around my house, the shadowing of visitors the tapping of telephone conversations, the drilling of holes in ceilings, the placing of recording apparatuses in my city apartment and at my garden cottage, and a persistent slander campaign against me from speakers' platforms when they are offered to employees of your Ministry. But after the raid yesterday, I will no longer be silent.

**Letter to the Minister of the Interior, Shchelokov — 21st August, 1973**

"Four months ago I applied for a residence permit so that I might live with my family. After long consideration of such an indisputable matter, I have now been informed of the rejection by the police and by you personally. I would express my bewilderment over the human or legal considerations that could possibly keep a husband from living with his wife, or a father with his two small sons, if I did not know from long experience that neither consideration exists in our political system.

Solzhenitsyn concludes

"I want to remind you that serfdom in our country was abolished 112 years ago, and, it is said, the October Revolution wiped out its last remnants.

It would seem that I, like any other citizen of this country, am

neither a serf nor a slave and should be free to live wherever I find it necessary, and no one, not even the highest authorities, should have the proprietary right to separate me from my family."

**Appendix to the novel Cancer Ward**

Solzhenitsyn defines the task of a writer:

"... it is not the task of the writer to defend or criticize one or another mode of distributing the social product, or to defend or criticize on or another form of government organization. The task of the writer is to select more universal and eternal questions, the secrets of the human heart and conscience, the confrontation of life with death, the triumph over spiritual sorrow the laws of the history of mankind that were born in the depth of time immemorial and that will cease exist only when the sun ceases to shine."

**Note**

After his expulsion from the Soviet Union Solzhenitsyn has been living in a secluded estate in Vermont, U.S.A. and working on a set of novels covering the period of the Russian revolution World War I.

Following the events of 1989 in Eastern Europe and afterwards, Solzhenitsyn has been invited back to Russia and his works are now being published there.

**Creating...**

*(Continued from page 24)*

necessarily be able to intervene in any emergency, should relatives report a fear of torture or "disappearance" very soon after a person has been arrested.

The method by which lists of detainees seen by the HRTF were made available publicly was improved shortly before Amnesty International's visit. Previously, it had taken about a month for the information gathered on a visit to Batticaloa to be processed on the computer in Colombo and returned to the Batticaloa HRTF office. Under the new procedure the local HRTF officer accompanies Justice Soza on his visits and both of them record the names of

prisoners and other relevant information. One copy is immediately available locally for public information and the other is taken to Colombo for processing.

*(To be continued)*

**Family...**

*(Continued from page 3)*

URAMAYA led by Mr. Tilak Karunaratne.

Mr. Anura Bandaranaike sent party secretary Dharmasiri Senanayake a letter on the eve of his departure to London and the U.S. Copies of the letter have been sent to all MP's and party organisers. Mr. Bandaranaike says:

"I have heard from reliable sources that urgent steps are being taken to draw up a constitution for a common front and get it registered in a secret manner. If this is the situation, it will cause an injustice to the SLFP membership which will constitute 95% of the planned front."

Mr. Karunaratne said that Mrs. B. has fallen prey to what he called an 'internationalists' group committed to "liberation theology". The leader, he said, had forgotten the SLFP base, Sinhalese, Sinhala Buddhists and Muslims. Mr. Karunaratne was replying to strongly worded statement by Mrs. B. and other SLFP'ers who brand Mr. Karunaratne as an agent of many multi-national firms. Mr. S.L. Gunasekera, an articulate spokesman of the Sinhala-Buddhist line was also a target of Mrs. Bandaranaike.

**Briefly...**

*(Continued from page 1)*

Commenting on the Government's repeated accusations about suppression of press freedom by previous SLFP governments, Mrs. Bandaranaike said: "It is not the task of a government to keep highlighting the so-called past wrongs and indulge in wrongs of much greater proportions".

Mrs. Bandaranaike also said that no journalist disappeared during her government.

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## Buddhist Courage

Jane Russell

**B**haya-gati' is the corruption induced by fear. This she argues is the worst of the four corruptions "for not only does it stifle and slowly destroy all sense of right and wrong, it so often lies at the root of the other three kinds of corruption". She continues:

"The effort necessary to remain uncorrupted in an environment where fear is an integral part of everyday existence is not immediately apparent to those fortunate enough to live in states governed by the rule of law. Just laws do not merely prevent corruption by meting out impartial punishment to offenders. They also help to create a society in which people can fulfil basic requirements necessary for the preservation of human dignity, without recourse to corrupt practices. Where there are no such laws, the burden of upholding the principles of justice and common decency fall on the ordinary people. It is the cumulative effect of their sustained effort and steady endurance which will change a nation where reason and conscience are warped by fear into one where legal rules exist to promote humanity's desire for harmony and justice, while restraining the less desirable, destructive traits in human nature."

