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right to say it."*

-Voltaire

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## Congress in a Pickle of its Own Creation

Sonia Gandhi is back as President of the Congress in India, but the pickle in which it finds itself is truly pathetic with splits and expulsions at the very high levels of the party. When the BJP-led coalition under Atal Behari Vajpayee was thrown out in a confidence vote, it was thought there would be an alternative government installed at the head of which would be the Congress. But the failure of the secular opposition parties to come up with the numbers needed to sustain such a government resulted in President Narayanan declaring another round of elections leaving Vajpayee to lead a caretaker administration.

As the Congress projected Sonia as its candidate for Premiership, the BJP and its hindu nationalist allies orchestrated a campaign against the prospect of the "foreigner" heading the country. The Italian christian credentials of Sonia became the "big issue" of the day. But that was only to be expected from the BJP and its allies.

However, the revolt against "the foreigner" within the Congress itself was as unexpected as it was self-destructive. Three of its leading members Sharad Pawar, P A Sangama and Tariq Anwar not only raised the issue within the party, but also have proposed that the posts of President, Vice President and Prime Minister of India should be held by a natural born citizen of the country. When the Congress was down and in the doldrums, these very leaders pleaded with Sonia to take over the leadership and rescue the party.

A "very hurt and upset" Sonia plunged the Congress into a crisis by tendering her resignation as President of the party. In an emotional response, she asked her party men., "What have I done that makes anyone doubt my commitment and loyalty to India?" She said that she deliberately kept away from politics after her husband Rajiv was murdered. "I came into politics on your request and now I have become an impediment. There is no reason for me to continue in office."

Shocked and dazed by Sonia's sudden decision, there was a widespread campaign within and without the Congress to get her to withdraw the resignation. The Congress Working Committee expelled the three leading dissidents and 26 more particularly from Maharastra State and appealed to Sonia for the second time to return stating that "it was of the firm conviction that the continued leadership of Mrs. Gandhi as president was indispensable."

Mrs Gandhi is back as president of the Congress amidst reports that she faced a security threat to her life. A Congress delegation met Prime Minister Vajpayee requesting more security for her. The government itself has confirmed that few weeks ago the Intelligence Bureau had received information concerning a plot to kill Mrs Gandhi, and offered more security for her.

Now the Congress dissidents led by Pawar have decided to form a new party and strike a deal with other parties to create a "third front" which will be campaigning against the BJP and the Congress at the same time. But many believe that Pawar is more likely to link up with the BJP in the runup to the election.

The initial euphoria at the time the BJP-led coalition was brought down is no more. Many believe that the Congress even with Sonia at its head would not be able to recover to score an outright victory at the forthcoming election. The minor regional parties and groupings, including those in Tamil Nadu like Jayalalitha's AIADMK, Moopanar's Tamil Manila Congress and Karunanidhi's DMK, are in a quandary as to with which party they should align. The prospects are that another unstable coalition will emerge which will not be good for Indian democracy.

# NEWS REVIEW

The Provincial Council elections for 5 Provincial Councils (Uva, Sabaragamuwa, Central, North-Central and Western) which were held on April 6 dominated the political debate during the month of April. The PA won all five Councils, albeit with a very small margin. Following this victory, speculation was rife regarding the holding of national elections - Parliamentary or Presidential - within the next few months. In the immediate aftermath of the elections, there was total confusion as to the Chief Ministerial candidates for the PA. Several key Cabinet Ministers had actively campaigned in the Provinces on the assumption that they would resign from their posts in the Cabinet and take over as Chief Ministers of the Provinces. However, following the announcement of the election results, there was a technical point raised which pre-empted their being sworn in as Chief Ministers, at least in the first instance.

The election campaign was marred by incidents of violence, including four deaths, and by unrelenting sniping between the PA Polls Watch group and the independent election monitoring groups - PAFFREL, the MFFE and the CMEV.

The Election Monitoring Committee collapsed before the election date, with there being serious disagreements among the group. As a consequence, the UNP and the JVP refused to sign a joint statement calling for a violence-free election day. The attempt made by the Committee, chaired by President Kumaratunga and made up of representatives of 12 political parties, to recover unlicensed weapons issued to members of political parties for their protection in the period 1987 to 1989. Police and army officials believe at least 6000 weapons were issued.

Following the elections, political tensions sharpened, with the PA needing coalition partners in each of the Councils in order to carry forward any programme of provincial development. Acrimony between the PA and the UNP also remained high, with little or no hope being visible of reaching any national consensus on any economic or political issues.

On April 7, the Southern Province Provincial Council was dissolved, and

notice of nomination was issued. Accordingly, the Returning Officers received nominations at the District Secretariats (Kachcheries) of each of the Administrative Districts of the Province, during the period April 22 to 12 noon on April 29. Former Leader of the Opposition of the Southern Provincial Council M.S. Amarasiri defected from the ranks of the UNP in the run-up to the elections over a disagreement regarding the UNP's Chief Ministerial candidate. The President was also reported to have had a discussion with widow of slain JVP leader Wijeweera to solicit her support for the PA campaign in the Southern Province.

Tamil political parties continued to express their discontent with the situation in the north and east. The issue of the take-over of land in the Jaffna peninsula was a particular focus of their attention. At a meeting attended by the Deputy Mayor of Jaffna, Mr. N. Raviraj (TULF) Douglas Devananda (EPDP), D. Sidharthan (PLOTE) A. Adaikalanathan (TELO), and Premachandran (EPRLF) the parties resolved to oppose the take over of lands belonging to Tamils in Waligamam north politically and legally. They also called on the government to lift the ban on resettlement in Valikamam North immediately.

The insensitivity to the problems raised by the Tamil community was once again highlighted by a decision taken by the Ministry of Higher Education to appoint a team to prepare textbooks for secondary school children in Sinhala and have them translated into Tamil. The non-inclusion of Tamil educationists in this process is particularly disturbing in view of the fact that the Ministry had been apprised of several mistakes, both grammatical and factual and distortions of history in the Tamil texts for the current year.

The death of Veluppillai Balachandran, a 39 year old Tamil refugee, who killed himself in Germany on the 23rd March 1999, rather than be deported to Sri Lanka highlighted the tragic situation being faced by many asylum seekers from Sri Lanka in the western countries. The growing restrictions placed on asylum and migration in those countries is having a severe impact on the lives of not only the asylum-seekers them-

selves but on their families and on the Tamil community as a whole. Although the situation of Tamils returning from abroad continues to be insecure even in Colombo, many liberal states in western Europe have continued with a policy of returning those asylum seekers whose applications are rejected.

The March 30 kidnapping of former Aitken Spence Chairman and now director G. C. Wickremasinghe sent shockwaves through the business community in Colombo and the investigations into the abduction revealed a network linking the underworld and members of the security forces. Mr. Wickremasinghe was stopped by men in police uniform while on his way for golf at the Royal Colombo Golf Club. He stopped his vehicle, believing it to be a routine security check. His wife later on reportedly paid Rs. 20 million as ransom and obtained his release.

In the course of the investigation, Police took into custody a Reserve Sub-Inspector of Police and a Navy deserter. Mr. Wickramasinghe five of the six suspects involved in his abduction during an identification parade.

Lawyers representing the suspects have raised doubts about the manner in which the identifications had been made, alleging that the Police had paraded their clients before some person that they suspected to be witnesses and allowed their clients to be photographed before the formal identification parade was held.

On April 25, thousands of youth from all races and religions participated in a festival of peace organised in Colombo by the Centre for Society and Religion. Activities took place throughout the day, and included a peace march to Viharamahadevi Park and an inter-cultural festival of peace at which music, song and drama items were presented by Sinhala, Tamil and Muslim youth.

The peace festival is been held to mark the first anniversary of an inter-cultural multi religious youth exchange programme during which youth groups from the CSR went to various part of the country for an in-depth dialogue with youth in those areas. During those dialogue a deep relationship of trust was built among Sinhala, Tamil and Muslim youth and it was sustained throughout the year through various forms of sharing.

Thirteen rallies and processions were organised for May Day. The PA

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rally and procession was fixed for Colombo while the UNP was to hold its rally in Galle. The other main rallies were of the JVP, the CWG and the CMU in Colombo and the MEP in Gampaha.

### Provincial Council Elections

Over 7 million voters went to the polls on April 6, to elect 263 members to 5 Provincial Councils. There were 5942 polling booths, and over 32,000 Police officers and 60,000 public officials were deployed at each polling booth. 12 political parties and some independent groups fielded 2445 candidates for the elections.

The PA won all five Councils. In Uva, the PA won 17 seats while the UNP won 14; in Sabaragamuwa, the results were PA 22 seats, UNP 19 seats; in the North-Central Province, the PA won 19 seats while the UNP won 12 seats; the results of the Central Province were 26 seats for the PA and 23 for the UNP; the NUW won 6 seats; in the Western Province, the PA won 46 seats and the UNP 44 seats. The JVP won 14 seats in all, 2 (Uva) 1 (Sabaragamuwa) 2 (NCP) 1 (CP) and 8 (WP). The UNP's candidate for Chief Minister of the Western Province, former Mayor of Colombo, Karu Jayasuriya, won the largest number of preferential votes - 250,179.

### Campaign-related Violence

During the campaign, there were many reported incidents of violence, mostly assault and intimidation. At least six people were killed during the campaign, four as a result of intra-party rivalries rather than in clashes between opposing parties. There were seven attempted murders. Other complaints included those of assault, arson, damage to property and abuse.

For example, Police used tear gas to disperse a mob which clashed in front of Hasalaka police station on the afternoon of April 4, following a row over preferential votes between two groups of PA supporters. In the clash at least five men sustained injuries and were admitted to hospital. In another incident a bomb was thrown at the UNP office at Kegalle. One person identified as Arumugam was killed while three others were wounded. An argument between two PA candidates at a propaganda rally of the party held at Hawa-Eliya in Nuwara Eliya resulted in the supporters of one candidate running berserk and damaging two vehicles.

Several incidents of violence were

reported on election day, mostly of assault and intimidation. The UNP candidate for Chief Minister in the Western Province, Karu Jayasuriya, had his vehicle attacked and supporters assaulted in Ratmalana on election day; the JVP's publicity Secretary Wimal Weerawansa was also injured in this incident. Sanjeewa Wijesekera, coordinator for the Central province for the CMEV was assaulted by an unidentified group while he was speaking to policemen outside a polling station.

Some incidents were also reported following election day on April 6. A PA supporter was killed in a bomb explosion in Ududumbara, on the night of the 6th while there were several reports of houses attacked and set on fire in the Central and North-Central Provinces.

On April 6, the Police said they had received a total of 965 complaints of election related violence while the CMEV's records showed over 1800 incidents.

### Election Monitoring Attacks on Media

The Provincial Councils election campaign was marred not only by incidents of violence but also by controversy regarding the monitoring and reporting of such violence. The state media and several key Ministers of the PA launched an almost personal attack on several key figures of the Centre for Monitoring Election Violence (CMEV) of which the Free Media Movement (FMM) is a constituent member. The PA established its own Polls Watch group, and made several blatant attempts to drive a wedge between the CMEV and the other two independent election-monitoring groups, PAFFREL and the MFFE.

On March 30, newspapers carried a statement issued by PA General Secretary and Minister D. M. Jayaratna accusing the CMEV of acting as a 'branch organisation' of the UNP, of fabricating reports and of obtaining and misusing foreign funding. The PA Polls Watch also approached several organisations that had funded the CMEV's election monitoring exercise, such as the Asia Foundation, with these allegations.

On April 5, the 3 monitoring groups issued a joint statement, signed by Messrs. Godfrey Gunatilleke (Chairman PAFFREL), Wimal Fernando (Secretary, MFFE) and Dr. Paikiasothy Saravanamuttu, (CMEV) saying: "We

believe that the participation of citizens in monitoring elections is an essential part of the democratic process and have engaged in election monitoring at the national and local levels during previous elections in Sri Lanka. In the process we have always made it clear that our primary concern is for the safeguarding of democratic freedoms in our country. We have been at the receiving end of criticism for bringing to the attention of the public the various violations of elections laws that have tragically become an integral part of the dominant political culture. Sadly, some of this criticism has taken the form of threats and intimidation directed at CMEV. Our resolve to defend democratic principles remains unshaken. We call upon all members of the public to extend to us their fullest support to strengthen and protect the integrity of the electoral process and democratic governance Sri Lanka".

### The war in the North and East

April 19 marked the fourth anniversary of the launching of Eelam War III and there was a security alert on the basis that the LTTE would launch a major attack on some point of the defence lines. However, this did not materialise. The fact that the LTTE has not launched any big attacks is seen by some to be an indication of their waning strength, while others speculate that the LTTE is beginning to turn its attention to a more systematic diplomatic campaign at the international level. The Sri Lankan security forces continue to suffer from a shortage of human-power and the Defence Ministry announced yet another recruitment drive to begin in May.

In early April, there were clashes reported between the LTTE and the army in Paranthan and also in areas close to the Forward Defence Lines in the Vanni.

There were casualties on both sides, but the Sri Lankan army continued to hold on to the territory it had captured in the earlier military operation.

On April 19, the Kilali Naval base which was set up after the Jaffna peninsula was brought under the control of the armed forces in 1996 came under attack by the LTTE. 6 LTTEs were reported to have been killed in this encounter.

Meanwhile, the army began to work towards establishing a new camp in the Vadamarachchi East sector in the Jaffna peninsula which has been under LTTE control. Troops were reported to have



landed on the Nagarkovil seacoast and started building bunkers in the area near the village of Mamunai.

In April, the Sri Lanka Navy took delivery of a British built hovercraft and Defence Ministry officials said they would be seeking to purchase more British armaments as the United Kingdom's policy on arms exports no longer bars arms sales to Sri Lanka. The British policy is guided by the principle that they will not issue export licences for the sale of arms to regimes that might use them for internal repression or international aggression, nor where they might intensify or prolong existing armed conflicts or where they might be used to abuse human rights.

Naval firepower was also expected to increase significantly once the 5 Chinese built gunboats purchased in 1998 join the northern and eastern naval units. The deployment of these vessels had been delayed until comprehensive sea trials had been concluded.

#### Civilian Life in Jaffna

The building of a new army camp in the Vadamarchchi east sector has led to a number of complaints regarding the use of forced civilian labour for military purposes. Reports from the peninsula said that all males from Mamunai had been deployed on April 22 to cut and destroy mangroves on either side of the road to Eluthumadduwaal. Complaints have also been made about the environmental destruction caused by this act, as well as about the use of civilian transport by members of the armed forces in this area.

There were several reports of arrests of young men and women by the army in the Jaffna peninsula throughout the month of April 1999. Among the names recorded were: Vincent Anthonydaas (23) of Point Pedro who worked at an ice cream parlour in the town; Navaratnam Ananthagopan (22), and Kaneshamoorthy Thavanathan (24) of Sirupiddy west, Neervely, who were taken into custody near the Atchuvely bus stand. Subramaniam Markandu (31) at his residence in Sangathanai, Chavakachcheri; Mrs. Kannathas Nakenthiraani of Valvettithurai was detained with her 18-month-old child.

According to Ms. Gowri Suntharingam of the Human Rights Commission (HRC) there were over 40 others persons detained at the KKS Detention Centre in Jaffna under the Prevention of Terrorism Act (PTA). Among the

group are 9 refugees and 2 Indian fishermen who were arrested on March 7 while they were on their way to Sri Lanka.

A student, Sellathurai Jegan (23) of Urumparai, was killed on April 4 in retaliatory fire by the army, following an attack on soldiers on the Urumparai-Neervely road. Pushparajah Antony (20) was wounded when the Sri Lanka Navy opened fire at him while he was fishing near Manalthididi.

On April 16 the body of a woman, believed to be about 30 years old, was found by local residents in the area between Manatkaadu and Valipuram Aalvar Kovil in Vadamarchchi East. The villagers came across the body while they were digging for sand for construction purposes. Once the body had been discovered Sri Lanka Army (SLA) personnel who were at the scene ordered the civilians to stop digging and asked them to leave the area. The villagers had informed the Grama Sevaka and the District Medical Officer (DMO) of the incident.

#### In the Vanni

The Bishop of Jaffna, Rev. Thomas Soundranayagam, travelled to Colombo on April 16 to discuss with government officials the problems faced by refugees in Madhu, due to the presence of Sri Lanka security forces there. This followed a visit to Jaffna by the Bishop of Mannar, Rev. Rayappu Joseph.

Bishop Joseph had earlier petitioned the President about the continued presence of the military in and around the Church of Our Lady of Madhu. He said that this not only endangered the lives of the over 10,000 displaced persons who had sought refuge at the shrine which is over 350 years old, as well as obstruct religious observances at the sacred shrine.

Since 1990, the premises of the church had become a haven for civilians fleeing the war and functions as an Open Relief Centre under the international mandate of the United Nations' High Commissioner for Refugees (UNHCR).

The security forces maintained that they were engaged in screening and issuing identity cards to all those resident in the camp at the Madhu shrine, and would leave immediately this task was completed.

Meanwhile, the Vanni Citizen's Committee has petitioned the ICRC and the Mannar Bishop regarding the

whereabouts of 14 civilians who had disappeared after they were arrested at Ilanthaimoddi by security forces engaged in Operation Rana Gosa in March. The relatives of Rajadurai Kenganesan, of No.590 Kilinochchi, have also handed over a memorandum to the ICRC asking them to help them locate him following his arrest by the security forces.

The parents of five youths who were arrested by the Sri Lankan Army on 17, 18 and 19 April from Thadchanamaruthamadu, a large refugee centre near the Madhu church, have also appealed to the Bishop of Mannar to help them trace Rajathurai Sasikumar (22), Rajathurai Sivakumar (20), Mahalingam Visvarajan (26), Sathsvivam Kannathasan (26), and Seenivaasan Yuenkithiran (21), who were arrested by a army official.

