

LANKA

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JOURNALISM : CREDIBILITY, THE FIRST TEST

— A. J. Gunawardana

POVERTY : THE SAARC REPORT

SEMINAR ON CRISIS

1983 — 1993

**TYRONNE FERNANDO
BRADMAN WEERAKOON
R. SAMPANTHAN
UVAIS AHAMED**

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U. N. INTERVENTION

— Mervyn de Silva

J. R. AND THE JUDGES

— Arden



Black Knight
It's your move

INTERVENTION: FIRST KNOCK ON THE DOOR?

Mervyn de Silva

Although the identity of the sponsor may have undermined the credibility of the project, we should not dismiss the move off-hand. So the Prime Minister was right to respond to questions on the reported initiative of four Nobel prize winners mobilised by an organisation styled the WORLD COUNCIL FOR GLOBAL COOPERATION based

in Toronto, Canada. The Secretary-General met Mairead Mc Guire, who won the Nobel Prize for Peace for her brave efforts to end the violence in the northern Ireland, "the longest war". She was accompanied by Prof. James Nicholas, professor of international relations at Niagara College, Ontario, Canada. The others in the Nobel Prize 'quartet' are George Wald, US (leader) Jan Tinbergen, the Dutch economist and Ilya Prigogine (Belgium).

The WCGC plan contemplates the following:

- (1) An invitation by the Sri Lanka government and the LTTE to the UN Secretary-General to send a special envoy to mediate a negotiated settlement.
- (2) A ceasefire verified by the UN (provision under Security Council Resolution 186).
- (3) The Establishment of buffer zones through mutual agreement by the disengagement of military forces in selected areas, such as parts of the north and east.
- (4) UN-observed elections in the north and east.

ARMY SAYS "NO"

Sri Lanka's top brass has supported Prime Minister Ranil Wickremasinghe's firm "No" to the proposed UN mediation in the Sri Lankan conflict. A front-page lead story in the state-run *Daily News* quoted several "key officers" on the issue. The following points were made: (i) UN cannot force the LTTE to lay down arms (ii) a peace-keeping zone will not end the strife. It will only create more boundaries (iii) the UN cannot force the LTTE on a political settlement and (iv) Even the ICRC has failed to persuade the LTTE on the much less complicated issue of prisoners.

While Prime Minister Ranil promptly rejected the WCGC proposal. "This is a matter for the Sri Lankan government. The United Nations, if at all, must help the government, in its efforts. There is no need for UN intervention or observers" he told AFP.

While the majority of Sinhalese will overwhelmingly endorse the Prime Minister's view, and the Muslim community is likely to go along with Sinhala opinion, the Tamil community, specially the middle-class, will probably approve the WCGC plan. An another interesting perspective is that of former Lands Minister, and now DUNF leader, Mr. Gamini Dissanayake, who holds the view that it is impossible to deny India a role. Speaking to western province councillors recently, Mr. Dissanayake said "the key to the solution of the North-east question was the Indo-Sri Lankan Pact for which President Jayawardene and I were responsible". "He added that the pact had not been properly implemented".

"All resources in the country should be diverted to end this senseless war within a short period. Through the Indo-Sri Lankan pact, and the proper implementation of its provisions, we are in a position to end the North-east war".

A spokesman for the EPRLF, a left-inclined militant group (its founder, Padmanabha and several of his closest comrades were gunned down by a 'Tiger' hit squad in Madras) reacted to the report somewhat differently: "We are supportive of international mediation in resolving the ethnic question but a political settlement cannot exclude others in a multi-party, democratic, pluralistic society". His point was that the opinion of other parties should be reflected in any negotiated settlement.

The response to this or any future international initiative will be influenced by four schools of opinion:

- (1) This is a war; there is no 'ethnic problem', an invention of the minorities and some Sinhala intellectuals, academics, leftists, NGO's etc. This is the hardline Sinhala view.
- (2) The violent conflict is a by product of the ethnic problem. It can be resolved only by negotiating with the LTTE, the only serious combatant and enemy. Some schools of opinion (Sinhala and Tamil) recommend international mediation (UN, Commonwealth etc).
- (3) The military and the political (i.e. the war and the Tamil problem) are both distinct as well as inter-related. The 'war' must be ended by militarily defeating the

LTTE. The ethnic problem must be settled by an generous, realistic autonomy package for the Tamils of North-and-east, and this should be negotiated with the democratic — parliamentarist non-LTTE Tamil groups. It strikes me that the broad thrust of the case presented by the Prime Minister from time to time places him in this category. This may be true also of the (SLFP) Chairman of the Parliamentary Select Committee, Mr. Mangala Moonesinghe.

The WCGC proposal and the meeting with Secretary-General Boutros Boutros Ghali should be studied along with the recent CIA "projection" of 50 million dollar "operation" in Sri Lanka which would involve a 5,000 strong peace-keeping force.

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TRENDS

14 Years for 70 Year Old

In what could be a trend setting judgment a High Court Judge handed down a 14-Year jail term for a 70-year-old woman who had returned from a visit to India carrying 278.5 grams of heroin. "At your age you should be engaged in meditation, not in the destruction of the third generation", Negombo High Court Judge H. M. S. B. Madawala said.

BRIEFLY...

Rs 5m. for an AGA

Tigers who grabbed an Assistant Government Agent, Kalawanchikudi's K. Amalanathan, have demanded five million rupees in cash for his release. Military sources believe that the Liberation Tigers of Tamil Eelam (LTTE) is desperately in need of funds and the security forces have warned state officials and businessmen to move cautiously in Tiger infested areas.

President raps army

In a one-and-a-half-hour talking to after the July 25 debacle at Janakapura President D. B. Wijetunga told the services chiefs that he was not happy with their performance. The army lost around half a hundred men and military equipment valued at over Rs 50 million when the LTTE over-ran the base camp.

The President who is Commander-in-Chief of the armed forces and also Minister of Defence ordered the security forces "to go all out on the offensive".

Wanted: a code of conduct

In Parliament — Dr Wimal Wickremasinghe (Minister of Planning and Plan Implementation): Some of the tabloids indulge in mud slinging. There are some newspapers which do not give the name of the printer. There must be some professional body like the Press Council to even ban the publication of newspapers if they are offensive.....Why do newspapers make false allegations about people? There must be a code of conduct for journalists.

International beauties for tourism

Beauty Queens from sixty countries will be in Colombo in October for an international Beauty Pageant to promote tourism. The event is sponsored by the Ministry of Tourism. The show will be compered by Miss America Susan Jeske.

SRI LANKAN CRISIS 1983 — 1993

Crises cannot be remedied by violence

Tyronne Fernando, M. P., P. C.

A crisis by definition is a critical moment — a turning point in a situation where the direction to be taken depends on how the crisis is handled. National crises are of critical importance because they affect the lives of all our citizens and the future direction of the country. In the words of the late S W R D Bandaranaike "Conflict is essential to progress. But it must be a conflict that does not agitate against a harmony above it."

It is appropriate and necessary therefore for us to address the crisis as concerned citizens. The analysis of the crisis has long ceased to be an academic exercise for think-tanks. It is a vital task for all segments of our society in an urgent search for solutions. I therefore welcome this opportunity to look at the past decade, examine the components of our national situation and identify ways out of the crisis on which we can build a national consensus.

That would be a constructive outcome of this exercise. It would be futile to convert occasions such as this into an orgy for apportioning blame. Our fratricidal conflicts have cost the nation dearly. We all have our different perspectives shaped by our environment, our education and our beliefs and convictions. We need however, on occasions like this, to seize the opportunity to be objective and dispassionate and to build together a common solution — the elements of which are with us, among all of you.

Mutual recrimination is self-defeating. To wallow in it is wasteful and wrong. I do not on the other hand expect you to engage in white-washing or absolving the

guilty. We need of course to learn from our mistakes — firstly by identifying the mistakes. But to engage in a debate on the original sinners responsible for our crisis will take us nowhere.

Equally futile would be the attempt to compartmentalize the crisis in time segments or in other categories. For we have had a national crisis and what I would call a societal crisis involving all aspects of our life. The roots of this crisis can be traced well beyond 1983 and its repercussions will be felt well beyond 1993. Perhaps what has happened in the last ten years is the aggravation of all the problems and pressures of the past. Some of you may see it in historical or political terms as a belated and bloody nationbuilding process of a post colonial polity. Others as economists, may view our crisis as a failure to tackle the pressing issues of economic development and our inability to provide employment, especially to the youth of our country. Still others would see this as a crisis of values both religious, moral and quintessentially Sri Lankan. And you would all be right. For it is surely a multifaceted crisis.

If however I have to single out one aspect of the last decade that binds us all together into a common perspective, it is our common abhorrence of the horrendous violence that has convulsed our society. The thousands of valuable lives lost, the cruel maiming both physically and psychologically, of so many and the senseless destruction of what we have patiently built as our common property will remain an indictment of our generation. No religion, no ethnic group, no political party can justify this. Those who proclaimed that the end justifies the means have long been dumped into the dustbin of history. Crises cannot be remedied by violence. There is in the mainstream of

The Minister of Legal Reforms gave the inaugural address

our politics a conviction that we can only have a political solution to our problem. The extremists have brutally defied this, forcing the State to defend itself with arms and equipment which we could have used for national development to improve the quality of life of all our people. The cult of violence — self-denigrating as we Sri Lankans are — is not confined to our country. But it is a cult alien to our cultural norms and values. It has grown like a cancer in our society brutalizing our people, impacting even on the minds of our children who grow up in this atmosphere of violence. I appeal therefore for a consensus on the unconditional end to violence which must involve all parties and groups.

