

The main points of a speech made by **Lucien Rajakarunanayake**, journalist and member of the Action Committee of the Free Media Movement, at several public meetings organised by the movement in Colombo and at other centers is reproduced below.

THE CASE FOR A FREE MEDIA IN SRI LANKA

What is the Media Freedom that we are concerned with? It is a wrong notion that media freedom means merely the right to publish newspapers. It is more than that. It is not the ability to publish news. That is only one aspect of it, as the news can also be totally one sided.

The media freedom that we seek today is a much wider concept. It is, firstly, the right of the people of this country to be informed of the truth about matters that affect their day to day lives, the truth about the pressing and significant developments and crises in our society. It is about politics, about war, about education, about AIDS, about the environment.

Media freedom is inextricably involved with the defence and growth of democracy. A society that has no access to information about the events that affect it most will be in no position to take the democratic decisions needed to provide solutions to the problems facing it.

Take the situation in Sri Lanka today. In my view there are two key issues facing our society. The first is the war of separation in the North and East, the other is the future of democracy.

What do our people know about the war that is taking such a toll of lives of Sinhala, Tamil and Muslim citizens? Do we really know how many Tamils, call them Tigers or plain Tamils, have been killed in the past two years since the fighting resumed? Can we not see that official sources of information about the battlefield have fallen victim to the Westmoreland Syndrome which was seen in the Vietnam war? If 10 US soldiers died in action, the dispatches added that at least 50 to 100 Vietcong were killed. Are our official reports not doing the same? When 3 soldiers are killed, we are told that three times three Tigers were also killed. Fancy estimates of Tiger deaths are given which can never be verified. Journalists have often noted that the casualty rates for Tigers given by official sources tend to make it five to ten times the government casualty rate in major operations.

Should not the people know why Sinhalese and Tamil youth are dying in such numbers? Is there a need for such killing? Do they not have a right to be informed of these things? Should not the people know how much is spent on the purchase of a single tank? Should this be kept a secret from the public of this country? If an aircraft crashes, should not

the public, who paid for it, know how it happened? Are these military secrets? Why did an aircraft which carried explosives also carry fuel and 13 airmen? Is it democracy to deny this information to the people?

Isn't this the principle of accountability which flows from the financial burdens the people are called upon to bear for the prosecution of this war? This is what we seek when we ask for the right to information. This is the essence of democracy.

The FMM demands that the constitution of Sri Lanka should be suitably amended to include the right to information as a justiciable right of the people in addition to the existing clauses ensuring freedom of expression, which should also be strengthened. Isn't it significant that our country that subscribes to the UN Declaration of Human Rights, includes freedom of expression in its constitution but not the right to information?

It is the lack of information that prevents our people from discussing the realities of this war. Why cannot our people openly discuss the possibility of separation as a solution to the ethnic conflict? Are we to wait till separation is imposed upon us as the only solution to end this slaughter of youth on both sides, this senseless killing of civilians?

Second, there is the question of the freedom of the media in the context of democracy. This involves the freedom of newspapers to publish what they wish without fear of threats from the State or any other quarter.

While the press was involved with the freedom movement in the pre-independence period, in the immediate aftermath of independence there was some degree of freedom of the press, due to the liberal attitudes of the leaders of that time. This freedom was also the result of prevailing economic conditions; there was the relative economic prosperity of the post-war period. And the social tensions of the post-colonial period had not yet surfaced. But as the economy worsened, and social tensions emerged, the freedom of the press began to diminish. This has happened under every government, under every political party or coalition which held power since the early 1950's.

The press was muzzled to deal with the Hartal of 1953. The left-wing 'Trine' was tried for sedition. Emergency powers used to curb the reporting of trade union news during



strikes. The first SLFP government of Mrs Bandaranaike, supported by the Left, sought to establish a Press Commission in order to regulate the press. The subsequent UNP Government, under the so-called liberal Dudley Senanayake, did not hesitate to place restrictions on the transport of opposition newspapers. State advertising was always denied to newspapers critical of government policy.

The United Front Government of the SLFP, LSSP and CP took over the largest newspaper group - Lake House - and helped create an even worse monster, with full State patronage and authority. Mrs. Bandaranaike's government sealed the Sun Group of newspapers.

The UNP which defeated the SLFP and came to power in 1977 with a pledge to undo the take-over of Lake House was no better. It retained control of Lake House. In addition it took over the Times Group as well. That was during the Jayawardena government. The Premadasa UNP government which followed continues to retain Lake House. Several of these governments also imposed restrictions on the 'Aththa' and other organs of the opposition.

In Jaffna, the LTTE has banned the only regional newspaper in the island - 'Eelanadu'. The JVP not only enforced a boycott of certain newspapers but even killed those who sold or read newspapers which it did not like. Today's leaders of the DUNF, when they were in power in the UNP, did not oppose the curbs on press freedom and the blatant use of Lake House and radio and TV for government and party propaganda. There is no political party which has held even a modicum of power through legal means or through terror that has not acted against the freedom of expression, the freedom of information and the freedom of the press. They are all rightly tarnished with the same brush, as far as media freedom is concerned.