On April 12, Amnesty International issued a statement saying that they had been informed of the release of 2 persons - S Tamilchelvam and S Atpudarasara - who had been detained at the 'Lucky House' camp maintained by Vavuniya in March. However, 5 others who had been detained along with these 2 are still unaccounted for.

On April 15, residents of Eerataperiyakulam informed the Police that they had found parts of a decomposed body yesterday near the reservoir, about 4 k.m. south of Vavuniya. The police removed the body from the scene this morning and made arrangements for it be identified. Remnants of bodies partly burnt on several tyre pyres were found in the same area by Air Force personnel during a recent cordon and search operation there. They found between 10 to 12 tyres on which there were burnt remnants of bodies. Spent cartridges were also found in the vicinity. There were also reports that more than 25 skeletons had been unearthed in the Kilinochchi area in lavatory pits, shrubs and debris of destroyed buildings. It is speculated that these skeletons are the remains of those people who went to visit their homes when Kilinochchi was under the control of the armed forces and were reported missing thereafter.

On April 18, Sri Lanka Red Cross officials in Vavuniya appealed to Senior Police officials in the area to consider the plight of 4 children who have been left alone after their parents were arrested by the security forces.

Kandasamy and his wife Rajakumari, a school teacher, were arrested

by the security forces for alleged involvement with a suspected LTTE member in the army controlled area of Vavuniya. Rajakumari was taken by the Counter Subversive Unit (CSU) of Vavuniya Police with her 14 months old baby, while their 4 other male children, between the ages of 11 and 6, were left with neighbours, who have complained to the SLRC that the children are not eating but crying all day.

On April 25, Sivanathan Kishore, the secretary of the Vavuniya branch of the Sri Lanka Red Cross Society (SLRC) was taken into custody by the Sri Lankan security forces, and detained for interrogation at the 'Joseph' camp near the Vavuniya town. Mr. Kishore has been working as the SLRC's co-ordinator for the northern and eastern provinces of Sri Lanka, and had been involved in several negotiations between the LTTE and relief organisations working in the uncleared areas. He was earlier questioned with regard to a visit he made to the uncleared areas with Dr. Jayalath Jayawardena, UNP MP, several months ago. On the 30th, Mr. Kishore, was handed over to the Police

Following an attack mounted by the LTTE on the Uiyilankulam check-point on April 16, in which 3 Policemen were killed, the security forces closed down this entry point to the uncleared areas of the Vanni. Over 1,000 people a day used this crossing to travel between the LTTE-controlled area of the northeast Vanni, and the south of the country. Soldiers and police would check the credentials of traders, displaced people, hospital patients and aid agencies and search vehicles before allowing them across. Supplies of essential food, drugs and other requisites also made their way to civilians living in the uncleared areas via this crossing point. Thus, its closure led to great hardships, including shortages of food, drugs and other essential items in the Vanni. Prices of essential items rocketed in the Vanni as a result, with a litre of kerosene oil being sold at Rs. 200/-, a loaf of bread going up to Rs. 15/-, a coconut Rs. 32/- and a kilo of flour also for Rs. 32/-. In addition, several deaths were reported, due to the patients not being permitted to travel to the hospitals in the cleared areas.

The military has announced that it would not re-open the crossing unless it received a guarantee from the LTTE that such attacks would not be repeated.

However, following repeated peti-

tions from relief agencies as well as religious leaders and civilian organisations regarding the grave situation in the Vanni caused by this almost total halt of transport and travel between the Vanni and the south, and especially following reports of over 10 deaths due to lack of proper medical attention, on April 30, the military permitted some sick persons to be brought over the border to the hospital in Vavuniya. The SLA has also agreed to allow 25 bags of cement at a time into the Nanaddan area about 15 miles south west of Mannar.

### In the East

At a meeting in Colombo in April, representatives of 5 Tamil political parties resolved to ask the Sri Lankan government to halt its new colonisation programme in Trincomalee, and to evict the Sinhalese who had been settled in and around Langanagar. The TULF was represented by R. Raviraj, the EPDP by its leader Douglas Devanada MP, its Jaffna organiser 'Jegan' and A. Rasamanickam, the EPRLF by its leader Suresh Premachandran and 'Wilson', the PLOTE by D. Sidharthan MP and the TELO by its leader A. Adaikkalanaathan MP and advisor N. SriKantha.

The parties denounced the re-settlement plans as an attempt to artificially change the demographic composition of the district. They said that they were of the opinion that instead of resettling displaced Tamils, numbering thousands, from the Trincomalee district due to the civil war, 'the Government is engaged in massive State-aided colonisation of these areas by Sinhala settlers.'

On April 26, three civilians were killed and seventeen seriously wounded when the police launched an indiscriminate retaliatory attack on villages in Eravur. This followed an attack by the LTTE on 4 security posts within the defence lines at Eravur in the early hours of the morning of the 24th. Over 50 Tigers, the majority of whom were women cadres had participated in this attack, which had gone for over an hour. Eight LTTEs were reported to have been killed in this confrontation.

The MP for Batticaloa District, Joseph Pararajasingham, has urged the President, Chandrika Kumaratunge, to look into this incident. The MP complained that it had become normal practise for the security forces to retaliate against LTTE attacks by firing shells into civilian areas.

On April 28, representatives of the Akkaraipattu South Citizen's Committee and several leaders of Tamil village committees from the hinterlands of Sri Lanka's south-eastern coast met Minister for Ports, Shipping, Rehabilitation, Mr. M.H.M Ashraff in Kalmunai to urge him that more than 1200 Tamil families evacuated forcibly by the Special Task Force Commandos (STF) from villages in the interior of the south-eastern coast of Sri Lanka, between Tirukkovil and Thambaluvil in 1990 be allowed to resettle in their traditional places of habitation. Among the villages that were abandoned as a result of this forced evacuation were Thangavelayuthapuram, Kanjikudichcha Aaru, Thamaraiykkulam, Udumbankulam, Kombai-karachchi and Kanjirangkulah.

These displaced persons have been deprived of their homes and livelihood for almost 10 years and eke out a living on a monthly government dole of 1200 rupees per family. Mr. Ashraff told the delegation that he would help the families resettle if the Ministry of Defence gives security clearance for these people to resettle in their villages.

These persons were displaced during the period from June and October 1990.

Human rights groups report that over 40 civilians from the village of Udumbankulam were massacred during this evacuation, while the 1991 report of the human rights body, Amnesty International, says that at least 3,000 Tamil people were killed by government security forces in south-eastern Sri Lanka during this time.

The passenger shipping service between Trincomalee and KKS was suspended in April with no date being given for the re-commencing of this service, which places many persons awaiting transport to the northern peninsula in grave difficulties.

### Mass Graves

The excavation of the grave-site found graves near the Duraiappa stadium in Jaffna commenced on April 7 under the direction of the district's Judicial Medical Officer (JMO) S.V Sri Rajeswaran. Jaffna Additional Magistrate S.A.E Ekanathan was also present during the exhumation.

During the exhumation, human skulls and bones were found at a depth of about 2.5 feet from the surface and up to five feet below. It is estimated that remains of about 25 bodies were found,

including those of 2 children. Among the items recovered from the suspected mass grave-site were a copper bangle and a bangle worn by a small child. One of the skeletons was found intact, with its hands tied in front.

The additional magistrate of Jaffna, S A E Ekanathan, postponed further excavation until May 16 on a request made by the Judicial Medical Officer (JMO), Dr. Sri Rajeswaran, who requested assistance from forensic and soil experts, officials from the Criminal Investigation Department and chemical analysts from Colombo to continue with the investigation. The Magistrate asked the Attorney General's Department to make arrangements for Prof. Niriellage Chandrasri (Forensic Medicine), Prof. K.A. Nandasena (Soil science) and Ananda Mendis (Chemical Analysis) to be present in Jaffna on May 16. He also ordered that the skeletons and skeletal remains be sent to Colombo for further analysis. Although the Magistrate proposed to send the skeleton suspected to be that of a female to Colombo for forensic examination intact, the Police officers attending the exhumation, however, refused to do so. The JMO therefore separated the bones of this skeleton and sealed them in a large bag. Samples of the soil were taken from the site of today's excavation were also to be sent to Colombo for examination.

The SLA and the Police took photographs of the grave-site, the skeletons and the human bones and skulls during the excavation. Members of the EPRLF who were present at the stadium gravesite today also took photographs of the site and the proceedings. However, the Additional Magistrate objected to their actions, and seized the film roll from their camera.

Meanwhile, the court charged with investigating the Chenmani grave-site ordered the exhumation of the site to commence on June 16. Jaffna Additional Magistrate, Mr. N. Arulsagan, ordered that Lance Corporal Somaratne Rajapakse, who made the allegation regarding the mass grave, be produced in Jaffna to enable him to identify the precise location of the site. The Court met in Colombo to receive the report of the soil samples which were undertaken last month. The report by soil experts said that the site from where the soil had been taken was 'artificially filled up'.

Further tests to determine the age of vegetation had been ordered. The Jaffna surveyor had also been ordered to chart

out a detailed map of the suspected site, along with a demarcation of the area from which the body of Krishanthi Kumaraswamy was exhumed.

Responding to a request by Attorney Ratnavel regarding the relocating of the trial to Colombo, the Court said that according to the Judicature Act, the Magistrate has jurisdiction to hold the sittings in Jaffna and in Colombo both, as he is both a Magistrate of Jaffna and an Additional Magistrate of Colombo and therefore enjoys concurrent jurisdiction.

When asked by Court as to why the date was to be fixed for June, the Senior State Counsel Kodagoda replied that there were about 600 aggrieved parties whose statements had to be recorded prior to the exhumation of the graves.

Senior State Counsel Yasantha Kodagoda with Director CID SSP Keerthi Gajanayake, SP Deepal Ratnadasa and IP Linton Ratnayaka appeared for the state. Attorneys-at-law S. Ratnavel, Mrs. Maheswary Velauthan and Manohari Wijeratne appeared for the aggrieved party.

Following the uncovering of two mass-grave sites in Jaffna, MP for Batticaloa, Joseph Pararajasingham has raised the issue of alleged mass grave-sites in the Eastern Province. Among the 2 cases he had cited are the allegation that 148 youth who were taken by the security forces from the premises of the Vanthaarumoolai refugee camp on September 5, 1990 were massacred and buried at Navalady, 35 kilometres north of Batticaloa, near Valaichenai. The Navalady area is now an army camp under the 23-2 brigade. The second case is that of the 191 civilians, including 35 children below 10 and several pregnant women, who were arrested by the army from the villages of Saththurukkondaan, Panichchaiyadi, Pillaiyaaradi and Kokkuvil, a cluster of villages on the northern outskirts of Batticaloa town, who were allegedly massacred, burnt and buried in the place where the Saththurukkondaan army camp stands today.

#### Freedom of Association and NGOs

On April 4th, newspapers reported that the Presidential Secretariat had issued a letter to all government Ministries, calling for all NGOs to be re-registered under one authority. This was said to be for better supervision of funding, plans and expenditure. According to this letter, sent under the signature of

President's Secretary, K. Balapatabendi, all international and national level foreign-funded voluntary social services organisations and Non Governmental Organisations (NGOs) would be required to declare their sources of funding, annual expenditure and amounts of money brought into the country annually. This decision was reported to have been taken at the top-levels of the administration.

Clearance from the Ministries of Defence, Foreign Affairs, Plan Implementation and the respective line Ministry at the National Secretariat for NGOs under the Social Services Ministry would be a prerequisite for the re-registration.

This move is viewed by NGO circles as an attempt by the government to interfere in the independence of their organisations, place them under state supervision, and keep a tab on their finances, sources of funding and nature of activities they are engaged in.

The circular letter which has been sent to all ministry secretaries, chief and district secretaries, government agents and heads of departments justifies this step by saying it will pave the way for better co-ordination and co-operation between the government and these organisations.

The organisations concerned should forward proposed action plans when applying for re-registration, indicating type of activities, operational localities, target groups, number of employees, sources of funding, annual expenditure, amounts of money which will be brought into the country annually etc. in the format provided by the Registrar of National Secretariat for NGOs in the Social Services Ministry, according to the circular. All such organisations operating in more than one administrative district should also be re-registered at the National Secretariat. At the district level, other than NGOs registered at the National Secretariat, the district secretary/government agent will re-register all the other voluntary social services organisations/NGOs operating within the respective district.

A district co-ordinating committee for NGOs will be established in each district. It will consist of district secretary/government agent as chairman and will have as members, head of district planning secretariat, provincial secretary in charge of the subject of social services, a representative of the chief secretary of the province, and a social



services officer nominated by the chief secretary.

At the divisional level, other than the NGOs registered by the National Secretariat for NGOs at national level and by the district secretary at the district level, the divisional secretary will register all the NGOs within his division. The Registrar of Voluntary Social Services Organisations will appoint the district co-ordination committee in terms of the Voluntary Social Services Organisations (Registration and Supervision) Act No. 31 of 1980 as amended by Act No. 08 of 1998.

### Disappearances Commission

During its visit to Jaffna, Point Pedro and Kayts over a 11 day period in March, the 3-member Presidential Commission of Inquiry Into Involuntary Removal and Disappearances has gathered information with regard to some disappearances involving Indian Peace Keeping Force [IPKF] personnel during their deployment in North-East Sri Lanka from July 1987 to March 1990.

The commission headed by attorney-at-law Mrs. Manouri Muttetuwegama and comprising retired High Court Judge, P. Balavadevel and retired Commissioner General of Prisons, H. G. Dharmadasa was able to inquire into about 160 reported cases of disappearance. Several persons who were aware of the events at that time, representatives of 18 NGOs including one foreign NGO and members of the Organisations of Parents and Guardians of Disappeared Persons gave evidence.

The Commission has been authorised to inquire into 10,136 cases of disappearances in the country which were the residue from the Zonal Commissions that had been active previously. The mandate of this Commission dates from April 30 1997.

### Commission on Human Rights

The 55th session of the UN Commission on Human Rights concluded in Geneva on April 30, with the Sri Lankan government committing itself to extend an invitation to the UN Working Group on Enforced and Involuntary Disappearances to make its third visit to Sri Lanka before the end of the year. This came in the wake of consistent lobbying by many national and international human rights groups regarding the need to maintain vigilance regarding the situation of human rights abuse in Sri Lanka. The discovery of 2 mass graves in the

Jaffna peninsula in recent months provided adequate grounds for the Commission to urge the Sri Lankan government to permit the UN WG's visit.

The Sri Lankan government however turned down the request made by the Special Rapporteur on the Freedom of Expression to visit Sri Lanka this year.

The Sri Lankan government also abstained on the Resolution regarding the abolition of the death penalty, which was approved by the Commission. Many NGOs and governments expressed concern regarding the Sri Lankan government's recent decision to reinstate the death penalty for selected criminal offences.

The Asian Human Rights Commission maintained a strong presence in Geneva with a special focus on the implementation of the recommendations of the Presidential Commissions on Disappearance.

### Inter-Parliamentary Union

The UNP and the PA both put forward candidates for the Asia-Pacific Region Titular Post in the Inter Parliamentary Union Human Rights Committee. UNP's Kalutara district MP Mahinda Samarasinghe defeated government nominee Anura Yapa with 130 to 11 votes at the elections held in Brussels on April 16. There had been some pressure brought on the Sri Lankans to reach a compromise and field only one candidate, but this had not been agreed upon by the two contesting parties. Hence a secret ballot was held.

### Wijeyapala Mendis Affair

On April 28, the Supreme Court issued a Writ of Certiorari squashing the findings and recommendations made by the Special Presidential Commission that had found former UNP Minister Wijeyepala Mendis guilty of the abuse of his power as a Cabinet Minister in a matter of exchange of land with the Land Reform Commission. The imposition of civic disability for seven years was recommended by the Commission. The state was directed to pay Mendis a sum of Rs. 20,000 towards his costs before the Commission and a sum of Rs. 20,000 as costs in the Supreme Court.

The judgement explained that certiorari must necessarily issue on the ground that one of the Commissioners, Justice F. N. D. Jayasuriya had not signed the interim report, and stated that

the other two Commissioners should have postponed their report to enable the third Commissioner to express his views on the matter of settlement, since the third respondent had initiated and expressed strong views about the attempted settlement. Their failure to consider his views becomes all the more serious because they have failed to explain their conduct.

The judgement also said that by embarking on an inquiry into an alleged exchange of land belonging to the Land Reforms Commission, the Commission had exceeded the jurisdiction which the Presidential warrant had conferred.

According to the Supreme Court, the inquiry against the petitioner Mendis had failed to reach the minimum standard of fairness demanded of a judicial or quasi-judicial inquiry. They said that it was manifest from the summary of facts that some vital documents and many material items of oral evidence, were ignored and others were misconstrued.

Despite the Court's decision, the UNP remained unclear in its response, with Mr. Mendis not being immediately restored to the positions he held within the party.

### Universities in Trouble

Work at all universities came to a standstill from April 28 as a result of the strike by the non-academic staff of universities. No lectures were conducted in any of the universities and examinations were cancelled. Work at the University Grants Commission was also affected due to the strike.

Lectures at the Open University had to be cancelled as employees of that institution also came out on strike. The President of the Inter University Trade Union Federation said they would continue with the strike action until their demands on salary rises and other matters are met.

### Fundamental Rights

A Judicial Officer, Mr. M. Percy Wijesiriwardena, with nearly 12 years experience who had worked in several parts of the country has filed an application before the supreme court of Sri Lanka under section 126 of the Constitution complaining that the three judges acting as members of the Judicial Service Commission have violated his rights to be treated equally before law (article 12 (1)) and to engage in a lawful occu-

(continued on next page)

## AI to Send Observers to Mass Grave Probe

Amnesty International on 15 May proposed to the government of Sri Lanka that two of its experts be present at the exhumations of alleged mass graves at Chemmani, Jaffna, scheduled for 16 June 1999. The graves are suspected to contain bodies of scores of people who "disappeared" after being arrested by army personnel in 1996.