She notes further that "there is a compelling need for a closer relationship between politics and ethnics at both the national and international levels". And in following the path of other "Warriors of the Spirit", she argues that "The quintessential revolution is that of the spirit, born of an intellectual conviction of the need for change in those mental attitudes and values which shape the course of a nation's development... Without a revolution of the spirit, the forces which had produced the iniquities of the old order would continue to be operative, posing a

constant threat to the process of reform and regeneration. It is not enough merely to call for freedom, democracy and human rights. There has to be a united determination to preserve integrity in the struggle, to make sacrifices in the name of enduring truths, to resist the corrupting influences of desire, ill-will, ignorance and fear". Not since Martin Luther King has any public figure made so clear a call to the higher, more spiritual values of mankind. ("Freedom from Fear"; appearing in 'Pravada', Jan. 1992, pp. 32 ff.)

That Suu Kyi's thoughts had been running along these lines for some years, even prior to her involvement in Burmese politics, is obvious when comparing this essay, "Freedom from Fear", written while under house-arrest, with her book "Burma and India—Some Aspect of Intellectual Life Under Colonialism", written in the relative calm of Shimla in North India several years earlier. In her essay, she makes a telling comparison between her father Bogyoke Aung San and Gandhi. "The words used by Jawaharlal Nehru to describe Mahatma Gandhi could well be applied to Aung San: 'The essence of his teaching was fearlessness and truth, and action allied to these, always keeping the welfare of the masses in view'".

Suu Kyi herself may be compared, with some justification, to Nehru. It is Nehru and Tagore, who emerge as the "heroes" of Suu Kyi's analysis of Indian intellectuals. In "Freedom from Fear", she notes this: "Nehru, who considered the instillation of courage in the people of India one of Gandhi's greatest achievements, was a political modernist, but as he assessed the need for a twentieth-century move for independence, he found himself looking back at the philosophy of ancient India: 'The greatest gift for an individual or a nation... was 'abhaya',

fearlessness, not merely bodily courage but absence of fear from the mind.'" ('Freedom from Fear', Pravada, Jan. 1992, p. 33).

Nehru, although a modernist like Suu Kyi, was the Indian politician who came closest to embodying the Asokan ideal. Non-alignment and the proposal for an Indian Ocean Peace Zone were part and parcel of his "Asokan approach" to politics. If his Asokan mantle has fallen on anyone, it is on Suu Kyi who, alone of all Asian political figures, has the necessary moral authority to wear it—vide this paragraph, which equals any of Nehru's writings:

"The wellspring of courage and endurance in the face of unbridled power is generally a firm belief in the sanctity of ethical principles combined with a historical sense that despite all setbacks, the condition of humanity is set on an ultimate course of both spiritual and material advancement. It is the human capacity for self-improvement and self-redemption which most distinguishes us from the mere brute. At the root of human responsibility is the concept of perfection, the urge to achieve it, the intelligence to find a path towards it, and the will to follow the path, if not to the end at least the distance needed to rise above individual limitations and environmental impediments. It is the vision of a world fit for rational, civilized humanity which leads people to dare and to suffer to build societies free from want and fear. Concepts such as truth, justice and compassion cannot be dismissed as trite when these are often the only bulwarks which stand against ruthless power". ("Freedom from Fear", op. cit. p. 33).

In contrast with such lofty ideas, the everyday practice of post-independence Burmese politics seems as absurd a leap as that from the sublime to the 'gor blimey'. But Suu Kyi traces in her book some of the rea-

sons for Burma's jejune political state. She points out for example that the Burmese, although firmly wedded to the Buddhist philosophy, were a militant race "unaccustomed to regarding the boundaries of their kingdom as a variable dependent upon the ability of the individual monarch". (p. II).

Their pride in their invincibility was supreme. For well over a millennium, the Burmese had lived in a peaceful cultural isolation which had encouraged a sense of superiority: "An indifference to developments in the outside world was a characteristic of the Burmese monarchs, who traditionally held sway from the land-locked heart of their Kingdom". (p. 13).

