

JVP's Call for a 'Black-Day' on the 8th



Tilvin Silva and Vijitha Herath distribute leaflets opposite Fort Railway Station on Wednesday.

Every right thinking citizen of Sri Lanka will undoubtedly be happy to see an amendment being made sooner or later to do away with the Executive Presidential system. Out of the two proposals in the 18th amendment, the one to deleting the clause that restricts the number of presidential terms to two, is quite logical, but the other one for replacing the CC with a five member parliamentary council will certainly cripple democracy. The amendment being passed with the required two-thirds on the 8th is now foregone conclusion, considering the rate at which Jumbos are declaring in favor of the proposal. When all the leaders mollicoddled the LTTE, MR dealt with them the proper way. Let's hope and pray that he carries on with his good work and will not be a dictator.

At the end of every presidential term, it is the voter who has the final say on who is going to rule the nation as their Executive President for the next six years. So, of what purpose is this hue and cry? The voters rights will remain intact, in simple terms the constitution itself will guarantee the sovereignty of the people by assuring them of their right to decide if its x, y, or z that is going to reign, irrespective of the number of terms their choice has already served. Isn't the Bill to amend the said clause a further strengthening of the people's sovereignty?

The parties opposing the move The UNP and JVP are planning a day of mourning or a nation-wide 'Black Day' on the 8th. Being rejected by the people at successive elections, the 'Rathu sahodarayas' down from 39 to 3 seats in parliament, are compelled to try something new.

K.K.S.Perera.
Panadura

Global Warming and its probable Consequences

Global warming, due to carbon dioxide (CO₂) emissions by uncurbed human activities, has melted ice caps and mountain glaciers, causing an increase in sea levels; many scientists believe that if this is not arrested, it will bring about hurricanes, volcanic eruptions and also tsunamis in quick succession as is increasingly becoming evident today.

Scientists also point out that a layer in the atmosphere, caused by natural emissions of CO₂, water vapor and

gases, (other than gases created by burning fossil fuels and emitted by combustion engines etc) absorbs the heat emanating from the sun, thus preventing its radiation to the lower atmosphere.

There is no denying that there is destruction of the environment today, more than ever before by way of tree cutting water disposal, renewal of energy etc.

It is stated that 34000 people die every day for lack of proper drinking water and that 1.5 billion people lack

access to clean drinking water and this would double in 2025!

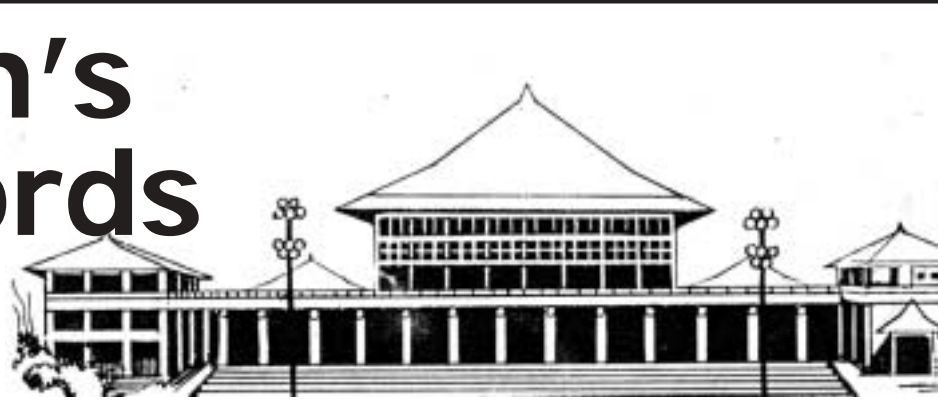
Burning of fossil fuels for energy and using other pollutants, is said to be bad naturally and, should as far as possible be avoided giving place to natural ways of generating energy that may be slower or costlier, but is certainly people friendly-whether it does or does not affect GW; for instance where there is a dearth of electricity, affordable and environmentally friendly energy must be sought to solve the problem.

Oscar E V Fernando



Nadesan's wise words

The indecent haste with which two far-reaching amendments to our Constitution are being rushed through our Supreme Court and our legislature, took my mind back to 1972. In that year S. Nadesan QC, counsel for Reggie Siriwardene, Secretary of the Civil Rights Movement, was making submissions on the time limit within which the Constitutional Court must give its decision, together with its reasons. The Bill then in question related to the Press Council. This is what Sri Lanka's great crusader for human rights, whose legal skill was matched only by his passion for jus-



tice, said:

"What is contemplated is a judicial decision as to whether a provision of a Bill is inconsistent with the constitution. A judicial decision means that the court must judge conscientiously and as correctly as it possibly can. To do this the court must first inform itself regarding the arguments for and against, read the authorities cited, and make up its mind. The human mind is not an automation which can be called

upon to make a decision in a limited time without regard to arguments, reasons or precedents. A judge should be convinced of the correctness of his decision before he decides. If he decides with a mental reservation that he has not had time to explore all aspects of a question, he should not decide, as he may decide wrongly, and thus the citizens may be deprived of the benefit of an important safeguard."