The light in the encircling gloom is the commitment of our people to democracy. As a politician I have been greatly inspired by the popular response at our elections not merely because the votes were cast for any particular party or individual. But because they were cast at all. Whether in the dark days of 1988-89 or in the shadow of the assassination of our Executive President in May this year, the democratic system worked admirably. The people of our country of all walks of life defied the violence, the threats and the fears of a total breakdown. For that we must all be grateful. Had our people not maintained their faith in democratic elections and in the system of participatory democracy and the rule of law, we would surely have slipped into the abyss of fascism, totalitarianism and despotism as so many developing countries have done. We have been closer to that fate than most people realize. But we have averted that disaster and we have the people of our country to thank for that. The democratic institution of free and fair elections triumphed at the May 1993 Provincial Council elections. I have no doubt that other democratic institutions such as Parliament, the independent Judiciary, the free press, the Public Service and the unfettered practice of human rights will likewise survive the travails we have been through and emerge more robust and durable from the testing experience in the historical crucible of the last decade. We need these institutions. Without any one of them our democracy

is meaningless and our crisis will be insoluble.

I also see the development being gradually ushered into the country through the far-reaching economic reforms of the last decade as another light at the end of the tunnel. Despite the inevitable Cassandra-like predictions and reservations there has been an upward movement of the economy towards the goals we have set. Of course there is need for constant adjustment of policies and for fine tuning of programmes. But the basic thrust is in the right direction. We have lost a great deal of time while other nations have forged ahead. But we can reach the goal of prosperity for all. We have the right policies now.

I return to the theme that crisis are also turning points. They have dangers. But they also have opportunities. Let us together grasp those opportunities for the common

benefit of our nation and the peace and prosperity of all her citizens.

Other nations have had crises, some more prolonged than others, and have come out of them. Looking around the global scene we see several nations grappling with a host of crises — wars, insurrections, famine, drought, debt, rampant inflation, floods, violence from drug merchants and the underworld and so on. We are therefore not unique. But that should not make us complacent. We have to get out of our crisis to move ahead to a stable peace for a better life for our people.

As Sri Lankans we have the talent and the ability to do so. But we must work together and through discussions we must endeavour to achieve acceptable solutions.

I wish you all success in your discussions.

Professor K. M. de Silva's oral presentation is not yet ready for publication

F A S G recommends 30 changes

President D.B. Wijetunga received a report from the Foreign Affairs Study Group led by Dr. Gamini Corea (chairman).

The Foreign Affairs Study Group was appointed by former President Premadasa in April 1991, to study changes in the regional and international order which have a direct bearing on the national interests of Sri Lanka and the foreign policy — making process.

The delegation consisted of the following members of the Foreign Affairs Study Group.

Dr. Gamini Corea (chairman), Dr. Lionel S.W. Dassanayake, Mr. Mervyn de Silva, Mr. L. Stanley Jayawardena, Mr.

Lakshman Kadirgamar, P.C., Mr. S.K. Wickremasinghe, Mr. G.C.B. Wijesinghe, Mr. Nihal Rodrigo (secretary/co-ordinator), and Dr. (Mrs.) Anila Dias Bandaranaike, senior economist of the Central bank.

This first Report of the FASG contains 30 recommendations relating to the generation of increased foreign trade, foreign aid, foreign investment and financial flows and technology essential for Sri Lanka's national development.

The President thanked the members of the study group for their valuable contribution and said the report would receive careful consideration from all relevant agencies of government.

The External Factors

Bradman Weerakoon

I have been requested to explore in some of its manifestations, the external dimensions of the crisis which climaxed in 1983 and continues to be endemic today, a decade later. My observations will be in a personal capacity, even though I cannot fully disengage myself from my official position. It will not be a reflection of the official government stance.

I have been privileged to watch the evolution of the crisis from the ring-side. Earlier, through the position of Secretary to several Prime Ministers who had to grapple with the ethnic question, and now, as Adviser on International Relations. I also had the opportunity of witnessing at very close hand, the traumatic happenings in July, 1983 as the first Commissioner-General of Essential services. It is with this background that I add my own thoughts to the dialogue which engages us today.

A word about one's own perception of the problem is required to put what one has to say in context. What really happened in that last week in July, 10 years ago? There are varying perceptions on this, depending on where you were at the time and how involved you became in what went on. The sober 'Daily News' in its editorial of 24 July, has described it as "a shame on the collective conscience of Sri Lanka". Tamil writers generally describe it as a pogrom, a holocaust, or a rampage against an outnumbered minority, who did not and could not show any resistance. Government communiques representing

the majority community refer to it as the ethnic riots, or the communal disturbances. This difference in conceptualising what happened is, I believe, part of the problem. It illustrates the immensity of the gulf that separates the communities and the problem of reconciliation. To me personally, who had the need to inspect areas of devastation in Wellawatte, Kotahena, Ratmalana, etc. move around in curfew hours, run the welfare centres and listen to hundreds of affected people, the memories are stark. In addition to the physical loss of lives and damage to property, what I sensed as most serious was the lack of confidence in the minds of the Tamil people about the ability or inclination of the Government itself to protect their life and security. This fundamental obligation of the State to its citizens seemed to be in question. They had been under attack by hoodlums before. But on this occasion in July '83, the State had denied them its pre-eminent obligation — the right to safety and security. Subsequent Government action at relief and rehabilitation (in which I was involved) did little to erase this most serious mental trauma. To many Tamil people, there seemed to be only 2 options — either to flee or to fight. To me, this is the hub of the crisis.

What were the external consequences, which tendencies had begun to be manifest, even prior to 1983? The momentum of change clearly accelerated after July 1983. I shall focus on a few of them.

1. The problem of image —

The image which Sri Lanka had attempted to project of a multi-ethnic democracy — the dharmista society — suffered almost irretrievable

damage, the foreign media especially projected visuals and stories of violence and lawlessness condoned by the Government. The violation of human rights became a central issue in foreign relations. Much time and energy was expended in minimizing the damage done to aid, private foreign investment, tourism, and even trade.

2. Hundreds of thousands of Tamil people, many intellectuals and professionals, went into exile. The diaspora became a highly vocal and influential lobby in the countries they settled in.
3. India which had always had a strong interest in Sri Lankan political developments (particularly as they affected people of Indian origin and later the Sri Lankan Tamils) found itself inexorably drawn into the vortex. The refugee spillover into Tamil Nadu highlighted the intermestic effects of the crisis. India's regional and national security concerns converged in looking at Sri Lanka's ethnic problem. Thereafter, India was to be inevitably linked to the problem and attempts at its resolution.
4. Political action by the Tamil community was overtaken by militancy which grew rapidly into a full-fledged rebellion with external assistance. For some, the final objective became that of a separate state.

Let me try to expand a little on the first 3 areas and trace where we are now since our contention is that crisis continues.

Secretary to five prime ministers the writer is International Affairs Adviser to the President.

First, the *Indian equation* which is quite well known, the historical evolution of which is quite well documented and hardly needs mention here. I shall only highlight some elements which appear significant:

- * That India's interest in what is happening on the ethnic issue will continue. The Indo-Sri Lanka Accord has not been abrogated, although it is not much spoken about. It is unlikely that India will intervene in the manner of the IPKF again — 'once bitten, twice shy.' However, political and diplomatic interest remains high and this is bipartisan as far as Delhi is concerned.
- * In India there are mixed feelings about the LTTE. The LTTE's fight against the IPKF and the Rajiv Gandhi assassination are impossible to forgive and forget. Delhi is also not unmindful of the support the LTTE have in Tamil Nadu and the threat it poses of separatism in India.
- * There are different perceptions between Delhi and Madras on how to help the Tamil cause.
- * To India, the Indo-Sri Lanka Accord formula — merger of the North and East, devolution and the referendum, would still constitute an acceptable package to satisfy Tamil aspirations, especially of safety and security. The 4-point package of the Tamil parties would therefore appear broadly acceptable.
- * Recent statements by the Indian leadership that the Tamil problem is a Sri Lankan problem could well be the result of fatigue, internal preoccupations and ambivalence in having to deal with the LTTE as distinct from the Tamil cause.
- * Moving away from confrontation to cooperation in facing the secessionist challenge, India has given Sri Lanka

valuable support in regional and global terms.

2. **The image problem, the diaspora and human rights.** (Since these are intertwined, I propose to deal with them together.)

- * It has been estimated that there are close to 1/2 million Sri Lankan Tamils who have chosen to live abroad in the decade since 1983. There has been no accurate census taken. This diaspora consists of all segments of the population, the old and the young, the professional and the unemployed, men and women. Many of them have acquired refugee status, others are in the pipeline, some have had their applications rejected.
- * With recession in the industrialized countries and the influx of refugees from the former Yugoslavia especially, there is now a move to 'return' some of these refugees. The Swiss model is an example.
- * For a variety of reasons — because they are political constituents; because some cause trouble; because of vocal lobbying of the Tamil cause this has become an important political issue in many countries. Especially in the case of aid, donor country lobbying has influenced attitudes in bilateral relations and at the Aid Consortium. The attitude of Canada and Australia at the Commission on Human Rights is clearly the effect of "constituency" pressure. Sri Lanka had to face the challenge of resolutions, Chairman's Statements, etc. in the CHR.
- * There has been international interest in Sri Lankan terrorism. We have sought assistance regionally and internationally to deal with this and the associated problem of anti-Sri Lankan terrorist activities abroad. Although the Commonwealth countries have an established procedure for extradition,

following the Indo-UK Extradition Treaty, there has been interest in following this precedent.