(A comparison with the Kandyan kings seems almost inevitable at this point, and indeed throughout this book, there is the constant reiteration of themes that would be as applicable to Sri Lanka as to Burma). The impact of the "novel experience of complete political conquest, soon to be followed by cultural subjugation" was therefore traumatic.

Secondly, she makes the point that: Traditional Burmese education did not encourage speculation. This was largely due to the view, so universally accepted that it appears to be part of the racial psyche of the Burmese, that Buddhism represents the perfected philosophy... (therefore)... why should the Burmese people absorb elements of western culture?" (p. 27/29). The upshot of this attitude was that the Burmese developed an indifference bordering on xenophobia towards the British rulers and the train of western ideas which they carried in their baggage.

The Burmese sense of national identity was also very pronounced. Thus, while Indian nationalism may be regarded largely as a product of British rule, "there had always existed a traditional Burmese nationalism arising from its cultural homogeneity". (p. 34). While this autarky in nationalist thinking made Burma strangely modern in one sense, it led to

a cultural chauvinism that effectively engendered a closed mind. "Alien concepts had to be re-defined in Burmese terms before they could be accepted. In a strange way the Burmese seemed to value their cultural integrity almost more than their ethnic identity. They could often feel greater affinity for a foreigner who had adopted Buddhism and the Burmese ways of living than for a Burmese who had embraced an alien creed." (p. 35).

This still seems to be the case — at least where the military junta are concerned. The Burmese constitution expressly forbids any Burmese to have allegiance to a foreign power. Suu Kyi's marriage to a non-Burmese therefore appears to have disqualified her in the eyes of the junta from any participation in the government of Burma. One of the questions in the 'loyalty test' given to civil servants in 1991 was "Should someone married to a foreigner be Head of State? If yes, what would be the situation of the country?" This rampant xenophobia was not just a reaction to the "short sharp shock" delivered by the British imperial occupation — a reaction that could be compared to that suffered by the Japanese consequent to their enforced "opening up" by the United States in the 18th century, — but also to the large scale immigration of Chinese and Indians into Burmese cities and larger towns during the colonial years. "Not only did these immigrants acquire a stranglehold on the Burmese economy, they also set up homes with Burmese women, striking at the very roots of Burmese manhood and racial purity." (p. 35).

When one considers the extent to which SLORC (the military junta) vilify Suu Kyi as "un-Burmese", "a woman who thinks she is superior to all Burmese", it seems as if her most revolutionary act has been to marry an Englishman (even if of Greek forbears), thus breaking an unwritten code that demands that Burmese women maintain the purity of the race. This impression is underscored by the

nature of the punishment SLORC has meted out to her: that is by isolating her for several years from "foreign" husband and children. And yet in legal terms, Buddhist women in Burma are expressly protected by the Buddhist Women's Special Marriage and Succession Act of 1954 when they contract a marriage with a non-Buddhist. The racism of SLORC officials is therefore not reflected within the culture at large. But there is no denying that Burmese culture is characterised by an impermeable quality. A nation so turned in upon itself requires a person of the intellectual understanding and stature of Suu Kyi to open it up to the outside world and direct the outgoing energies of the rising generation of educated Burmese, interested in joining the world, along the path of non-violence.

The path of non-violence is tortuous. It requires infinite patience, infinite belief in the higher values. There are no quick breakthroughs, no ego-satisfying acts of vengeance — there are simply repeated acts of suffering. But there is also no traumatising of society as a whole, no degradation of the young, no scarring of the old. Non-violence ennobles those who follow its doctrines; its exponents are the role-models of mankind; its martyrs are enshrined within the consciences of men. Suu Kyi is setting an example, not only to her fellow Burmese but to the whole world in taking the non-violent path of dissent. Her courage, her resistance and endurance is being tested to the limits but it is from such resistance — "the disobedience that leads society from the mire of habitual stagnation" to quote Oscar Wilde — that societies can be re-born.