The proposal follows an invitation

(continued from page 9)

to participate (Article 14 (G)), by sending him on compulsory retirement on merciful grounds, without stating any charges against him and without inquiry.

The University Executive Officers' Association filed a petition in the Supreme Court challenging the constitutionality of the bill titled "University Amendment" gazetted on April 12, 1999.

The petition states that the proposed amendments will undermine the independence of the universities and the academic freedom granted to the universities, by the provisions in the Principle Enactment. Matters such as the appointment and removal of the Vice Chancellor, for example has been taken away from the University Grants Commission entirely, and will, according to the petition, vest unfair and arbitrary authority in the hands of politicians in respect of the administration of the Universities. In addition, the proposed Amendment empowers the Minister to appoint a Member of Parliament ex-officio, to the council of a university, which is the executive body of the university.

### Death in Police Custody

On April 18, Lionel Ranjith Alias "Rambukkana Thilake" (30) who was in police custody died with gunshot injuries at New Town in the Medirigiriya police area, police said. The deceased had been arrested by police, somewhere in Medirigiriya in connection with a case of assault and attempted murder earlier on that same day. According to police reports, he had been taken to a place near New Town in Medirigiriya to trace some bombs that had been hidden. At that time the accused had taken out one bomb and made an attempt to activate it. The police officials say that they then opened fire in self defence. ●

issued by the Ministry of Foreign Affairs in March for "interested non-governmental organizations, local or foreign, to send observers". Amnesty International said it believed that the presence of independent observers would help to ensure that the exhumations are carried out according to relevant international standards. A previous request by Amnesty International to Sri Lanka's government for international forensic experts to be invited to assist local experts with the exhumation has so far not been granted.

The government's decision to permit observers from international human rights bodies and other interested parties has been widely welcomed. It would seem that the government decided on this course because the tremendous adverse publicity that has been generated against it on the issue of the mass graves in Jaffna.

Amnesty International has appealed to both the government and the Liberation Tigers of Tamil Eelam (LTTE), the main armed opposition group fighting the security forces in the north and east of the country, to guarantee the safety of everyone involved in the exhumations. It has also urged the government to protect all witnesses, including Somaratne Rajapakse, the soldier who initially revealed the existence of the mass graves.

The organization's appeal to the LTTE follows threats by the latter's

leadership in Jaffna to magistrates in the peninsula, warning them not to participate in the exhumations. In their letters, the LTTE says it wants the investigations to be carried out "by representatives of international human rights bodies, and not by the local courts". Some expatriate Tamil circles have expressed opposition to the participation by foreign observers such as from Amnesty International on the ground that such participation would lend credibility to the government's effort to investigate the issue.

Amnesty International is concerned that the process of truth, justice and redress - which the relatives of the "disappeared" in Jaffna are still waiting for - is allowed to take its course at the earliest opportunity. Under Sri Lanka's current judicial system, this means that evidence has to be collected under the supervision of a magistrate. Otherwise the findings will not be admissible as evidence in court. Unlike other countries, such as the former Yugoslavia or Rwanda, the parties concerned have not agreed on an international authority under whose jurisdiction an investigation can be carried out and the perpetrators tried.

The human rights organization has also urged Sri Lanka's Human Rights Commission (HRC) to be present during the exhumations. It believes that HRC officers could play a key role by liaising with victims' relatives, by producing a public report on the investigation's findings and making recommendations for any compensation to be paid to relatives of people identified as victims of extrajudicial executions.

## Journalist, a "Wanted Murderer"!

Sri Lal Priyantha, one of the journalists connected with the Sinhala weekly "Lakbima", who hit the headlines recently when it was reported that he had been abducted on 14 March 1999, would appear to have turned out to be "murderer" wanted for the killing of at least five persons in the 1988-89 period when he was actively involved in terror campaign conducted by the JVP.

Wide publicity was given in both print and electronic media concerning this case alleging that senior officers of the Armed Services are responsible for

the abduction of this journalist. Allegations were also made that he was abducted to prevent his investigative journalism in exposing corruption and malpractices committed by senior officers of the three services and the police.

Following his abduction, the Free Media Movement of which Sri Lal Priyantha has been an active member protested and agitated against the Government for its alleged failure to take immediate action to apprehend the offenders.

Fellow journalists were baffled to learn that the police investigations into

the abduction in March this year of Sri Lal Priyantha have revealed that was the area leader of the JVP in Welipenna police area wanted in connection with five murders committed during the period 1988-99. At that time he was the area leader of the JVP in Welipenna Police area known as "Chukka" His real name is Kulappu Thanthirige Priyanka Jayalal, his date of birth being 20th April, 1970, of Karapagala, Yagirala in Welipenna Police area. In fact he had given his assumed name to Mirihana Police when he made the complaint on 14th March 1999 in order to conceal his proper identity.

Srilal Priyantha who was arrested by the CID on March 14, 1999, was living at No.24, Soratha Mawatha, Gangodawila, Nugegoda under the name of Kulappu Shanthige Srilal Priyantha.

According to the police, evidence is available that he has allegedly committed murders of Sugathadasa Kovis, Principal, Ittapani Maha Vidyalaya on 09.12.1988, who he decapitated on December 8, 1988 on a classroom table in front of the students at Karapagalla at Welipenna, Matugama, and U.A.B. Ariyachandra, Agricultural Officer in Yagirala on 09.12.1988. His third victim was W.Rohana, whom he allegedly killed on February 10, 1989, also at Karapagalla. His next victim was N.P.Sunil, who was hacked to death on June 28, 1989 also at Karapagalla. His fifth murder was committed on February 5, 1989 and his victim was S.D.-Jayasena.

Welipenna police had conducted investigations into these cases. Witnesses were under the impression that the suspect Jayalal Chukka had been killed by the Security Forces or the Police in suppressing JVP subversion. The Grama Sevaka of the area confirmed the fact that the suspect Priyanka Jayalal disappeared from the village during the year 1989 and never returned to the area until he was seen in the TV on 16th of March 1999 being interviewed on his abduction.

Police also said that investigations had further revealed that Jayalal had been involved in another three murders committed during the year 1989 in Welipenna Police area. His father K. D. Nandasena who was also a hardcore JVPPer disappeared from the village

## Armed Conflict Among Tamil Groups Intensify

The internecine rivalry between the Tamil militant groups PLOTE and TELO intensified recently with the killing of four PLOTE cadres in Vavuniya on 15 May night. Many believe that this latest incident in Vavuniya was in retaliation for the gunning down on the same day of three TELO cadres near Majestic City shopping complex in Bambalapitiya as hundreds of shoppers watched the incident in amusement and shock. This rivalry between the two groups has resulted in over 15 deaths and damage to vehicles and property valued at millions of rupees during the past six months.

Colombo DIG T. N. de Silva said yesterday that police inquiries were in progress after the shooting at Bambalapitiya. "We are working on two clues that cannot be revealed now for reasons of security. We have also arrested two PLOTE cadres at Kirulapone on suspicion. We have recovered five spent 9 m.m. slugs at the scene along with two rubber slippers left behind by the assassins."

Tension has been building up between these two groups in northern Vavuniya for the last six months. SSP

Vavuniya Raja Weerakoon confirmed the four deaths and said tension had eased after Army and Police had deployed additional mobile patrols in the town and thrown in additional barriers and check points around the camps of these two groups. "We have also put up road blocks and organised ambushes at night. We have called upon both groups to settle their rivalry amicably and peacefully," he said.

President of TELO and MP for Wannai District A. Adaykalanathan said "these attacks by the PLOTE are due to jealousy because of the progress TELO had made. He said their central committee members Kugan and Das accompanied by a businessman Jayakodi had gone to Bambalapitiya in a van belonging to the organisation on a private matter. Subsequently they had visited Majestic City complex to purchase some clothing and were on their way to the van when two or three men had fired simultaneously. Das and Jayakodi died instantly near the sea beach side bend turn off to St. Albans Place, Bambalapitiya. Kugan had got into the TELO van and gone to the party office and then to a hospital where he died.

## Sharif's Regime Muzzles the Press in Pakistan

The recent arrest of Najam Sethi is the latest example of the continuous attempts by Nawaz Sharif's government to harass, intimidate and muzzle the press in Pakistan. Anyone critical of the

along with the suspect having committed several murders in the area. Police give details of the murders alleged to have been committed by the suspect Priyanka.

Sri Lal Priyantha had been working for "Yukthiya", "Ravaya" Sinhala tabloids and "Lankadeepa" from 1990 to 1998. He has followed a course in journalism at National Youth Council, Maharagama during the year 1989 with his real name Priyanka Jayalal.

pervasive corruption and mismanagement of this government has been targeted. Sethi is the third Pakistani journalist arrested under suspicious circumstances in less than a week.

Hussain Haqqani (of TFT and Jang) was kidnapped on May 4th and is still missing. M.A.K. Lodhi of The News was arrested and interrogated for 2 days from May 2-4. All these illegal actions were taken by the government of Nawaz Sharif without explanation, arrest/search warrants or any valid reasons. All three men had been interviewed before their arrest by a BBC television crew preparing a report on high-level official corruption in Pakistan for the program "Correspondent".

Mr. Rehmat Shah Afridi, another journalist is also still missing.

The repressive Nawaz Sharif regime has unconstitutionally and illegally shut down or hacked The Friday Times Web site.

On Wednesday, 12 May 1999, the Lahore High Court turned down the petition of habeas corpus for Mr Najam Sethi after three hearings. The Muslim League government had raided the house of Chief Editor, The Friday Times, Najam Sethi, in Lahore at 2.45 am on 8 May 1999, and arrested him without a legal warrant after roughing him up.

May 8 was a Saturday. When the Lahore High Court was moved for habeas corpus by Ms Jugnu Mohsin, Najam's wife and TFT's publisher, honourable Justice Faqir Muhammad Khokhar adjourned the writ to give time for tracing the detenu. The honourable judge thought it fit to ignore the plea that Mr Sethi's life could be in danger. He asked the Punjab advocate general and the deputy attorney general to appear again on Monday, May 10, and designate the authority which had picked up Mr Sethi.

On May 10, the petition was heard again. The advocate general Punjab told the honourable court that he did not know who had arrested Mr Sethi. The deputy attorney general however said that he could only verify that the Federal Investigative Agency (FIA) was not involved. On May 10 newspapers had carried a news item from a state-owned news agency that the arresting authority was Inter-Services Intelligence (ISI). (The ISI kept silent throughout the hearing despite appeals from the petitioner).

The same day, as the Punjab advocate general and the deputy attorney general asserted their ignorance in the court, federal interior minister Chaudhry Shujaat Hussain told a newspaper that whoever had picked up Mr Sethi had done so on the instructions of the government and therefore the government was responsible for the arrest. The honourable court had been moved because the government was refusing to accept that it had kidnapped Mr Sethi without a warrant.

When the honourable judge was informed that the government had committed an illegal act, the deputy attor-

ney general protested its innocence. The honourable judge once again adjourned hearing and set another hearing for Wednesday, May 12.

Even as the silence at the Lahore High Court about the whereabouts of Mr Sethi was deafening, the Senate was resounding with it. Minister for parliamentary affairs, Mian Yasin Wattoo, stated that the "law-enforcement" agencies had in fact arrested Mr Sethi for investigation into his conduct in New Delhi which, according to him, had damaged the image of Pakistan. He declined to give details of the case because "the case was sub judice".

On May 11, PM Nawaz Sharif left for a three-day tour of Southeast Asia. On Monday, the day the honourable court thought it fit to postpone the hearing of the writ once again, the country's top editors' forum, the CPNE, published its strong protest at the manner in which an editor had been roughed up and spirited away. It held the government responsible for the barbaric act and asked the PM to intervene personally and order the release of Mr Sethi. It stated that the action was ill-advised and had damaged the reputation of his government.

The same day, the other top newspapers forum, APNS, held its session and condemned the arrest and vowed to lead the journalists' community in a campaign to free Mr Sethi. The APNS, in its session, read out the text of the speech by Mr Sethi and arrived at the conclusion that it did not constitute an act against the law. The APNS representatives decided to attend the Court on Wednesday, when the habeas corpus petition was heard, in a show of solidarity.

The legal way to act for the government was to first own up the arrest,

then produce the accused in court, and thereafter proceed to investigate the case it thought it had against Mr Sethi. The Lahore High Court Bar Association resolved on May 11 that no case pertaining to citizens' rights be referred to honourable Justice Faqir Muhammad Khokhar's court.

Mr Sethi's New Delhi speech was on the The Friday Times web-page on the Internet (till it was hacked into and disabled) and had been read not only in Pakistan but all over the world. What the government didn't do was done by public opinion in Pakistan and the world over. It found nothing offensive in the text of the speech. There was an instant reaction against the government. Had the government followed the legal path, this reaction could have been avoided.

But the legal codes contain laws that no respectable government can enforce in Pakistan without demeaning itself and reducing democracy to a farce. There is a law (PPC Section 124-A) that awards life imprisonment to anyone who opposes the government; there is another law (PPC Section 123-A) that awards ten years' rigorous imprisonment to anyone who expresses or implies criticism of the ideology of Pakistan, whatever that may mean.

The Lahore High Court has dismissed the petition habeas and filing of FIR on the grounds that Article 199(3) of the Constitution could not be invoked against anyone's custody with the ISI. It was however kind enough to observe that Mr Sethi was not an accused so far. The struggle for Mr Sethi's rights will now have to shift to the Supreme Court of Pakistan.

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# Rajiv Gandhi Assassination

## Curtain Descends

D B S Jeyaraj

The curtain has descended at last on the most politically sensational case of the decade in India. The assassination of former Indian Prime Minister Rajiv Gandhi at Sriperumpudhoo in Tamil Nadu by a woman suicide bomber named "Dhanu" on May 21st 1991 had far reaching consequences for the Indian polity in general and the state of Tamil Nadu in particular. It transformed overnight the general mood in India towards the Sri Lankan ethnic crisis. The perceived involvement of the LTTE in the killing and consequent developments caused a paradigm shift in Indian public opinion. The sympathy generated on a national level and the empathy prevalent on Tamil Nadu state level for the suffering Sri Lankan Tamils was gone. Instead there was apathy on a mass and antipathy at an official level. In Tamil Nadu the thousands of Sri Lankan Tamils living as refugees since 1983 found themselves being treated with disdain, contempt and hostility. Gone was the very genuine feelings of fraternal solidarity with which the state had embraced and provided sanctuary to its beleaguered kinsfolk across the Palk Straits.

The entity that was affected most was the Liberation Tigers of Tamil Eelam movement itself. The LTTE had not eroded much of its support in Tamil Nadu even after combating the Indian Army from 1987 to 89. But now it became almost an "untouchable" in politics. The overwhelming debacle of the DMK at the 1991 polls and rousing victory of the AIADMK under Jayalalitha owed much to the feelings of revulsion within the state towards the Tigers. The Indian media dominated by the upper echelons of Indian society both on a caste and class basis came down really hard on the LTTE. The inquiry by the special team of the Central Bureau of Investigation into the assassination resulted in a charge sheet being filed proclaiming the LTTE as the culprits behind the murder. The LTTE itself was banned formally by the congress government led by Narasimha Rao.

The indictment had 41 persons as

the accused. The case was not treated as a normal criminal case but a politically sensitive one. The conspiracy to commit the murder was given pride of place. It was also depicted as a pure instance of terrorism aimed at the Indian state. Of the accused the first three were LTTE leader Velupillai Pirabakaran, LTTE's intelligence chief Pottu Amman and women's corps leader Akila. All three of them were not in Indian custody. Subsequently they were proclaimed as most wanted offenders and they remain so even to this day. A formal demand for extradition has been sent to Sri Lanka. Both governments have agreed for the moment that there are no possibilities of apprehending the three. Incidentally Akila died in action two years ago while Pottu Amman himself has been demoted from his earlier position. According to Indian law the trio had to be brought to trial in person as there is no provision for trial in absentia.

Apart from this three 12 others named in the indictment were dead. These included the human bomb Dhanu, the alleged operational mastermind behind the assassination one eyed Sivarasan, Subha, Gundu Shanthan, photographer Hari Babu, Suresh Master, Amman, Driver Anna, Jamuna, Dixon, Nehru, and Shanmugam alias Jairaj. The latter was an Indian national from Vetharanyam who allegedly committed suicide while in CBI custody. All others were alleged members of the LTTE.

Because of legal impediments to hold a single trial against all involved in the assassination, it was decided to "bisect" the original indictment in two parts and proceed against those in custody as the main accused. While there was no question of a trial against the dead, the trio charged with conspiracy - Pirabakaran, Pottu Amman and Akila - were considered as fugitives from justice to be dealt with when apprehended.

The case however proceeded against the other 26 persons. They were Nailini, Chinna Shanthan, Murugan, Shankar, Vijayanandan, Ruban, Kana-

gasabapathy, Aathirai, Robert Pius, Jayakumar, Shanthi, Vijayan, Selvalu-xmi, Baskaran, Shanmugavadivelu, Ravichandran, Suseendran, Perarivaa-lan, Irumborai, Bhagyanathan, Padma, Subhasundaram, Dhanasekheran, Raja-suriyar alias Rangan, and Ranganath.

All 26 were charged under sections of the penal code as well as the Terrorism and Disruptive Activities (Prevention) Act or TADA. The proceedings were under provisions of TADA. A special court under a designated judge was set up in Poonthamallee. It was a maximum security court and proceedings were held in camera. The earlier judge was M Siddeque. After he was promoted as High Court Judge, a new judge K Navaneetham continued to hear it. The TADA itself was abolished during this period but the case continued under the TADA procedure. After protracted hearings the trial concluded in Jan last year.