- * The presence of large numbers of Tamil citizens abroad has increased the Consular work of our foreign Missions. Conversely, entry of bona fide status citizens to several countries has been adversely affected. Visas are extremely difficult to come by.
- * Inter-governmental agencies like UNHCR have had their role enhanced to deal with the refugee question. The mandate has been extended to take care of internally displaced persons. Also, international NGOs, ranging from Amnesty to ICRC and MSF have become involved in the Sri Lankan situation and the monitoring of the human rights situation.
- * Interest in foreign mediation — several countries have expressed an interest in mediation of the problem. This underlines their constant refrain for a 'politically negotiated settlement.' As regards donor countries, human rights and the political settlement (good governance) have become an indispensable adjunct to aid discussions.
- * Active interest has been shown by the UN Secretariat at the possibility of UN mediation. This has been canvassed by Tamil expatriates and resisted by the Government. The UN Secretary-General's "Agenda for Peace" provides the framework for such attempts. The proposal for a UN High Commissioner on Human Rights, if accepted, would enable the Security Council to take cognizance of internal situations which have threatened international peace. Sri Lanka's approach to the issues of self-determination and the UN High Commissioner were conditioned by concerns at how 'integrity' and 'sovereignty' could be affected.

It is up to the political leadership to show courage and statesmanship

R. Sampanthan

Much has been said and written about the horrible happenings of July 83. If the actions of the rampaging mobs were unimaginably atrocious, the manner of its execution revealed that it was part of a diabolical plan. There was nothing to indicate that the Government or some influential section within it was at least covertly not part of the plan. The total paralysis of governmental machinery and the lack of even a semblance of remorse from those in authority rendered such conclusions irresistible.

- Ten years have gone by -

A decade is a short term in the history of a country, but events in a given decade can be so tumultuous, so ominous, yet so significant and far reaching, that if one has to learn from the lessons of the past decade, and endeavour to ensure that the future holds hope, a deep introspection by all concerned is the least that one can expect.

1983 to 1993, could be characterised as-

(i) A decade in which a fierce war has continued to rage in the North-Eastern part of the country, and an insurrection had rocked almost the rest of the country for some length of time.

(ii) A decade in which over a hundred thousand citizens of this country whether they be members of the armed forces, youth engaged in armed combat, or non-combatant civilians have been killed and many more maimed incapacitated or otherwise physically injured.

(iii) A decade in which public and private property worth billions has been devastated or destroyed. In the North-East scores of villages have been razed to the ground, many towns are in near ruins.

(iv) A decade in which over a million citizens of this country have been rendered destitute deprived of their homes, the

bread winners of these families deprived of their vocations in life, the younger generation deprived of adequate educational opportunities, and have become refugees in this country or in several other parts of the world.

(v) A decade in which the reputation of the country has been severely tarnished in the field of human rights. Torture, cruelty, inhuman treatment, unjustified detention, disappearances, and the suppression of other freedoms have become an all too frequent phenomenon.

(vi) A decade in which the vast majority of people particularly in the North-East, who are yearning for peace and an honourable life have experienced human misery and suffering of an unprecedented magnitude. The fear of imminent death or injury and a deep sense of insecurity have so traumatised the young and the old, that its impact on society cannot but be harmful in the extreme.

Thousands of youth, boys and girls nurtured in an ethos of disciplined upbringing, cultural religious and family values, who for long had almost made an industry of education and with immense potential that could have been channelled towards the benefit of themselves, their families, society and the country, have reached such a state of despair that they are being sucked into the vortex of armed combat.

(vii) A decade in which hundreds of billions of rupees have been expended in the prosecution of war, purportedly in the pursuit of peace, an assertion which can acquire credibility only if the pursuit of peace by peaceful methods is characterised by a sense of seriousness and honesty.

(viii) A decade in which its many horrendous events had many lessons for the future, but tragically were not adequately learnt.

(ix) A decade of several missed opportunities.

The Government of Sri Lanka must inevitably stand largely indicted in respect of these depredations. Though other players in the political arena and in the area of military conflict are not free from blame a Government which has been in power for a considerable length of time cannot absolve itself from responsibility.

The view that seeming economic progress could be a panacea for all serious ills afflicting the country's body politic would seem misplaced.

The view that the rest of the country could be insulated from the tragic situation prevalent in some other part of this small country would also seem myopic. Many tragic events have proved the fallacy of such views.

An irrational disinclination to evolve an acceptable political solution, cannot be an excuse for the continuance of a War in which ultimately there can be no winner only losers all around, as indeed has been said before.

The view has been expressed that the fact that the vast majority of the victims of the War, whether they be combatants or civilians, hail from the underprivileged sections of society or alternatively the fact that the privileged sections have not been the real victims of the War, have made the powers that be, insensitive to the urgency of peace. The view has also been expressed that vested interests of varying hues being given precedence over the common good, has contributed to the continuance of the War. The series of missed opportunities only serve to buttress these views.

The events of the last decade cannot be viewed in isolation from certain landmark events of the previous decades.

R. Sampanthan is Secretary-General of the T. U. L. F., the main Tamil parliamentary party

The Bandaranaike — Chelvanayakam pact did provide a framework in the 50's which could have been built upon. That was not to be. The Dudley Senanayake — Chelvanayakam pact in the decade of the 60's was yet another effort in the same direction. That too was not to be. These pacts accepted and addressed fundamental concerns of an aggrieved people during a given period. The abrogation of these pacts and non redressal of these concerns inevitably aggravated the situation and introduced into the whole equation new and even more complex dimensions.

If the broadest possible consensus should be the hall-mark of constitution making, the 1972 and 1978 constitutions were regrettably exercises in constitutional brow-beating. The erasure of the meagre safeguards enshrined in the 1948 constitution drafted by the departing British Colonialists, in the somewhat futile expectation that such safeguards would adequately compensate for the unification, purely on the ground of colonial administrative convenience of separate administrative entities, and the enshrinement and entrenchment of provisions in the 1972 and 1978 constitutions to reinforce the unification of administration, so as to give it a distinctly hegemonistic character and pre-empt legitimate claims for Autonomy, had only contributed to greater rigidity on either side and the renunciation of flexibility as a means of resolving conflicts. The stage was set for the intensification of the conflict. The 1981 District Development Council exercise was a feeble attempt to retrieve an almost hopeless situation. That elections could be held to these Councils in the North and East and that they could be constituted was yet another opportunity offered to the Government. The government itself has subsequently accepted responsibility for the collapse of these institutions. The victims of injustice were prepared to the very end to be the votaries of peace.

The Referendum of 1982 reject in the North and East did not contribute to political stability in that region or for that matter in the rest of the country.

The pogrom of July 1983 was followed by the acceptance of the good offices of India. The All-Parties Conference of 1984 and the Thimpu talks of 1985 ended in a fiasco. Not merely did the Government fail to offer anything substantial, it even retracted from its earlier commitments. During a critical phase, valuable years

were lost, and the country slipped further into the mire. Participants in Constitutional processes were being perforce driven into the back seat. Armed militancy was on the ascendancy.

1986 and 1987 witnessed the Government accepting pro-forma the concept of Provincial Councils. The Indo-Sri Lanka Agreement, the 13th Amendment to the Constitution and the Provincial Councils Act followed. The main Opposition party too, has come to accept the concept of Provincial Councils. The 13th Amendment to the Constitution and the Provincial Councils Act, were however, not the products of consensus between the contending parties particularly on contentious issues. The 13th Amendment to the Constitution and the Provincial Councils Act were not even the products of Consensus between the Governments of Sri Lanka and India. Commitments made by the Government of Sri Lanka to the Government of India, after the 13th Amendment to the Constitution and the Provincial Councils Act were tabled in Parliament, for further constitutional reform in respect of vital aspects of the scheme of autonomy remain unfulfilled.

The duly elected Chief-Minister of the most populous and prosperous province in the country, has deemed it proper to state that her position as the Chief Minister of the Province is comparable to that of a glorified head clerk. Her remark I am inclined to believe relates to matters of general and common concern. If her remark related to matters of special concern in a region such as the North-East comparison of the position of the Chief Minister to that of a glorified messenger would perhaps have been more apt.

If the 50's and 60's witnessed the abrogation of agreements in respect of matters of vital concern, followed in the 70's by efforts to preempt democratic redressal of these concerns, domestic and international pressure in the 80's has influenced the passage of legal provisions, which however, lack the basic element of efficacy. The legal provisions meant to offer solutions to some of these concerns, when translated into actual practice, do not offer a genuine opportunity for a redressal of these concerns.

The All Parties Conference and the parliamentary Select Committee set up after the constitution of the present Parliament, one regrets, have made no construc-

tive contribution to the resolution of the conflict.

The failure to evolve an acceptable solution, but the relentless pursuit of policies long resisted by an aggrieved people, and in recent times, increasingly, through deliberate programmes, in violation of the substance of earlier agreements and commitments, and in total disregard of current legal provisions purportedly intended to remedy these grievances, raises the question of whether the lack of political will to evolve an acceptable solution, is attributable to a determination to pursue such policies, under the smoke screen of political dialogue and attempts at compromise. In other words, is there an attempt to thwart in advance, the possible benefits of later political resolution by altering ground realities. This would be tragic, as such an attitude can sadly only lead to the intensification of the conflict, and immense harm to the whole country. One cannot but ask, whether the present situation, in which the country is being bled, in every sense, has to continue.

Aggrieved people reach a stage when they need a solution that will be effective and will endure. It has to be commensurate with the sacrifices they have made, and the sufferings they have borne over a period of more than four decades. The coming decade surely not be a re-enactment of the one gone by. If drift, delay, and a lack of honest purpose are to be continuing features, the possible consequences could perhaps be only deeply sorrowful to all of us.

