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**LANKA**

# **GUARDIAN**

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## **IS THE SLFP A LOST CAUSE ?**

— Chanaka Amaratunga

## **J. R.'s REFERENDUM RE-VISITED**

— Arden

### **The Tiger War**

#### **Why Aren't We Winning ?**

**LT. GENERAL DENIS PERERA**

**REAR ADMIRAL BASIL GUNASEKERA**

**AIR VICE-MARSHAL HARRY GOONETILLEKE**

talk to

*Mervyn de Silva*

**WAR AND POLITICS:** *Jayanath Rajapakse*

**MEDIA AND ETHICS:** *M. J. Akbar*  
*Regi Siriwardena*

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## TRENDS

### North-East stint for them

All 291 policemen pushed up in the recent much disputed promotions will have to serve in the battle torn Northern and Eastern provinces. Thirty ASPs (Assistant Superintendents of Police) were promoted SP, 113 Inspectors were promoted ASP and 148 were promoted Chief Inspector.

Many senior hands who had been by-passed protested. The North East service stint announcement may take off the heat.

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## BRIEFLY...

### EP election in December

Elections to local bodies (Municipal and Urban Councils) in the Eastern Province and the Vavuniya district will be held this month, Elections Commissioner Chandrananda de Silva announced. Nominations will be received between December 1 and December 7.

The local authorities are the Batticaloa Municipal Council, the Urban Councils of Ampara, Trincomalee and Vavuniya and 36 Pradeshiya Sabhas in the Batticaloa, Ampara and Trincomalee districts.

### Chandrika applies for Writ

Western Province Chief Minister Chandrika Bandaranaike Kumaratunga has gone to courts seeking to prohibit the central government from re-defining schools under provincial council control as "National Schools".

### No victory without leadership

Wars cannot be won without political leadership says a joint statement issued by five associations including the Deshapremi Bhikku Peramuna and the Sinhala Lawyers' Association. They cite the Pooneryn debacle as an example of going to war without a plan.

The statements says, also: There is no minister of defence; but the appointment of a minister of defence alone cannot defeat Tamil communalism backed by terrorism. Tamil communalism cannot be defeated by having tamashas in the country.

### No Israelis involved

There were no Israeli mercenaries in the Tiger attack on the Pooneryn army camp, a military spokesman told the state news agency Lankapuvath. He was dismissing an earlier newspaper interview with a wounded officer who claimed to have spotted Israeli mercenaries among the Tigers. The officer was suffering from battle stress, the military spokesman said.

### Elections inadvisable says Ashraff

SLMC leader M.H.M. Ashraff has asked President Wijetunga to call off the local bodies elections scheduled for this month in the Eastern Province and the Vavuniya district. Mr Ashraff has told the President in a telegram that there is "a tremendous amount of tension" in the country after the Pooneryn massacre. Also, most of the LTTE cadres killed were from the Eastern Province. Under these circumstances to announce elections in this province is "meaningless", the SLMC leader has said.

### Productivity down

Sri Lanka's productivity level is falling says National Institute of Business Management Chairman Moksevi Prelis, according to the state controlled *Daily News*. Sri Lanka was ahead of India and Pakistan five years ago; now we are at their level. Soon we shall be falling behind them unless corrective measures are taken, Mr Prelis has said.

## LANKA

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# LTTE Military Capability : The Target

Mervyn de Silva

When Sir Ukwatte Jayasundera proposed in Parliament in December 1950 that Ceylon should have a navy, he told the House: "Now that we have an Army, we must also have a Navy". With what admirable innocence the post-independence leaders of Sri Lanka approached defence and military matters. The Bill was passed without debate, and hardly any discussion. Talking to three former Service Commanders—Lt. General Denis Perera, Rear Admiral Basil Gunasekera and Air Vice Marshal Harry Gunatilleke last week, was a reminder of a commonplace far too easily forgotten or neglected. Sri Lanka is an island.

"We are an island.... it is clear that there is an influx.... weapons and material, if not men. We simply must close the gaps and we must have spotters from the air, and make certain that nothing that supports the enemy's cause, lands on our shores" says former Army Chief Lt. General Denis Perera. In our overall strategy, we must have a place for a fulltime maritime commander says Rear Admiral Gunasekera briefing me on the growth of the navy.

"It was only in the early sixties that Mrs. Bandaranaike's government obtained three Chinese gunboats so that we could effectively combat the flourishing smuggling trade across the straits. I remember those days well". he said. "No smuggler or illicit immigrant or "operator" dared to resist us. No aggression at all, just surrendered. That was so right up to 1979 which was the time I retired. And then we already had a dockyard to build our own boats which I remember gave logistical support to the Army. Before the LTTE threat, we had 350 officers and 4,000 men. Well-manned and well-equipped bases had been estab-

shed in Colombo—Welisara—Kalpitiya—Karainagar—Trincomalee and Tangle. Finally, we had another shipyard and a small engineering 'base' in Galle.

(Q) What precisely were its functions in the context of "war", conventional or otherwise?

(A) Apart from the obvious, that is protecting our territorial integrity, we had to ensure the safety of sea-lanes, denying the same to the enemy. Also to destroy enemy capabilities and provide logistical support to our forces, and provide safe transport of troops, when conditions were not favourable by land, or not so easy by air.

(Q) Has the Navy's task become less difficult after the Indian navy and ours started to cooperate?

(A) Of course.

(Q) Are you suggesting that the Navy faces no problems?

(A) Not at all. I hope I am mistaken but I don't think so. I am quite concerned about morale... the will to fight. If there is a serious problem, it must be remedied at once.

First of all, we must be clear in our own minds on strategy" General Denis Perera said. What are we trying to achieve? To me, he asked, it is obvious—destroy the military capability of the LTTE. Some people seem to believe that this is a law and order problem. That's nonsense, of course. Our navy must be asked to close 'the gaps', if any at sea; our planes and helicopters must be "spotters" and between the two, the navy and the air force, we must destroy the weapons coming in, or the army must destroy the

boats on arrival. It can also be done by air. In this overall strategy, I would suggest a full-time maritime commander... not just a ground commander.

(Q) General, are there any other points and constructive criticisms that you can offer....I believe there was a meeting with former service chiefs to pick their brains....?"

Lt. Gen. Perera: I'd rather put some points in the form of questions that need to be probed. Are there overall planning weaknesses which need to be studied, and the situation corrected? Is there a delay in sending re-inforcements? Does the army have contingency plans? Do long defence lines lack depth?

(Q) General, you haven't mentioned intelligence....

(A) I was coming to that, and there too, I have a question. Is there an intelligence failure or is there an unfortunate neglect of the intelligence received?

(Q) Is there in the army as a matter of routine, inquiries into failures, lapses etc?.

(A) Good question. There should be. At a high level, at that. Nothing must be glossed over or covered up. Every institution learns from mistakes ... that is part of experience.

(Q) It is always said that LTTE infiltration is very good.

(A) Yes, we have heard stories .... *Ogollan mona unit ekenda* ? But the accent should betray the infiltrator, shouldn't it?

General, what of the command structure ... General Gerry Silva has been placed in charge of the North.



"A full-time field commander is a good idea. But I would have the Chief of Staff concentrate on strategy and coordination. The work of the ground commander, the maritime commander etc needs to be more closely linked.

(Q) The heavily guarded camps have been over-run so easily...

(A) They have left gaps... especially in Pooneryn which has wide areas.. there should be land-mines, trip-wire and 'illumination'... as soon as an infiltrator trips, the light signals the defender... these devices are available ... once you have dug in... your FDL must be strong .... good use must be made of anti-personnel mines...

## AIR FORCE

The Kilali operation had one vital target — the main 'Tiger' Pier. Surely that's not a land target that needs the Army ? It is the Air Force that should have done the job, says Air Vice Marshal Harry Goonetilleke, who expressed utter surprise about the neglect of the Air Force in operations where its contribution could have made all the difference.

"How long did it take the LTTE to use the same route that the Army claimed was no longer available to the Tigers ?.... was it for this we sacrificed 118 men? On the first day, no resistance, so the army advanced ... The LTTE was watching. On the second day, the Tigers pounced, wiping out 118 men".

The target was the main LTTE pier, the vital link between the peninsula and the mainland.

**Air Vice Marshal Goonetilleke:** "There are two considerations here. The target and the timing. This was NOT a land target. So why use the army ? Why not give the job to the Air Force?"

(The same point about timing was made by the other ex-commanders I interviewed too).

**Air Vice Marshal Goonetilleke:** "We now know the LTTE has a strong army... quite small but highly motivated, well trained and tough... after all, young women are on the frontline. Now the Tigers are quite good at sea too. But we have a

monopoly of the skies. Why didn't we rely on the Air Force when we have total superiority from dawn to dusk.

(Q) Precisely because we have a monopoly of the skies, don't you think that Palaly may be an LTTE top priority? Suicide squads?

**Air Vice Marshal Goonetilleke:** Of course. They'll use every means possible to deny us that monopoly. But the problems go deeper. I am worried about morale. There is too much "Let me look

after my life .... until I can find some other work .... the feeling that they are cannon fodder MUST not spread. We must not allow any demoralisation. We need to inject new confidence and vitality. We must have a well-knit Joint Command .... reduce extensions to a minimum ... 3 commanders and IGP must make almost ALL the strategic decisions, with least interference from non-servicemen. Arms purchases must be strictly professional. There should be a WAR COUNCIL, a recruitment drive ... a campaign to raise morale.

## The Thondaman Factor

The Oppositions hopes, particularly the DUNF's, ran high last week when there was a strong likelihood of the CWC disassociating itself from the UNP, at least in the provincial councils. The Central Province Council was the main arena. In the CPC, the governing UNP-CWC coalition has 32 votes, of which 17 are CWC. The Opposition can muster 25-26, with the SLFP-led Peoples' Alliance having 15 and the DUNF 9.