The verdict was sensationally unprecedented. Navaneetham provided a new definition of a hanging judge when he sentenced all 26 to the gallows. Thereafter an appeal was lodged. Senior Counsel Natarajan led the arguments in New Delhi on behalf of the accused. Justices Thomas, Wadhwa and Mohammed Quadri who heard the appeal pronounced their verdict on 11 May that virtually overturned Navaneetham's decision to hang 'em all high.

The feelings of disappointment in certain circles over 19 persons being set free is apparently laced with a not so explicitly stated view that the Higher Court Judges have been lenient as opposed to the lower court judge.

The truth however is very different. The Supreme Court Judges have definitely not erred on the side of leniency in acquitting the 19 of the conspiracy charge. It was the designated court judge Navaneetham who had pronounced a very harsh and patently unfair verdict earlier. Sentencing all 26 to the gallows regardless of their degree of involvement had been criticised by eminent jurists in India earlier. Since the controversial verdict was subject to judicial review many expected real "justice" to be done. So the supreme Indian tribunal is to be commended for upholding the scales of justice and remedying the judicial travesty committed by Navaneetham.

The controversial decision of Judge Navaneetham in finding all 26 persons guilty of the same crime regardless of



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WEST INDIES AS DEFINED IN CHARGE BAND 5.

the diverse nature of their actions relied on a relevant precedent. The case cited was the landmark SC judgement in Ajay Aggarwal vs Union of India. The supreme court held in that case that "each conspirator need not know all details of the scheme" in order to be held guilty under 120B of the penal code. "Conspiracy may be considered to be a march under a banner and a person may join or drop out in the march."

It was on this basis that Judge Navaneetham concluded that all 26 conspirators were collaborators in the common cause of Rajiv Gandhi's assassination. Although minor offences of each individual varied the underlying thread of his judgement was their common involvement in the assassination. The relatively minor offences attracted sentences but the murder of Rajiv and others in the vicinity earned for all 26 the supreme penalty under Indian law. The severity of the sentence jolted even members of the Special Investigation Team probed, assembled all the evidence and presented the case. But the anti-Tiger lobby hailed the judge as a "Daniel come to judgement."

Now to the embarrassment of Navaneetham and the discomfiture of LTTE phobes the Supreme Court has well and truly exposed the error of the earlier verdict which held all equally guilty of conspiracy deserving the ultimate penalty. It must be noted that the Indian apex court did not completely absolve the 19 of all crimes and offences. The minor convictions against them under other legal provisions like sec 212 and 216 of the Indian Penal code, section 14 of the Foreigners Act, Section 25 of the Arms Act, section 5 of the Explosive Substances Act, section 12 of the Passsport Act, section 6 of the Wireless and Telegraphs Act etc were all confirmed by the bench. If they had already undergone the period of sentence under those counts, "it is for the jail authorities to release such of those against whom no other convictions and sentences exceeding the said period have been passed" the Bench ruled. As the 19 persons have been imprisoned for more than seven years each pending trial and appeal they were deemed to have served their jail terms. So they were released.

Those sections that are chagrined that 19 people have been allowed to cheat the hangman's noose are now stressing the point that though released

their shorter sentences imposed were upheld and so the acquittal was only partial.

This feeble attempt to find solace in minor convictions as opposed to the acquittal from the death penalty reminds one of the proverbial Tamil saying "Kuppura vilunthaalum Meesayil Mann Padavillai." The essence of this is about a man who fell flat on his face trying to save face by boasting that despite his fall no sand had rubbed off on his moustache. Likewise those advocates of the death penalty for all 26 people are now using the face saving device of claiming that it was not a complete acquittal but partial acquittal.

This is merely an exercise in obfuscation. Most of the accused never even sought to deny or fight charges under acts like Passports Act or Foreigners Act etc. Their primary concern was to clear themselves of the main charge which condemned them to the gallows. This was literally and metaphorically a matter of life and death to them. The most notable outcome of the appeal therefore is their reprieve from the death sentence. A salient aspect of the Supreme Court ruling was its setting aside the conviction and sentence passed by the Trial Court for the offences under clauses 3 and 4 section 3 and section 5 of TADA or Terrorism and Disruptive Activities (Prevention) Act in respect of all appellants who were found guilty under the said counts by the trial court of Navaneetham.

This decision is all the more important because the original trial court was constituted and proceedings conducted under the TADA itself. The TADA which has more draconian provisions than the infamous Prevention of Terrorism act of Sri Lanka has been subsequently abolished. But motivated by the political compulsion of reaching a "certain" verdict at the trial of Rajiv Gandhi's alleged assassins the case continued under the TADA framework under which the rules of evidence is heavily weighted against the defence.

The Supreme Court however has redressed the grave injustice meted out by the lower court in the matter of convicting all of conspiracy and sentencing them to death. The reasons cited by the three learned justices in themselves are of particular relevance as they relate to the alleged motive of the LTTE in killing Rajiv Gandhi. While striking down the designated special court verdict condemning all 26 to the

gallows the three judge-bench said that provisions of the defunct TADA charging the appellants with "waging war against the nation" were inapplicable in the case. The bench accepted the defence argument that "every criminal offence even if it is murder cannot amount to waging war under TADA."

The judges while describing the act of killing Rajiv Gandhi was "an act of exceptional depravity on the part of the accused" ruled that the assassination was not an act of terrorism. Justice Thomas said that anyone critical of the Indian government's policy "could not be dubbed as a terrorist." The judges highlighted the paucity of evidence available to indicate that the LTTE wanted to strike fear or that the conspirators wanted to overawe the government of India as alleged by the prosecution. The presiding judge Thomas noted that "nothing else other than the editorial in a journal of the LTTE and a reported speech of Prabakaran in April 90 is proved in the case either from the utterances of the LTTE top brass or from any writings edited by them that any one of the concerned conspirators wanted to strike fear in the government, either of the centre or of any state."

From the aforesaid circumstances and "in view of paucity of materials it is difficult to conclude that the conspirators intended at any time to overawe the government of India as by law established" or "to strike terror in the people of India". Said justice Thomas who further stated "if there is any evidence in this case to show that any such preceding act - like advocating, advising, inciting, or prompting the killing of such public servants was perpetrated by any of the appellants towards killing of any police officer who was killed at the place of occurrence (at Sriperumpudoor on May 21st 1991) it would no doubt amount to disruptive activity". Judge Thomas however noted that there is no such evidence that any such activity was done for the purpose of killing any police personnel. The judges therefore concluded that they were "unable to sustain the conviction of appellants for offences under sections of the TADA."

The unanimous Supreme Court decision that the killing of Rajiv Gandhi was not an act of terrorism and consequent acquittal of the 19 persons sentenced to death under it is likely to have far reaching impact in the future. Apart from the immediate shot in the arm to

the pro-LTTE elements there is also another rosy prospect for those sections. The Indian government has through executive fiat proscribed the LTTE as a terrorist movement inimical to the security of India. This decision was not because of Sri Lanka's entreaties but merely due to perceived Indian self-interest. The decision to ban the LTTE itself was predicted on the charge sheet filed by the Central Bureau of Investigation alleging that the LTTE through its "terroristic act" was trying to overawe and wage war against India. The Supreme Court decision will definitely have a bearing upon the longevity of the ban.

The ban proclaimed in 1992 has been renewed every two years in 1994, 96 and 98. On each occasion the LTTE had a chance to urge a reconsideration of the ban through judicial review. It was only last year that the LTTE sought to challenge the ban through legal means. While convincing arguments were presented about the Tigers not posing a security threat to India, the courts extended the ban on the basis of the Rajiv trial. Now that the SC has given a definite ruling on the "terroristic nature" of the Tigers that decision is certainly very likely to exert great influence on the future of the ban dependent to some extent on whether Sonia is in power or not.

The acquittal of the 19 appellants has also warmed the hearts of those yearning for true justice. Many human rights organizations including the Amnesty International had earlier lodged protests and issued appeals over what was clearly perceived as a denial of fundamental justice to these accused.

From its inception it was clear that the special court trial was essentially "Kafkaesque". The judges both Siddique who presided earlier and Navaneetham who delivered the coup de grace displayed "animus" towards the accused and "Amicus" for the prosecution. The trial itself was held in camera and neither the press nor impartial observers were allowed. By all accounts gleaned from the original judgement and from defence lawyers the case was long on inference and short on facts.

According to police evidence none of the 26 accused were primarily involved in neither the murder nor the conspiracy. All the alleged perpetrators were dead. These 26 only knew the alleged assassins in completely different capacities. 1014 witnesses were said

to be available but only 288 were summoned. The list of witness names were not supplied to the defence lawyers. Instead they were referred to by numbers alone. This prevented the defence from preparing in advance their strategy towards witnesses.

The defence lawyers were unaware of who the witnesses were, why they were giving evidence or how reliable the witnesses were. Also the indictment itself was not accompanied by required supportive materials. These were introduced later. Interestingly the case itself was filed first and court named later in a topsy-turvy deviation from the usual procedure.

The charges were not completely filed within one year as specified in Indian law. They were filed in stages. Documents and supporting materials were also not provided concurrent with the charges. They were submitted at different times. The charges themselves were not delivered to the accused on time. The most unsavoury aspect was the allegation by all accused that they were subjected to severe torture by the CBI and that their "confessions" were obtained under duress. Many of these confessions were unsigned and therefore invalid. Besides all 26 retracted in court their confessions allegedly given to the grilling sleuths. Yet Judge Navaneetham in his hurry to impose maximum punishment had no qualms about accepting them. If and when a judicial disciplinary inquiry undertakes a probe of Navaneetham's conduct few judges would like to be in his shoes.

Critics of the trial have cited many flaws: All charges against the accused were essentially based on circumstantial evidence; there was a lack of corroborative witnesses to substantiate any of the major charges. The CBI's role in the investigative process itself was questionable. A glaring example was the case of an alleged letter taken by Irumporai from Gundu Shanthan to Pirabakharan. The same letter transpired in the earlier trial concerning the assassination of Pathmanabha and others of the EPRLF. It was conclusively proved that the letter was a forgery fabricated by the police themselves. Irumporai was discharged. Yet the same letter was used in the Rajiv case against the same Irumporai and death sentence imposed by Navaneetham.

The original indictment had 41 persons charged. Of these Pirabakharan,

Pottu Amman and Akila were in Sri Lanka. 12 of the others including Thanu and Sivarasan the alleged human bomb and operational mastermind behind the assassination respectively were dead. This left the other 26 to face the music. The primary suspects who carried out the killing were dead. The alleged architects who hatched the conspiracy to kill Rajiv were in Sri Lanka. But the compulsions generated in the aftermath of the assassination, a "trial" on charges of murder and conspiracy became a political necessity. Therefore even those who played quite insignificant roles were unfairly indicted with charges of conspiracy and murder.

Many of those charged were people who had clandestinely crossed to Tamil Nadu on LTTE boats. Others were LTTE operatives handling functions like wireless communications and medicine procurement etc. There were also a few ex-LTTE men who were tarrying in Tamil Nadu prior to leaving for Europe. There were others who had associated with Sivarasan and Dhanu without knowing anything of their plans. There was the septugenarian Kanagasabapathy who was trying to find university admission for his grand niece in a Delhi university. Apart from the fact that he was the father of former LTTE leader Radha there was nothing against him. There are tragic cases of women like Selvalaxmi and Shanthi who were arrested because of the alleged complicity of their husbands. There is Subha Sundaram the photo studio owner who was close to the LTTE but in this case had provided a camera to Haribabu the photographer who died at Sriperumbodhoor. There is also the case of Ranganath who provided lodging to Sivarasan in Bangalore.

What is noteworthy in this regard is that the adage the punishment must fit the crime was cruelly violated by judge Navaneetham in his case. That many these persons were guilty of breaking Indian laws is not disputed. Some may have been merely associated with them. Others may have interacted with the actual conspirators and killers without having any knowledge of the conspiracy to kill Rajiv Gandhi. A few might have helped the alleged killers to evade arrest. But that does not entitle a court to tag them all as part of a terrorist conspiracy and impose maximum punishment on these people.

They can be punished in accordance with their lesser offences and have in-

deed been so penalised. But to have inflicted a sentence of capital punishment on them to fulfil a need necessitated by political compulsions can only be described as barbarically heinous and totally at variance with the India's guiding principle "Sathuameva Jayahe" (Truth will triumph.). Thanks to the supreme court the truth temporarily eclipsed by the special court judge Navaneetham has triumphed.

Those who supported the unprecedentedly harsh verdict of the trial judge were of the view that the maximum penalty would deter similar exercises of this nature. That is indeed laughable for the alleged perpetrators in this instance are the Tigers. At least 25 Tigers committed suicide when accosted by Indian investigators. The premier assassin herself laid down her life to kill. The Black Tiger phenomenon and the cyanide capsule fetish of the LTTE is well known. So the argument that the heavy punishment was to deter the LTTE does not hold water. A more plausible argument is that it was done to intimidate the sympathetic Tamil Nadu population into not entertaining any notions of revolutionary violence.

But the more correct explanation of the harsh verdict was poignantly expressed by the mother of one of those condemned to gallows earlier. "26 families are made to suffer for the happiness of one family."

The chief of the CBI special investigation team D R Karthigeyan stated proudly to the press that the "CBI has been vindicated by the judgement" when Navaneetham delivered his verdict last year. He has repeated it this time too. But the supreme court verdict has not vindicated the CBI investigation completely. While the CBI was commended for its meticulous investigation and proving LTTE involvement there was criticism for the flimsy evidence on which many of the appellants were implicated in the conspiracy and murder charges. The acquittal of 19 out of 26 on those charges is certainly proof that the CBI was not "vindicated". As stated earlier what it has done is to go for the jugular in the case of people involved at a lower and distant level because it could not get at those directly involved in the conspiratorial and operational level of the murder. Karthigeyan in an interview has said, "If 18 people could be killed along with Rajiv Gandhi at Sriperumpudhoor why cant 26 hang for it?" The simple answer to

that is "Innocent people cannot hang for a crime that they were not part of". The irony is that Karthigeyan now retired is a member of a prestigious human rights panel in India.

Karthigeyan has also proudly claimed that the CBI investigation was not politically influenced and that it did not indulge in third degree methods. But all 26 appellants have claimed that they were tortured and that their confessions were obtained by force and fraudulence. Besides there are many questions that arise as to the fairness of the CBI inquiry. The mystery of how the smuggler Shanmugam from Vedaranyam committed suicide in custody remains unanswered. It is said that given the close relationship between former Congress Parliamentarian of the area P V Rajendran and the LTTE there is considerable suspicion that Shanmugam was silenced to cover up Rajendran's links with the LTTE. The methodology of the CBI in conducting the probe seems to have been that of covering up Congress embarrassment and going all out to fix the LTTE and its allies in the DMK and DK.

A serious flaw in the probe was the glossing over of Sriperumpudhoor MP Maragatham Chandrasekhar's role in the assassination episode. She and her daughter Latha Priyakumar were instrumental in allowing "Dhanu" to enter the VIP enclosure. It may be that they did not know of Dhanu's intentions nevertheless they had to be cited as witnesses at least. Besides many of those who languished for 8 years and were released had not been compromised to the extent that Maragatham was involved. Moopananar too was not quizzed. The most comical aspect of the CBI trying to crown itself with glory was the discovery of a suicide note when Dixon alias Kishore committed suicide. According to the CBI Dixon had written a note praising Karthigeyan personally for the thorough probe that left him no choice other than to take poison. Dixon supposedly referred to Karthigeyan respectfully even in his dying note. Even a third grade Kodambakkam masala movie would have done better.

All this however has to take into account that the LTTE has been implicated judicially in the killing now. Though not classified as terrorist, there is no denying the fact that the LTTE has been affixed with a guilty seal now. People like Subramaniam Swamy are already braying that the Indian Army

should go to the Wannai and apprehend Prabakharan. Even though this demand borders on the fringe of lunacy there cannot be any doubt that the verdict places Colombo in a dicey position. What will India particularly an India with Sonia Gandhi at the head do if and when talks are initiated with the LTTE and an agreement is reached with Pirabakharan? Will Pirabakharan himself ever emerge from hiding under these circumstances? In such a situation is a negotiated settlement with an LTTE under Pirabakharan be ever possible or is it a case of prolonged conflict amounting to fight to the finish?

The LTTE being held guilty also casts a shadow over it within the context of the Indian polity. No mainstream party would like to espouse its cause after this even if the ban is removed. Thus it will be more or less ostracised and politically isolated at worst. Even parties friendly towards it cannot do much now. Of course small organizations will continue to support it but neither they nor the LTTE can hope to enter the mainstream. There is the long term possibility that with the rise of the BJP on the one hand and the raking up of the Bofors scandal on the other the "Rajiv image" itself may decline. There is also the possibility of investigations by the MDMA taking a new turn like the so called involvement of Godman Chandra Swamy. All these developments may slowly erode the Rajiv image and thereby reduce the hostility against the LTTE in India. The political fortunes of the Gandhi dynasty may itself wane. All this of course will take a long time and there is no guarantee that it may benefit the LTTE. But a possible advantage in the long term cannot compensate for the short term damage. "For life is a game of short runs and in the long run we are all dead."

The Supreme Court verdict has in a way "de-politicised" the Rajiv Gandhi case. The verdict however has condemned four to the gallows. The defence lawyers now have to file an application for a judicial review of the death sentence. The SC rejecting TADA also provides them with an opportunity to raise the issue whether a sentence of death pronounced on the basis of TADA procedures is lawful or valid. The mainstay of this argument would rely on Article 21 of the Indian Constitution which says a life cannot

(continued on page 19)

NO ACCOUNTS?

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CAPPED?

SELF EMPLOYED?

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DPK Finance Ltd subscribes to The Mortgage code. The Code came into effect for intermediaries on the first of May 1998 and is a voluntary code of practice. The Code sets minimum standards of good lending and advisory practice, which are to be followed by all lenders and mortgage intermediaries.