Just grievances can only be resolved by just means. They can never be and indeed have never been resolved by force or by subterfuge. The Tamil people need to be offered a just effective and enduring solution, not a specious one. They need to feel safe, to feel secure and have an effective say in the management of their affairs. To ask for as much as is necessary to live in safety, in peace and honour, is not to ask for too much. The people are sovereign and the Tamil people should have the opportunity of sharing this sovereignty. Ultimately, it is the Tamil people, and the Tamil people only who have a right to be final arbiters of their destiny. Given a genuine, I have not the slightest doubt that they will decide prudently and wisely.

It is up to the political leadership of this country to show courage and statesmanship and make such an offer to the Tamil people.

Towards a Sri Lankan identity

Uvais Ahamed

The decade 1983 — 1993 has undoubtedly been the most traumatic of this century for all Sri Lankans irrespective of their race, religion, language and cultural backgrounds. It is important that a decade of such significance should not be allowed to pass without having a hard long look at the series of events that unfolded on the socio-political stage of this country and the impact they have had on every segment of Sri Lankan society. All categories of Sri Lankan society, whether they were the young generation still going through the processes of schooling, or the young men and women who have entered the Universities and other tertiary institutions dreaming scenarios of their own preferred futures or the older folks with family and other responsibilities trying to make ends meet faced with a spiralling cost of living or the champions of commerce and industry efficiently harvesting the returns of an open economy or even the politicians, some of whom would have regretted, specially during the JVP days of 1989/90, their decision to enter the political arena in spite of all the perks and power it engendered, they have all seen and experienced the impact of the events that took place during this decade.

That this seminar is being held in the early part of August 1993 is in my opinion of special significance because it tacitly informs us that the decade under discussion is in fact from July 1983 to July 1993. Due to the scheming machination of a few chauvinistic individuals the entire Colombo and some other urban areas in this blessed country were set ablaze ten years ago turning it into killing fields where innocent men, women and children from the Tamil community were mercilessly killed and properties plundered and destroyed. The period between this month of shame and the Janakapura disaster two weeks ago has seen the snuffing out of innocent

Sri Lankan lives, lives belonging to all communities in this country. We have now come to a stage when it is imperative that we face realities and search our collective conscience as to why this destructive tendency has been allowed to continue for ten long years transplanting a gun and bomb culture into the placid and peaceful life styles which all communities of this country had been accustomed to.

Young children between the age of 5 and 15 who were attending school at the time this decade began have since grown into adolescence and adulthood with vivid memories of July 1983 and all that followed during the next ten years. This would have not only resulted in various conflicts and contradictions in their minds but also one could easily surmise that the value systems they had imbibed from their peers, parents and religious leaders too would have received a severe beating. I am sure every parent whether Sinhala, Tamil or Muslim would have been concerned about the impact the gory images of this decade would have had on the impressionable minds of their charges.

An important question that has to be asked is what action have the elders in society, who themselves had been traumatized by these events, taken to help the younger people to get over the bitter memories of the July riot, JVP and other killings and the massacres of Muslims in the villages and Mosques. It is important that this question be addressed in all earnestness because it is incumbent on the elders, whether they are parents, teachers, religious leaders or politicians who in one way or the other should take responsibility for the events of this decade, to take meaningful steps to ensure that the younger generation sheds whatever negative attitudes they may have developed and grow up with the right frame of mind to live with a spirit of good will and understanding in an essentially multi-ethnic, multi-religious and multi-lingual country.

This is a challenge to the elders and leaders of all communities if we are serious about our assertions that our only salvation from this anarchic situation is to think and act in terms of a Sri Lankan identity and Sri Lankan Society.

The unfortunate trend in Sri Lanka ever since we received independence from the British has been one of compartmentalization. The people of this country who had been mixing freely with each other irrespective of the community to which they belonged and who were able to close ranks to wage a struggle against the British to win freedom began to withdraw into their private enclaves of communal living fully cloistered from other influences and interactions, and began to develop with parochial and not national interests uppermost in their minds. The country saw a proliferation of Muslim Associations, Christian Associations, Hindu Associations and Buddhist Associations. I am not in any way decrying the importance of these organizations which have done yeoman service to their respective religious-cultural entities, but what is lamentable is that not many people have taken the initiative to develop organizations which could forge linkages between various ethnic and cultural groups in the country. It is the absence of such linkages that had made the different communities easy prey when contentious issues come to the fore and they become easily manipulated by unscrupulous, self-seeking individuals and parties.

It is indeed a sad commentary of our times that generally a man from the North is unable to communicate with the man from the South in any of the two national languages. Is it not sad that we have to talk in this vein 45 years after attaining independence from the British. We have seen in some of our teledramas when a Muslim man's role is played by a Sinhala person, he is made to mispronounce the Sinhala words like the way my grandfather

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or great grandfather would have spoken that language during their times, and this is done presumably to provoke humour and laughter among the audience and sadly enough at a time when there are many Muslims who could speak and perform better in Sinhala than the Sinhalese themselves. Very often Muslims are portrayed in teledramas as unscrupulous traders or as gem merchants prone to cheat others. Considering the fact that the period we are discussing will be remembered as the decade in which television has got deeply entrenched in the national ethos of this country, is it not a great pity that the national media should give its blessings to such activities which are extremely inimical to national interest and would in no way help to bring about national integration.

While it has to be conceded that all three communities in this country have had their share of the privations and suffering of this decade, there is no doubt whatsoever that this period will go down in history as the worst the Muslims have experienced ever since they settled down here several centuries ago dating back to pre-Islamic days when evidence of the presence of Arabs have been established with the excavation of Arabic coins in ancient cities like Anuradhapura.

There had been a Ceylon Moor settlement in the heart of Jaffna which had seen several generations growing up in harmony with the Tamils. This harmony and understanding had been so pronounced that at one time a Muslim was elected the Mayor of Jaffna. The Jaffna Muslim Community had been able to produce the first Muslim civil servant in the country and also the first Muslim graduate who went on to become the first Muslim lawyer. Today there is hardly any trace of Muslim existence in Jaffna. Every one of them had been driven away from the land of their birth and are now scattered around Sri Lanka as refugees. They are now making a valiant effort to build anew their broken lives and looking forward to the day when they can go back to the land in which they and their ancestors were born. Their plight is as bad as that of the Palestinian refugees, but there is hardly any concern international or national expended on them. Muslims who had been living in Mannar for several centuries were given only a few hours notice to leave their homes sans any of

their belongings. They are now languishing in refugee camps all over the country. It is said that gold ornaments were grabbed from them at gun point and taken away in gunny bags. They had to enter refugee camps penniless and are now living a miserable life depending on the charity of a few kind individuals. Several Muslim villages in the Eastern province and the Polonnaruwa district have been attacked by the marauding tigers and hundreds of innocent men, women and children have been mercilessly massacred. Those who escaped are living as destitutes. The most shattering experience the Muslims had to undergo during this decade was when two Mosques in the populous Kathankudi village were desecrated by the Tigers. More than 100 innocent God fearing Muslims who were deep in prayers in the Mosques were mauld down by these heartless creatures in human form turning the House of God into a mass graveyard. What more could you expect a community to suffer apparently for no rhyme or reason except perhaps the political bungling of those who call themselves leaders.

During the last ten years numerous meetings have been held among political parties and NGOs. Independent individuals have taken the initiative to talk to the parties involved in the conflict. The Govt. has had talks with the LTTE both in Sri Lanka and elsewhere. A Select Committee had been functioning to help resolve the conflict, and religious dignitaries from the South have had talks with the LTTE in the North. But still as evidenced by the Janakapura disaster of a few weeks ago and the Bambalapitiya Kovil bomb blast only last week, the culture of violence that had gripped our nation ten years ago still seems to be the order of the day. In spite of all the pious pronouncements of politicians and others declaring their intention of conflict resolution, there does not seem to be any light at the end of the tunnel and innocent lives are continuing to be lost.

Whatever the antecedents of the conflict may be, Sri Lankans as a whole will for a long time repent the missed opportunity five years earlier. In 1977 thanks to economic debacle and mismanagement of the previous regime, the UNP was elected to Parliament with a 2/3rd majority, a position that could have strengthened

the elbow of any regime to fearlessly address the disillusionment of the Tamil youth and resolve the continuing conflict, if only they had the political will to do so. While the disaffection and frustration of the Tamils especially that of the youth of that community were simmering beneath the surface with all signs of blowing up at anytime, the regime that came to power, without using this marvellous opportunity to marshal all their resources and resolve the conflict once and for all, began to preoccupy themselves with two other issues which were of no immediate significance. These were the action taken (a) to deprive Mrs. Bandaranaike of her civic rights and (b) to change the existing constitution using the 2/3 majority to set up an Executive Presidential form of government giving the President almighty powers. It has of course to be said to the credit of that regime that they set in motion a vast economic recovery programme which gained momentum in 1988 and is going on unabated even to this day. But unfortunately they were not sensitive or sensible enough to understand that for any form of development to take place there should be first and foremost peace and harmony in the country. Perhaps they thought the Tamil question would in the fulness of time get diluted or resolve itself, along with the acceleration of economic development. When the entire economic machinery got stalled as a result of the aftermath of the July 1983 riots, aided by the relentless propaganda of the Tigers which was of no match to that of the Government, the realization had come a little too late. The lost opportunity of 1977 and the miscalculations that followed had resulted in the most agonizing decade of 1983 to 1993.

