

"Provincial
Councils"

Political Sovereignty

for

Tamil NATIONAL
QUESTION ?

Statement of THE

REVOLUTIONARY

WORKERS PARTY

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PROVINCIAL COUNCILS
Statement OF THE
REVOLUTIONARY WORKERS PARTY

President Jayewardene has once again come forward with proposals for a "Political Solution" of the Tamil National Problem. However, even at a moment when he is seeking to get the attention of the Tamil people in regard to his proposals, Jayewardene has not made a single reference, either in his speech, or in the text of his proposals to the Tamils and their problems. Evidently, Jayewardene does not want to show to his Sinhalese electorate that he is offering these proposals as a solution to the civil war situation in the country, arising from the liberation struggle of the Tamil people.

It is a manifestation of his deep rooted Sinhalese chauvinism, that makes Jayewardene think that it is derogatory to the "Sinhalese Nation" to show that there is any connection between his proposals and the liberation struggle of the Tamil people. It is clear, that even at this moment, Jayewardene wants to play a game of hide and seek with this burning issue. This is evidence that in regard to his latest proposals, Jayewardene is lacking in good faith.

In regard to the present proposals for provincial Councils, Jayewardene is reported to have said that this is the furthest that any government can go in regard to devolution of power. We do not subscribe to this view. Jayewardene knows well that bourgeois States could have either Unitary or Federal Constitutions. Jayewardene also knows equally well that confronted with problems of national minorities, capitalist States elsewhere, have adopted Federal Constitutions which could go very far in the devolution of political power, while maintaining the "Sacrosant" principle of "unity and integrity of the nation" so dear to all Sinhalese chauvinists.

In regard to the Tamil National Problem the Tamil people have the right to a separate State (Tamil Eelam) which has been their goal since 1973. The right of self-determination of a nation, has no other meaning than the right to a separate State. That indeed is the Marxist-Leninist position on the National Question.

The workers and toilers of Sri Lanka can do no less than unconditionally support the present struggle of the Tamils for a separate Tamil State. But, the achieving of a separate State is no solution to the problems of the problems arising out of both national and class oppression. Such a solution can be found only in and through struggles of the Tamil workers and toilers in unity with the workers and toilers of the whole of Sri Lanka for the overthrow of the Jayewardene government and of capitalist class rule and through the establishment of Socialism.

During the last 3 years since 1984, the Jayewardene bourgeois regime believed it was possible to solve this problem by launching military operations against the Tamils and pursuing a policy of genocide of the Tamils. Having failed to suppress the Tamils by this means, Jayewardene has toothed out a new version of a "political Solution".

We do not know whether those engaged in armed struggle for Tamil Eelam - a separate Tamil State will opt for a form of regional autonomy. If indeed the Tamils and the liberation fighters are ready to accept such regional autonomy, we have only to say that it is their right to exercise their freedom of choice. However, if the liberation fighters decide to accept the present proposals of Jayewardene, even with modifications and amendments, they would only fall into a trap that Jayewardene has laid for them in order to crush and oppress the Tamils more effectively.

Any evaluation of Jayewardene's present proposals for devolution of power through Provincial Councils must be considered in the context of the policies that Jayewardene followed from after his party set up its government in 1977.

Briefly, Jayewardene resorted to drastic changes through a process of centralisation of power into his own hands as President. Through a so-called Presidential system which he imposed on the country in 1978, Jayewardene removed the executive power that was vested in the Prime Minister and the Cabinet responsible to Parliament and took over this power into his own hands.

- 3 -

It is this same President Jayewardene who now proposes a plan for devolution of power. The question that is posed is whether he will open the road for any real devolution of power.

To start with, it is relevant to refer to one fundamental right - the right of Universal Franchise. It is expressly stated in his proposals that the Provincial Councils will be elected on the basis of proportional representation - the undermining of the power of the voters remain unchanged.

In order to inquire into the question whether there is and to what extent there is any devolution of power it would suffice if we consider this under 4 heads -

1. Executive Power

As in the case of the Parliament Executive Power will not be wielded by the Board of Ministers of the Provincial Council which is composed of elected members, but by an official, a Governor, who is appointed by the President. Thus, like the Parliament, the Provincial Council will only be a talking shop.