Suriya Wickremasinghe.

Ethnic cleansing in France

I am sure Sri Lankans who keep tabs on world news would have noticed new anti-crime measures in France. Sarkozy, the conservative President, made unprecedented moves to expel Gypsies or 'Roma' folk who are in France and send them back to their home countries. In the meantime, polls in France show that at least 65% of French people back the policy, even though there were a few protests against this move by about 100,000 people on Sept 5th.

About 1,000 Roma (Gypsies) returned to Romania and Bulgaria from France last month, while official figures record that 11,000 Roma were expelled from France last year. In most Western European nations, the Gypsies or Roma are viewed with suspicion and are generally known to be petty criminals. I was once almost pick-pocketed by two young Roma girls at the Chatelet Les Halle Subway station in 2008. The Roma people were also persecuted and murdered by Nazi Germans during World War 2.

In contrast, the EU and France have had a history of turning a blind eye towards Tamil Tiger terrorism in Sri Lanka. Tigers openly raised funds in France and had political offices even in



Protestors holds signs during a demonstration regarding the Roma in Brussels on Thursday, Sept. 2, 2010. Amnesty International staged the demonstration in front of the Slovakian embassy on Thursday and called on EU nations and their neighbors to stop discrimination against the Roma population. (AP)

Paris. When the Sri Lankan Ministry of Defense (for national security reasons) wanted to move about 1,000 undocumented Tamils who could not explain why they were in Colombo at the height of the war with many bombs (including suicide bombs) going off in Colombo and the suburbs, the Human Rights activists

raised a hue and cry about ethnic cleansing. The incident was used to smear the legitimately elected government of Sri Lanka fighting the toughest, most devious separatist movement in the world. No one was jailing these people but they were just asked to go back to their homes in the interests of national security. The Roma people have never been known for deploying suicide bombers.

I wonder if the EU will pass sanctions on its biggest member and if the media will raise cries of Ethnic cleansing when an entire group of people are targeted and profiled because of a few pickpockets (and not suicide bombers). Switzerland voted to ban Minarets. France banned the Hijab and England is to follow suit. I find the duality rather queer.

I would like to see the western funded Colombo human rights activists joining the fray and going to France to condemn this inhuman move. I wonder if they will get visas to do that if they tell the French Embassy they want to go to France to demonstrate against ethnic cleansing of the Roma people.

Mano Ratwatte
USA

Appreciation

Lakshman Jayakody

In the wake of the demise of Dr.Ray Wijewardene, comes the sad news of the death of Lakshman Jayakody, another gentleman of the same calibre, both essentially farmers, but different in their other fields of interest. I had the good fortune to know Lakshman J., too,



Lakshman Jayakody,

first as an MP, then as a Cabinet Minister and last, more closely, as a fellow albeit, senior, Advisor to President Chandrika Kumaratunga. It was here that his simplicity impressed me most. We were both first accommodated in a fairly spacious and comfortable office room in the Presidential Secretariat, but one day the Secretary to the President Balapatabendi told me that I have to give this room to Anura Bandaranike who, after his sojourn in the political wilderness, has come back to the fold of his sister, Chandrika. I thought that this 'quit order' will apply only to me because, Lakshman J. and Anura B., coming from the same background, could share the large room. But, when I mentioned this, Lakshman J. said, "No, Wije, I would like to share a room with you, rather than with Anura" and moved gladly to the Secretary's visitors' room which was re-arranged for me. That was his humility. There, I was able to observe at close quarters, how much he cared for the down-trodden, especially in Gampaha area, though he was no longer an MP or Minister. Then, when I moved over to the Cabinet Office for my second stint there, he used to send me notes or call me to get my intervention on behalf of those who came to him for help in official matters. The notes remind me of his beautiful handwriting, like that of Late Dr. Jayantha Kelegama, a contemporary of his at Trinity College, Kandy, where he, incidentally, played cricket in the school team captained by another of the same first name, but spelt differently, Late 'Laxman' Kadirgamar.

May he attain the bliss of Nirvana !

D. Wijesinghe,
Pretoria- South Africa.

Who is responsible for the CFA?

The highly respected former diplomat Jayantha Dhanapala in his evidence to the LLRC, has stated as follows. I quote from the Daily Mirror of August 26th.