The lives that have been lost on both sides of this senseless war and the colossal amounts of money that has been spent by the Government to keep their war machines in operation represent useful human resources on the one hand and scarce material resources on the other. It is indeed tragic both to Sri Lanka and its citizens that it has not been possible to come to terms with the basic issues involved in the conflict and bring about a lasting solution so that all resources could be channelled to make our dear land a better place to live in for us and the generations to come.

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“Call the other Guy”

Some implications of press freedom

Prof. A. J. Gunawardana

I begin with the proposition that “a free press is a condition of a free society” Or, to go by an early formulation credited to James Madison, I consider that “a popular government without popular information or the means of acquiring it is but a prologue to a farce or tragedy or perhaps both.”

This, it goes without saying, does not mean that one can take an absolutist view of the concept of press freedom. Inasmuch as there is no society totally and absolutely liberated from the restraining hand (seen or unseen), there cannot be a press that is totally and absolutely free. Like every institution of society, the press must necessarily contend with society's deep structures, with cultural formations in the social fabric as well as with quotidian circumstances of a transitory nature. Such operative factors present in society may at times impinge upon press freedom in negative ways, exercising various constraints upon it. These constraints may either have to be accepted as givens, as matters which are non-negotiable. Or they may have to be actively confronted and overcome.

These commonplaces bring me to central image of the free press as a highly complex and vulnerable social organism. The qualifier ‘vulnerable’ demands to be underscored. If we characterise the idea of a free press as one of the finest and noblest instincts of organized human society, we must at the same time grant that its practical and institutional expression is constantly under different degrees and kinds of pressure from forces generated within and by that very same society. Consequently, a free press becomes an institution that needs to be protected, sheltered, safeguarded, even gently

Paper presented at Lanka Guardian - Marga Seminar on Press Freedom last month

tended, if we value its significance and vitality.

The historical experience of many societies proves that press freedom cannot subsist on constitutionally ratified legal guarantees alone. We only have to glance at the chequered career of the famous First Amendment to the United States Constitution to realize this simple yet often elided truth. To elaborate slightly on this point, let me quote a statement made by a reputed United States judge at a high-level conference on “the media and the law” held some years ago. The judge said:

“....Let me point out that the Constitution of the United States is not a self-executing document — If you look at the literal language in the First Amendment of the Constitution of the United States, it says, ‘Congress shall pass no law abridging the freedom of the press.’ That’s all it says on the subject, absolutely all. It doesn’t say a word about what a state can or can’t do.”

The thrust of the judge’s remarks is that the courts, in their interpretation of constitutional provisions, can either empower the press and consolidate its freedom or curtail and restrict that freedom. Deconstructed from our present perspective, the judge’s words ultimately articulate the position that the law alone cannot protect a free press, although the law is unquestionably of paramount importance in this regard.

Obviously, then, a free press needs

other protective mechanisms besides legal bulwarks and constitutional guarantees. The law and the constitution are (in a sense) external factors, elements that exist outside the press, whether we take the press as a profession, a commercial enterprise, or as an institution located in society.

In addition to the vital external protection offered by the law, a free press requires what I would call an internal life-support system, or if you wish, internal defence mechanism that enables the free press to withstand negative forces acting upon it from outside. Or, if you abide with the fanciful conceit of the free press as a delicate and vulnerable organism, then there has to be some way of at least preserving its homeostasis without undermining its essential energies.

How does a free press generate and consolidate such a life support system? What means are available for this purpose? Without presuming to give a direct answer, I would like to be suggestive on this question. And with that end in view, I shall quote, at some length, what I regard as a candid, perceptive and straightforward description of good newspaper practice.

“The best journalists feel singularly dedicated to maintaining credibility. They regard credibility as the most precious commodity of journalism. They will go to tremendous lengths to check out a tip or a story. Most will not publish until they are completely satisfied that they have all the information available — at least within the deadline restrictions and institutional limitations of newspapering.

"Among good reporters the rule is to call the other guy. Put another way, if someone attacks an individual, the attack should not be printed without providing an opportunity to answer. Blind criticism from confidential sources who refuse to identify themselves should not be allowed, although such a rule can be difficult for editors to police.

"All this does not mean fairness in any sense of reporting, inch for inch, all sides of the same story. It does mean fairness in hearing out the other side and making an independent judgment.

"This understanding of a journalist's sense of fairness is critical. . . . Fairness and accuracy are essential to credibility; but these are the responsibility of reporters and editors. Objectivity is a difficult goal in the newspaper business. There is no way an editor can wrench out of reporters the inculcations of 25 or 40 years of personal experiences that seed biases. What those reporters must do and be trained to do is give each side a chance to present its case, particularly on controversial issues, and then write as accurately as they can. This is a painstaking, sometimes tedious business. But when it works well, it is the essence of good journalism.

"A truly fine newspaper is not a public relations operation, or business blotter, or a booster for the community in which it is published. It is not a mouthpiece for the government or a quasi-governmental publication for official statements and pronouncements. Nor at the same time is it an activist cause-oriented instrument in the hands of an elite group of the leaders or individuals who think they have the sole perception of what society is or should be. A newspaper certainly is not the last word on the news. Nor is it even a comprehensive, utterly fair, totally accurate, always excellent, completely objective chronicle of its times. And it does not have to be correct all the time. Nor could it be, putting out a totally new product every day of the year.

"A truly excellent newspaper is a collection of bright, eager, and hard working

human beings, reporting what they see as best they can, trying to determine what is new and profound, significant or funny, sad or telling, different or important. More often than not, what is printed has more to do with what is wrong than with that is right; more to do with keeping people honest than with honest people; more to do with eliminating dark places than reflecting sunlight; but, always, mostly to do with seeking truth."

These congenial lines were written about 15 years ago by Howard Simons, then Managing Editor of the Washington Post and by Joseph A. Califano, Jr., attorney and former presidential aide, in the aftermath of the Watergate experience.

Two major points emerge from the Simons-Califano summation. Most importantly, it establishes that the defining feature of a good newspaper is credibility — credibility that can only be nurtured fairness and accuracy. At the same, Simons and Califano hint at the fact that, in everyday decision-making processes, editors, reporters and writers have to face a variety of moral and ethical challenges. The manner in which these moral and ethical challenges are encountered and negotiated also determines the quality of a newspaper.

I would submit that the qualities noted above — that is to say, credibility predicated upon fairness and accuracy, together with the moral and ethical standards upheld by newspapers in their everyday praxis — constitute the core elements of the internal defence mechanism or life-support system that I have been alluding to in respect of press freedom. When a newspaper demonstrates the substantive qualities of fairness and accuracy, when a newspaper is seen to genuinely respect moral and ethical imperatives, when a newspaper becomes credible, its freedom to function according to its professional dictates gains enormously in strength.

It would be foolish to assert, however, that press freedom becomes unassailable under these conditions. But it is undeniable that press freedom would become less vulnerable and more secure if such condi-

tions are fulfilled. Furthermore, protests against casual or organised infringements of press freedom, and demands for the removal of restrictions on press freedom, will acquire greater validity and moral force when it is seen that the press is actually striving towards the goals of professional excellence and social accountability.

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Provincial Councils — Devolution in Practice

(An Analysis of the Extent of Devolution Available to the Provincial Councils)

C. Suriyakumaran

1. The attached is a Schedule of cross classifications, of Functions 'devolved' to Provincial Councils, set alongside limitations or restrictions on them from the Centre, by direct or indirect powers available to latter.
2. Neither Functions as a whole, nor the limitations on them, are directly set out in the statute 'in one place' as it were; behind apparent powers at one point, there are limits immediately thereafter, or elsewhere in the provisions.
3. The constraints therefore are in some places at List I itself (the so-called Provincial Council functions), in others at List II (the concurrent functions), and importantly, of course, under the Reserved List set out by List III.
4. Varying reservations and statements, mostly of a broad nature, have been made from various quarters from time to time on these potentials and limits, with the actual measure of limits, or capacities, not always brought out clearly or objectively.
5. The Schedule below sets out in condensed form for each Function, its Provincial level capacity, or limit, by bringing together against each Item, the relevant constraints or supports.
6. The result helps to give a clear indication of what the Thirteenth Amendment has been in practice.
7. A final Sheet, sums up the overall conclusions.

(The powers of Governor, at Section 154B, et seq., are not reflected here, such powers not being Functions, but potential to limit or enhance the discharge of those functions, either sui generis, or as expression of Central power. This does not mean that the powers as now available are necessarily healthy, or do not need scrutiny.)

PROVINCIAL COUNCILS — DEVOLUTION IN PRACTICE (The Thirteenth Amendment — 9th Schedule)

<i>Function</i>	<i>List I (Provincial Council)</i>	<i>List II (Reserved)</i>	<i>List III (Concurrent)</i>
(1) Police/Law & Order Defence, Security, Etc.	D.I.G. Provincial Police Commission.	National Policy — ALL subjects. Defence-Security-Civil Power. IGP — National Police Commission — Emergency. Foreign Affairs-The Constitution. Finance-Currency-Customs-Excise, Taxes, Audit. Trade, Inter-Provincial Trade. Ports & Harbours, Rivers, Shipping, Minerals & Mines, Fisheries, Immigration, Elections, Census, Archives, etc. Labour, Salt, Survey, Pensions, Parliament, President, Privileges, etc. Colombo-Kotte. All functions not in I & III.	—————
(2) Planning	Implementation.	—————	Planning, Monitoring, Employment Planning.