### The CWC vote

On Nov. 12, the Secretary of the Ministry of Tourism and Rural Industrial Development received a letter which stated the government's attention had been drawn to a project to establish a Vocational Training Institute with Norwegian aid. The trades included Carpentry, Electronics, Electrical, Refrigeration, Automobile Engineering etc. One year training was contemplated. The project would cost 70 million rupees. The Ministry was asked to suspend work until a six-member officials committee looked into the matter.

On the 16th Mr. Thondaman sent letters to the Prime Minister and the Hon. Sirisena Cooray MP, Minister, and UNP General Secretary. Mr. Thondaman protested that the terms of reference of the Committee read like an Opposition question to grill the government than the terms of reference of a committee. When asked about the matter, Mr. Thondaman, about to leave for India, said it was 'all a misunderstanding' and sections of the press had

made "a big sensation" and "political crisis".

But sources close to the CWC said there was a line in Mr. Thondaman's letter that was "politically significant" and should be interpreted in the context of reported CWC-Opposition "contacts". The letter referred to "a policy that does not recognise the aspirations of a people who have manifested their support for the government through the CWC..."

Mr. Gamini Jayasuriya, former minister and UNP general secretary, said that Mr. Thondaman was trying to hold the government to ransom. Mr. Jayasuriya is President of the SAS, the Sinhala Defence League. The other Gamini, the former minister and DUNF leader, accused the government of clinging to "Premadasa policies".

In the Cabinet, nobody can match Mr. Thondaman as an unabashed admirer of President Premadasa!

The press has speculated on pressure building up against Mr. Thondaman from a so-called "Sellasamy Wing". True, Mr. Sellasamy MP considers himself as natural successor, and there may be tensions in the CWC hierarchy but I doubt whether there is a serious challenge to Mr. Thondaman's leadership. What is likely to happen is 'an understanding' with the Opposition on an issue-by-issue agenda at the provincial level, with a compromise at the Centre on privatisation of the plantations.



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# The TULF Case (2)

## F. The dire III-Effects on the Tamil People of the Post 1977 Dispensation

To the people of the North and East, land is an indispensably invaluable resource; it also provides the essential base that sustains their culture. Yet successive Sri Lankan Governments, since the days of the State Councils, have pursued a process of State sponsored and aided colonisation with Sinhalese people and the settlement of Sinhalese people in the North and East thereby. Besides, the State has encouraged the usurpation of lands by the Sinhalese people mostly in the Eastern Province. As a result:-

- (a) a vibrant self-reliant Tamil peasantry has got impoverished and is left devoid of cultivable land;
- (b) the linguistic, cultural and occupational homogeneity of the Tamil people in the North and East has been fractured;
- (c) the territorial contiguity of the North and East and the cultural commonality of the Tamil people have been ruptured;
- (d) the peace and harmonious existence of a people welded together by a common language and heritage has been seriously shattered by the interspersing among them of linguistically and culturally different peoples;
- (e) the demographic composition and pattern of the Eastern Province have been significantly and substantially changed; and

e.g.

Year	Total Population	Tamil Population	%	Muslim Population	%	Sinhalese Population	%
1946	279,112	136,059	48.74	109,024	39.06	27,556	9.87
1953	354,410	167,898	47.37	135,322	38.18	46,470	13.11
1963	546,130	246,120	45.06	186,750	34.19	108,690	19.90
1971	717,571	315,566	43.97	248,567	34.64	148,572	20.70
1981	976,475	411,451	42.13	315,021	32.27	243,358	24.92

- (f) the elective power and representation of the Tamil people have been adversely reduced while those of the Sinhala people have in turn got even more enhanced.

On the one hand, while our land resources thus was largely utilised to cater to serve the interests of the Sinhala people, on the other hand no serious attempt was made to advance the social and economic well-being of the Tamil people.

- No worthwhile or fruitful industrial development has been initiated by the State for over three decades. In the field of the fishing industry too the State left the Tamil fishing community virtually neglected.

- In the allocation of financial resources, both local and foreign, the North and East were superciliously ignored.
- Infra-structural development such as in the form of schools, hospitals, roads, electricity, transport and communication has received only scant if any attention.
- Employment opportunities of the Tamil people in the State Sector were depleted. Simultaneously facilities to set themselves up in self-employment too were denied.

Thus the socio-economic position of the Tamils deteriorated deplorably so much so that it is now at rather low ebb; and the Tamils drift around aimlessly or survive in helpless misery.

The threat to the safety and security of the Tamils, their lives and properties had first arisen from the mayhem, murder and looting begun by Sinhala hoodlums in 1956 and has been continued time and again on the pretext of protecting the Sinhala Language (and Buddhism) whenever there was a non violent protest staged against discrimination and iniquity by the Tamils.

In all civilised countries, the onus of protecting every citizen, irrespective of differences in race, religion and language, lies with the security forces of the countries. In Sri Lanka too initially protection to the minorities was afforded by the Island's Security Forces, principally because there also was a fair number of Tamils, Malays/Muslims and Burghers in the Police and the Armed Services along with a larger number of Sinhalese. Moreover, the attitudes inculcated among the cadres then made them think and act in an impartial manner.

However, over the years, the composition of the Police and the Armed Forces was purposefully changed to make these units almost exclusively Sinhala Buddhist; and successive Governments since 1956 have used the Police and the Armed Services as an instrument for terrorising and subduing the Tamils who were clamouring for their legitimate rights into submission.

The Tamils have had to endure since recent times indiscriminate bombing, shelling from the sea, artillery assaults from army camps which are strategically interspersed in the North-East Province, loss of civilian lives and destruction of religious and civilian property, pillage and plunder of civilian possession; and almost permanent embargo on basic and essential food and medical items, and harassment and humiliation at numerous check-points enroute to the North and East and back. In no civilized country have such predatory measures, particularly bombing from the air and an embargo on indispensable civilian necessities, ever been carried out by its army against its own citizens. What is declared to be a move to combat militancy has in practice become a general ruthless onslaught on Tamil civilians in the North and East.

In furtherance of the policy of Sinhalisation of the North and

East, generally in the vicinity of camps Sinhala settlements are established under the aegis of the armed forces, and also places of Buddhist worship are created then.

It is the order of the day that, in the North and East, civilian administration gets subordinated to Military Governments and the people have to suffer the ill consequences of such martial rule, particularly because of a military that now treats the Tamils as enemies and cannot understand or converse with them owing to a lack of a knowledge of Tamil. And often even the State media has portrayed the Tamils as national enemies while exhorting the Sinhala Forces to battle militancy.

#### **G. The Eighties: Broken Promises and Greater Misery to the Tamils**

Because of the aforesaid acts of escalated discrimination, and despite efforts at military suppression, expressions of Tamil discontent and the militancy of the Tamil youth grew more intensified. In such a context, District Development Councils (DDC) were set up in 1981 for tiding over the compulsion on the Sinhalese Government by the pressure created by diverse quarters demanding the grant of autonomy. In spite of the evident inadequacy of this DDC Scheme to meet the demands of the Tamil people, the Tamil leadership nevertheless agreed to work this scheme as an earnest of their sincerity in endeavouring to seek a peaceful solution which is always at the core of their indefatigable efforts to solve the Tamil problem; and indeed the Tamil leadership negotiated with the President of the country for one long year to give substance to this Scheme. But *ab initio* the Government blocked the operation of this exercise, and finally scuttled it.

When the negotiating process to arrive at a peaceful solution under inconclusively, and the Tamils opposed the extension of the life of Parliament through a referendum since it was undemocratic to do so, the State engineered the "pogrom" of July, 1983. Then international attention and concern got more seriously focused on the Tamil question in Sri Lanka.

Neighbouring India, in particular, incensed by the horrendous happenings in Sri Lanka, offered her good offices to help in finding a just and equitable solution to the Tamil problem. Unsurprisingly, in this context, President Jayawardene having agreed to place before an All Party Conference (APC) of 1984 the proposals, contained in the document now known as Annexure-C, instead substituted a different set of proposals through another document, Annexure-B. Also a Conference of only recognised Political Parties was deliberately converted into an motley amalgam of disparate groups. Following nearly an year, mostly of fruitless and sometimes inane discussion, the President abruptly wound up the Conference, and yet announced that "Consensus has been reached".

Nevertheless, a little later another Conference of only Political Parties (PPC) of June 25, 1986 was convened by President Jayawardene which too ended in futility and an evasion of the principal issue the Tamil question.

While the state was ostensibly engaging itself in such purposeless time consuming conferences, simultaneously, the Armed Services were being directed to continue their military

offensive against the people of the North and East "to a finish" which caused innumerable civilian killings and fearful arbitrary arrests and detention of innocent civilians, other flagrant violations of human rights, and the harmful destruction of the very means of the livelihood of the Tamil people.

This conduct of the Sri Lankan Government caused considerable concern among aid donors, other nations, and Human Rights activists. India, specially with her close cultural affinity and historical ties with the peoples of the Island, relatively strove more actively to bring about a political resolution of this protracted and ever worsening problem.

Following intensive diplomatic interaction, an Indo-Sri Lanka Agreement was entered into in July, 29, 1987 between President Jayewardene of Sri Lanka and Prime Minister Rajiv Gandhi of India. Among the noteworthy features of this Agreement are:-

- (a) an acknowledgement of Sri Lanka as a multi-ethnic, multi-lingual, plural society;
- (b) a recognition that each ethnic group has a distinct cultural and linguistic identity which is to be carefully nurtured, and
- (c) that the Northern and Eastern Provinces have been areas of historical habitation of Sri Lanka Tamil speaking peoples who have at all times hitherto lived together in this territory with other ethnic groups.

Further, it was resolved that the Northern and Eastern Provinces, as then constituted, shall compose together one administrative unit with one elected Provincial Council, one Governor, one Chief Minister and one Board of Ministers until a Referendum in the Eastern Province decided otherwise. Also, it was agreed that matters on which concurrence had been reached between May and December, 1986 will be implemented; and that residual matters that have not been finalised at the time of the Agreement shall be resolved between India and Sri Lanka within six weeks. Moreover, India was to co-operate directly with the Sri Lankan Government in their implementation.