"They are not in the least bit concerned about constitutional reforms. What concerns them is their inability to make a complaint to the police due to language barriers, the shortage of property to meet the needs of the people, and other basic needs. Some 99 per cent of the people say they want to be treated like equals. They are not interested in mega projects taking place in the area." Mr Dhanapala has further stated as follows in reply to the response from the Chairman that these problems could still prevail even in the presence of a good constitutional document. "The constitution of any country is the bedrock of the law. Not addressing these issues is a betrayal of the aspirations of the people."

In this connection I wish to draw attention to my letter to the editor published in a recent edition of your newspaper under the title "Why dig the past?" written after the appointment of the LLRC, where I stated as follows.

"While the appointment of the commission is commendable, its real task should be to look forward towards a long term solution to recon-

ciliation very seriously. It should be borne in mind that, except for a few extremists, members of the Tamil community are not interested either in Eelam or federalism. They are not even interested whether the government wants to move beyond the 13th amendment or not. What the Tamil community wants are their basic simple rights such as the right to receive official letters in Tamil and the right to have their statements recorded in their own language in any police station. They want their day to day services performed by the government without harassment as in the past. They want the freedom to move about freely in any part of the country without being questioned at check points simply because they are Tamil. They want all those who have been displaced from their original homes to go back to their own homes at the earliest opportunity. Above all, they want to forget the horrors of the past and live in peace and harmony with members of the other ethnic groups just as they did prior to 1983.

These then are some of the issues which the commission is required to address. They should look at the institutional and informal mechanisms required to achieve reconciliation. They have to find cultural, religious, and other



Jayantha Dhanapala

bridges to bring all the communities together. This should be the real and specific task of the commission and not to waste their time digging into the past to find out individuals or groups responsible for what happened in those dark years."

While I have myself been a senior state official, I do not wish to have any claim to be anywhere close to Jayantha, the highly respected and reputed diplomat whom unfortunately I never had the opportunity to meet since our Peradeniya University days. However, I hope Jayantha has no objection to my stating that "great

minds agree!"

On the title of this article, I wish to draw attention to items (a) and (b) of the terms of reference of the LLRC which states as follows.

(a) The facts and circumstances which led to the failure of the ceasefire agreement and the sequence of events that followed thereafter up to May 19 2009

(b) Whether any person, group, or institutions directly or indirectly bear responsibility in this regard.

The two state officials who should have been very much involved with the preparation of the CFA, namely former Defence Secretary Austin Fernando and the former head of the Peace Secretariat Bernard Tillekaratne, have both denied any involvement in its preparation, and have very firmly declared that they knew about it from their ministers only when it was known that a CFA was to be signed with the LTTE, making it very clear to the commission that they should not in any way be held responsible for the CFA. My good friend and former SLAS colleague Austin Fernando unfortunately made a big blunder when he went beyond declaring his ignorance by stating that he first knew about it from the army and navy

commanders, with the latter making a strong denial of this statement and making a statement to the press that they themselves were not kept informed on this matter. This then brings us to the question "Who then is responsible"? This question has been posed in two well written articles, one titled "The now nobody's child which is the CFA and the conscience factor" by Lyn Ockersz in your edition of August 26th, and the other titled "A disaster in our history... will the real authors of the CFA please stand up?" in Straight Talk by Shyamalee Tudawe in the Daily Mirror of August 27th.

The clue to this question perhaps lies in my same letter referred to above, where I have stated as follows.

"The ceasefire agreement, its failure, and subsequent events such as the failure of peace negotiations, the elimination of the members of the Special Intelligence Unit, the decimation of members of the armed forces and civilians by the LTTE, and all other events that followed are now history. The President and the Government with the full backing of the armed forces and the people completely eliminated and achieved victory over terrorism and withstood all international pressure to achieve these objectives. The President, by his bold leadership, has finally created an environ-

ment where people can get about freely without threats of bomb explosions, an environment where the country can now move forward toward a robust economy, development, tourist inflows, and investment without any fetters or fear of terrorism. This is all that matters.

Why then go back to inquire into what happened in the past and who is responsible? Everyone knows what happened, why the ceasefire failed, and all the subsequent events. These should also be well documented in the report of the APRC experts' committee and in several other books and documents written by well known academics. There is no need at all to reinvent the wheel. Why should the eminent persons on the commission waste their time going back to history? Is it meant to target any political parties, groups, or individuals who have not found favour with the present Government? If so, these eminent members of the commission should not be made the instrument to achieve this objective."

I leave it to the LLRC and the people of this country to answer the above question and also the question posed in the two articles referred to above in the Island and Daily Mirror.

Nimal Bhareti