<i>Function</i>	<i>List I (Provincial Council)</i>	<i>List II (Reserved)</i>	<i>List III (Concurrent)</i>
(3) Education Services	Pre-Schools/State Schools (Facilities, Supervision) Appointments, Principals (Lower Levels). School Boards. Education Development & Implementation plans Appraisal — All Staff / E.OO. (Higher Levels). In-Service Training. Local Examinations. Non-formal Education Programmes(Implementation). Educational Buildings, Libraries, Playgrounds. Teaching Audio materials, Furniture and Equipment. Textbooks.	Declared Universities Institutions. National Schools. Supervision. Higher Recruitment. All Criteria. Appointments-Principals Training. Provincial Advisory Boards. Approval of In-Service Training. Approval of NIE Curricula, etc. Guidelines for Libraries. Approval of Textbooks.	New Universities.
(4) Local Government	(Under P.CC.)	_____	_____
(5) Housing and Construction	Provincial Programmes. Tenancy Act/Rent Act.	_____	Integrated Urban Development.
(6) Roads & Bridges	Provincial Networks.	National Highways, etc.	_____
(7) Social Services/ Rehabilitation	Provincial.	_____	Relief, Rehabilitation, Re-settlement Displaced Persons. Relief Natural Disasters. Restoration, Reconstruction Rehabilitation.
(8) Regulation Road/ Carriage Services Provision, Inter-Provincial Services.	Provincial	National Transport (all systems), Ports and Harbours. Post and Telecommunication.	Trading. Press. Tourism.
(9) Agriculture/ Agrarian Services	Extension, Minor Irrigations. Research.	Inter-Provincial Irrigation/ Settlement. State Lands, Plantations. National Research Institutes.	Animal Husbandry, Fisheries, Farms, Agro-Industries, Social Forestry, Wild-Life Water Management Planning, Welfare Services, and Inter-Provincial Schemes.
(10) Rural Development	(Under P.CC.)	_____	_____
(11) Health	Hospitals, etc. Services. Plans and Facilities. Scholarships.	_____	Training, Family Planning, Medical Boards, Registrations
(12) Indigenous Medicine	(Under P.CC.)	_____	_____
(13) Rest Houses	(Under P.CC.)	Select Circuit Bungalows.	_____
(14) Pawn Broking (Not per Banks)	(Under P.CC.)	_____	_____
(15) Market Fairs	(Under P. CC.)	_____	_____
(16) Food Supplies	(Under P. CC.)	_____	Food Stocks/Rationing.
(17) Co-operatives	(Under P. CC.)	_____	Co-operative Bank.
(18) Land	Land Use. Inter-Provincial Irrigation, etc. Alloties. Membership in Land Commission. Functions as devolved by land Commission.	Determined by Government. Ditto. Ditto. Administration/Management of all above. Land Commission. Inter-Provincial Migration.	_____

<i>Function</i>	<i>List I (Provincial Council)</i>	<i>List II (Reserved)</i>	<i>List III (Concurrent)</i>
(19) Irrigation	In-area Works.	(Covered under Land, etc. above)	Planning, etc. Inter-Provincial Services (See also No.9).
(20) Animal Husbandry	(Under P.CC.)	_____	Livestock, Training, Laboratories, Pastures.
(21) Establish Enterprises (Plus Research)	(Under P.CC.)	Subject to National Policy and Implementation.	_____
(22) Reformatories, Etc. (incl. Inter-Provincial)	(Under P.CC.)	_____	_____
(23) Liquor	(Under P.CC.)	_____	_____
(24) Burial Grounds, Etc.	(Under P.CC.)	National Memorials Cemeteries.	_____
(25) Libraries, Museums, Monuments, Records.	(Under P.CC.)	Those of National Importance.	_____
(26) Mines and Mining Development	As permitted by Parliament.	In Charge.	_____
(27) Incorporation, Regulation, Etc., of Corporations	(Under P.CC.)	Trading Corporations, Banks, Insurance and Finance Corporations.	_____
(28) Regulation of Incorporated Societies, Associations	(Under P.CC.)	_____	_____
(29) Theatres, Etc., sports	(Under P.CC.)	_____	_____
(30) Betting, Gambling	Regulatory Functions.	Licence Fees, Taxes.	_____
(31) Debt	(Under P.CC.)	_____	_____
(32) Offences (As in List)	(Under P.CC.)	_____	_____
(33) Fees (As in List)	(Under P.CC.)	_____	_____
(34) Electrical Energy	Minor Schemes.	Hydro and Grid.	_____
(35) Borrowing	(Under P.CC.)	Subject to Parliament.	_____
(36) Taxes, Fees, Duties, Tolls, Fines, Charges, Revenues. And 'Others'	(To extent available)	Item 'Others' as provided by Parliament.	_____
(37) Environment	Provisional.	As provided by Parliament.	(Undefined Joint Functions.)

NOTES

- Capacities for discharge of Functions circumscribed, inter-alia, by:

FOR LIST I

- Pervading Central control over 'National Policy' for All FUNCTIONS.

FOR LIST III

- By above.
- By cumbersome processes for use of Functions by the P.CC.
- By (consequent) de facto use of Functions dominantly by the Centre.

OVERALL

- By inherent limits to effective performance of 'Own Functions' (e.g. Finance, Planning and Development);
- By dominant Central control through List II (including minisule financial allocation);
- By 'Decentralised Finance' (applicable to Local Government) in place of 'Devolutionary Finance' involving, (a) shared revenues, (b) enlarged tax base, and (c) stronger Investment Funds raising capacities.

- Functions for which Provincial Councils are solely or dominantly in charge are, for the most part, secondary, somewhat 'innocuous' (essentially local government type) items.
- The Thirteenth Amendment would appear 'as if' designed to,
 - restrict its 'declared intent';
 - constrain intended Devolution in 'N.E.';
 - provide to the other Regions a package they neither asked for, nor were aware of how to use.
- The current second Phase of P.CC. in these Regions may not, however, be the same.
- Regarding the broad experience so far, there has been one proviso however in practice (not reflected in the Schedule). This is that, given the accident of a strong consensual (as against confrontational) relation with the Centre, the particular Provincial Council has been in a position to exercise its functions with conspicuous autonomy, not always expected in the legal provisions.

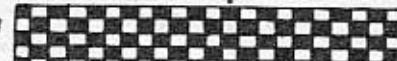
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Supreme Court Removes K. C. E. De Alwis from the S. P. C. Jayewardene's Riposte

Arden

Parliament, it must be presumed, expelled Mrs. Bandaranaike from membership in that Assembly and deprived her of her civic rights, in the belief that the three commissioners who had found against her were all men of honesty and integrity. But it transpired that one of them, K.C.E. de Alwis had been naughty. While a Special Presidential Commission inquiry was pending into charges against A.H.M. Fowzie, ex-Mayor of Colombo, de Alwis had had financial dealings with him. Felix R.D. Bandaranaike former Minister in the 1970-1977 government, was one who had been found guilty of abuse/misuse of power by the S.P.C. and had accordingly been deprived of his civic rights for 7 years by parliament. He petitioned the supreme court under Article 140 of the constitution (as amended by the first amendment) for a Writ of Quo Warranto and a Writ of Prohibition against K.C.E. de Alwis. The other two commissioners were also named as respondents though no relief was claimed against them.

The matter came up before Samarakoon C.J., Wimalaratne J. and Colin-Thome J. as S.C. Reference No. 1 of 1982 and was argued on 23 and 24 September 1982. Order was delivered on 18 October 1982.

The financial dealings referred to in the petition comprised:

1. A sale of land by de Alwis, as attorney for his son, to Fowzie's daughter for a sum of Rs. 575,000, the consideration being paid by Fowzie;
2. A renting of a house in Colombo 6 to Mrs. Fowzie at a rental of Rs. 6,500 per mensem, de Alwis being the attorney for the landlord, his son.

The transactions were admitted by de Alwis but he claimed that the notice issued by the S.P.C. to Fowzie was no longer in operation at the time of the transactions as it had been revoked by the commission.

The other two members of the S.P.C. supported this position, in affidavits; they said they had decided in January 1980 not to proceed further against Fowzie because (i) the main witness against Fo-

wzie, B.A. Jayasinghe, had died on 22 September 1978; and (ii) another Commission had already found against Fowzie on some other charges and civic disability had already been imposed on him on 1 November 1978 on those findings.

In support of their affidavits the commissioners relied on a letter dated 20 November 1978 served on Fowzie which read:

Notice under Section 16 of the S.P.C. Inquiry Law No. 7 of 1978.

Until a further communication is sent to you, you are not required to take any steps in respect of the notice dated 1.11.78.

Sgd. J.G.T. Weeraratne
Chairman

Even on the face of it, the letter dated 20 November sent to Fowzie was not a revocation of notice but an intimation of a postponement of the inquiry *sine die*.

The C.J. commented: "The best evidence of the decision on this particular issue would be the file of record of the commission containing a record of such decision and consequential directions that must have been given to the secretary and to his staff. Such evidence was not forthcoming although we mentioned to Counsel that we would like to peruse them (sic)".

As regards the reasons given by the commissioners for the alleged decision not to proceed with the case against Fowzie, Wimalaratne J. commented that both events, namely the death of Jayasinghe and the imposition of civic disability on Fowzie preceded the S.P.C.'s decision to frame charges against Fowzie and could, therefore, hardly be grounds for a decision not to proceed with the charges.

All three commissioners were disbelieved on this point by the supreme court, although later there was to be some attempt to make out that it was only a difference of opinion as to what the letter dated 20 November sent to Fowzie amounted to.

By a majority decision the supreme court found de Alwis guilty of "conduct unbecoming of a judicial officer" and held

that he had become "unable to act and that he was disentitled to hold office and function as a member of the S.P.C. Inquiry".