'The fact that DPK Finance Ltd subscribes to The Mortgage Code underlines our professional approach to the business. Our subscription to the Code also shows that we are an honest organisation, offering the best advice to the individual, and fully committed to maintaining the high standards of the finance sector', Mr. Snell commented.

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## Handy Perinbanayagam Birth Centenary Commemoration Lecture

# The Jaffna Youth Congress and its Legacy

Santasilan Kadirgamar

I consider it a great privilege to be able to participate in today's proceedings on this historic occasion. It is in many ways appropriate that this function is organised by the Kokuvil Hindu College Old Students Association. Handy Perinbanayagam found fulfilment in his final years as a teacher in this college. I have observed the devotion and enthusiasm with which you have organised this function not only here but also in Jaffna and London. I have no doubt that his name will be honoured for generations to come at Kokuvil Hindu College. We have to make sure that the ideals he stood for are also passed on to coming generations. It is also appropriate that we meet in this hall.

Handy Perinbanayagam belongs to a great tradition in Indian and Lankan history that has roots in the legacies of the great emperors Asoka and Akbar, the reform and revivalist traditions associated with Rajaram Mohan Roy, Ramakrishna, Vivekananda and Gandhi. This is a tradition that is based on compassion and understanding among persons of all faiths, the pursuit of reality without narrow bigotry, intolerance and violence that is endemic today. Swami Vipulananda of the Ramakrishna Mission was an active participant in the activities of the Youth

Congress. Handy Perinbanayagam paying a tribute to him (in the Kesari, 25.9.47) said that he was a person to whom they turned instinctively for leadership and guidance.

This is an occasion on which we remember not only Handy Perinbanayagam and his multi-faceted contribution to this country, but a whole generation of his comrades that constituted the Jaffna Youth Congress. They have all passed away with only one exception Mr. Duraisingam. He remains the last and vital link with that unforgettable generation of leaders who made a vital contribution to the task of education, and the social and political life of not only Jaffna and the Tamils of this country but to the whole Island to which they rightfully belonged and served with distinction. They made a remarkable contribution to Jaffna's intelligentsia and shaped the thinking of a whole generation of men. The indelible stamp of the Youth Congress was evident in the men of this generation who had come under its influence.

In 1933 the students of Jaffna College paid this tribute to Handy Perinbanayagam. "Already many homes in our country and many walks of life are filled with men who have loved you, followed you, and honoured you, learned your great language, caught

your clear accents and made you their pattern to live and to die. Your example is ever a call to the generations to come to live the good life." (K. Nesiah. S. Handy Perinbanayagam, A Valedictory Tribute)

### Personal Reflections

I had the privilege of knowing and interacting with several members of that generation. In fact the name Handy Perinbanayagam as mentioned above was a household word in our time. I heard his name as a child in my Seremban days, during the second world war in Malaysia under Japanese occupation, then the Federated States of Malaya. Netaji Subhas Chandra Bose had strengthened the Indian Independence League and had built up the Indian National Army. The cadres of the IIL marched through the streets of the major cities of Malaya shouting Gandhijiku Jai, Nehrujiku Jai, Netajiku Jai. My father, though a pastor of the Methodist Church, was a member of both the Ceylonese Association and the IIL in Seremban. He had been a founder member of the Jaffna Youth Congress in 1924 (then the Students' Congress) and had been the editor of the Ceylon Patriot, a secular weekly (founded in 1861 in Jaffna) which became the voice of the Youth Congress. It was published by the Lankabhimani press.

The paper having ceased publication in the 1930s, the Lankabhimani press continued to provide service to the people of Chavakachcheri and the Thenmaradatchy division under the able managership of Abraham Moses (from Kerala) until the early 1960s. Francis Kingsbury also known as Alagasundra Thesihar, Lecturer in Tamil at the University College, and his successor the first Professor of Tamil in the University of Ceylon, Dr. Kanapathipillai published all their books thanks to the service provided by this press.

The Thirumagal Press published the Eelakesari under the ownership of Mr. Ponniah. He was popularly known as "Eelakesari Ponniah" and a close friend of Handy and Youth Congress members. The Eelakesari, a weekly, for all practical purposes became the voice of the Youth Congress in Tamil, and remains an important and vital source for historical information on this period. In publishing the Handy Perinbanayagam

(Continued from page 17)

be taken except under procedure established by law. There is also the option of seeking clemency from the Indian President by way of a mercy petition submitted by the Tamil Nadu chief minister. It must be noted that in the case of Nalini, Judge Thomas did not want to pass death sentence but was outvoted by the others. This was because Nalini is married to Murugan who is also sentenced to death. They have a daughter born and raised in jail till four. Now Srimi is living with her paternal grandmother in Australia.

The Sri Lankan Tamils who were acquitted are now lodged in special se-

curity camps. The Indian nationals are free. So petitions have to be filed seeking their release. Cases also may be filed seeking compensation for wrongful confinement. There are very good chances of getting this in the case of Indian nationals. Thus it is clear that legal battles connected with the Rajiv Gandhi case will continue although elementary justice has been obtained. The Indian Supreme Court has remedied the special court's injustice. The 19 acquitted of murder and conspiracy have to thank one man for all this. That is P Nedumaran, an outspoken LTTE supporter who worked selflessly to collect funds and co-ordinate the legal defence in the interests of justice. ●

Memorial Volume through this press the editors consciously acknowledged the support given by this press to the work of the Congress. In addition the Hindu Organ and the Morning Star also gave wide coverage to the activities of the Congress, at times critical but very much positive and fair in their reporting.

In our Seremban days in the frequent reports of events and personalities in India and Lanka of the 1920s and 30s, we heard stories of the Youth Congress and Gandhi's visit to Jaffna in 1927. In these narratives the name Handy Perinbanayagam figured prominently. The pictures of Gandhi, C F Andrews, Rabindranath Tagore and Swami Vivekananda found an honoured place in our home.

I myself went to the Vivekananda school to study Tamil, and we participated in festivals in the Hindu temple in Seremban. In my family we have had a long tradition of Hindus becoming Christians and in a few but prominent cases a return to Hinduism. C W Thamotheampillai and his son Francis Kingsbury are notable examples. Hence I need not say how deeply I value this occasion and my presence here. It brings back profound memories of persons and events that shaped our lives.

I once had an interesting exchange with the Revd. Celestine Fernando who was university chaplain in my varsity days and a good friend in later years. He had some harsh words on some southern politicians who had discarded Christianity and changed religions. I asked him what he thought of Handy Perinbanayagam. He got visibly angry and said that there was no comparison and emphasised that Handy did it with integrity over a period of years.

I myself once engaged Handy Perinbanayagam in a discussion on his religious views and found it enlightening. Without going into further details we would do well to recall what three men who knew him best, Orator Subramaniam, A S Kanagaratnam and N Sabaratnam said on behalf of the Handy Perinbanayagam Commemoration Society. "He was born of Christian parents and as he went through college and adult life he took great interest in the Student Christian Movement. As a thinker he could not agree with the orthodox Christian churches and in time drifted away from them towards the religion of his forefathers. To the end he held that the tenets of Christianity

and Saiva Siddhanta were close enough to be regarded as one."

We returned to Lanka in April 1946 in the very first ship the "Anundale Castle" a troop-carrier improvised to carry the first batch of returnees, categorised as war refugees from Malaya. Contemporary times are not the first time when our people have been rendered refugees. The schools in Jaffna opened their doors freely to the Malayan returnees. I went to Jaffna College where the name Handy Perinbanayagam was writ large. Practically every teacher here had been associated with the Youth Congress under Handy's leadership, though he himself had quit the college to pursue a brief career in the legal profession and a brief fling at parliamentary politics.

***"We have seen that those who believe in free thought also believe in the inherent vitality of truth which must prevail in the end; the struggle may be bitter, tragic and long-drawn out; sooner or later truth is vindicated. Those who live for truth and fight for truth and refuse to bow their heads to mobs, governments or priestly hierarchies often rely on posterity to do them justice."***

At Jaffna College I met Siddarthan and Saravanapavan, Handy's sons who have remained close friends since then. Several years later when I got married by some happy coincidence I found that my wife was not only a contemporary of Selvi Thiruchandran, Handy's daughter, but also a close friend of hers and also of Orator Subramaniam's daughter Rathi, presently Mrs. Puvanarajan. Orator was the other stalwart of the YC who together with other former members of the YC formed the Handy Commemoration Society which published in 1980 the Handy Perinbanayagam Memorial Volume which included the history of the YC and selections from his speeches and writings.

In the early 1970s Mr. Perinbanayagam expressed an interest in writing the history of the YC. He invited me to help him in this task. He was at that time residing in Colombo. I was travelling between Colombo where I was teaching and Jaffna where my family resided. Housing then as now being a major problem in Colombo. He dictated

his reminiscences on the few occasions we met. I have used the notes from these sessions and a later handwritten piece by him in writing the history of the YC. I had to leave for Japan in 1973 in pursuit of my higher education. By the time I returned he was too ill for any further reflection. But I remember one comment he made when I asked for documents hand written or published. He had none and his answer was as follows: "All my life I have practically lived a camp life, moving from place to place, from house to house." This was true of most members of that generation. Yet we know how well read and educated they were. They did not seek material advancement or the comforts of life that have become commonplace today, but gave all that they had to students, fellow teachers and the community.

Today even the few documents that were preserved have been gradually lost in the never ending war that we have been through. Many of us have lost a life-time collection of valuable books, documents, pictures and audio-tapes painfully collected over the years in our homes in Jaffna at the hands of anti-social elements from a variety of political persuasions, who have scant respect for learning, culture and the pursuit of what is good, true and of lasting value to society.

Sometimes after Handy Perinbanayagam died, a memorial meeting was held at the Vaidheeswara Vidyalayam in Jaffna, at which I had the privilege of speaking representing the younger generation. Orator Subramaniam presided and the speakers included the late Prof. Arasaratnam from Australia. In 1980 we released the Handy Perinbanayagam Memorial Volume at a well attended meeting at the Vembadi Girls' College. Once again Orator presided. That meeting was probably the last occasion when the surviving stalwarts of the YC met under one roof. Senator Nadesan another founder member of the YC was the key speaker. He was so carried away by the occasion and the contents of the book that he held forth for an hour and a half. So much so that the two other main speakers the late Prof. Kalilasapathi and I had to cut down our speeches to a brief five minutes each. I am happy to have been given substantial time to make-up for what I lost on that day nearly 20 years ago! I no longer represent the younger generation! But we do have a message

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for them. Today it is about the lives and times of the first youth movement that emerged in Jaffna, and the endeavours of persons who left a lasting legacy of permanent value. What then is that legacy?

### The Lasting Legacy

That legacy has to be seen in the context of the events, ideals and achievements of the men and women of the YC generation. Handy Perinbanayagam is best remembered by the gathering here today as the principal of Kokuvil Hindu College, and for the outstanding contribution he made to education and public life not only in Jaffna but in the whole country. I do not intend to dwell on the contributions he made to numerous causes. I focus today primarily on Handy Perinbanayagam as the founder-leader of the Youth Congress and his place in history in this capacity.

The Jaffna Youth Congress originally named the Students Congress was founded in 1924. It remained a potent force in the political and cultural life of the Tamils for over a decade. The YC was primarily Jaffna's response to the Gandhian nationalist movement in India. The influence of the Indian National Congress and Gandhi were felt most in Jaffna.

In June 1924 Handy Perinbanayagam sat the BA examination and assumed duties as a teacher at Jaffna College. Prior to this he and a few friends had planned the founding of an organization for national independence and the Students Congress came into existence in December 1924. From the very beginning the SC had an all-Island perspective, rose above parochialism of any sorts, was committed to national unity, political independence, and the social, cultural and economic betterment of the whole of Lanka. A conscientious effort was made to embrace young people of all races, creeds and castes.

The aims of the congress were clearly laid down in the resolutions passed at the very first sessions in 1924. The congress should work for the betterment of the motherland; no distinction be made on religious or racial grounds; annual sessions consist of representatives from all races and creeds; no sectarian issues be raised; members strive to remove the curse of untouchability; cultivate the study of national literature, art and music; and develop

and promote writings and publications in the national languages of fiction, history, biographies and works in the sciences.

It was also resolved following Gandhian practices to patronise as far as possible locally manufactured goods and eschew foreign products. Though no resolution was made on the dress the above resolution implied the wearing of the national dress, preferably khaddar. Several members of the Youth Congress wore the national dress for the rest of their lives. The others did so as frequently as possible. National resurgence among the English educated class, with a few exceptions, in its social, cultural and linguistic dimensions happened in the south in 1956 and thereafter. Even then it happened for public consumption several members of this class having a dual life style, one for political purposes and the other for their domestic life aping the west. In Jaffna and among most Tamils there was no need for a 1956 upsurge with its donning of the national dress, kiributh breakfasts and high profile visits to temples. A genuine national and cultural revival free of hypocrisy had taken place in Jaffna in the 1920s. Some of these men had discarded their western attire, as students, in the Gandhi led bonfire of western clothes in 1921.

Handy Perinbanayagam once related a memorable event in his life. In 1922 he had passed the London Inter-arts and was given the singular honour of delivering the prize-day oration at Jaffna College, that year also being the 100th anniversary of the founding of the Batticotta Seminary the precursor of the college.

Handy persisted in wearing the national dress. Principal Bicknell to whom he was deeply attached insisted that he wear suit and tie. Handy refused to do so. Very early in life he demonstrated his commitment to his convictions. It was, he said, a painful decision to make. The honour went to Lyman Kulathungam who incidentally wore the national dress for the greater part of his life.

### Sessions of the Youth Congress

Annual sessions of the congress were held spread over three days in different parts of the Peninsula. The 1924 sessions were held in the city of Jaffna, at Keerimalai in 1925, 1926 and 1928, at KKS in 1929, and at Thirunelveli (Thinnaveli) in 1930.

The seventh annual sessions in 1931 - the year of the boycott - was a colourful and grand affair. The annual sessions were held in a specially erected pandal on the Jaffna esplanade. Srimathi Kamaladevi Chattopadhyaya, the chief speaker and president-elect for the sessions was taken in a procession from the Thattatheru junction to the venue in a carriage drawn by three white horses headed by several bands of musicians and youth clad in khaddar and wearing Gandhi caps. They carried the red, green and saffron flag of the YC symbolising the unity of all communities in the island. The 1931 sessions witnessed the largest ever gathering at any annual sessions. The proceedings began with the singing of 'Vande mataram' and renderings of Subramaniya Bharathi's songs of freedom.

The name change from Students Congress to Youth Congress took place at this sessions. In 1931 the YC reached its zenith in moulding public opinion in Jaffna. Sessions were held in 1932, 1933 and in 1934 which was the last well attended sessions. Thereafter sessions and meetings were held periodically until the early 1940s.

Lectures at the annual session and meetings of the YC were delivered by eminent scholars, educationists, writers and persons with cultural attainments. These included prominent personalities from India such as Gandhi, Nehru, Rajaji, Satyamurti, Kalyanasundra Mudaliyar and Kamaladevi Chattopadhyaya.

At practically every sessions Sinhalese young men who were to become future political leaders graced the occasion with their presence and speeches. These included D B Jayatileke, P de S Kularatne, G K W Perera, A E Goonesinha, George E de Silva, T B Jayah, Peri Sundaram, E W Perera, Francis de Zoysa(KC), C E Corea, S W R D Bandaranaike and S W Dassanaike. In later years prominent leaders from the left movement such as Dr N M Perera, Dr Colvin R de Silva, Leslie Goonewardene, Selina Perera and others appeared on the YC platform and frequently interacted with Handy and his colleagues.

Among Tamil participants were many notable scholars, teachers, writers and persons involved in public life. The list consisting of a galaxy of personalities is too long to be included here.

### Mahatma Gandhi in Jaffna

It was the YC that invited Gandhi to visit Ceylon in 1927. In the south older men took over once Gandhi responded to the invitation. In Jaffna it was Handy and the YC that organized the visit which witnessed the first mass gatherings of people in tens of thousands which according to eye-witnesses were unprecedented and included celebratory scenes of enthusiasm free of divisive and partisan politics, the likes of which were not seen for decades to come.

Mahatma Gandhi arrived in Jaffna on the 26th of November 1927 in the Governor's saloon attached to the Jaffna train to be welcomed by a "seething mass of humanity" outside the railway station. In his farewell speech in Colombo, Gandhiji had said, "Somehow or other I feel that I am going to a different place in going to Jaffna." At his very first meeting in Jaffna he again said, "Having come to Jaffna I do not feel that I am in Ceylon, but I feel that I am in a bit of India. Neither your faces nor your language is foreign to me." He touched on the burning issues of the time such as caste, prohibition, revival of ancient culture, Hindu-Christian re-

lations, the place of Jesus among the great teachers of the world, communalism, problems of aping the west and nationalism. His dominant theme was however to draw attention to the starving millions in India. "I know that all the monies I have received from boys and girls - will bear greater fruit than the monies received from old and wise men. Your money comes with the stamp of innocence upon it, and it goes also to some of the millions of men and women who are innocent, not deliberately perhaps, but because they cannot be otherwise."

Commenting on the religious controversies of the times he emphasised that the "purpose of men of all faiths should be to become better people by contract with one another, and that if that happened the world would be a much better place to live in... I plead for the broadest toleration, and I am working to that end.

I do not expect the India of my dreams to develop one religion, that is, to be wholly Hindu, or wholly Christian, or wholly Mussu-lman, but I want it to be wholly tolerant, with its religions working side by side with one another."

### Dreams and Visions

Speaking at Gandhiji's 25th death anniversary remembrance meeting Handy Perinbanayagam said, "Gandhiji was in politics then; so were we in Ceylon. Today India and Ceylon are steeped in politics. But there is a difference between the politics of those times and of today. The politics of those days were aspirational. Visions and dreams loomed large then. Today's politics are factional and pragmatic. They are also grosser and grimmer. The post-independence history of the two countries bears witness to this truth."