After the Agreement, the 13th Amendment to the Constitution and the Provincial Councils Act were enacted but without any resolution of the residual matters. However, in November, 1987 President Jayawardene agreed with the Government of India to effect improvements to the scheme of devolution in respect of those unresolved areas (residual) in an early second stage of Constitutional reform. This assurance, nevertheless, was never honoured, and remains unhonoured.

This apart, the 13th Amendment to the Constitution and the Provincial Councils Act (1987) did not even satisfactorily or exhaustively provide for the matters already agreed upon. Although Tamil was accorded the Status of an Official Language in the 13th Amendment, and in terms of the Indo-Sri Lanka Agreement, the subsequent 16th Amendment whittled down the position by making in practice Tamil only a Provincial Language. And worse, there has been no genuine attempt made to implement even this decimated provision.



# The Wood behind the Trees

Jayanath Rajepakse

The recent happenings at Pooneryn, which replicated in larger measure earlier happenings at Janakapura and Kodaikadu, must have concentrated the public mind about the situation and prospects in the north-east. It bears stating in passing that almost anywhere else, happenings which evoked such public disquiet as those at Pooneryn did here would have been cause for dismissal or resignation of those ultimately responsible: e.g. when Mrs Gandhi was killed by her own bodyguards, her principal security adviser resigned; when a foreign youth landed a light aeroplane in Red Square, the Soviet Defence Minister resigned.

Clear thinking by the public about these matters is all the more necessary right now, when public debate on the subject is characterised by fundamental contradictions and misconceptions. First, we have the contradiction between the view that there is no ethnic conflict here, only a problem of terrorism in the north, and the other view that unless the country is mobilised on a war footing immediately, its unity stands imperilled.

This is compounded by basic misconceptions, which include:-

1. the belief that Government strategies to confront the problem can be devised separately for the east and the north, to be then applied in isolation or on variable priority;
2. the belief that military action against the LTTE can successfully be pursued even in the short term without it going hand-in-hand with visible progress towards political resolution, and
3. the belief that the problem can be resolved definitively without an Indian input, based on a recognised Indian locus standi.

Clarity of perception about basic issues involved would have to be the first step towards overcoming these misconceptions.

## Issues

The north-east is the LTTE's strategic

objective, and the theatre of operations for its primary challenge to Government: the tea estates up-country and the metropolitan conurbation of Colombo represent tactically supportive targets. In essence, the LTTE seeks to impose its own preferred solution of the ethnic problem within the contiguous area in the north and east which it holds to be the rightful Tamil homeland: it seeks to implement that solution under its exclusive aegis; and, it seeks to do so through force of arms to the extent deemed by it to be necessary — all this being sought in the name of all Tamils. It is really immaterial whether we call the outcome a civil war, a high intensity insurgency or just terrorism: what matters is recognising the central issues involved, which hopefully would then point the way to confronting the challenge successfully.

There are three distinctive but related issues involved:-

1. confronting the concept of north-east contiguity in resolving the ethnic conflict: and it needs to be kept clearly in mind that this concept is absolutely central not just to the LTTE's strategy and tactics but to all Tamil thinking;
2. confronting the link between Tamils in the north and east and the LTTE, and
3. confronting the military challenge of the LTTE.

In regard to north-east contiguity, three points bear making. I believe it is a tenable proposition, that in any country the Government of the day has the primary responsibility to formulate and canvass viable proposals for the settlement of any national problem: where public opinion needs to be cultivated towards its acceptance, then Government responsibility requires that this too be undertaken.

What we have had here instead ab initio, is the Government, which itself created the problem through allowing the July '83 anti-Tamil violence and then adopting the 6th Amendment, seeking refuge behind the prejudices, irrational fears and jingoist sentiments of sections of the Si-

nhalese constituency, and then pleading its inability to carry that constituency along to acceptance of a viable settlement package, to justify its inaction or non-action. This has been compounded by an ineffectual Opposition, unable to mount a realistic challenge to the Government in any matter, simply matching that Government attitude. The outcome has been to identify the 'state' (Government and Opposition) with the Sinhalese constituency, thereby preventing the emergence of settlement proposals around which a national consensus could evolve.

The Indians, for one, recognised this anomaly very quickly. As far back as April '84, at talks in Delhi, a suitably poker-faced Narasimha Rao was telling a Lalith Athulathmudali who of course had the requisite suavity to hide his sheer incredulity, that if only President Jayewardene would go onto the same public platform with Mrs Bandaranaike (who then stood banished from Parliament and disfranchised for seven years) to canvass a fair settlement, they could easily 'sell it' to the Sinhalese constituency.

We have now mercifully seen the end of the most recent non-event in Government peace-making: the Mangala Moonesinghe-led PSC. It is worth recalling that its antecedents go back a long way: to the end of '83. That November in Delhi, whilst attending a Commonwealth Summit, President Jayewardene agreed to a settlement package crafted by Ambassador Parthasarathy on behalf of Mrs Gandhi. However, immediately on his return here he reneged on that agreement by convening the first of several APCs at which his own UNP led the way in opposing that package. Just to make quite sure, he styled those proposals 'Annexure C': anyone knows that one must first complete careful consideration of Annexures A and B before even turning to C.

The third point to be made about north-east contiguity concerns the Indian role. India's locus standi in the matter was established when, in the face of violence in the last week of July and the 6th Amendment in the first week of August '83, the

*(The writer was the senior Foreign Ministry official in charge of the South Asia desk)*

Tamil community turned to India for protection and patronage. It created two pre-conditions for settlement which remain valid notwithstanding the July '87 Accord's seeming desuetude. These are, that the Tamils are unlikely to accept any final settlement that does not carry public Indian endorsement, and that they would expect India to be the guarantor of its faithful implementation.

As for the quality of settlement that India is likely to endorse, the bottom line drawn by Rajiv Gandhi in mid-'85 (just before Thimphu I) would also still remain valid: namely, that India could not ask Sri Lankan Tamils to settle for any less than Indian Tamils enjoyed there. However, Indian officials were at pains thereafter to direct our attention to those elements of the Indian Constitution which established the primacy of the Centre over the States.

Indian assistance would be invaluable both in mobilising Tamil support for a fair settlement package, as well as in combatting the LTTE's military challenge. However, following the Premadasa Administration's performance especially over the IPKF, this assistance would have to be sought by us expressly, based on due recognition of Indian concerns. Moreover, even if India decided to help us overcome the LTTE's military threat, it would never be allowed by her to be at the expense of Tamil rights overall: there could be no question of moving militarily against the LTTE without simultaneous movement towards political settlement.

Finally in this respect, it bears recalling that the bottom line for a settlement framework as projected by India, namely a 'united' rather than 'unitary' Sri Lanka, was one to which we agreed as far back as August '83. This was during the late Mr H W Jayewardene's visit to Delhi as the President's Special Envoy, when he agreed further to incorporating that formulation in Mrs Gandhi's Parliamentary statement as a record of her talks with him. So, any Sri Lankan insistence at this stage on a unitary framework simply would not wash with India. It helps even more to concentrate minds about north-east contiguity, to recall that it is a concept common to all settlement packages that enjoyed even momentary 'life' — the BC Pact, Annexure C, July '87 Accord.

*Next: LTTE/Tamils.*

## Does the SLFP Have a Future?

Chanaka Amaratunga

The SLFP has never been in a robust state of health for the past twenty three years. Ever since its landslide victory in 1970 (in terms of seats, on a more modest scale in terms of votes) it has lost every national election which it has faced. Only once during these twenty three years, at the Presidential Election of 1988, did it (as the five party Democratic People's Alliance) obtain over 40% of the vote (on that occasion Mrs. Bandaranaike polled 45%). At every other election the average percentage polled by the SLFP has been between 30% — 35%, a proportion by no means sufficient to take it within striking distance of forming a Government.

Although divisions between members of the ruling family of the SLFP have been endemic since 1981, such divisions have up to now, been put aside during elections. At the Presidential Election of 1988 where the SLFP received its best electoral result since 1970 (although those who form Mrs. Bandaranaike's faction of the SLFP were convinced that the formation of the DPA with largely moderate parties was a grave error of judgement) it was to a considerable degree united and Mr. Anura Bandaranaike and his supporters played a considerable part in that campaign. Even at the Provincial Council Election of 1993 at which the UNP polled its lowest proportion of the vote since 1977, 47%, the SLFP with its left-wing allies of the People's Alliance, obtained only 36% of the vote.

Although the People's Alliance was formed in violation of a resolution of the SLFP Parliamentary Group which resolved that the SLFP should enter into no political alliance without the consent of the Parliamentary Group, and although the decision to form the Alliance was rammed through when Mr. Anura Bandaranaike was out of the country, he and his supporters did not oppose the SLFP campaign at the Provincial Council Election.

The point I am seeking to drive home is this: if, when the SLFP was a good deal more united than it is now, when its image was more moderate and when Mrs. Bandaranaike looked less autocratic, aged and irrelevant it could only obtain 45% when the UNP had sunk to its depths in the final destruction of the J.R. Jayewardene years, that too only at one election, now with Anura Bandaranaike in the UNP and many SLFP Members of Parliament likely to leave the party to seek various other homes, it is very probable indeed

that its vote will fall below its previous low point of 30%.

Once the SLFP vote has dropped to under 30% and it has lost between 15 — 25 seats it will no longer be a serious party of the mainstream. The departure of Mrs. Bandaranaike from the political scene is more than likely over the life of the next Parliament. This could lead to a further collapse of support and of morale. It is then more than likely that the liberal democratic process, which like nature, abhors a vacuum, will give birth to a new political force that has the requirements of a modern party for the Sri Lanka of today. Such a party must be of the centre to centre right, be democratic in its internal workings, be committed strongly to liberal democracy, the market economy and multiracialism. It must have too, a new leadership untainted by the sad betrayals and pathetic compromises of the past. It is precisely such leaderships that so many successful democratic parties around the world have produced. Benazir Bhutto, Narasimha Rao, Girija Prasad Koirala, Begum Khalida Zia, Corazon Aquino, Kim Yung Sam, Morihiro Hosokawa and Jean Chretien to name some of those who assumed office from Opposition or being on the outside, to greater or lesser degree, fulfilled such conditions.