The C.J. said, *inter alia*, "There is both a real likelihood of bias and a reasonable suspicion that his judgment was warped by favouritism though, I repeat, there is no proof of that. I would therefore issue a writ of prohibition forbidding the first respondent from taking any further part in the investigation of the conduct of Fowzie.... Right-minded people would not be unjustified if they looked askance at other decisions of the first respondent.... What intrinsic worth any recommendation already made, or that will be made in the future will have is not a matter for this court. That must be judged by those who seek to impose punishments on the basis of such recommendations".

And that should have given Jayewardene furiously to think and to reconsider all the steps already taken on the recommendations of this S.P.C. However, the resilience of both Jayewardene and de Alwis was inexhaustible.

Complaint against the three-judge Bench

The next thing that happened was that de Alwis petitioned the president alleging that Wimalaratne J. and Colin-Thome J. had been biased against him and also that there had been "a vicious conspiracy" by Felix Dias Bandaranaike and Fowzie to get him (de Alwis) to enter into transactions with Fowzie, with the purpose of discrediting the S.P.C. and himself. He claimed Wimalaratne J. and Colin-Thome J. were beholden to Felix Dias Bandaranaike for past favours and had reason to be hostile to the president's government.

Altogether the petition was a shabby and mean-minded document and told an improbable tale. The president did not toss it into the waste paper basket. The cabinet decided that a parliamentary select committee should inquire into the allegations.

On 8 March 1983 Mr. Gamini Dissanayake, Minister of Lands, introduced a motion for the appointment of a select commit-

tee to inquire into the allegations in de Alwis' petition.

Mr. Dissanayake (no mean plonker himself, though on a more subdued note than his master) referred to what he called "certain fundamental principles" which prompted the government to go before the house and ask for a select committee. Among the said fundamental principles was "the belief that no complaint by any citizen of this country, however lowly placed or however high, should have no forum in which there is an adjudication or an inquiry". There were certain matters of public interest in regard to which some finding had to be arrived at, he said. There was not going to be a witch-hunt, but it was parliament and parliament alone that could go into the matter.

Mrs. Bandaranaike made a bitter public protest:

"On February 26, at the annual convention of the U.N.P. President Jayewardene declared that he was above the judiciary and the legislature and that he alone had 'the power to do anything'. He has already exercised his power over the legislature by removing, during their term of office, members who had been elected to parliament at a general election. He now proposes to demonstrate his power over the judiciary by subjecting two senior members of our highest court to the humiliation of having to defend themselves against the vituperation of a man who ended his judicial career in disgrace....

If de Alwis honestly believed that these two judges were 'prejudiced' against him why did he not object to them before the case began, or even while the case was proceeding? Will every unsuccessful litigant, every convicted criminal who chooses to make foul allegations against a court that has held against him, be afforded this facility of causing the judge to be summoned before a select committee of parliament to answer his foul allegations? Or is de Alwis being singled out for special treatment and being accorded a special privilege for his contribution towards the disfranchisement of some opposition leaders".

She described it as "a barbaric attempt by the cabinet to intimidate the judiciary". (The Island 9 March 1983).

On 10 March a select committee was appointed by Mr. Speaker comprising six government M.P's and one opposition M.P. to inquire into de Alwis' allegations.

Of all Jayewardene's assaults on Sri Lanka's democratic institutions this perhaps was the meanest. Lankans have

always held their supreme court in high esteem. Both Jayewardene and de Alwis seemed determined to bring the court into contempt and disrepute.

De Alwis was reckless in his accusations. He claimed that Colin-Thome J. had permitted Felix Dias Bandaranaike to get his petitions typed in his chambers on his typewriter, which was the identical machine used to type Colin-Thome J's judgment in the case. Colin-Thome J. had to produce a certificate from an expert examiner of questioned documents to establish that the petition and the judgment were not typed on the same machine. De Alwis

even attempted to make out that there was a sinister plan behind the date on which the supreme court judgment was delivered, 18 October 1982, two days before the presidential election. His argument was that the judgment was personally embarrassing to President Jayewardene and that his election could have been prejudiced by it. He said: "It is not possible to conclude that the choice of the date had been innocently done. The circumstances leave no room to doubt the guilt of the judges. They would have all agreed to this date".

(To be continued)

The Scholar's Tale

(Part III)

*In the interim given to things Cogital
Our Hero beheld some upheaval
Of the Pillars of the quiet World that first launched him
A World with a decided left Spin*

*The Pillars didn't crumble and crash
They just wobbled with a musical dash
But the refrain with insidious inflexing
Wheeled slowly into a Right Spin*

*The old Central schools pined without staff
New Fee Schools had the last laugh
Universities were fuddled on function
To uphold the Book or the Truncheon
For his Masters degree that was free
There was now a twenty five thousand fee.
Our Hero observed without emotion
All that had brought him fruition
Fair prices, Housing and Learning
Spiralled down with ladders reversing
While he was perched clear of the Struggle
Watching a generation helplessly boggle.*

*He then derived the revised Equation
Of this dextrous Social Convulsion
For a variation on the theme of Resolution
Poverty was the latest Creation,
Creation prior to alleviation
Was the new New Maths Solution*

*Poverty creation was easy to assure
Switching subsidies to the Rich from the Poor
Tax holidays instead of Work Vacations
Duty waivers instead of Home Production
Fifty rupees for a six rupee dollar
And wages a quarter dollar an hour
In fact a lifting of Controls
On all except the Workers payrolls*

*Markets moved on 'free' manipulation
Dreams took over the poor man's temptation
Food, Health and Housing being plain hallucination
On TV for the bemused population
Created on freed price came Houselessness
Hunger and Peronista shirtlessness
With the signals of a Conflict Countdown
To a diverting Presidential Pogrom*

(Continued)

U. Karunatilake.

Poverty: Meeting the Challenge

PREAMBLE

At the 1991 Colombo Summit, the Heads of State or Government of the SAARC nations agreed upon the urgent need for a bold and innovative strategic thrust towards poverty alleviation in the Region. It was recognized that endemic poverty in South Asian countries contributed to the multifaceted crisis that posed a threat to the fabric of their societies, indeed to their very existence as democratic States.

The Heads of State or Government further directed that the search for the strategic thrust, which could be adapted to suit the socio-political circumstances of each country, should involve inter-governmental cooperation in accordance with their agreement at the 1990 Male Summit that the SAARC should move into core areas of cooperation. The latter decision was in keeping with the emerging trends in Europe, North America and South East Asia where closer economic, technological and cultural links between sovereign nations, located in close geographical proximity, have led to economic gains as well as the enhanced effectiveness of government policies. Likewise, closer cooperation between South Asian countries would, on the one hand, enable them to exercise and benefit from the market strength of one billion consumers and, on the other hand, help build upon shared bonds of culture, history, economics and ecology.

The strategic thrust for poverty alleviation, outlined in this Report, envisages the eradication of a significant part of the poverty problem within a specified time frame. It will then leave only a residual number who would need safety nets and other social welfare programmes. This category can be kept within manageable limits and be carried by society until they too can be brought into the mainstream of development in wider human terms.

The seven SAARC nations account for over one-fifth of the world's population. They share common roots in one of the most ancient civilisations, a civilisation that has brought together various religions and been able to maintain its uniqueness and vitality through the millennia even while adapting to accommodate new values, new technologies, new forms of economic production and new institutions of social organisation. They share a common geography, a common eco-system and, except for the Himalayan countries of Bhutan and Nepal, common history of colonial rule. Today, they also share as the heaviest of their burdens, the affliction of poverty which saps their strength and vitality and hides the bright face of their civilisation and peoples.

A large number of successful programmes notwithstanding, the development strategies pursued by South Asian Governments have

Report of the Independent South Asian Commission on Poverty Alleviation. The Chairman was H.E. Krishna Prasad Bhattarai, former Prime Minister of Nepal and the Vice-Chairman, Coordinator, was Dr. Ponna Wignarajah, Adviser U.N.U. on South Asian Perspectives.

failed to make a significant dent in the problem of poverty mainly because they have tended to underestimate the complexity and magnitude of the problem. It is not that there are no successes. Recent South Asian history is full of local as well as sectoral experiments that have helped alleviate some of the worst consequences of poverty in selected areas; many of these experiments have provided models for other countries and regions around the world. Also, it is no small achievement that, despite an expanding population, the South Asian GNP per capita rose by 3.1 per cent per year during the 1980s when it was actually declining in Latin America, Africa and the Middle East. Similarly, the proportion of people below the poverty line declined since 1950. Despite all this, however, the problem of poverty still remains. Even at present a staggering number of nearly 440 million people live in absolute poverty in South Asia. It is simply too large a number for any society to carry. It puts democracy at risk. This "poverty overhang" is not only a problem in its own right, it is also an obstacle in the pursuit of other goals of human development.

The limitations of earlier developmental approaches are now being widely recognised and are leading to the formulation of a new two-pronged pattern of development in all South Asian countries. The first prong, the conceptual and operational dimensions of which are fairly well understood, is the familiar one of economic liberalisation and structural adjustment which, in the longer term, aims to transform the economy into an export-oriented, internationally competitive one. The second prong, which is still mired in doubt and confusion, is that of poverty alleviation. The confusion is compounded further by the evidence that liberalisation programmes when taken alone tend to benefit only small segments of the population who are better off and leave the poor worse off, particularly in the shorter term. In the view of this Commission, what is needed is to give unambiguous attention and priority to poverty alleviation.