Delivering the welcome address at the reception to Shri Jayaprakash Narayan in 1969, Handy having apologised for linking his name with that of the distinguished visitor said, "We dreamt dreams and saw visions. Our dreams and our visions were focused on the freedom of our countries and the rich blessings that it would bring to their peoples."

The question of communalism figured prominently at the 1928 sessions of the Youth Congress. Nadesan reflected the dominant sentiment in his address. In attempting to meet the argument that the Sinhalese majority is



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likely to dominate and further their own position at the expense of the other races under conditions of self-government, Nadesan said that after long years of subjection to foreign rule the chances were that the majority community at the beginning of self-government would use power for narrow and selfish ends; but some years of experience in self-government would teach them that the strength of the nation required that every community in the country needed to be developed to maximum power. He ventured to express the hope that then parochialism would cease and that people would think of the nation first. Self-government, he said, was the only remedy for their ills.

In the 1930s the ideal set before the country by the Youth Congress and nationalists in the South was a free and united Lanka. The Youth Congress was fully committed to a Ceylonese nationalism. When 1956 came it brought to the men who once belonged to the Youth Congress more than to anyone else in the country, a sense of defeat and disillusionment. Handy noted with regret that they had looked forward to "a land teeming with goodwill and blessedness." He added: "Language which is the bone of contention today was peacefully settled by both Sinhalese and Tamils. Before long however bloodshed, premeditated murder and migration were the order of the day... All this was the vision of an idealist yesterday. What of tomorrow? A peaceful Sri Lanka no longer dreaming of fantasies but wanting the present travail to end is the urgent need."

### The Boycott of 1931 Nailing the Canard

I wish to use this opportunity today to place on record as forcefully as possible, though briefly, one issue on which the YC has been unfairly and in some cases maliciously misrepresented - that is the Boycott in Jaffna of the first elections to the State Council in 1931. A comprehensive piece on this must await another occasion. The following resolution was unanimously adopted by the annual sessions in 1931.

"This Congress holds Swaraj to be the inalienable birthright of every people and calls upon the youth of the land to consecrate their lives to the achievements of their country's freedom."

This was followed by an amendment to the resolution which read,

"And whereas the Donoughmore Scheme as embodied in the recent Order-in-Council militates against the attainment of Swaraj this Congress further pledges itself to boycott the scheme and authorises the executive committee to devise ways and means for enforcing the boycott."

Following an enthusiastic campaign the leaders of the Youth Congress succeeded in persuading prospective candidates and senior and seasoned politicians in not submitting nomination papers for the four seats in Jaffna. Several well-known historians and political scientists both Sinhalese, Tamil and foreigners having made a superficial study of what happened have either misrepresented or failed to place on record effectively the real reasons for the boycott and the context in which it happened. None of them chose to go into the primary sources available in English and Tamil, or took the trouble to visit Jaffna and interview the men of the Youth Congress who lived right into the 1980s. These men could have enlightened them on this highly publicised event. I hope contemporary historians will take note and never again repeat a canard that has been picked-up again and again by interested parties to vilify the 20th century history of the Tamils in this country, from the perspective of subsequent events.

The years 1924 to 1934 constitutes a remarkable, bright and spectacular decade in the history of this country when the Tamils under the leadership of Handy Perinbanayagam and the Youth Congress took a strong anti-imperialist position, stood for freedom from British rule, the eradication of social-disabilities, and for national unity rising above communal, sectarian or parochial issues. As late as 1966 Handy himself placed this on record.

"Many responsible Sinhalese leaders have persistently read a communal significance into this decision, and the boycott that followed. I remember I had to put the late S W R D Bandaranaike right, when, at a conference where both of us were present, he suggested that the boycott was inspired by communal motives. The latest offender in this regard is Mr. H.A.J. Hulugalle, who in his biography of D R Wijewardene, repeats the slander. Nobody who has watched our lives and noted the price that we have paid

for our consistent devotion to the ideal of a United and Free Ceylonese Nation, can accept this view. The boycott was launched because the Donoughmore Reforms fell far short of complete independence." (A Tribute to C Subramaniam (Orator), The Skanda, April 1966, p.31. Thirumakal Press, Chunnakam)

The Daily News, all along a supporter of the Youth Congress and a strong critic of the Donoughmore Reforms welcomed the boycott in Jaffna. Having criticised the candidates in the rest of the country for lack of political principles, the editorial on nomination day commented that the "one relieving feature in this soporific performance is contained in the news from Jaffna..... Public opinion in Jaffna" said the editor, "is a potent thing. Those who defy it do so at their peril. Ever the home of virile politics, Jaffna is determined to see that the public spirit of her citizens is equal to any crisis." (Ceylon Daily News, 4 May 1931)

The historians who have misrepresented the above boycott failed to grasp the strength of public opinion in Jaffna as understood by the Daily News, which at this juncture brief though it may have been was staunchly behind the Youth Congress.

Philip Gunawardene (who was later to become one of the foremost stalwarts of the left) from London wrote,

"I longed for the day when the youth of Ceylon would take their place by the side of the young men and women of China, of India, of Indonesia, of Indo-China, of Korea and even of the Philippine Islands in the great struggles of a creative revolution against all the mighty forces of old-age, social reaction and imperialist oppression. During the last few years the Jaffna Students' Congress was the only organisation in Ceylon that has been displaying political intelligence ... Jaffna has given the lead. They have forced their leaders to sound the bugle call for the great struggle for freedom - for immediate and complete independence from Imperialist Britain. Will the Sinhalese who always display supreme courage, understand and fall in line? A tremendous struggle faces us. Boycott of the elections was only a signal. It is the duty of every Sinhalese now to prepare the masses for a great struggle ahead." (Searchlight, 20-



27th June 1931).

At the height of the language debate in 1956 when it was becoming fashionable for Sinhalese spokesmen to attack the Tamils as reactionary and as opposed to the national struggle for independence it was Pieter Keuneman who on behalf of the Communist Party of Ceylon put the record straight in parliament. He recalled the role that the Jaffna Youth Congress had played and denied the allegation that was made that the boycott took place because the new constitution granted political power to the Sinhalese ... It was the weakness of the movement in the South that was responsible to a very great extent for the breakdown of the developing national movement in the North.

We have to distinguish between the anti-imperialist purpose of the boycott and whether it was a wise decision in terms of political tactics at that juncture. The latter is debatable. The former is not. There has been a tendency to denigrate the men of that generation on account of the boycott in crass and indecorous language by scholars, journalists and nondescript contributors to the press who never shared the anti-

colonialist nationalist aspirations and the cultural ethos of that era or in subsequent times. Their aims were noble and the boycott was only one episode in the history of a movement that embraced a variety of aims and ideals that were of lasting value.

#### A Maker of Men

Handy Perinbanayagam's career from 1931 did not go smooth. Many were the sacrifices he has to make to stand by his convictions be they political or religious. As one of his admirers put it, "Handy Perinbanayagam was essentially a maker of men. From Vaddukoddai via Law to Kokuvil is a long story. The path was strewn with endless controversy, and the field proved fertile for both his detractors and admirers who delighted in the doubtful pastime of assessing his worth in terms of victories and defeats. But the unassailable idealist that Handy always was, he was able to inure himself to any vilification. True to the ideals of the Gita, he acted according to the dictates of his conscience and left the outcome in the hands of Providence" (N. Sabaratnam, "A Maker of Men, the

Builder of Kokuvil Hindu" Homage to Guru S. Handy Perinbanayagam - edited by S Sivanayagam and S Ratnapragasam, Ceylon Printers, Colombo, January 1978)

More touching was the tribute paid by his opponent at the Parliamentary election. Mr K Kanagaratnam said: "He contested the vaddukoddai seat in the first parliament along with five others including me and lost. I must confess that he was undoubtedly the most qualified of the lot both in point of political knowledge and long training for public service but the party slogans and mass hysteria snatched the seat from him." (K Kanagaratnam in S Handy perinbanayagam - A Valedictory Tribute - edited by S Sivanayagam and S Ratnapragasam, Ceylon Printers, Colombo, May 1960)

#### Liberalism and the Right to Dissent

In evaluating his life and work I do not go into Mr Perinbanayagam's role as teacher and educator, except to make a brief comment. I leave that topic to Prof. Sandrasekeram. The one time members of the Youth Congress in later years were educators in the fullest sense

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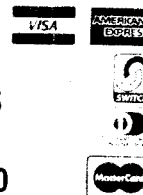
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of that term. They were makers of men. They were also committed members of the NPTA (Northern Province Teachers Association) and the ACUT (All Ceylon Union of Teachers).

I have titled this presentation as the Youth Congress and its Legacies. A liberal tradition persisted in Jaffna and the rest of the island, among the Tamils from the 1920s through the 1980s as the men of that generation passed away one by one. It is a tradition that persists to this day, in the country and within the Tamil diaspora globally. But it persists with diminished strength, as more and more people take the easy option of falling in line with dominant trends and forces. This tradition which stood for liberalism and the right to dissent is rooted in the history of the Congress and is a legacy of their contribution to education and to public life in Jaffna. The Marxist left once dismissed this liberalism as bourgeois politics and culture only to fall back on this tradition with the demise of the Soviet Union.

Orator Subramaniam, A S Kanagaratnam and N Sabaratnam who shared the values of this tradition, apparently bore this in mind when they put together the selections from the writings

and speeches of Handy Perinbanayagam in the memorial volume. These deserve to be translated and published in Sinhalese and Tamil. Some benefactor should take up this appeal. The issues he deals with range from topics such as "whose schools", "parents, teachers and schools" to "a free press in a democracy." His writings and speeches include great personalities with an international stature like Gandhi, Jayaprakash Narayan and Ananda Coomaraswamy, to lesser known personalities. His comments on men and matters were devastating, but without rancour and bitterness, tinged with a sense of humour. He had the courage to take on powerful men in politics and in society, including managers of schools and hierarchies of organised religions. At the same time he did not hesitate to criticise the leaders of the left who were his personal friends and with whose politics he often sympathised. His comments always projected values that are humane, universal and permanent. He was a regular contributor to the Ceylon Teacher - Journal of the ACUT, the Kesari published in the 1940s, the Co-operator in the 1960s and occasionally in the mainstream news

papers.

His views are best summed-up with this quote from one of his writings titled the right to think and speak:

"We have seen that those who believe in free thought also believe in the inherent vitality of truth which must prevail in the end; the struggle may be bitter, tragic and long-drawn out; sooner or later truth is vindicated. Those who live for truth and fight for truth and refuse to bow their heads to mobs, governments or priestly hierarchies often rely on posterity to do them justice." ("The Right to Think and Speak", The Ceylon Teacher - Journal of the ACUT Oct. 1953).

In the 1920s and '30s he was a committed anti-imperialist. In the 1940s and '50s he engaged himself eloquently in the debate on the national languages as the medium of instruction, on free education and teachers rights. In the 1950s when the language controversy dominated the headlines his was a strong and determined voice demanding equal status to the Tamil language in the face of the Sinhala only cry. He did this with restraint and dignity refusing to fall in line with the opportunism and emo-

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tional rhetoric that characterised politics on both sides. On the contrary he could have easily joined the bandwagon and entered parliament. In the 1960s and '70s he defended press freedom and made representations to the constituent Assembly.

This liberal approach to politics and the great issues of the times, the capacity to dissent and disagree and put forward alternative proposals, to consistently uphold the fundamental and human rights of the people is the vital and treasured legacy left behind by Handy Perinbanayagam and the generation that belonged to the Youth Congress. This is a tradition that we affirm today. It is a tradition worth preserving. That is the greatest tribute we can pay to that generation of our fathers and teachers.

As we honour the cherished memory of Handy Perinbanayagam - teacher, educator, social reformer, statesman, leader and maker of men - I wish to sum up with some words from my work on the Youth Congress at the risk of some repetition. The achievements of Handy perinbanayagam and the Youth Congress lay in the cultural and educational fields and in the eradication of social disabilities. The elevation of the Tamil language to a place of honour happened in Jaffna as early as in the twenties. The practice of having lectures and meetings in Tamil on not merely subjects of literary interests but on secular and political matters as well, began with the Youth Congress. The young men of Jaffna though English educated restored national customs, festivals and dress to a place of honour in the social life of the community. The uncompromising stand taken on removing the humiliations imposed by caste was one of its major achievements.

Above all out of the Youth Congress came a whole generation of eminent teachers, principals, administrators and builders of schools. Their efforts in the mid-decades of this century made it possibly for Jaffna to enjoy the pre-eminent position that it occupies in the sphere of education with schools that could be the pride of any nation. They remained a dedicated band of teachers nationalist to the core. Dressed in their spotless white national costume, they were seen and heard on every big occasion in Jaffna. They gave a distinct flavour to public life in Jaffna and brought qualities of integrity and sincerity to several public causes to which they gave of their time and talents. ●

## BJP-DMK Unholy Alliance

T N Gopalan

**I**t is all over, it looks like, bar the shouting. Whatever that remained of the Dravidian movement has finally been cast aside by the Dravida Munnetra Kazhagam (DMK) with Chief Minister Karunanidhi's apparent decision to join hands with a communal Bharatiya Janata Party in the forthcoming Lok Sabha elections.

Well, he does still maintain that he is yet to take a final decision and that he will first consult his party functionaries on the issue. Besides there are still some fond hopes that a Congress-DMK-TMC-Left Parties alliance could come through.

But even if such a turn-around does take place, it is irrelevant for our discussions or for the fate of the so-called Dravidian movement.

The DMK-apologists have already sprung into action, and the local Press is awash with analyses justifying the BJP-DMK tie-up, how when it comes to communalism there is nothing much to choose between the Congress and the BJP, how such decisions are taken on the basis of self-interests alone, how a scheming Left has pushed an innocent, helpless DMK leader into the BJP camp, how corruption and misuse of authority in the form of Jayalalitha is a much greater menace than anything one can think of and so on.

Never does the Hindutva of the BJP enter into the picture in their discussions. No one raises the question as to how the BJP which stands for a strong repudiation of every cherished Dravidian principle could even be thought of as an ally, whatever the contingencies.

Now that most Dravidian off-shoots have embraced the BJP, this is a time for serious introspection on what the movement is believed to have stood for and its subsequent decline. Before that a brief recap of the events which led to the DMK's decision could be in order.

When the BJP government was tottering on its last legs, Karunanidhi offered to support it in the confidence vote. His argument was that it was in the context of the withdrawal of support by Jayalalitha that the confidence vote was taking place. And anyone who votes against the motion, whatever the rationale, would be in effect furthering

her interests, a crime, a sin, the DMK could just not afford to commit. "The DMK cannot be seen in any formation in which the AIADMK finds a place," he declared.

Later on the party executive committee even claimed that Jayalalitha had entered into diabolical pact with Sonia by which once the Vajpayee regime was toppled and a new government put in place, the DMK government was to have been instantly dismissed.

"We had come to know from reliable sources that the Congress had agreed to such a proposition and promptly alerted the Left Front leaders. But to our shock they did not seem to care and they went ahead with their agenda of throwing out the BJP government," the executive said, expressing its outrage, though in rather measured terms. In the circumstances the DMK had been left with little option but to vote with the government.

Besides the Left had hurt his feelings by entertaining the likes of Jayalalitha and Subramaniam Swamy, it is claimed. Karunanidhi himself said that the DMK was not taken into confidence by the Left when it planned its moves.

But then who will buy the argument that the Left could be a party to any scheme to destabilise the DMK Government. They might have miscalculated the possible impact of their action on Jayalalitha's own career or underestimated the credibility they themselves would be lending her by openly associating with her. But then that is their way of expressing their abhorrence for Hindutva.

Still how could one expect them to go to the level of keeping quiet in the face of any attempt to overthrow a democratically established government. Did they not stick their necks out when Rabri Devi's head was on the chopping block despite their strained relationship with Laloo Prasad Yadav in Bihar?

They surely could be justly charged with taking opportunistic stances on quite a few occasions, but then they would have been born out of genuine misapprehension rather than for reasons of vested interests. Whatever it is, the ways of the CPI or the CPM could

never be as crassly, as outrageously, opportunistic as those of the Dravidian outfits.

Anyway the DMK's own sanctimonious humbug became unmasked when they went ahead and started hinting at electoral alliance with the BJP. If they had supported the BJP Government solely on the ground that lending a helping hand to the AIADMK, even if indirectly, would only result in the strengthening of Jayalalitha's standing in the public eye, what plausible reason could be there to go in for an electoral understanding with the BJP?

Karunanidhi came up with some convoluted reasoning. The DMK in a BJP-front could act as a bridge between it and the minorities and smoothen its rough edges. Also the BJP, unlike the Congress, respected its allies. Anyway in the name of anti-Congressism the Left and the DMK had joined hands with the Jan Sangh during the Janata Party days and subsequently with the BJP during the time of V.P.Singh.

He conveniently forgot the thundering denunciation of the nexus between corruption and communalism only last year, of the Sangh parivaar's ways during the attacks on the Christians and of the authoritarian approach of the Vajpayee regime when it sought to sack the Babri Devi government.

More than anything else he would not pause for a moment to reflect on the dangers posed by communalism in a complex mosaic like India's, and in the context of the demolition of the Babri Masjid and its aftermath at that. Not to mention the BJP's ideology is inherently immoral.

Clearly he is scared that a Congress-AIADMK alliance could come about in which case he could be on a weaker wicket in a Lok Sabha election unless he is also seen in the company of another national party.

Also for all its bleak record, a friendly media has managed to project Vajpayee as a Mr. Nice Guy, even if he is surrounded by mad mullahs of the Hindu variety. Possibly the BJP could romp home on a sympathy wave and why not make use of it to his own advantage? A defeat for Jayalalitha in the Lok Sabha elections could prove a great morale booster for the Assembly elections to follow in the next two years.