Suu Kyi has come to embody the ideal of Buddhist courage. Courage was viewed by the ancients as the political virtue par excellence. But courage in an intellectual, and especially in an intellectual as sensitive as Suu Kyi, remains remarkable. What Hannah Arendt wrote about Waldemar Gurian, the German wri-



ter and philosopher, is equally true of Suu Kyi:

"Courage, understood in the fullest sense of its many meanings, probably drove him into politics, which may appear bewildering in a man whose original passion was doubtless for ideas and whose deeper concerns were clearly the conflict of the human heart. To him, politics was a battlefield, not of bodies, but of souls and ideas, the only realm where ideas could take form and shape until they would fight each other and in this fight emerge as the true reality of the human condition and the innermost rulers of the human heart. In this sense, politics was to him a kind of realization of philosophy, or to put it more correctly the realm where the mere flesh of material conditions for men's living together is consumed by the passion for ideas". (Hannah Arendt op. cit. p. 254/255).

Like Gurian, Suu Kyi has been driven into political action by a passion for a ideas. Her comparison of nationalists in colonial India and Burma encouraged her to evaluate "those trends which might be considered the product of the human creative impulse independent of the national setting" (Suu Kyi op. cit. p. 9). In Burma, she notes there was even at independence "a lack of a philosophy that could have guided national efforts" (p. 51). This vacuum in the world of ideas had led to a society that was characterised by political apathy and confusion. The lack of integration between traditional Burmese ideas and modern western scientific thought and democratic norms had resulted in a dearth of leaders capable of critical assessments of themselves within the world, of blending traditional Buddhist values with modern democratic national ideas. Suu Kyi, as the only Burmese apparently capable of such integration of ideas was therefore catapulted into leadership to fill the vacuum.

But as the junta make a point of never forgetting that Suu Kyi

is the daughter of the revered Aung San, — "She has a reserved place as Aung San's daughter. So much leniency has been shown to her" (General Khin Nyunt: this includes allowing her to live in her own house, letting her have access to overseas broadcasts, a piano, local newspapers and even Jane Fonda exercise tapes") — so does Suu Kyi herself never forget that she is from the most privileged strata of society. Returning to her comparison of intellectual life in Burma and India in the colonial era, she makes the telling point that "it is surely no coincidence that men like Vidyasagar, Tilak and Gandhi who came from less privileged homes concentrated more on practical solutions to India's problems than on intellectual speculation at a universal level": (p. 57). Suu Kyi's argument is that these less privileged Indians tended to exercise the chips on their social shoulders by a narrow-minded nationalism, bordering on racism, that quickly replaced the universalist aspirations of those Indians from the aristocracy like Ranmohun Roy who had successfully synthesised east and west. She quotes from Stephen Hay, a western scholar of Tagore, in showing the different approaches of an aristocrat like Tagore and men such as Bania and Gandhi who came from middle-class origins:

"India in the eyes of a Kathiawad Bania, raised in conservative Jain-Vaishnava religious and Rajput political traditions appeared quite a different India from that seen by a Bengali Brahman whose unorthodox family had pioneered in assimilating modern Western ideas and synthesising them with Hindu religious and artistic traditions. Gandhi's image of India and the West also reflected a very different experience with individual Westerners. His treatment in a colonial outpost at the hands of South Africa's white supremacists had been as brutal as Tagore's welcome in literary circles of Western civilisations's leading metropolis had been exhilarating". (p. 58).

Suu Kyi's sympathies most firmly lie with the universalist approach of Tagore rather than the chauvinism of intellectuals like Bankimchandra Chatterjee, in whom perhaps she sees the same petty-mindedness and narrow patriotism as can be found in the Burmese junta's leaders. She suggests that an author like Bankim was torn between his intellectual admiration for the English and his emotional attachment to his Bengali traditions. Being unable to integrate these conflicting attachments within his own personality, he chose an intense nationalism which glorified violence. She quotes from the 'Bande Matram', the famous poem in his novel "Ananda Math":

"Who has said thou art weak  
in thy lands

When the swords flash out in  
twice seventy million hands  
And seventy millions voices roar  
Thy dreadful name from shore  
to shore.

Thou art Durga, Lady and  
Queen

With her hands that strike and  
her sword of sheen".

Other than noting that the 70 million which must have sounded so threatening in the 1910s have now become 450 million, there is the unspoken thought present throughout Suu Kyi's book that at a certain level patriotism is indeed the last refuge of the scoundrel. It is her argument, albeit very subtly suggested, that the true patriot synthesises cultures effortlessly without the emotive prick of hatred or negativity which seems at all times to be the hallmark of the megalomaniac, whether masquerading as terrorist guru, democratic saviour or military messiah. Messianism in Suu Kyi's rubric is always anti-Buddhist and therefore unacceptable.