It was in recognition of these concerns that the Heads of State or Government of the SAARC countries decided to set up an Independent South Asian Commission on Poverty Alleviation and directed it to examine the causes and consequences of the resilience

of poverty in South Asia, to distill the positive lessons from successful and sustainable experiences on the ground, to diagnose what went wrong with past development interventions and to identify critical, concrete and practical elements for a coherent strategy to alleviate poverty. The Terms of Reference of the Poverty Commission are given in the Annexure. The text of the Colombo Summit Declaration on this item is set out below:

The Heads of State or Government accorded the highest priority to the alleviation of poverty in all South Asian countries. They affirmed that South Asia's poor could constitute a huge and potential resource provided their basic needs are met and they are mobilized to create economic growth. This requires that the poor are empowered and are irreversibly linked to the mainstream of development. It was noted that each South Asian country has had significant success cases of this approach to poverty alleviation.

Recognising that a great majority of these people remain below the poverty line, they evinced keen interest in a "Daal-Bhaat" or assured nutritional standards approach towards the satisfaction of basic needs of the South Asian poor.

Deeply conscious that primary education is the cutting edge in the struggle against poverty, and the promotion of development, the Heads of State or Government reaffirmed the importance of attaining the target of providing primary education to all children between the ages of 6 — 14 years by the year 2000. They agreed to share their respective experiences and technical expertise to achieve this goal.

The Heads of State or Government decided to establish an Independent South Asian Commission on Poverty Alleviation consisting of eminent persons from each SAARC member state to conduct an in-depth study of diverse experiences of the seven countries on poverty alleviation and to report to the Seventh Summit their recommendations on the alleviation of poverty in South Asia.

Convinced that the solutions to the problem of poverty required a politically directed approach based on the lessons of past experience, taking into account the myriad examples of successful grassroots initiatives as well as the proven macro-level successes and noting the failure of the overall pattern of development to make an adequate impact on the problem, the Commission recognised that poverty eradication is a deeply political objective which cannot be achieved through purely technocratic means. Rather, a more coherent, practical and concrete approach would have to be devised within a democratic political system as a participatory and pluralistic process in which women and men of all

the diverse communities that make up South Asia are equal partners.

More specifically, a basic premise that has emerged from the analysis is that the major reason why the poor have been unable to overcome their condition of poverty is not so much the lack of initiative or knowledge on their part but rather the existence of institutionalised obstacles to effective action. Overcoming these systemic obstacles requires both releasing the creative energies of the poor themselves as well as a lead role for the State. Sensitive support would need to be provided by a number of other actors as the process evolved. Underlying this premise is the fact that "the poor are rich" in South Asia, not only in their ability to survive against insurmountable odds but also in their ability to contribute to growth through their creativity and strength. The evidence on the ground shows that growth, human development and greater equity can be achieved in the same process. Therefore, the Commission decided to focus its attention on ways and means of removing the institutional obstacles to collective action towards this objective. This approach had the added advantage of leading to a consistent and coherent strategy rather than a "shopping list" of panaceas.

The strategic thrust for poverty eradication in the shorter term, presented in this Report, however, would need to be harmonised, in a step-by-step manner, with the longer-term strategy of an open economy-industrialisation approach, as both these clearly identified prongs in a new overall pattern of development evolve and mature in the South Asian context. The harmonisation of these two prongs within a new overall pattern of development can be reinforced by economic cooperation among South Asian countries, leading to the building of a viable South Asian Community.

MEMBERS OF THE COMMISSION

Chairman: Mr. Excellency Krishna Prasad Bhattarai, Former Prime Minister of Nepal
Vice Chairman and Co-ordinator: Dr Ponna Wignaraja, Adviser, United Nations University on South Asian Perspectives, Sri Lanka.

Dr. Shaikh Maqsood Ali, Member, Planning Commission, Bangladesh, **Mr. Sangay Ngedup,** Secretary, Planning Commission, Bhutan, **Mr. K.R. Venugopal,** Additional Secretary, Prime Minister's Office, India, **Hon. Abdul Sattar Moosa Didi,** State Dignitary, Maldives, **Mr. Shreekrishna Upadhyay,** Member, National Planning Commission, Nepal, **Mr. Salfar Hussain Kazmi,** Secretary, Ministry of Labour, Manpower and Overseas Pakistanis, Pakistan, **Dr. Warnasena Rasaputram,** Permanent Representative of Sri Lanka to the United Nations in Geneva, Sri Lanka, **Mr. Fazole Hasan Abed,** Executive Director, Bangladesh Rural Advancement Committee, Bangladesh, **Dr. Jigmi Singay,** Director, Department of Health Services, Bhutan, **Dr. S.R. Hashim,** Adviser, Planning Commission, India, **Mr. Hassan Sobir,** Deputy Minister, Ministry of Planning and Environment, Maldives, **Mr. Madhukar S.J.B. Rana,** Management and Investment Consultant, Nepal, **Mr. Shoaib Sultan Khan,** General Manager, Aga Khan Rural Support Programme, Pakistan.

TERMS OF REFERENCE

- Analyse the positive and negative experience of the past poverty alleviation.
- Assess the studies that are already available on the causes and dynamics of poverty in South Asia.
- Draw the positive lessons from the "successful and sustainable" experiences on the ground, where the poor

have been mobilised to create economic growth and promote human development.

D. Identify critical elements of a coherent overall strategy of poverty alleviation for South Asia, including the underlying conceptual framework and operational methodologies, and the process that can be multiplied under different socio-political circumstances.

E. Examine the following key human development components in an overall poverty alleviation strategy:

- how to ensure a minimum nutritional entitlement approach for the South Asian poor, keeping in mind the concept of "Daal Bhaat" articulated at the 1991 Summit;
- how to ensure the provision of primary education

Correspondence

Sansoni Commission

Your issue of 15 July 1993, in the article by Arden, section sub-titled, "The Sansoni Commission", says this:

"The Commissioner found that the main cause of the disturbances was the Eelam cry and he quotes Rev. Fr Paul Caspersz, a Roman Catholic priest, closely involved in the Movement for Inter-Racial Justice and Equality (MIRJE), who supports this view".

The fact is that at no time did I hold or support this view.

My Press Release of 7 January 1981 (which follows and which I request you now to publish) is proof.

"Coordinating Secretariat for Plantation Areas
30 Pushpadana Mawatha
Kandy
7 January 1981

Report of the Sansoni Commission: The Cry for Eelam

In Chapter VI, para 2, (page 266 of Sessional Paper No 7 of 1980) the Commissioner has completely misrepresented my evidence when he says that I (with many others) held that "the cry for Eelam" was "the main cause of the disturbance".

The inclusion of my name in the above paragraph is definitely an error. As soon as I became aware that the error had been made, on 8 November 1980 I wrote to Mr Sansoni asking him to rectify it. He replied that he could do nothing as he was no longer in office. I then wrote to the President. He replied that I could communicate with the press after the Report was published.

The Report has now been published, and I therefore request you to publish my letter to Mr Sansoni and also the extract of my evidence before the Commission in which I clearly state that to say that "the cry for Eelam" was "the main cause of the disturbances" is an over-simplification.

Yours sincerely
(Fr) Paul Caspersz, S.J."

To this, Mr Editor, allow me now to add the following:

- An extract from the Verbatim Record of my Evidence before the Sansoni Commission, sitting in Kandy, on 5.6.78 at 10.30 a.m. (p. 2732):

I think it is an over-simplification to state, as it often is (stated), that the cause of the August 1977 disturbances were one or two — the demand for Eelam and the other the carnival clash in Jaffna.

I then continued in my evidence to seek

to all children between the ages of 6-14 by the Year 2000;

(iii) how the Governments could facilitate and support initiatives of people and non-government agencies in the field of shelter for the poor and the management of the environment.

F. Indicate the role of Governments and other institutions in providing a "sensitive" support system to the initiatives of the poor in income generation and human development activities, thereby ensuring real participatory development, where growth, human development and equity are mutually re-inforcing and complementary.

G. Identify the institutions required, at all levels, for initiating, supporting, expanding and managing the innovative and successful poverty alleviation processes.

to identify what I called the remote, the proximate and the immediate causes of the disturbances. At no point in my evidence did I say that the demand for Eelam was the main cause.

- The final lines of the Sansoni Report (which I believe or hope in some way compensated for the earlier misrepresentation of my view as to the causes of the conflict):

Before I end, I wish to quote a passage which appears at the end of the evidence given by Fr Paul Caspersz. It is this: "The ultimate solution of the problem of the inter-communal relationships in our country lies in the establishment of a genuinely socialist society. In this society every man, woman and child will be given due place not because one is a Sinhalese, a Tamil, a Muslim or a Burgher, not because one is a Buddhist, a Hindu, a Christian or a Muslim, but because one is a human being with inalienable human rights and human responsibilities. The immediate solution lies in all the leaders of our country, the leaders of all political parties, of all communal and religious groups, getting together to provide the climate for the rapid socio-economic development of our country. These leaders today belong to the middle class. They must realise that communal conflicts, which since 1956 have been recurring periodically, are inimical to the socio-economic progress of our country. Indeed, they are inimical to the interests of the middle class itself. The leaders of the majority community and the majority religious group must realise that the minorities have their rights and that the redress of their grievances needs to be given full weight. They must remember that parliamentary democracy is the rule of the majority with the consent of the minorities. The leaders must start their deliberations at a round table or elsewhere on two inalterable premises. The first is that the country should never again witness events such as those of August 1977, which are a disgrace to a country which professes to live by the ideals of Metta, Karuna, Mudita and Upekha, by the ideals of brotherhood and compassion. The second premise is that the country should not fritter away its time and its energy in intercommunal violence and conflict, while the main task that awaits it is the liberation of all our people from poverty, unemployment, hunger, ignorance, and disease.

Paul Caspersz
Kandy.

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