If the reality is that the Governor (who is the President's man) has the full executive power in all spheres of administration in the Province, where is the devolution of power to the Provincial Council? Concretely, it means that the limited executive powers that the Board of Ministers will exercise will be at the will and pleasure of the Governor - the President's man.

2. Law and Order

Section 11:1 says - "The D.I.G. of the Province shall be responsible to and under the control of the Chief Minister thereof in respect of the maintenance of public order in the Province.

Does this mean that the Chief Minister who is a democratically elected member of the Provincial Council will have control of the maintenance of public order in the Province?

In the first place, "maintenance of public order" is left undefined. On the other hand, this provision has to be read with Annexure II which lists the "subjects and functions that should be exclusively reserved by the Government". Here is sub-section 1:4 - "Law and Order and Prevention and Detection of Crime, subject to the extent that some of these powers will be devolved on Provincial Councils and District Councils".

That means only some of the powers coming under law and order is devolved on the Provincial Council - In the absence of any listing of these powers under Law and Order, as powers that are so devolved, it is not possible to say that the powers granted to the Provincial Council in relation to the maintenance of Law and Order can give the Tamil people's representatives power to adequately protect the Tamil people from the Police oppressors and violence by the Sinhalese bourgeois central government.

What is most relevant in regard to the so-called power of a Provincial Council over Law and Order is the fact that whatever power that is devolved on the Provincial Council in this respect is nullified and negated every time a State of Emergency is declared by the President. In that event, the President takes over all the powers in regard to law and order in the Province.

This reality of a dictatorial President having the power to declare a State of Emergency at his own will and pleasure without being responsible to Parliament makes a nullity of any powers of Provincial Councils in regard to law and order.

And the very next sub-section exposes the fraudulent nature of the powers granted to a Provincial Council in regard to law and order. Under this sub-section, without declaring a State of Emergency, the President can, if he is "of the opinion that the security of, or public order in a Province is threatened by a grave internal disturbance" by order deploy any unit of the National Division of the Armed Forces in the province for purposes of restoring public order".

Thus, it could well happen that on the very inaugural day of the functioning of the Provincial Council in the Northern or Eastern Provinces, that the President chooses to send his armed forces to massacre the Tamil people because he entertains a belief that there is a threat to public order.

3. Land and Land Settlement

Provincial Councils will have only a fraction of the cultivable land in its area under its own power for any projects or settlement on landless people.

It is expressly stated that "State" lands mean all land under the Crown Lands Ordinance, the land under the Land Development Ordinance and Irrigation Ordinance - all these lands, that is the entirety of the land belonging to Government. It is vaguely stated that the Provincial Council will get only "lands required by Provincial Councils for purposes devolved on them".

Apparently, it is left to the Central Government to decide on what amount of land should be left to be controlled by a Provincial Council. However, even in respect of this small category of land, "alienation and disposition of land under such schemes..... will be made by the President".

And, as for land development projects (eg. Mahaweli) "the principles and criteria regarding the selection of allottees for such land will also be determined by the Government of Sri Lanka".

The details given under the "Alienation of New Allotments under Mahaweli reveals the method by which the Tamils are to be discriminated vis-a-vis the Sinhalese on the burning question of land distribution. We are told of a system of "entitlement on the basis of National Ethnic ratios of Sri Lankan Tamils, Muslims and Indian Tamils - 12% for Sri Lankan Tamils, 7% for Muslims and 5% for Indian Tamils. And, on this "principle" 75% of the lands coming under Mahaweli Development Scheme will be reserved and given to the Sinhalese.

The so-called "ethnic" principle is thoroughly reactionary - It is dividing of mankind into races. But there is only one single human race. Attempt at division into races is an attempt to categorise and separate superior from inferior people - that was the thinking of Hitler and the terrible logic of that thinking was the sending of 20 million Jews to the Gas Chamber as good riddens of an inferior race.

If this principle is to be adopted in regard to the distribution of land, it is inevitable that the same principle will be applied to Educational facilities and Employment leading to the abominable "standardisation" and "quotas". This is not the road for achieving the unity of the nation but tearing it apart.

4. Education

In regard to education, the devolution is to be only for cultural matters and education up to secondary schools.