Clearly then his typically parochial, narrow view has blinded him to the larger dimensions of the issues at stake. This then takes us to the question of the

very purpose served by the Dravidian movement.

What was Periyar EVR's own vision when he challenged the Brahmin hegemony? It has been observed earlier in these columns that in his quest for a broad non-Brahmin unity, he tended to ignore the contradictions among the non-Brahmin castes with the results for all to see today.

Secondly he did thunder against the evils of the institution of religion and against the very concept of God and spoke up for the rights of the women. But when his own followers continued to seek relief from religion or treated women as no more than chattel, he tended to turn a blind eye to such infractions and continued to harp on anti-Brahminism as if doing so would exorcise all the evils afflicting the Tamil society.

Finally when he was crusading for far-reaching social changes, the DMK had taken to parliamentary path - not only did it start making all kinds of compromises in pursuit of power but Karunanidhi and company abused power to feather their own nests. Right through those days when Karunanidhi was wreaking havoc, paving the way for Jayalalithas of the future, Periyar had very little to say, leave alone mobilising the people against his nominal proteges but who were destroying the movement. He felt proud of them for effectively marginalising the Brahmins while remaining silent on the seamier side.

Interestingly neither Periyar nor the DMK could ever carry much conviction with the Dalits, so much for their credibility.

Pragmatism had become the name of the game and not surprisingly such an ideologically vacuous M G Ramachandran could walk away with a major chunk of the Dravidian vote-bank besides winning over the Dalits, and his disciple Jayalalitha could do much more outrageous things and still command vast support among the non-Brahmin Tamils.

And there is a Vai Ko (V Gopalaswamy, now the leader of the MDMK) who could bring the house down with his fiery pan-Tamil rhetoric who could wait on someone like Jayalalitha and then go on to sing paeans of praise for Vajpayee and his ilk. How they all gave a short shrift to the Lankan Tamil issue is history.

Karunanidhi, though, still retained

some vestiges of rationalism and sought to project himself as the only true friend of the minorities in an increasingly bleak situation. It may be recalled here that in the days of the self-respect movement (Suya Mariathai Iyakkam) Periyar allowed Muslim leaders to excoriate the Hindu gods from his platforms. The Muslims remained loyal to the DMK by and large.

But Karunanidhi's performance during MGR's times and the 1998 elections showed the Muslim votes did not matter much. They were clearly expendable in a situation wherein an overwhelmingly Hindu electorate was beginning to look kindly upon the Hindutva.

With a sobered North preferring to keep away from the touchy issue of making Hindi the sole official language and anyway many non-Brahmin youth slowly taking to Hindi, the anti-Hindi plank had lost its edge.

If in 1962, making Chinese aggression as a pretext, the DMK could conveniently jettison the Dravida Naadu demand, the state autonomy war-cry of the early seventies also died a natural death when Karunanidhi found the Centre too powerful for him to tackle and anyway such slogans alone would not bring in votes to him. Also the Dravidian leaders found it profitable doing business with the northerners.

Thus like a cabaret dancer, the movement was shedding its clothes one after another. With finally taking the plunge and seeking to become an ally of the BJP, the DMK stands stark naked, in the inglorious company of the AIADMK and the MDMK. Even such a once fire-spouting PMK which also claims to draw inspiration from Periyar has become an ardent BJP supporter.

Little needs to be said of the original DK whose leader K Veeramani, even when without any electoral compulsions, has little qualms in hailing Jayalalitha as a great revolutionary and chooses to berate the BJP as and when it is convenient to him.

Anna Arivalayam, the DMK headquarters presents a strange sight these days. No, it is not as if the saffron-clad, Trishul-wielding Hindu fanatics have started frequenting it. At least not yet.

One entire floor is occupied by the SUN TV owned by the DMK's first family. Jostling at the entrance are those who have some business or other in the SUN TV studio and the DMK faithful.

Swank cars carrying some of the visitors are a fixture. The uncouth, plebian DMK cadres and leaders squirm and watch, their mouths agape, attractive young actresses, breeze in and breeze out.

The SUN TV, a highly successful satellite channel, is everything that a Dravidian media should not be. And the floor it occupies is a no-go zone for the DMK-men. But none in the party dare protest.

When this correspondent interviewed Kalanidhi Maran, Murasoli Maran's son and the head of the network, he nonchalantly said: "If you want me to give a lecture for two hours on the Dravidian ideology, I'd willingly do so. But this is something different, business. Strictly so. No place for politics in it. I have told the old guards to lay off, and they now see the merit in my approach." That is perhaps the epitaph on the Dravidian movement. What Karunanidhi now does is immaterial.

Many believe that the BJP alliance sounds the death-knell of the movement. Nay, it only constitutes a shameless acknowledgement by one of the few remaining pioneers that it had gone bankrupt. ●

## A DEMOCRATIC FRONT MOOTED TO SOLVE ETHNIC PROBLEM

There are no signs of this problem being resolved satisfactorily in the near future. What is necessary to seek a solution is to stop the war and enter into negotiation. How can this be done? We should get the support of the UNO and the International Community to bring pressure on the Sri Lankan Government to stop the war and to start negotiation. How can we get the support of UNO and International Community? Tamils living in all parts of the world mainly in Tamil Nadu, Singapore, Malaysia, Australia, Canada, USA, UK, Germany, France, Switzerland, Denmark, Norway, Sweden Holland and other countries should raise the cry "stop the war and hold negotiations". We must form an international forum under a name like "Democratic Tamils Front". This organisation should be practically non-partisan. The only objective is to stop this useless war and save the innocent people from death, starvation, improper sanitation and loss of millions worth of property.

This organisation should hold an international conference to attain this objective and to this conference we should invite all leaders from other communities who favour peace in Sri Lanka. At this conference we

should adopt a resolution seeking the support of UNO and other powers including India, South Africa, UK, USA, Canada, and Europe to bring pressure on the Sri Lankan Government to agree to stop the war. At that stage UNO should order a cease fire and negotiation should be held under the auspices of the UNO. This organisation should publish a book in a diary form bringing out all events from the time Sinhalese leaders and Tamil leaders met in Jaffna and entered into an agreement before the Donoughmore Commission arrived in Ceylon. From that agreement onwards all happenings in the political drama should be tabulated in diary form in English and distributed to all countries in the UNO.

In my view this non-partisan organisation can attain this objective provided we can convince the International Community we are genuine and united to bring about peace in the country.

I shall be thankful to all Tamils to send in their views to Tamil Times and also communicate with me if possible. My address is 936 McCowan Road, Scarborough, Ontario, M1P 3H6, Canada, Telephone: 416 439 6418/Fax: 416 439 9768 - S CHELLIAH, PRESIDENT IMTC, CANADA



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15 MAY 1999

**BOOK REVIEW****POETRY FOR PROGRESS**

E S P Godson ( E. Sangarapillai), Toronto, 1998

**Review by Frank Birkalsingh**

(Professor of English, York University, Ontario, Canada.)

E S P Godson's volume Poetry for Progress consists of thirty-six poems and twenty-seven excerpts from the poetry of a wide range of famous authors. Godson himself is a Sri Lankan Tamil who has lived and worked in several countries most notably in Nigeria, where he was a school teacher for many years. The subjects and themes of his poems which reflect his broad experience, range from personal relationships, family and domestic concerns, to national and international issues and reflections of a religious or spiritual nature.

The mere titles of some poems illustrate the poet's interests- My Mother , My Teachers , To My Students , We owe you much great USA , and To you our caring Mother Canada. There is depth of passion in most poems, particularly in those dealing with Sri Lanka which the poet calls Our paradise on earth and pearl of the Indian Ocean , (p17). The effect of continuous civil war has been devastating in Sri Lanka which, says the poet, is now 'like a beautiful woman raped'. (p17). Godson does not mince words in 'A Plea for Unity' where he indicts wicked and cunning politicians for causing communal violence in Sri Lanka. His solution for a poly-nation" like Sri Lanka is Mutual love, respect and concern" (p.17). He counsels:

Let religions and politics be not mixed  
Let our faiths be private and politics public  
Let them not clash with one another  
But show their righteous paths to people" (p.18)

Here, as in other poems, the poet's deep sense of patriotism shines through. Perhaps the finest expression of Godson's patriotism can be seen in his

poem, God! Restore our Rights - our inalienable Rights , where he sketches the rich multicultural history of Sri Lanka and pleads with God for restoration:

Whither is fled all our glories?  
Where is now our golden past  
That kept us all as a great family?  
.....

God! Restore our rights - our inalienable rights  
And keep us as good brothers in separate rooms" (p. 22)

The intensity of patriotism in this poem has been noticed by the London Poetry Society which commented on the poet's vigorous feeling. As the commentary of the Society states The reader sympathises with the poet's patriotism and shares his sorrow at the present and prayer for the future. (p22).

As we can see even from the brief quotations that have been given so far, Godson employs a generally simple diction and an almost conversational idiom that relies on direct statement or a question and answer format. Repetition is often used effectively, especially in questions, to lend force to the feelings that are expressed. Simple diction and direct statement also combine to strengthen conviction in the poet's sincerity. In this sense it is notable that the poet avoids much of the difficulty and obscurity that is found in contemporary poetry. The result, in these poems, is expression that is lucid and readily accessible.

But the impression should not be created that the poems in Poetry for Progress" are mainly political. As already mentioned, Godson considers a wide variety of themes, for example, materialism, division, greed, violence, corruption, peace, love and forgiveness.

As in his political poems, Godson's basic vision is of reality that has been disfigured by human folly; hence the violence, corruption and other negative features. His poem Man has ceased to be man" sums this up succinctly:

Man has ceased to be man  
Reasons are not far to seek  
They are his lust for power  
And his lust for wealth" (p.45)

Lust for power produces division, disunity, violence and destruction not only in Sri Lanka, but all over the world. It is to counter such destruction that the author has written poems for progress ; for his notion of "progress" embraces values such as duty, faith, piety and obedience which can overcome the negative values that have created contemporary reality and lead to a more peaceful and progressive future.

One of the clearest statements of "progress" appears in the poem To my Students" in which the persona, after a long career of teaching children from more than a dozen nations , spells out the "triple gems" of Unity, peace and progress" which he would like to see in the world of the future. But perhaps the best statement of "progress" is given in the poem Please Accept this Prayer as an Affirmation of my Faith" where Godson pleads for Unity in diversity, tolerance and compromise" (p.72). Progress , in other words, will produce unity, universality, brotherhood of nations . This, after all - a world of peace and brotherhood - is Godson's overriding aim.

In our generation when materialistic values prevail, and self-indulgence is taken to be the highest good, it is at least refreshing to encounter writing that celebrates old values that have been tried and tested - faith, hope, piety, obedience, patriotism, unity, reverence. Where today we glorify individualism and selfishness under the guise of liberty and freedom, Poetry for Progress celebrates loyalty, solidarity and community. Where today we respect self-gratification and pleasure, Godson asserts the value of duty, self-denial and service. Godson's notion of "progress" means spiritual enlightenment and universal brotherhood in a world that may appear disfigured and chaotic, but is, in the end, unified by divine control.

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### MATRIMONIAL

**Jaffna parents seek for son, 35, accountant in Colombo, willing to emigrate, professionally qualified bride. Send horoscope. P.O.Box 7141, Northridge, CA 91327, USA.**

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**Jaffna Hindu parents seek educated groom for pretty daughter, 29, MBBS (Madras) in employment in Kilpauk Hospital. Send horoscope, details. M 1108 c/o Tamil Times**

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**Jaffna Hindu parents seek professional groom, preferably in USA for daughter, 25, software engineer in Virginia. Send horoscope, details. M 1110 c/o Tamil Times.**

**Tamil Christian parents seek partner for daughter, 42, British citizen, Staff Nurse, innocent divorcee. Send details. M 1111 c/o Tamil Times.**

### WEDDING BELLS

We congratulate the following couples on their recent wedding.

**Brindhavan (Ben), son of Mr & Mrs Ponnampalam and Thevaki, daughter of Mr & Mrs Ariaratnam on 5th April 99 at the Sri Kanaka Durga Amman Temple, Ealing, West London.**

**Niroopan, son of Dr & Mrs R Thaya Paran of 3 Martingale Road, Billericay, Essex CM11 1SG and Kirijah, daughter of Mr & Mrs V.N. Narendean of 110 Deans Lane, Edgware,**

**Middx HA8 9NR on 16th May 99 at Kadwa Patidar Centre, Kenton, Middx.**

**Kalaiyalagan, son of Mrs J. Rajaratnam of 'Kalaicholai', Suthumalai North, Jaffna and late Mr Rajaratnam and Sasireka, daughter of Mr & Mrs Thangarajah of 34 Albert Road, New Malden, Surrey KT3 6BS on 16th May 99 at Richard Challoner School Hall, New Malden, Surrey.**

### OBITUARIES



**Mrs Thaiyalnayaki Sivalingam, beloved wife of the late Ponniah Sivalingam, retired Chief Clerk of Ertalai South, Chunnakam; youngest daughter of the late Kud-dithamby and late Kanagamma; loving mother of Jeyakumaran, Kaladevy, Gnanendran, Dr Jeyagowry, Sureshkumar and Sivasuthan (all of UK); mother-in-law of Ganeshamoorthy, Dr Kumaran, Yogendradevi, Vallinayaki, Malathy and Balasuhanthini (all of UK); sister of the late Sivaramalingam, late Ammani Amma, late Puwaneswari, late Thuraisingam, late Shanmugalingam and Mrs Sethunayagi Sivasithamparam of Australia; beloved grandma of Havitha, Sinduja, Kalyan, Neruban, Rathulan, Pratheeban, Aparna, Geevithan and Abisha, passed away peacefully on 18th April 1999 and was cremated on 22nd after**

the funeral service at 24 Sixth Cross Road, Twickenham.

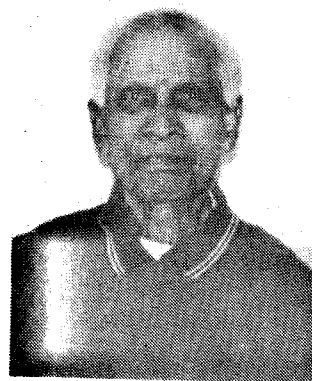
The members of the family thank all friends and relatives who paid their respects at the Chapel of Rest, attended the funeral, sent messages of sympathy and floral tributes and assisted them in several ways during the period of bereavement. Contact in UK - son S. Jeyakumaran, 27 Uxbridge Road, Feltham, Middx. Tel: 0181 755 0287.



**Vellupillai Kumarasamy (73), Retired Assistant Collector and Additional Landing Surveyor, Customs; beloved son of late Mr. & Mrs. Vellupillai, Jaffna; So loved husband of Sarojini (Sydney); loved, admired and missed by his children Nirmala Rasalingham (Sydney), Baskeran (Rayners Lane, London), Shyamala Uthayakumaran (Brisbane) and Dayaharan (Rayners Lane, London); loving father-in-law of Rasalingam (Sydney), Dr. Gnanamanohari Baskeran (Rayners Lane, London), and Uthayakumaran (Brisbane); loving grandfather of Gayathiri, Gayan (both of Brisbane) and Arjun (Rayners Lane, London); beloved brother of Rajeswari Somasundaram (Nallur), Maheswari Thanabalasingham (Ottawa); beloved son-in-law of Mrs. Sinnadurai (Sydney); beloved brother-in-law of Saththiyappa Ratnasabapathy (Kingston, Canada), Satkunadevi Selvaratnam (Colombo), Jeyapathy (Sydney), Dr. Sakunthala Sundaramoorthy (Melbourne), Chandraleela Nagarajah (Jaffna), Shanthini Devamanoharan, Dr. Sushila Ravindrarahaj (both of Sydney), Slojana Ganeshakumar (Montreal) and also the uncle of Puvanendran, Jeyarani, Jeyagauri (all of Jaffna), Ran-**

jan, Thayalan and Vasuki (all of Ottawa) passed away in Sydney on 20th April 1999 and the cremation took place on 22nd April.

The members of the family express their sincere thanks to all friends and relatives, who attended the funeral, sent messages of sympathy, floral tributes and assisted them in several ways during the period of bereavement. - 138 Waverley Road, Harrow, Middx. HA2 9RE. Tel: 0181 429 0606/ 37 Mississippi Road, Seven Hills, NSW, Australia. Tel: 612 9676 3889.



**Mr. Vaithilingam Nallasegaram, (98), Retired President, Rural Courts; beloved husband of Annaluxmy; devoted father of Chitra (Canada), Dr Shanmuganathan (UK), Mahendran (Canada) and Yasothea (USA); father-in-law of Makendran, Dr Nalini Shanmuganathan, Hugette Mahendran and Saravanabavan; brother of late Mrs Thambiah, late Mrs Panchalingam, late Mrs Nagalingam, late Mrs Kandiah, late Mr Rasaratnam, Dr Sandrasegaram, Mr Singaram, Dr Vijayasegaram and late Mr Vanniasegaram; loving grandpa of Devendra, Lakshmi Briscoe, Niranjan, Krishna, Julie, Linda, Indrajit and Meena; great grandfather of Saskia and Daniel passed away peacefully in Canada on the 29th March and the cremation took place on 1st April 99.**

The members of the family thank all friends and relatives who attended the funeral, sent floral tributes and messages of sympathy and helped them during the period of bereavement - Dr N. Shanmuganathan, Chislehurst, Kent UK.

15 MAY 1999

**IN MEMORIAM****30th Death Anniversary**

Born: 14.06.1914



Rest: 06.06.1969

In loving memory of **Dr Ethir-nayagam Kailasapillai** of Pannagam, Jaffna on the thirtieth Anniversary of his passing away on 6th June 1969.