The SLFP on the other hand by its coalition with the tired old left and its leader of 33 years during 23 of which she has not won an election, is "looking forward to the past". It clings to socialism, the politics of envy, to half-baked attempts at compromise whether on the economy, the Constitution or the ethnic conflict and is wholly unclear on where it wants to go.

We live its times where as in India it has been proved that a party which has held office (the Janatha Dhal) can be relegated to third place by a party which had only two seats two elections before (the BJP), where a party in office can be reduced to the seats and third place in the popular vote (the Conservative Party in Canada) and a party with no seats previously could become the second largest in terms of votes and obtain over fifty seats at its first real election (the Reform Party of Canada).

The signs are more than visible that the SLFP, by its failure to fulfil the criteria for a serious political party for the modern world, has ensured that it has only a past, and no future.

*(The writer is leader of the Liberal Party)*



# East Asia — Sri Lanka Contacts

C. Mahendran

## Asian Progress

Little more than a generation ago, Asia was as poor as any place on earth. South Korea had just recovered from a devastating civil war. Taiwan was not much more than the beleaguered outpost of a defeated government, while Hongkong was overrun with refugees. Malaysia and Indonesia were on the brink of war. Thailand was preoccupied with communist aggression in neighbouring Indochina, and Singapore an uneasy independence in 1965. Only Japan looked healthy.

Despite these considerable constraints, from 1965 to 1990 these Asian economies grew faster than any other part in the world. This growth was well ahead of the industrial economies, three times as fast as Latin America and South Asia and five times as fast as sub-Saharan Africa. Between 1965 and 1985, real income per capita more than quadrupled in Japan and the Four Tigers. In almost every measurable area — life expectancy, trade, education — progress here left everyone else in the dust.

If Asians have achieved where others have failed it is not because its central planners have been any brighter or its five-year plans more precise. Rather, it is because people in Asia, relatively speaking, have enjoyed broader freedom than people elsewhere to test their ideas in the market.

This is not to say that governments have no role. Governments must create the capitalist framework within which individual creativity and initiative can find its fullest expression. Primarily this means a framework that upholds contracts, maintains a stable currency and provides for a sufficient rule of law. But today the price of growth is eternal vigilance against sometimes well-intentioned efforts to "help" selected industries or otherwise substitute bureaucratic preferences for the millions of individual decisions that each day constitute the wisdom of the marketplace.

East Asia can be identified in geographical terms as the area east of the great mountain and desert barrier that bisects Asia; in racial terms as the home of Mongoloid man, and culturally as the area which is known to the rest of the world as the East Asian Civilization. South East Asia i.e. Indo-China, Burma, Thailand, Malaysia, Indonesia and the Philippines were influenced by the Sinic culture but in the recent past, Moslem and Indian influence has been predominant.

The reason for the importance of this region in modern times, is the rapid rise in the economic (and in the case of China) its military might. Japan has gained the status of an economic super power. China is heading in that direction with a growth rate of 12-14% a year. The Republic of Korea is with Taiwan the N.I.E. that shows great resilience, and in the ASEAN with Vietnam Laos and Kampuchea, a growth area is being created.

It is for this reason that we in Sri Lanka need to understand the people of East Asia. Understanding can come about only based on knowledge, and a sound knowledge of East Asia is not easily achieved even though we are an oriental people.

*The writer, formerly of the Sri Lanka Foreign Service, was Ambassador to the People's Republic of China, Japan, the Republic of Korea, the Democratic People's Republic of Korea, the Socialist Republic of Vietnam and Mongolian People's Republic.*

We belong to the South Asian Civilization, as opposed to the Sinocentric East Asia Civilization.

Today contact between all East Asian Countries, and South Asia has been constant, and growing. Chinese, Japanese and Korean languages are taught in our institutions of Higher Studies. We need to understand and grasp the meaning of East Asian culture, if we are to do business with them if we are to have a political dialogue with them, if we are to base our strategy in continued economic assistance from this region. There are other important facets to this study of East Asia. In art, literature, religion and philosophy, the ancient cultures in China, Korea and Japan can open up a myriad windows to us, and explain some of the baffling differences in our perception of each other.

In East Asia Confucianism puts great emphasis on the political social order as the central focus of society, rather than on a world transcending religion as was the case with Buddhism, Hinduism, Islam and Christianity.

Thus we will approach this area and its people, through their history. Why their history? because the Chinese, Japanese and Koreans see themselves in historical perspective. They are aware of their heritage; their geography too gives a clue to their exclusivity. We will also study their race, and how Mongoloid man who lived in 400,000 B.C. as evidenced in the disco-

very of "Peking man" at Chou Kou Tien gives an indication of this exclusiveness.

Finally their language, and their divisions, the Sinitic language is the largest division in East Asia, and covers China, Tibet, Vietnam, Thailand, Laos and most of Myanmar. Within this group, Chinese has a predominant influence, and today we have the dialects which are spoken in some parts of Southern China, to which, Thai, Vietnamese, Burmese Miao-Yao and Lao are related.

North of China are a large group of Mongoloid people who speak languages of a family that as distinct from the Sinitic tongues as from the Indo-Europeans. This group is called the Altaic languages. Turkish, Mongolian and Tungusic are considered the Altaic languages; and Korean as well as Japanese were the two Eastern extensions of Altaic languages.

The third group in this East Asian family of languages is the Austronesian, which covers South East Asia and the Pacific. Malay, the language of the aborigines in Taiwan, the Mon language of Southern Burma, Khmer of Kampuchea are some of the languages in this group.

With this introduction we will explore the inner self of East Asian people and their civilization in the next few lectures in order to understand the dynamic thrust this region is making on the world scene.

The earliest recorded contact Sri Lanka

had with China is around 400 A.D. when we have evidence in Chinese with a Buddhist nun arriving in Chengdu, capital of Szechuan province to create the order of Bhikkunis in that part of China.

By the beginning of the 4th Century AD; when Anuradhapura was visited by the Chinese Buddhist pilgrim Fa Hien, the city had then enjoyed centuries of relative peace, and freedom from foreign invasion. Fa Hien set out from China through Central Asia and India search of Buddhist texts, and there significantly, he also met a fellow countryman. He left an invaluable description of a happy and prosperous land. Fa Hien's account shows clearly that with Buddhism gradually declining in India, Sri Lanka was becoming a main centre in the Buddhist world, where traditions, texts and the faith itself was preserved. That Fa Hien met a Chinese merchant in Anuradhapura is not surprising, as four embassies went to China in the early 5th Century A.D., and Sri Lanka had become a trading entrepot between East and west.

It was at this time when travel between South India and Sri Lanka was fairly brisk, a merchant named Nandi, set sail from Poompuhar for China. In his vessel he carried a Buddhist delegation from Sri Lanka to China. Perhaps this was one of significant missions to China. Devasara a Bikkuni was sailing to Chengdu in the Szechuan Province to ordain Chinese Pukkhunis, and this was the beginning of a series of Buddhist delegations from Sri Lanka to China. In view of the predominant position occupied by Mahayanist Concepts that entered China from North India, our Theravada tradition faced resistance in that part of the world. More on this development later.

We see the overall need for us to imbibe knowledge of the Far East; considering the importance this region has gained since the Second World War; and the cultural connection that did exist between us for a long time.

## The coming of Buddhism to East Asia

In the search for political stability the early history of China around the 7th Century BC brought about a great intellectual ferment. Thus by the 5th Century BC, we find rapid geographical, cultural and institutional growth stirred men's curiosity and imagination. New ideals were sought after one cannot but be struck by the parallel in time between this intellectual ferment in China and the heyday of the Greek philosophers, the Hebraic prophets and the historical Buddha and other early religious leaders in India.

The intellectual climate was such in China leading to what is known as the 100 schools of thought. Within this frame one can refer to the 5 classics, the 13 classics, the 4 books — Confucianism, Taoism, Dialecticians Mo-Tzu Mencius Hsun-Tzu and the Legalists.

One can easily identify the type of thinking which persuaded all of China during this period to look for new thinking leading to this influence spreading into Korea and Japan. The Korean peninsula was far more culturally integrated to the Chinese stream of thought than Japan at this time. We will find out later that the cultural flow between China and Japan influenced a little later but would show that Confucian stamp was idelibly etched on Japanese culture; so that even today one cannot but be impressed by vestiges of this culture. It is necessary for us to refer to these schools, during the course of this lecture because it is this type of thinking which led to a greater influence on the Emperor and the nobility or the aristocracy accept new thinking ending up with the introduction of Buddhism into China.

The Golden Age of intellectual thought in China around the 5th Century BC and the strong central leadership of the Ching Dynasty started crumbling when Chinese civilisation was challenged by a 'barbarian' threat. Han political system was collapsing of its own inner contradictions; and spiritual as well as Confucian ideology was unsatisfying; leading to a receptive mind in China for Buddhism.

Even though Taoism showed some resilience after 184 AD, the enormous influence of Buddhism on the caravan traders coming from the West could not be stemmed. The Indian form of Buddhism at that time which flatly contradicted Chinese ideals can only be explained by the profound disillusionment of the Chinese at this time with their native schools of thought. Buddhism is the chief cultural link between the people of East and South Asia. Its contrasting histories in India and China however highlight the differences rather than the similarities between these two spiritual and psychological ends of the earth. Indian Buddhism was based on a series of premises that the ancient Chinese would never have understood. Although in a sense it was a revolt against the rising caste differences of Hinduism, it had accepted some of the other basic assumptions of Indian thought without question. The Buddhist agreed that life is essentially painful, and life itself was un-ending being tied to each one, by karmic forces. This was thought to be the origin of the differences in status and injustices one sees in the world. The Indian Buddhist unlike the Confucians in

China was not interested in correcting these injustices and perfecting the social order, but in escaping the painful cycle of existence. Buddhism at that time was spreading to the West and later to the South, Central and East Asia. In the 3rd Century BC, it had spread all over India under the great Emperor Asoka; and after Alexander's conquests in Gandhara, the great monarch of the Kushan Empire, Kanishka who ruled around 100 AD patronised Buddhism. It is from here that Mahayana Buddhism spread right up to the Eastern borders of China and thereafter to Korea and Japan.