Suu Kyi's reasons for empathising most of all with Tagore spring from her abhorrence of the megalomaniac. She writes: "the sentiments of 'Bande Matram' did not appear to have appealed to Tagore who abhorred the extremism which could be perpetrated in the name of patriotism. In his novel 'Home

and the Word", Tagore's views are represented by the gentle Nikhil who feels that "to tyrannise for the country is to tyrannise over the country". Sandip, who has no moral values uses nationalism to satisfy his own ego and laughs at Nikhil's scruples. He is an opportunist, clever and cynical: "Who says Truth shall Triumph? Delusion shall win in the end... Bengal must now create a new image to enchant and conquer the world. 'Bande Mantram'. (p. 60).

In Aye Kyaw's article, which was quoted earlier on the 'Buddhist Legacy to Modern Law', the author mentions that according to Buddhist law, a government should ensure that the "three places (1) Court, vinicchaya sala, (2) cemetery, susana and (3) jail, bandhanagara should not be crowded", (Aye Kyaw, op. cit. p. 8). It will be a sign of Burma's return to good governance within the Buddhist tradition upon which it so prides itself when the SLORC releases Aung San Suu Kyi from house-arrest. Meanwhile, in trying to avoid the karma which is inevitably going to bring about its downfall at some stage or another, the junta has changed the name of the country from the anglicised "Burma" to the traditional "Myanmar", has chased out members of the Muslim minority in a bout of 'ethnic cleansing' and is busy wooing Japanese and Asean economic and moral support for its bankrupt regime.

But for as long as Suu Kyi remains incarcerated in the heart of Rangoon, there is a rose blooming in a moral desert and the fragrance of that rose spreads daily wider and wider. It would perhaps be appropriate to end this essay with the verse from Tagore's 'Gitanjali' which Suu Kyi quotes in full on page 50 of her book. It seems to symbolise a cry from the heart:

"Where the mind is without  
fear and the head is held  
high;  
Where knowledge is free;  
Where the world has not been  
broken up into fragments by  
narrow domestic walls;

Where words come out from  
the depth of truth;  
Where tireless striving stretches  
its arms towards perfection;  
Where the clear stream of  
reason has not lost its way  
into the dreary desert sand  
of dead habit;  
Where the mind is led forward  
by Thee into ever-widening  
thought and action;  
Into that heaven of freedom,  
my Father, let my country  
awake". □

## Democracy...

(Continued from page 14)

were regarded as 'traitors' by Stalin and were packed off to his labour camps on their release. If they survived both camps they were forced to lead lives of fugitives denied access to the facilities reserved for ordinary citizens. Now they are to be treated at par with war veterans who enjoy pride of place in the country's social life. This has been done to make amends for yet another of Stalin's numerous criminal steps.

There is a tendency to gloss over the crimes of the Stalinist past. That would be a gross mistake when one is trying to understand the phenomenal changes that have been brought about in what was the Soviet Union. And the same applies to the countries of Eastern Europe that were compelled to carry the Stalinist yoke on their shoulders.

In an interview given to me only last month in Moscow Mira said the biggest change in Russian life today was the fact that a "new fearless generation is entering the social life"—a generation "not afraid of the policeman or the KGB man that he would whisk me away". And then she slowly uttered: "In order to understand the magnitude of the change, honestly Sumit, you have to be one of us." When I insisted that one must understand the past to get a measure of the change, she said: "And that past is in our blood."

Thereafter she told me: "You and many others have been thinking about the victims of Stalinism. The figures vary... But did you ever think how many people were the warders in the camps? Well, somebody must have been killing them, doing the job. Those people are still alive. They thought they had been serving their country. And violence has been made a part of their lives."

"The problem this country is facing is this: how does it get out of the violence which has been injected into its bloodstream? This is the biggest problem the country is facing. The nation has been crippled by it..."

One must try to fathom the pain associated with those words while trying to analyse the changes the former Soviet society is undergoing today. It was the failure to undertake a thorough introspection of the past misdeeds, not a partial one as was initially tried by Nikita Khrushchev through de-Stalinisation (before it was abandoned by the Suslov-Brezhnev combine that ousted Khrushchev in 1964), which led to the present denouement including the moves to effect a systemic change.