Greatly missed and fondly remembered by his beloved wife Vadivambal; loving children Dr Sri Ranjan (Colombo), Uma, Hariharan, Mytheli, Ramani, Rathy (all of UK), Gowri (Toronto, Canada), Chandramohan, Rohini (both of Melbourne, Australia); sons-in-law Paskara-Moorthy, Tharmakulasingam, Sivakumar, Nithiyananthan, Punniyamoorthy and Thirunee-lakandan; daughters-in-law Vimalarane, Sivayogini and Gomathy and seventeen grandchildren. - 36 New Park Avenue, London N13 5NB. Tel: 0181 807 3378.



In loving memory of **Mrs Nagammah Kanagasabai** on the first anniversary of her passing away on 8th May 1998.

Sadly missed and lovingly remembered by children Kailainathan, Kathirgamanathan, Mrs Punithawathy Thangarajasingham and Gopalanathan; daughters-in-law Mrs Poomani Kailai-

nathan, Mrs Indra Kathirgamanathan and Mrs Malini Gopalanathan; grandchildren and great grandchildren - 73 Kingston Road, Wimbledon, London SW19 1JN



In ever loving memory of **Dr. Parameswaran Kandiah** on the ninth anniversary of his passing away on 12th May 1990.

Sorrowfully remembered by his beloved wife Pathmasany and loving children Thayalan and Anjali -29 Mounston Close, Hartside Grange, Hartlepool TS26 0LR.



In loving memory of **Mrs. Ranjini Geetanjali Thirunavukarasu** on the third anniversary of her passing away on 24th May 1996.

Sadly missed and lovingly remembered by her husband Thirunavukarasu; children Poomima and Pradeep; father Mahalingam; mother-in-law Mrs P. Ponnuthurai; sisters Mrs Lalitha Dilkushi Karunakaran and Priyadarshini Damayanthy; brothers Premkumar, Mohanakumar, Ranjitkumar, Nimalkumar and Tilakumar; brothers-in-law Karunakaran and Balanathan; sisters-in-law Kamalarani, Vijayalaxmi, Nirmala, Yasothara, Nalini, Kamaladevi and Sugirthadevi. - M. Ranjitkumar, 12 Chase Lane, Barkingside, Essex IG6 1BH. Tel: 0181 554 2095.



In loving memory of **Tham-bidurai Shanmugarajah**, Attorney-at-law, J.P., U.M., of Kondavil East, Sri Lanka on the fifth anniversary of his passing away on 5th May 1994.

Sadly missed and fondly remembered by his beloved wife Anandavalli; loving daughter Sharmini; son-in-law Ranjit; loving grandchildren Praveen and Anjana - 102 Loutitt Street, Yellowknife, N.W.T., Canada X1A 3M5.

**First Death Anniversary**

In loving memory of **Mr. M.P. Ganeshan** who was the patron and a long standing dedicated member of Tamil Union of Herts who worked and lived in Hemel Hempstead until a year ago when he was called to rest on 3rd May 1998.

It looks like only yesterday when the lights went out on one of the shining beacons among the ex-patriate Tamil community in the U.K. It would certainly have caused a dent to the hopes and welfare of the thousands of suffering and needy people in his native motherland for whom he had endless energy to the end.

Mr. Ganeshan hailed from the pleasant villages in Jaffna, born as the only son of Murugesu Ponnusamy (Kondavil) and Sivasampu Sellamma (Kopay) and the brother of Rajeswari Thiyagarajah.

As a child, he lived in Malaysia with his parents and

then gained his early education in Kopay Christian College and later at Jaffna Central College. Qualified as a Radiographer, he first worked at Jaffna Hospital and then at Colombo, Anuradhapuram, Matara and Badulla until he was appointed as the senior Radiographer at the General Hospital in Hemel Hempstead where his family have settled since. As a man full of family pride he went to great lengths to ensure that his children had the best education possible and was always keen to emphasise the importance of good education to every youngster he came across, yet he retained an abiding interest in the welfare of the needy people in his motherland.

Over the years he was very much liked and respected by his friends for this concern for others and also for his views and approaches to comforting the orphans and refugees which were simple, straightforward and transparent.

Tamil Union of Herts to which he was like the powering engine was one of the many mediums through which he found answers to his sensitive feeling for others. As a sincere and humble man, he engineered a tremendous amount of relief assistance without for once having the aspiration to put his name or face at the forefront at any gatherings. Intrinsically a kind hearted person who liked to keep a low profile in general, he loved the simple living and despised the creature comforts but on any issues that he believed in he was unrelenting and uncompromising. He fought his illness both silently and bravely to the end. These qualities were to make him the great man that he was among our community.

Great men live forever, so will Mr. Ganeshan in our hearts and minds.

He will be greatly missed by everyone fortunate enough to have known him, his friends, the people for whom he worked tirelessly and above all his wife Shantham, daughters Kirija, Vanaja, son Das, sons-in-law Uthayakumar, Deneshkumar and his loving grandchildren Nilani, Mayan, Byravi, Krishanth and Pre-shanth. - 19 Gadebridge Road, Hemel Hempstead, Herts. HP1 3DT.

**Tamil Union of Herts.**

**FORTHCOMING EVENTS**

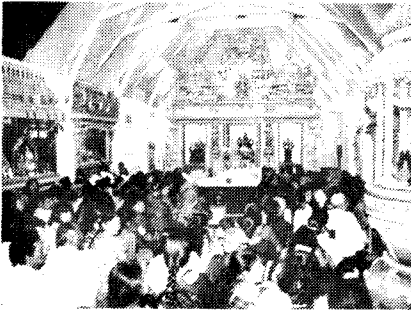
**Jun 1** Feast of St. Justin.  
**Jun 5** South London Tamil Welfare Group (SLTWG) Drop in. Tel: 0181 542 3285; Feast of St. Boniface.  
**Jun 6** Feast of St. Norbert.  
**Jun 9** Feast of St. Ephrem.  
**Jun 10** Eekathasi.

**Jun 11** Karthigai; Pira-thosam; Feast of St. Barnabas.  
**Jun 13** Amavasai.  
**Jun 16** Sathurthi.  
**Jun 17** 7.00pm to 11.00pm Akademi (South Asian Dance in UK) celebrates 20th Anniversary with Boat Party on the Thames, partying, perfor-

mances and refreshments while cruising in a round trip from Westminster to Millennium Dome. Tel: 0171 267 1456.  
**Jun 18** Shashti.  
**Jun 19** SLTWG organises Trip to Hastings. Tel: 0181 542 3285.  
**Jun 21** Aani Uthiram.

**Jun 24** Eekathasi; Feast of the Birth of St. John Baptist.  
**Jun 25** Pirathosam.  
**Jun 26** SLTWG Founder's Day Celebrations. Tel: 0181 542 3285.  
**Jun 27** Feast of St. Cyril of Alexandria.  
**Jun 28** Full Moon.

## Sri Raja Rajeswary Amman Temple, Stoneleigh, Surrey, UK Maha Kumbabishekam



Another brand new Hindu Temple with magnificent South Indian Architecture arose in our midst last month - this time in the leafy quiet suburb of Stoneleigh (near Kingston & Epsom), Surrey. Absence of a Tall, Colourful and very conspicuous Gopuram, as seen in South Indian Temples aside, this temple, situated in the back streets of Stoneleigh's shopping parade is somewhat difficult to find But once you locate the temple and find a suitable place to park (the recurring problem faced by almost all temples in this tiny island known as Great Britain) you will find yourself entering a shrine of Sri Raja Rajeswary (Consort of Lord Shiva) in its full glory - a temple into which not only money, but sheer hard work had been poured in. The qualified Sculptors from South India had worked closely with the Temple Engineers and have erected this majestic structure which speaks volumes of our religion, our culture and our rich heritage at a time when it is under threat from all sides.

The Temple has Sri Raja Rajeswary Amman as the main deity with Ganesh & Murugan on her right and left respectively. Lord Narayanan, Lord Shiva in his form as Lingam, the nine planets (Nava Grahas) are also enshrined at this Temple. The deity of Vairavar - present in every temple in Sri Lanka and sometimes occupying a separate temple for himself in open lands and street corners finds pride of place in the Stoneleigh Temple complex.

The Consecration ceremonies commenced in late March and concluded with the grand finale (Kumbabishekam) on Monday, 5th April. As it was a bank holiday

many thousands of devotees from all parts of Britain (& Europe) descended upon this sleepy town. Well known and well respected scholarly Priests including Sri Viswanatha Kurukkal from Navaly, Sri Sambamoorthy Sivachariar from Madras, Sri Naganatha Sivam from Eastham and many others were invited by the Temple, took part and conducted the ceremonies together with the resident Chief Priest, Sri Swaminatha Sivachariar.

Live Nateswaram which is now becoming common at London weddings was played at this consecration ceremony. The main consecration ceremonies continue for a further period until Sunday, the 23rd May, when the Maha Sangabishekam will be celebrated. For details of opening times and offerings, the temple may be contacted on 0181 393 8147.

Wimal Sockanathan

### Bharatha Natya Arangetram of Saratha



Guests at the Croydon Fairfield Halls, Ashcroft Theatre - including the teachers from 'Croydon High', other dramatists and theatre lovers were astonished at the brilliant performance rendered by Saratha at her Bharatha Natya Arangetram on 4th April 99. She is the daughter of Rajeswaran and Sukhanthi of Shirley, Croydon.

The astonishment was not only due to the fact that Saratha - a Croydon school girl performed like a seasoned South Indian performer, but also because they realised that it was this very same sixteen year old A-Level student who thrilled an entirely different set of audience two weeks previously with her Mezzo- Soprano voice in the school's Musical Production of 'Carmen' by Bizet.

As an active participant of the Drama pro-

ductions at school including 'Hamlet', Saratha also takes part in National Youth Theatre Productions (of Britain's Theatre Land - Shaftesbury Avenue) and is also involved in their latest production 'Into the Woods'.

Bharatha Natyam a traditional South Indian Tamil Dance which places emphasis on facial expressions - also conveys the meaning of the song by the dancer's variety of movements of the head, neck, palm, thumbs and fingers. Such portrayal of expressions with the face and by acting was a simple task for this expert dramatist who handled each item with extreme ease.

The Varnam 'Maye Mayan Sothariye' (Thodi - Aadi) on Goddess Saraswathi was well received. Saratha scored high points on her three Keerthanams and the Patham. The Keerthanam describing the story of God Rama with the nine rasas (moods) was a 'piece of cake' for Saratha.

Lord Shiva's cosmic dance was followed by 'Govindan Kuzhal Osai Kettu' and 'Velan Varuvardi'. I liked Saratha's dual role play as Murugan and Valli in the grain fields where Murugan comes disguised as an old man and teases Valli, and the innocent Valli feeds him with grains and honey and is embraced by the 'old rogue' who fakes a hiccup. Well done Saratha.

Credit belongs to her Guru - Natya Kalai Mani Smt Malathy Jeyanayagam, who trained Saratha for six years. The Guru herself is a disciple of Smt Subathra Sivadasan (of Noopura Kendra) who was the chief guest at the Arangetram. Smt Subathra heaped praises on her student Malathy and 'grand student' Saratha. Seeing the three generations of super stars on stage together, my belief in the Guru sishya philosophy was further strengthened. It says that if you have your Guru's blessings, you have success permanently on your side. One cannot fail to mention the Vocalist Isai Kalaimani Yasodha Mithradas, whose melodious voice added colour to Saratha's Arangetram.

- Wimal Sockanathan

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15 MAY 1999

## Violin Arangetram of Sharna



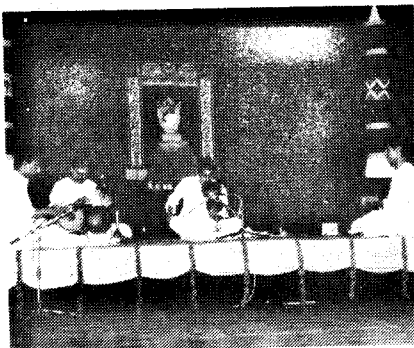
The Violin Arangetram of Dhurgshaarna - endearingly called Sharna by all, daughter of Mr. & Mrs. Shanmugavadivel and disciple of Mrs Kalaivani Indrakumar took place on 10th April at the Walthamstow Assembly Hall, which was filled to capacity. The accompanying artistes were Mr Muthu Sivarajah on Miruthangam, Mr R.N. Prakash on Gadam and Mr Kandiah Sithamparanathan on Morsing. Rev. Fr. A.I. Bernard, Rector, St Patrick's College, Jaffna was the Chief Guest. Mr Pathmanathan Sutharsan and Miss Kalyani Sivagurunathapillai were the comperes. The evening's proceedings started with a pooja performed by the special guest, Sivakama Pundit Rama Naganathasivam Kurukkal, Chief Priest of London Sri Murugan Temple.

Sharna commenced the programme with the Adi thala Varnam in Nattaikurinji and followed it with Adi thala, Tilang raga kirthana 'Sri Ganesha Charanam' and Adi thala, Arabi raga Kirthana 'Sadhinchane'. It was clear at this stage that her sense of rhythm was impeccable and that Mrs. Kalaivani Indrakumar had laid the proper foundation for her pupil. Next followed the Suddha Saveri raga, Kanda Chapu thala kirthanai 'Thaye Thiripura Sunthari', which she finished with a stunning performance in Katpanaswarams. The next few items Kapi raga, Adi thala kirthana 'Jega Thotharama', Shanmugapriya raga, Adi thala kirthana 'Thanthai Thai Irunthal' and Jhonpuri raga, Adi thala kirthanai 'Eppo Varuvavo' proved her agility and skill with the instrument and in Katpanaswaram creativity.

In Ragam Thanam Pallavi, in Kalyana Vasantha ragam and Kandajathi Thirupata thalam, Sharna displayed her mastery of the art, which would have made her Guru proud of the training, she had given to the sishya. The spirit of the audience continued to be held high in the next three kirthanais, 'Mattunagar Vaviyile', 'Alai Payuthe Kanna' and 'Kuyile Kumaran Vara Koovuvai', This was followed by the presentations, after which she played the Misra Sivaranjani raga Adi thala Thillana 'Velava Vadi Velava' and completed the programme with Thirupugal and

Mangalam. It was an excellent performance which should provide a lot of pleasure and satisfaction to Sharna, her parents, the Guru and her Nadha Vidyalaya. Well done!

## Another String to the Bow



Beck Theatre saw yet another Arangetram on 24th April. This time it was Guru Sri Thiruvurur Kothandapandi who presented on the Violin his first pupil Vithuran, son of Mr. & Mrs. Ragnathan of New Malden, and student of the Kingston Institute of Tamil Culture.

The programme commenced with a Varnam, a Lalgudi Jeyaraman composition in Bhaudhari raga, in the orthodox style and was followed by a Deekshidar kriti, Sithy Vinayagam in Shanmugapriya. It became clear at this stage that Vithuran had a clear sense of nuance and rhythm. He had got over his initial nervousness and was handling the instrument with confidence and ease. The recital continued with two Thiagarajar pieces, Sarasa Samathana in Kapinarayani and Sathinchene in Arabhi. He went on to elaborate the Raga Lathangi and played Marivera in Kandachapu thalam. It was a courageous effort at an arangetram and Vithuran came off with flying colours with due credit to his Guru.

After the intermission, we had Ragnathane ninne in Swararajani, another Thiagaraja kriti, which rekindled the tempo of the concert for the second half and what followed was Ragam Thanam Pallavi in Kharahapriya and Kandajathi Thirupudai thalam. The raga elaboration and the kalpana swaras were a delight to listen to. The sillarai including Alai Payuthe were well played. It is suggested that some other Kriti of Oothukadu Venkata Subbaiyer be substituted in place of Alai Payuthe which has had its run at most arangetrams for several years. The audience were entertained by a 'thani avarthanam' of Sri P. Kirupakaran on Miruthangam and Sri R.N. Prakash on Gadam, in Kandajathi Thirupudai instead of the usual Adi or Rupakam thalams. Both of them provided excellent accompaniment to the debutante.

Mrs. Sivasakthy Sivanesan, the well known carnatic Vocal and Veena teacher

cum artiste was the Chief Guest, Dr. A.M. Dempsey, the Headmaster of Vithuran's school and Mr. Edward Davey, the local Member of Parliament were the Guests of Honour.

The compering of the show was done quite elegantly and with confidence by Vithuran's sister, Yarlina. The entire proceedings moved very smoothly, which was a credit to the organisers. Guru Sri Kothandapani and Vithuran's parents have every reason to be proud of what has been achieved.

- Hindolam.

## Dr Indra Kumar's Books Launched in UK

Two Tamil books authored by Dr K. Indra Kumar were launched in the UK recently. At a function hosted in East London by the newly formed 'Tamil Chamber of Commerce', the books were released with Councillor Paul Sathianesan of the Newham Council presiding and Mr Ravi Tamilvanan, Managing Director of Manimekalai Prasurem, Chennai, the publishers of both books attending as Guest of Honour from India.

'Vinvelliyil Veerakaviyangal' (Epics in Space) had already won the first prize from the Tamil Nadu Government in India and Dr Indra Kumar went to Chennai from London to receive the award personally from Kalaigarnar M. Karunanidhi, the Chief Minister of Tamil Nadu.

The other book 'Diana Vanchittara? Vanchikappattara?' (Diana - Victim or Victimised?) was very recently published and had already been launched at Chennai and Toronto amid lots of fanfare and publicity.



The above picture shows Mrs Anandi Sooriyaparakash (B.B.C. World Service - Tamil Section) congratulating Dr Indra Kumar after receiving the first copies of the books in the presence of Mr Ravi Tamilvanan (standing) and Poet Aranga Murugaiyan. Mr R. Gunaratnam Pioneer Industrialist from Jaffna also received a set of first copies.

The two books received very positive reviews and accolades from a distinguished array of Tamil literary figures and critics in the UK.

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