By the time Buddhism started spreading to China and the Far East, Buddhism had had its schism dividing itself into the Mahayana and Theravada tradition. The Mahayana tradition because of its all-inclusiveness accepted cults and religious ideas of the peoples it converted. The lotus sutra a popular Mahayanic scripture exemplifies best the Mahayanic faith in salvation through the strength of another. Bodhisattvas became the great popular gods of Mahayana Buddhism. Mahayana Buddhism's tolerance of other religious ideas and cultures facilitated its spread. According to Buddhist traditions, Buddhism was introduced to China as a result of a dream of Emperor Ming Ti in 64 AD. By the next century Buddhism was entrenched in North Vietnam. It is possible that the early traders who came to China from the West were the first transmitters of the religion. The story is apochrypal, but already at this time, there was a Buddhist group at the Court of the Emperor's brother, the king of Chu in the lower Yang Tse Valley.

Chinese converts hereafter were more important than missionaries in transmitting Buddhism to China, Korea and Japan. We have the names of close to 200 East Asian monks, nine of them Koreans who between the 3rd and the 8th centuries essayed the long and perilous trip to India and Sri Lanka to imbibe the teachings of the Buddha.

Fa Hsien who left for India by way of Central Asia in 399 AD returned by sea in 414 AD, settled in Nanking and translated the scriptures he had brought with him.

Huozng Tsang was another famous Buddhist pilgrim; he translated 74 Buddhist works. The fact that Court circles from the Emperor downwards accepted Buddhist Teachings, led to a quick assimilation of the religion in China. It was the same in Japan where Prince Shotoku became convert in the 604 A.D. It was the same story in Korea, wherein by 668 A.D. the Silla Kingdom having unified the country, adopted Buddhism in preference to Confucianism.

(B.C.I.S.)



# The Referendum

Arden

The third amendment to the constitution was followed in short order by the fourth, and it was a shocker. Chapter XXI of the constitution contained the transitional provisions for the changeover from the 1972 constitution to the 1978 one. Article 161 (a) of the transitional provisions read as follows:

"Unless sooner dissolved the first Parliament shall continue for six years from August 4 1977 and no longer, and the expiry of the aforesaid period of six years shall operate as a dissolution of Parliament, and the provisions of Article 70 (5) (b) shall apply".

Article 70 (5) (b) read as follows:

"Upon the dissolution of Parliament by virtue of the provisions of paragraph (2) of Article 62, the President shall forthwith fix a date or dates for the election of Members of Parliament, and shall summon the new Parliament to meet on a date not later than three months after the date of such Proclamation".

Paragraph (2) of Article 62 read as follows:

"Unless Parliament is sooner dissolved, every Parliament shall continue for 6 years from the date appointed for its first meeting and no longer, and the expiry of the said period of 6 years shall operate as a dissolution of Parliament".

The fourth amendment sought to replace Article 161 (a) with the following:

"Unless sooner dissolved, the First Parliament shall continue until 4 August 1989, and no longer, and shall thereupon stand dissolved, and the provisions of Article 70 (5) (b) shall, *mutatis mutandis*, apply".

Jayewardene's plan was clear. He could claim he had just won an endorsement of his policies from the people. A parliamentary election however, was another matter. In the present parliament he controlled 85% of the votes. In a parliament elected under P.R., assuming his party won, he would certainly not have anything like 85%. If he could ask the voters to extend the life of the first parliament for 6 more years instead of an election, it would solve the problem.

Jayewardene had already given a hint of what he had in mind. During his campaign in the presidential election, at a meeting in Anuradhapura, he had said he was going "to roll up the electoral map of Sri Lanka for ten years". (The Weekend 5 September 1982). Different people interpreted his words differently. Being accustomed by now to his plonking style of expressing himself no one was quite sure what the old man had up his sleeve. What he had up his sleeve was nothing less than a plan to continue some of the *transitional* provisions of the 1978 constitution for 12 years. During this time he could run the country with his five-sixths vote in parliament and keep filling any vacancies that occurred in parliament by nominating his yes-men. But how to justify it?

Jayewardene decided to do some heavy plonking. He issued a government *communique* on 3 November in which *inter alia* he said:

"I had information on 21 October 1982 (the day after the presidential election) that the group of the S.L.F.P. which led the presidential election campaign and were in a majority in the executive committee had decided to assassinate me and a few other ministers, Mr. Anura Bandaranaike, the chiefs of the armed

services and others; and to imprison Mrs. Bandaranaike. In other words, on the strength of their victory establish a military government, tearing up all constitutional procedures, as they announced at their election meetings.

"I had to decide whether to allow this to happen or to ask the people whether in addition to my being allowed to govern our country with a democratic parliament ensuring peace and progress through a stable government or to permit a set of political hooligans to enter parliament in large numbers and while wrecking democratic procedures to strengthen themselves to form their Naxalite government at the next general election (sic).

"I also thought that the democratic members of the S.L.F.P. should be given time to assert their authority and gain control of their party.

"If I dissolved parliament and held the general election, according to the 20 October voting, my party the U.N.P. would have obtained 120 seats out of 196. The S.L.F.P. would have obtained 68 seats. I don't mind that. But I do mind if the opposition is an anti-democratic violent and Naxalite opposition. The S.L.F.P. leadership on October 20 was that.

"I decided to change my mind and call for a referendum and not a general election for this reason and this reason alone".

Two citizens Felix Dias Bandaranaike and C.V. Vivekanandan challenged the fourth amendment in the supreme court but it was held that in respect of a bill passed by a two-thirds majority and a

referendum the supreme court had no jurisdiction. It was a split decision of a seven-judge bench. Chief Justice Neville Samarakoon, Justice D. Wimalaratne and Justice B.S.C. Ratwatte held the bill to be unconstitutional; the four judges who held that the supreme court had no jurisdiction were Justice J.G.T. Weeraratne, Justice S. Sharvananda, Justice R. Wanasundara and Justice Victor Perera. The president's plan to short-circuit election procedure was widely condemned in the international press. Typical of the comment was what the Times of India had to say under the heading "A Shoddy Stratagem":

Having won a fairly impressive victory in Sri Lanka's presidential poll, Mr. J.R. Jayewardene has regrettably chosen to blot his copybook. Rather than live up to his earlier promise to dissolve parliament and hold elections to it, much ahead of schedule he is trying to prolong his present tight control on parliament through a dubious manoeuvre. For the kind of cutting of corners that Mr. Jayewardene is attempting is precisely what has eroded, weakened and eventually destroyed democratic institutions in a number of countries in the region where India and Sri Lanka remain the only bastions of democracy. The Sri Lankan President is being singularly ill-advised therefore in giving expedience precedence over his country's long-term interests".

In a pre-referendum letter "To the Voter" Jayewardene said:

"As the Leader of the Nation elected to establish a Free and Just Society I had to take a decision as to what steps I should take to preserve the Nation and the Constitution, of which Nation the Constitution was the organic law. I felt a General Election at this stage in our political development would not preserve the Nation. I acted within the Constitution which permits an appeal to the people, not by way of a General Election, but by way of a Referendum. My Government and I, Parliament and the

Courts (sic) have decided that a Referendum is the legal way to do so. I am therefore handing over the Nation to the Voters of Sri Lanka (sic) so that by their votes on 22 December 1982 they may safeguard and protect our Motherland by voting "Yes" (Lamp) to the question asked in the Referendum".

The president did not waste any time.

On 28 October, in an unprecedented step which was received in the country with shock and amazement, he demanded and obtained from members of the government parliamentary group undated letters of resignation; the clear implication was that, after the referendum, he would use the letters to get rid of those M.P.'s who had not pulled their weight in their electorates during the poll.

The C.P. paper ATHTHA was the only national daily which had campaigned for Kobbekaduwa during the presidential campaign. It was generally believed that the impressive performance put up by the colourless Kobbekaduwa was in great measure due to the ATHTHA's support. Jayewardene did not want ATHTHA to foul up his referendum. On 2 November, using emergency powers, he had the ATHTHA's editorial offices and printing presses sealed by the police and copies of the newspaper, already printed for distribution, confiscated. The presses employed by the S.L.F.P. too were sealed and many active S.L.F.P. workers, including R. Wickremanayake, the General Secretary of the party, were taken into custody, allegedly in connection with the Naxalite plot the President had learnt of the day after the presidential poll. It was a transparent device to keep these workers locked up during the referendum campaign.

The C.R.M. wrote to the president on 27 November saying, *inter alia*:

"The majority of arrests and investigations are not related to the alleged plot. They are either in connection with alle-

ged election offences during the presidential poll or matters allegedly occurring some time ago. For instance, Mr. Ratnasiri Wickremanayake ... was detained in connection with an incident which allegedly took place in 1980. The timing of the arrest of this General Secretary of the S.L.F.P. naturally renders the authorities liable to the charge that this is an attempt to undermine the organising of the S.L.F.P. campaign on the referendum.

The short-term arrests, detention and repeated interrogations of political organisers at the local level... are being widely interpreted as an attempt to hinder the Opposition referendum campaign.

The invasion of the S.L.F.P. headquarters by the police, and seizure of membership registers and other records, make it possible for government supporters to identify and render ineffective its organisation throughout the country at various levels.

At the same time there is blatant disregard of referendum campaign laws by government supporters who have plastered public places with expensive, water-proof, framed LAMP posters... This and the failure of the police to remove them, give the impression that the government supporters may flout the law with impunity, that the police are partial towards them and are likely to turn a similar blind eye to more serious transgressions of the law, such as threats, intimidation or actual violence against persons and property of supporters of the POT symbol.