The State universities within the Provinces will not come under the control of the Provincial Councils. Nor, have the Provincial Councils any power to set up their own universities. Thus, in regard to the admissions to universities, Tamil students will be at the mercy of the Sinhalese chauvinists of the State. On the question of the rights of Tamils to university education they are expected to be satisfied with one single sentence in the proposals. Under the head-line "National Education Policy" we have this sentence - "This will be non-discriminatory" !!!

5. Industry

It is a categorical statement in the proposals that State-owned industries will not be transferred to Provincial Councils. The granting of power to the Provincial Council to "establish" and promote industries within their own areas" means nothing as the Councils have to depend for all finance on the Central Government. On the other hand, this means that there will be no industrial development within the Tamil Provinces, and on the other hand, the Councils in these Provinces can do nothing to provide employment to Tamils in industrial undertakings as the State-run industries will remain virtually closed to Tamils.

The conclusion is plain enough. Any devolution of power to the Tamils through Provincial Councils remains a myth. Jayewardene's proposals, albeit with the blessings of the Indian Capitalist Government, is a trap for the Tamils and their liberation struggle - Jayewardene and his Sinhalese chauvinist bourgeois regime is offering the Tamils this empty shell of Provincial Councils, with trappings of devolution of power, hoping that the Tamil liberation struggle will be abandoned and that the Tamils could be brought under a form of subjection from which they could never rise.

And, as far as the workers and toilers in the South and other parts of Sri Lanka are concerned, the so-called Provincial Councils will not mean any devolution of political power to them which they could exercise through the proposed Provincial Councils, Municipal and Urban Councils and Pradeseeeya Subhas.

The Presidential dictatorship that Jayewardene set up since 1977 remains as before. Jayewardene will continue to exercise his dictatorial powers in a camouflaged way through a system of local bodies which in reality will function under the direction of the President.

Thus, any support for Jayewardene's proposed Provincial Council system is nothing but a grand disception for the betrayal of the struggle of the Tamils for their national liberation. At the same time, this system is a mask to conceal the continuing oppression of the workers and toilers among the Sinhalese people by the fascistic Jayewardene regime.

In this context, the part that the so-called left parties are playing is not merely despicable, but is treachery to the Tamils and a betrayal of all the workers and toilers of the whole of Sri Lanka to the Jayewardene class enemy.

The LSSP, CP and NSSP, who knew well the emptiness and the deceptive nature of Jayewardene's proposals, rushed to welcome them as a basis for the political solution of the Tamil problem.

It was the leader of the bourgeois partner of the LSSP, CP, SLMP alliance, Vijaya Kumaratunga who took the initiative in writing to Jayewardene suggesting he call an All Party Conference. Jayewardene who was in a dilemma agreed to do so. Jayewardene wanted to show Governments of foreign countries, especially those of the "Aid Club" that all efforts were being made by him to find a political solution to the Tamil problem.

It was obvious that the SLMP leader, Vijaya Kumaratunga's decision to visit India to meet Indian officials, and the leaders of the militant groups had the support of the LSSP and CP.

It is very probable, that Vijaya Kumaratunga's visit to India was decided in consultation with Jayewardene. According to Kumaratunga, he not only consulted Jayewardene about this visit but he shamelessly says, he asked Jayewardene's permission to meet the leaders of the Tamil militants in Madras, because according to him, it was illegal for anyone in Sri Lanka to meet them. This is simply nonsense, as anyone is free to meet anyone outside the shores of this country without anybody's consent.

In any event, the LSSP, CP and the NSSP helped Jayewardene the murderer of the Tamils to get himself an image of a person genuinely interested in a political solution of the Tamil problem, by their act of participating in the Political Party Conference and by indulging in secret talks with him.

And, at a time when Jayewardene and his regime were hated by all the workers and toilers of the whole of Sri Lanka, and when it was the moment to mobilise the masses of the whole of this country against this regime, these left parties - LSSP, CP and NSSP actively came to Jayewardene's assistance and have betrayed, in advance, the coming struggle of these masses.

But whatever these left parties, LSSP, CP and NISP have said and done in regard to Jayewardene's proposals for Provincial Councils, these proposals are nothing but a trap for the Tamils in order to destroy their liberation struggle, and ensure their continued enslavement by Jayewardene and his Sinhalese bourgeois Government and successive bourgeois governments.