However, despite the wide popular support given to leaders who openly attack socialism, the people at large are not opposed to socialism. This has been testified by several surveys. And this is completely contrary to what Jeane Kirkpatrick asserted in her paper, "After Communism, What?", presented at the 40th anniversary conference of the journal, *Problems of Communism*, held in Washington in October 1991. "I think communism in Eastern Europe and in the former Soviet Union has left no discernible legacy in the affections of the people," she said. But what is the reality?

In May 1991, Kotz writes, "an American polling organisation undertook an extensive study of public attitudes in several countries, including the Russian Federation."





**Black Knight**  
It's your move

## Utopia in Federalism ?

What a change two decades can make? I met N. Shanmugaratnam who had contributed the article entitled, "Narrow Nationalism and Militarism" (LG, Feb.1) for the first time in 1974. Then, he had recently returned from Japan, and I was an undergrad at the University of Colombo. I was a supporter of S.J.V. Chelvanayakam and his principles of federalism then, though Shanmugaratnam vehemently criticized the then Tamil political leadership for their parliamentary politics. In our dialogues, Shanmugaratnam advocated that what Tamils needed were a Chinese model of communism based on Mao Ze Dong's ideals. Now, the Tamils are under the leadership of LTTE which shuns parliamentary politics. But Shanmugaratnam had come a full circle and now finds utopia in the federalist model.

We need not go back to the 12th century imperial Chola king, Raja Raja Cholan, to find a model for Prabhakaran. How about looking at recent times? For their reputation for ruthlessness and intolerance to other competing groups, one can see parallels in the leadership of Mao Ze Dong and Prabhakaran. Chelvanayakam followed the Gandhian path and was fooled by both the SLFP and UNP between 1958 and 1968. His failure gave birth to Prabhakaran's militancy and Mahatma Gandhi was replaced with Mao. I pose this question to Shanmugaratnam; what is wrong when Prabhakaran does exactly what Mao did between 1927 and 1949. Even now, one billion Chinese are being ruled by a Mao's colleague, who himself was a "terrorist".

Shanmugaratnam reports that Muslim people have been ill-treated by the LTTE. I am sure he should have learnt the fate of 6.6 million Uighur Muslims and 4.7 million Tibetan Buddhists in China. I would suggest that he should read the cover-story which appeared in the Newsweek of April 23, 1990. Why Dalai Lama, the 1989 Nobel Peace laureate, has to circle the world like a vagabond since 1959 rather than meditating in his native Tibet? And why the self-protectors of Buddhism among the Sri Lankan ruling elites have ignored China's atrocities in Tibet? Can Shanmugaratnam explain why Muslims and Buddhists have been ill-treated by the Chinese power holders?

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## Islamic Fundamentalism

The Pakistani Envoy Mr. Husain Haqqani has said in an interview with the Sunday "Island" of 7/2/93 that the Carnegie Endowment Report anticipation of an Islamic fundamentalism may not be all that prophetic. This fear as a Muslim not the rise of an Islamic fundamentalism but the capability of the West (traditionally referred to include the European states but now includes the most dangerous and unpredictable ele-

ment in the United States) surreptitiously imposing a diabolical plan prepared by the West. I am judging from the fears expressed and consistent propaganda by the West against the free and independent CIS fraternity of nations we remember Britain's senior Cabinet Minister doing a tour of some states in the CIS region and his comments on the 'Islamic bomb' and the Asian Muslim countries. The intention is weaken completely the

Muslim potential for assuming a vital role in world affairs.

I would of course advise the Western Powers to concentrate on the 2 World War Veterans — Germany and Japan — and discipline them; especially recommended for the good health of the United States.

Mohamed Farced Pakeer

Maharagama.

## Shanmugathasan

Shan, the unrepentant Stalinist and arch enemy of Trotskyism, in no more. Still, we Trotskyists of the Fourth International pay our respect to him as he remained loyal to the proletarian revolution and the socialist project in general. He never joined a capitalist government and never accepted bribes from capitalists.

However he had difficult times as his idols fell from grace one after the other, first Stalin, then Mao, finally looking toward Albania. In spite of the Change of wind he remained true to his conviction. That was his failure.

In 1978, when we had a joint May Day Rally, we proposed

him to the chair. Many had misgivings. But on that day he proved to be a non-Sectarian in spite of his strong convictions. That was the climax of his career and we of the NSSP could be happy that we gave his due in time.

Vickramabahu Karunaratne

General Secretary,  
Nava Sama Samaja Party.



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