Certain influential politicians are allegedly resorting to threats against supporters of a NO vote. Possibly they feel their political future depends on the voting pattern in their areas, particularly since you have obtained undated letters of resignation from government M.P.'s so that you may replace them with fresh nominees. It is reported that the threats



include that opposition supporters should be prevented from leaving their homes on polling day".

The president did not bother to reply. One thing was clear in his mind. He *had* to win the referendum. If he lost it, he would have to hold a general election which, following a defeat at the referendum, he would almost certainly lose. It had to be "No holds barred".

On 15 December the cabinet spokesman A. de Alwis said that conditions had returned to normal and that the emergency would be allowed to lapse on 19 December. Apparently he spoke without authority, for this did not happen and the poll was conducted in a state of emergency.

Without an emergency on Jayewardene could not keep the opposition presses locked and sealed and the opposition organisers in custody during the referendum.

There was open disregard of the law against display of posters and symbols by government party men. The Commissioner of Elections called upon the Inspector-General of Police to get his men to have the posters and displays removed. The I.G.P. Mr. R. Rajasingham did no such thing. Soon afterwards, on reaching the age of retirement, he was given a diplomatic posting with ambassadorial rank.

For fifty years, since 1931, Sri Lanka had had clean elections — as clean as anywhere else in the world. In June 1981 President Jayewardene intervened in the Jaffna D.D.C. elections and spoilt this record. But what happened in 1981 in Jaffna was nothing compared to the open thuggery and lawlessness not excluding manslaughter that took place on referendum day. 22 December was a day for the history books. For U.N.P. M.P.s with their undated resignations in the hands of Jayewardene, it was a case of win at all costs. U.N.P. toughs gathered early in the morning at the entrance to every polling

station. The illegal display of symbols was intensified. Impersonation, intimidation of voters, intimidation of polling staff with guns — all these and more happened and the police looked the other way. A polling agent who had been manhandled by thugs died of a heart attack. To most Lankans perhaps the most convincing proof of the government party's thuggery and intimidation during the referendum was the fact that in the Attanagalla electorate, the Bandaranaike's pocket-borough, the government won over 67% of the votes polled. Just two months earlier, at the presidential election, the S.L.F.P. candidate had won over 55% of the votes polled at Attanagalla.

The C.R.M. reported :

"The level of intimidation in the Attanagalla electorate is reported to have been such that it compelled the withdrawal of all polling observers nominated by the S.L.F.P.

"The polling observer at Thurstan Road polling station was threatened at gunpoint by a U.N.P. politician and compelled to leave.

"When the presiding officer at the Ladies' College polling station looked into a case of alleged impersonation he was threatened by thugs, and a policeman who went to his assistance was in turn threatened with a firearm by a politician.

"Unauthorised personnel positioned themselves near the voting enclosure and observed the marking of ballot papers by voters; in some polling stations they were bold enough to ask voters to show them the marked ballot papers before dropping them into the box.

Organised groups of persons were observed at the entrance to polling stations with lists and bundles of polling cards, who distributed these and gave instructions to other persons brought in vehicles".

When Mr. Kobbekaduwa whose face had become almost as familiar to the public as Mr. Jayewardene's own during the presidential election came to the polling station to cast his vote he was told by the presiding officer that someone had already voted in his name. Mr. Kobbekaduwa, not usually a witty man, remarked: "He must have been a Naxalite carrying a lamp".

"The country has just witnessed the biggest fraud perpetrated on the people" was Mrs. Bandaranaike's comment. The leader of the L.S.S.P. Colvin R. de Silva said: "It was not a referendum but a display of organised violence to cover organised mass impersonation". The C.P.'s Pieter Keuneman said: "The terror and fraud practised by the government in this referendum exceeds anything previously known in this country".

Professor Warnapala and Dr. Hewagama surmised that three to four lakhs of voters had been impersonated at the referendum. (Recent Politics in Sri Lanka).

3,141,223 votes (38% of the total in the register) were counted as having been cast for the Lamp and 2,605,983 voted for the Pot. The "People" had approved a six-year extension of life for the first parliament!

The president's own perception of the deplorable events and his own gerrymandering preceding them which produced this result was expressed by him in his inimitable style in a booklet he brought out in 1984 under the title "Golden Threads".

"The elected President and legislature have security of tenure for their respective terms... uninterrupted by the chance combinations of politicians seeking to topple governments and the fickle whims of electorates. However, normally due elections can be deferred by the clear fiat of the whole (sic) people, expressed by referendum. The freedoms of democracy are guaranteed".

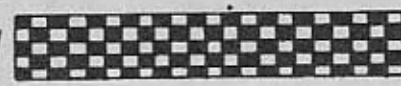
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# A South Asian Perspective

*Twenty senior journalists and communication scholars from India, Pakistan, Nepal and Sri Lanka participated in a three-day seminar on "Communication Ethics from a South Asian Perspective" held at the Lanka Oberoi in Colombo, Sri Lanka from November 9-11, 1993. The seminar aimed to increase awareness and understanding of the issues related to media ethics from the perspective of South Asia and generate actionable recommendations to promote greater adherence to ethical standards among media professionals and social responsibility among media institutions.*

*Topics discussed include "Communication Ethics and Media Practitioners", "Communication Ethics and Media Institutions", "Environmental and Cultural Factors Affecting Media Ethics", "The Influence of Policies and Government on Ethical Media", "Ethical Standards: The Role of Press Councils and Journalists Unions" and "The Communication Environment and the Teaching of Media Ethics".*

*Nikhil Chakravarty of India presented the keynote address. Other speakers included former Pakistan minister of Information and Broadcasting, Javed Jabbar; M.J. Akbar, editor, Asian Age; Dr. Zakariyya Sajid, Director-General of the Pakistan Press Institute; Dr. Tawhidul Anwar, Director-General of the Bangladesh Press Institute; Gopal Das Shrestha, President of the Nepal Press Institute and journalists, Razia Bhatti from Pakistan and Gokul Pokhrel of Nepal. The Sri Lankan representatives were Regi Siriwardene (ICES), Mervyn de Silva (Lanka Guardian), Lucien Rajakarunanayake (FMM).*

*The seminar was jointly organized by the Asian Mass Communication Research and Information Centre, Singapore, the World Association of Christian Communication, UK and the International Centre for Ethnic Studies, Colombo with support from the Friedrich Ebert Stiftung, Colombo.*

A seminar on 'Communication Ethics from a South Asian Perspective' was organised by the Asian Mass Communication Research and Information Centre, Singapore, the International Centre for Ethnic Studies, Sri Lanka, and the World Association for Christian Communication, UK, in Colombo from November 9-11, 1993. The present time, as the participants noted, is one of profound change in the mass media environment in the region. This is particularly evident in the entry of transnational actors in the electronic media. Moreover, the rapid development of new communication technology, which puts increasing power in the hands of communicators, carries with it both new constructive possibilities and new dangers, which require heightened awareness on the part of media personnel as well as society at large.

There has been an emergence of new print media enterprises providing a basis for a pluralistic press. This newly found element of freedom of the press, which is welcome, is however often marred by the lack of ethical responsibility. The seminar expressed concern also with the rising trend of violence towards the media and

media personnel, both by state agencies and by other political forces. It also noted with concern the rise in communalist and divisive forces breeding hysteria and intolerance towards minorities that have found growing expression in the media.

In view of these developments, the participants called for action in two areas of priority — a new ethics for the media profession and a new framework for the teaching of communication ethics.

## **Towards a New Ethics for the Media Profession**

1. There is a need to upgrade the professional competence and capacity of media practitioners throughout the region, since this is a necessary foundation for the raising of ethical standards in the media.
2. Existing codes of ethics, laid down by Press Councils, are in some ways obsolete and inadequate to meet present needs and have no effective means of enforcement to back them. These codes should be reviewed and revised to give them contemporary relevance.

3. Since most of the currently existing Press Councils in the South Asian region act in effect as Government agencies, they should be replaced by Media Councils, covering all media — print, audio and visual — and acting not as extensions of the State but as genuinely independent bodies and perceived to be so. Such Media Councils should comprise respected media practitioners and eminent persons from public life through a mechanism ensured by appropriate legislation.
4. A genuine problem exists in the absence of machinery for meaningful redress in cases of serious criminal libel in the media. Because of the phenomenal burdens on the judicial system, justice is often denied by being delayed. The proposed Media Councils should therefore be vested with appropriate judicial powers.
5. It is urgently necessary that professional bodies of media practitioners undertake the task of monitoring coverage in areas of ethnic and communal violence and violation of human rights and the rights of minorities, women and children. These bodies

should evolve a mechanism for corrective action whenever ethical standards are violated in these fields.

#### **Towards a New Framework for Teaching Communication Ethics**

1. Media ethics should be recognised as a specific course at the undergraduate and graduate levels at colleges and universities and centres offering training in both print and electronic media as well as becoming part of in-service training.
2. Media ethics should be looked at in a comprehensive way to assimilate emerging issues of ecology, gender, children and the like.
3. Codes of ethics of advertising for both national and transnational media need to be reviewed by professional bodies and citizens' movements,
4. In the development of curricula for media ethics, a series of case studies, for example of ombudsmen, in the practice of media ethics, should be highlighted for critical appreciation of a wide range of practical problems. In this respect, specialist training should be organised for teachers and trainers of media ethics.
5. It is imperative that the media, both print and electronic, make their ethical norms public and explain them to audiences and readers on a regular basis.
6. The introduction of media studies in secondary schools for understanding particularly in regard to portrayal of women and the commercial exploitation of the innocence of children.
7. The participants are convinced that three fundamental principles of media ethics are non-negotiable and must be adhered to at all times. They are:
  - a) Commitment to truth,
  - b) Respect for human dignity,
  - c) Concern for the vulnerable, disadvantaged and oppressed.
8. The media must reinforce acceptance of socio-cultural pluralism in the understanding that a plural society strengthens democracy and safeguards national integrity.

the nature and responsibilities of the mass media should be encouraged. This is crucial for the fostering of ethical awareness. The media should also cooperate with media reform movements which work for the greater public good.

## **Communication Ethics : An Overview**

**Regi Siriwardena**

*Editor, ICES*

Questions of communication ethics — whether in South Asia or anywhere else — can't be regarded as simply a matter between the individual communicator and his or her conscience. In the daily choices of the professional life, the communicator is subject to the pressures, constraints and deterrents exerted by a variety of forces — State laws and regulations, and sometimes even extralegal forms of coercion, the preferences or aversions of heads or proprietors of media institutions, the influences of powerful interest groups, and the convictions or prejudices of dominant sections of readers, viewers or hearers. Between these different forces the communicator often treads his or her way as warily as through a minefield. However, the pressures acting on the communicator don't come entirely from outside; some of them may be internalised in personal loyalties, antipathies or biases.

What I have said so far may seem simply a re-statement of the obvious: yet how often do we ignore these realities

when we discuss the freedom of the media? Some people, for instance, talk of independence of press, radio or television as if this could be equated with the absence of State control or intervention, forgetting that there are pressures — political, financial, social and cultural — which act no less powerfully, though perhaps less visibly, even on privately owned media institutions. I cherish a story about that legendary model of the independent and principled liberal journalist, C.P. Scott of the *Manchester Guardian*. Once one of his leader-writers wrote an editorial condemning a project to put up a gasworks in a quarter of the city where it would cause large-scale pollution. It so happened that the owners of the projected gasworks were among the largest advertisers in the newspaper. The editorial didn't appear, but the leader-writer found this note from C.P. Scott on his desk: 'We must never suppress the truth, but we have sometimes to economise on it'.

I don't tell this story in a cynical spirit,

as if to imply that all talk of communication ethics is irrelevant, and independence of the media a pretence or an illusion. There are, after all, degrees of economising on the truth, and degrees of suppressing it, too. What I am concerned to stress is that the cause of raising ethical standards in the media isn't served by laying down some absolute code divorced from the real social and political contexts in which communicators function. This seminar in other sessions will focus attention on some of the specific structural, legal and political factors affecting communication ethics in South Asia. In my paper I shall concentrate on what seem to me to be three fundamental issues. Firstly, what is the role of the media in relation to the state and civil society in South Asia? Secondly, what are the implications for the media of the multi-linguistic and multi-religious character of South Asian societies? Thirdly, what is the position of the media as regards women? If I say that all these are questions that have, for the purposes of the present seminar, an ethical dime



nsion, I don't mean that they are questions that can be answered on the basis of some universal moral code (personally, I don't believe there is one). What I mean is simply is that these are questions which involve choices in terms of values, even though some of us may see these values as provisional, tentative or open to continual revision in the light of changing social relations and human experience.

Once upon a time — but I am not talking of the age of the fairytale but of a relatively recent period stretching approximately from the 'fifties to the seventies — there were in South Asia powerful groups who believed in the supremacy of the state as the necessary path of progress in these developing countries. In India and Sri Lanka, under centre-left regimes state dominance was given legitimisation by ideologies of social welfare and egalitarianism; in Pakistan, Bangladesh and Nepal, under right-wing military or absolutist regimes, it was clothed in the language of national security. These statist ideologies had necessarily their implications for the media; they could be used to justify censorship as well as other forms of state intervention — even, in Sri Lanka in 1973, the takeover of a newspaper group. Since that time the statist ideology has lost much of its strength in both theory and practice. Privatisation and free competition in the market are growing to be the new economic orthodoxy in South Asia, as in many other parts of the world, and politically, liberal democracy is assumed to be its natural concomitant. Yet even those South Asian regimes which most ardently espouse free market economies show no real enthusiasm for openness in the media.

There is an interesting contradiction in State policies in South Asia towards the different media. On the South Asian scale outright State ownership of newspapers has been an aberration; ruling regimes have generally preferred less direct forms of control, intervention or influence on the press. But State ownership of radio and television has been the rule. Even where private channels exist, as now in Sri Lanka, the state retains its monopoly of dissemination of internal news and comment. Several reasons may be sugge-

sted for these dual policies with regard to the press as against other media. There is the precedent of state ownership of the radio, set already in colonial times. There are the factors of the greater audience reach of radio in South Asian countries and the visual immediacy of TV, both of which carry advantages that regimes in power are reluctant to lose.

Many of us in Sri Lanka have admired — and envied — the longstanding independence, diversity and vigour of the Indian press, and now of the Pakistani press since democratisation. But while the maximum freedom from State control is a necessary condition for the health of the media, it is not a sufficient condition. The Western liberal watchwords of 'the free flow of information' and 'the open market of ideas' conceal the fact that even under conditions of total privatisation, there may be no real equality of access by all groups of society to expression through the media. That is where the free market model is, just as much as the statified one, an inadequate guarantee of democratisation of the media.

Criticisms of media structures in South Asia, especially by active politicians, often concentrate on the imbalance between Government and Opposition in access to or coverage by the media. Certainly, it is better to have a contest between Government and Opposition in the media than to have total subservience to the State. But Opposition parties are still special interest groups, and the existence of pro-Opposition media as against pro-Government — in practice in South Asia that means pro-Opposition and pro-Government newspaper — is not enough. This is proved by a phenomenon that has been enacted over and over again in our part of the world. Regimes which in power used the media to their own advantage have fallen; Opposition parties, which criticised the former rulers for their abuse of the media, have come to power; but the undemocratic and oppressive structures of communication have survived. That is why it is necessary to say that the most fundamental ethical principle of media communication should be not just that of holding the scales even between Gove-

rnment and Opposition but that of being open and responsive to the whole range and diversity of needs, interests, opinions and aspirations within civil society. And especially, of those groups who are disadvantaged and whose voice is less often heard — the poor; linguistic, religious or cultural minorities; and women.

The aspect of minorities assumes particular importance in the ethnically diverse societies of South Asia, with the recurrent conditions of conflict in several of them. The ethical problems that communicators face in relation to such conflicts surface particularly sharply in situations of open riot or civil war. On such occasions, even the non-partisan communicator may be faced with a clash between the principle of reporting exactly what happened and the possible consequences of such a report in exacerbating violence. The liberal slogan of 'Publish and be damned!' that may seem honest or courageous in other circumstances appears in a different light when the result may be not a libel suit or a jail sentence but the large-scale loss of other people's lives. But I don't want to imply that the ethical problems of communication in societies divided by linguistic or religious conflicts are confined to extreme situations of violence. These offer only special instances of ethical questions which perpetually confront the communicator in such divided societies.

Several recent theorists of nationalism have drawn attention to the central role of communication in creating and disseminating nationalist consciousness — most notably, Benedict Anderson who has argued that nationalism arose only with what he calls 'print capitalism'. Anderson has been criticised on the ground that he has underplayed the strength of pre-modern forms of communication such as oral tradition in fostering group identities. That criticism is probably justified; but there can be no doubt that these identities, and with them unfortunately, the potentialities of conflict between different nationalities or ethnic groups, gained an enormously added strength with the rise of modern forms of communication.

*Next: Communication and Conflict*

# The Influence of Government on Ethical Media Practice

M. J. Akbar

"The Influence of Policies and Government on Ethical Media Practice": There are five different variables in that theme, at the least, and a million permutations and combinations that could emerge from the interaction. To begin with, what kind of government are we talking about? To pretend that a similar kind of democracy is operating in all the countries of South Asia would be decidedly optimistic. We are, in fact, currently undergoing a particularly scummy phase of democratic behaviour on the old subcontinent, since all the governments, barring Bhutan, can claim the legitimacy of adult franchise and free elections. But this has hardly been the substantive reality, and in nations like Pakistan and Bangladesh the media has learnt that it must never become so adventurous as to invite the wrath of institutions like the armed forces which have shown little hesitation to bend history to their will. If Prime Ministers in Islamabad and Dhaka have to operate a Third Eye from the back of their heads to forestall an abrupt termination of their power, you can hardly blame an editor for keeping channels open to the right level of uniforms. Democratic behaviour is much more than the conduct of elections. Newspapers know that, which is why they are far more eager to condemn a Prime Minister than to berate a colonel.

This is perhaps the most appropriate moment to point out that vested interests of the known establishment are not the only threat to the existence of a free press, or to "Ethical Media Practice" as the organisers have rather quaintly put it. India has much to be embarrassed about these days, but at least on one score, its record is unmatched: freedom and democracy. But a strange paradox is building in Indian democracy, where the exercise of elections is breeding a potential enemy of free media. India has seen governments pervert freedom of the press, as in 1975 when the Emergency was imposed. On occasion less draconian governments have attempted to legislate against the excesses of media self-indulgence, or, indeed, blatant partisanship. Thankfully, each time the baby has been rescued from

the bathwater. But in recent times, Indian democracy has strengthened rightwing forces which have proudly compared themselves with Adolf Hitler, and targeted not only the minority communities with murder, rape and wanton destruction but also that section of media which has dared to object to such hooliganism. This is not an unprecedented phenomenon. Hitler himself won elections. But it is a complex phenomenon in India and perhaps requires a separate discussion. What happens to "Ethical Media Practice" when it is threatened not by government but by private armies owing allegiance to warlords with no commitment to any democratic values?

And before we examine the relationship between government pressure and editorial independence, we media practitioners might want to pause and consider whether journalists undisturbed by any powermongers are necessarily always paragons of virtue. At one level, the temptation to exploit passion-provoking lies during moments of crisis like communal riots, is powdered too with almost shameless consistency by a large tribe of owner-editors, who virtually instruct reporters to obtain bylines by manufacturing lies. Very widely-circulated non-English newspapers in India indulge in this crime, and some English papers have occasionally joined this game too. At another level is the temptation of owners to convert their newspapers into weapons with which to bludgeon enemies. The newspaper has not only become the most effective ally in corporate warfare, but also a tool for thinly disguised partisan propaganda. In just the past few days I have seen on the front page of a leading English newspaper headlines making a charge against X or Y or Z, whereas the copy said absolutely nothing to warrant these headlines. Clearly the editor gave pre-judged headlines which were later totally incompatible with copy, but no one on the desk had the courage to change the editor's headlines. What form of ethics should we consider this? The only point one might make is that ego-partisanship is an international disease of journalism.

To return to our principal theme: we have an interesting conjunction in the title. It is not the influence of Policies of Government on Ethical Media Practice lent the influence of Policies and government. This distinction and difference is necessary, for the two are not the same. There is the influence of policies, and the influence of government, and they take their own shapes.

Governments in India, being denied the freedom to simply bludgeon editors into hapless submission, have not necessarily always retired hurt. They have used the wealth of political and bureaucratic imagination to create pools of pressure which would make newspapers vulnerable. It was not simply the fact that the Press Act which still operates was first devised in the decade after the 1857 Mutiny and polished up in successive eras to meet the demands of a threatened imperialism. Nationally, free India introduced amendments, but not so many as you might imagine. It was the hangover of the past which allowed censorship, for instance, to be so easily imposed in 1975.

There were other techniques brought into play. The newsprint policy, for instance. But there is in fact no longer much need to dwell upon these factors because significant changes in policy over the last two years have defanged many of the provisions. The decanalisation of newsprint import, for instance, did as much as anything else to remove a major source of government pressure on the conduct of newspaper operations. Similarly, the inclusion of print technology into the open general licence category, again a decision of a Congress government, allowed Indian media to enter a new era of growth and expansion, enabling the smaller newspaper houses in particular to multiply their reach through the application of cost-effective communication systems. The impact therefore of the spirit of liberalisation now underway in India has been positive on the media industry.

It is comforting to report that all this has not turned the Indian print media soft on the government. It retains and continues



to protect its independence with a sustained vigour.

One is even tempted to suggest that no government is probably in a position to imprison the media anymore. The world has changed too much for any kind of authoritarianism or pseudo-authoritarianism to succeed. Governments no longer inspire the fear — or, I daresay even the respect — they once did. Politics as a profession and government as an institution has been devalued sufficiently in the last decade.

The impact therefore of government on Ethical Media Practice, as distinct from Government Policy, has also weakened. To explain a little. During the Emergency, for example, it was not only the official policy of government which held media under thrall; the sense of terror personally generated by a few individuals played more than its part in creating an atmosphere of terror. Only those who have faced the specific bullying and viciousness of the powerful know how pernicious the use of raw power can be in sending suitable "signals" to the media. Everyone has some skeleton or the other; proprietors are not very different from other businessmen in their attitude to tax laws, for instance. Governments ensure rewards to the "politically correct" and get very legal with those less polite. On an individual level, journalists get the benefit of housing etc., for being suitably friendly to particular power brokers. The correlation between generosity and ethics can be as insidious as the equation between fear and ethics.

A major reason for the growing impotence of governments, at least as far as their ability to manipulate media is concerned, is technology. I will leave this thought in skeletal form in this brief paper, but I hope that this is an area which we consider in some depth in our discussions. A select and specialised group like ours, at such a seminar, will understand immediately how the dramatic arrival of the satellite in the sky, and its astounding ability to filter into any home without the permission of governments, and without any respect to traditional boundaries, has simply defanged the authority of local powers. It is virtually impossible now to protect the news of the destruction of a Babri mosque or the siege of the Hazratgah shrine, or any other major incident, from being reported by voices and cameras which have no allegiance to local authority. And this

is only the beginning of the technology revolution; its consequences of the nature of the print media, for instance, have not been fully appreciated. But no media is coldly neutral; we know that. If governments do not control these satellite companies, it does not follow that no one controls them. This seminar must provide some time for the emerging concerns of the age of transition in a spirit of empathy, not antipathy; but with its eyes also open, and not lulled to sleep by a new hypnosis.

A second point on which, I hope, we will dwell. The real danger to independent journalism these days might come not from the abilities or dis-abilities of any government, whether in Delhi or Dhaka, Colombo or Islamabad. It might come from something altogether different: a willing desire of journalists to be on the correct side of issues of critical concern, particularly those issues which have a direct impact

on national survival. Indian and Pakistani journalists, for instance, take absolutely predictably opposite lines on any matter relating to Kashmir. The particular merits of any incident gets totally drowned in the seas of patriotism showing around on both sides of the border. It would be most interesting to consider the relationship between media ethics and nationalism. On how Sri Lanka media treats the civil war in the Tamil areas; on how Indian media treats Kashmir; on how Pakistani media reports the same story; on how Bangladeshi media responds so promptly to any inspired bashing of Delhi, and so on and so forth. This is going to be prickly, and perhaps not necessarily pleasant. It is much nicer to blame governments for all the ills and take credit for all that goes well. But a seminar by and for professionals of South Asia will not have served its purpose if it does not permit some space for introspection.

## **Tweedle-Gorb and Tweedle-Sin**

**(The Clown's Cantos No. 2)**

*Tweedle-Sin for a Nobel  
Isn't that controversial  
Perestroiking Golden the Glasnost Fleece  
Tweedle-Gorb's romantic piece was Peace  
Tweedle-Sin's could be Economics  
After all, his tricks,  
Forgetting funny theoretical bricks,  
Dropped the four dollar Rouble  
Down to the depth of a poodle.*

*And his Moscow Autumn  
Has put Fall on the Prague Spring.  
No Nobel Laureate, Stalin  
Spared the Reichstag for the Hun,  
And killed, alas, one man in Prague.  
Then strangely, in Peking  
Reporters were increasingly vague  
Whether the figure was two thousand or twenty one  
Thus History may never know  
Tweedle-sin's exact score.*

*He will of course be History's only one  
Who blasted his Parliament with heavy gun.  
The Citation reads, for Heroic deeds  
And fireworks, a subtly timed display  
Just one month before Guy Fawkes Day  
That held the Rouble firmly by the Collar  
And brilliantly steadied the Dollar.*

**U. Karunatilake**

# War: Why Ban Reporting?

Tony Hall

The Government has decided against a recommendation by Army Commander Cecil Waidyaratne to re-introduce provisions of the Emergency Regulations relating to printing and publishing of certain material and documents.

These provisions, 30 and 30A of Emergency Regulations were repealed by the late President R. Premadasa.

Lt. Gen. Waidyaratne has meanwhile warned senior officers in military establishments countrywide that severe action would be taken if they were found giving information to the media.

The public will only get the full and sensitive reporting of Northern Ireland that they want if the UK broadcasting ban is lifted, says the managing director of BBC news and current affairs.

It is now five years since the government brought in the ban restricting the reporting by broadcasters of the full range of views in the Northern Ireland debate. The talks between the SDLP's John Hume and *Sinn Fein*'s Gerry Adams have highlighted the need for the government to re-examine the necessity for legislation which undermines the ability of British broadcasters to tell viewers and listeners the full story.

The government introduced a Notice restricting the reporting of *Sinn Fein* and other groups in Northern Ireland in 1988. Since then, viewers and listeners — particularly in Northern Ireland — have been deprived of a first-hand account of the different shades of opinion which permeate the political scene.

Let us remind ourselves of what the Notice does. It prevents the direct broadcast of anyone speaking as a representative, or in support, of a listed organisation; it forbids actuality of a speech by a foreign leader or a politician giving specific support for, say, *Sinn Fein*; actuality of words of support spoken by a politician in the European Parliament or by defendants in a court anywhere; shouts of support for a listed organisation by members of a crowd; and certain historical documentary footage of members of listed organisations.

In theory, *Sinn Fein* is one of a range of groups affected by the Notice but, since the banning of the UDA a year ago, it is the only legal group affected.

Before the ban, broadcasters were able to carry testing interviews with *Sinn Fein* representatives after IRA atrocities. Now these representatives often avoid interviews after these incidents, on the grounds that their voices will not be heard.

Under the terms of the Notice the voices of these same *Sinn Fein* members can be broadcast only if they are speaking in a personal capacity or as representatives of councils or committees.

BBC journalists do their best to keep viewers and listeners properly informed of events in Northern Ireland so they can judge for themselves the significance of events and the value or otherwise of policies adopted. But the ban is damaging to broadcast journalism and to Britain's reputation as an upholder of free speech, both at home and abroad.

It means the use of an actor's voice to substitute for a member of *Sinn Fein* is common, along with the obligatory explanation to the public. Such is the wording of the Notice that there have been several instances where an interview was broadcast using an actor for part of it and the actual interview for the remainder.

This usually arises as a result of Loyalist attacks on *Sinn Fein* members. For example, a post-election interview with Gerry Adams, on Radio Ulster's *Inside Politics* programme, began with Adams in voice as a victim of violence describing a gun attack on his house earlier in the week. The rest of the interview, which was political in context, used another voice.

The inconsistency of the Notice regularly surfaces. During an edition of *Inside Ulster* last summer, one member of *Sinn Fein* was voiced-over because of a story's political theme, while in another instance a member of the party was heard in voice because he was the witness to an attack.

This is confusing to viewers and listeners. It is an unsatisfactory way to conduct interviews, even if the substance of those interviews is reflected, because the important additional information conveyed in broadcast journalism — tone, inflexion and mood — are all missing. It is not just what people say but how they say it.

Networked news reports are similarly, though less frequently, affected, while current affairs and documentary programmes often have the added complication of subjecting historical material to scrutiny under the terms of the ban.

Broadcasters do their best to present a fair and full picture of the events and issues in Northern Ireland but there is always a danger that the logistics of reporting within the terms of the Notice will inhibit our journalism.

The BBC has always been careful about interviewing members of *Sinn Fein* and other listed organisations. When we conducted such interviews before the Notice, with due sensitivity to audience feeling, complaint was rare. We believe that our viewers and listeners want full and sensitive reporting of Northern Ireland affairs. That can only happen if the ban is lifted.

Tony Hall is the managing director of BBC news and current affairs.



## Why there's sound of laughter in this rustic tobacco barn....

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