What do we have today? The media remains curbed in many ways. The most obvious is the control of government advertising. How is it that a government which claims to believe in a liberal economy decides, at Cabinet level, the newspapers to which departmental and state corporation advertising should be given? Is that not a means of controlling newspapers? Why should the organisation that sells State Lotteries not be given the power to decide which newspapers it should advertise in, on the basis of the target market among lottery buyers? It is hardly a secret that the government exercises some control over private newspapers through the State-owned banks from which these newspapers seek loan facilities.

Why does a government which has liberalised the import of almost everything from luxury cars to kiddies' toys continue a licensing system for the import of newsprint, the most important raw material for a newspaper? Isn't it curious that a country which claims to have a fully liberalised economy with complete market orientation, and a Free Press, has three very significant items imported under licence? They are explosives, narcotics and newsprint.

Of late there is also the regular use of the laws governing the Powers and Privileges of Parliament to curb the freedom of journalists. Privilege issues are becoming a common feature of parliamentary business, in a system where, under the existing law, Parliament is both prosecutor and judge on matters of privilege, unless it decides to refer a matter to the Courts.

There is also the new use of the principle of sub judice to curb publication and discussion of matters of public interest and importance, and the recourse to the laws of sedition, available under Emergency Regulations, again to curb the publication of news important matters which affect the public and democracy and so stifle information and discussion.

There are other means of curbing the press, too. There are the overt and covert threats to newspaper proprietors and journalists. The whole system of unseen threats is intended to create a mood of self-censorship among newspapers and journalists. Not satisfied with that, there are the more direct threats too—threatening phone calls, the recent open attack on journalists covering an opposition political event in the city, the stabbing of cartoonist Yunoos; attacks on journalists by the police, government politicians and their supporters are also becoming a regular feature.

What is even more tragic is that attacks on journalists are now being perpetrated by politicians and their supporters in Opposition ranks as well. The fact is that all our politicians see the journalist as a threat to their freedom to mislead the public for political gain.

The FMM demand for a Free Press does not end with newspapers that are free of state control. Radio and television have never had freedom of any sort in this country, under any government. They have always been controlled and have always been the mouth-piece of the party in power. There can be no media freedom in a country where the largest newspaper publishing organisation—Lake House—, the only radio station, and two of the three TV channels are under state control. Even the one private TV channel, which began operation recently, is not permitted to air local news. While the two state-owned TV channels dish out the same news bulletin, the private channel broadcasts the BBC-TV news which is pre-recorded; however, if the news of the day has a reference to Sri Lanka, the telecast is not shown due to sudden 'unfavourable atmospheric conditions.'

None of this is the condition of a healthy democracy. It is worse when we live in a society, which, although used to the ballot, still has some regard for feudal, authoritarian values, is easily intimidated by power, and where free elections have not taken place for over a decade, although several polls have been held.

It is now even worse in a situation where there are only a few agencies of the state ready to strengthen democracy. Recent experience has shown the people that they cannot



depend solely on parliament to safeguard democracy. We cannot depend solely on the Courts to defend democracy, either.

That is why the Free Media Movement was launched by a group of journalists from several newspapers—the mainstream press and what is conveniently referred to as the Alternative Press—journalists with varying political views and positions, to bring to the public the truth about the media in Sri Lanka, and to create a public opinion which we hope will force all political parties to place the question of media freedom high on the agenda of their political programmes.

Our struggle is not for higher wages, although it is a fact that journalism is among the worst paid professions in the country. Our demand is not for special favours such as houses or pensions, although journalists do have these needs, just like other sections with fixed incomes.

Journalists in Sri Lanka have for too long isolated themselves from the public, mainly due to false elitist attitudes, and because they did not fully realise the threat to the broader freedoms of society through the threats to the right to free expression. We now realise the time for such separate existence is over, because the freedom of the citizen is necessarily linked with the freedom of the journalist. The right to information of the citizen is dependent on the freedom of the journalist to inform. In short the absence of a truly free media means the absence of democracy.

We are not a political organisation in the sense that we have no affiliation with any political party. But what we discuss is certainly the stuff of politics, for which we make no apology. We do not ask for the overthrow or the defeat of the government. We hope that the government in power will remedy the wrongs we draw attention to. However, if as a result of what we say and explain, the public is helped to make up its mind and to act politically in any particular way, then that is the right of the public.

We are aware of the threats faced by those who demand greater democracy in our society. If we were to be curbed by such fears, we would then be content to write only the weather reports. We believe that our task and action has relevance to the prevailing social condition. The FMM is ready to go among the public to create public opinion for the following demands, and call upon all political parties of the right and left, or even the middle, to state their position clearly on these issues. We demand such statements well ahead of the next election, because the public has a right to know what their policies are on these issues.

- Free Lake House from government control. As an initial measure, implement the existing legislation which provides for broadbasing the ownership of Lake House. It has been ignored by the SLFP

Government which took over Lake House, and the subsequent government which was elected on a pledge that it would undo the take-over. Give the public a time frame by when this would be done.

- Free Radio and TV from State ownership and control. If the State needs a channel for Radio and TV information or even propaganda, keep it, but allow private radio and TV stations to compete freely, vying for licence fees, advertisements with the right to the free broadcast of news.
- Introduce an amendment to the Constitution to ensure the Right to Information in keeping with the UN Declarations and the International Covenants on the subject.
- Repeal the present Parliamentary Powers and Privileges Act which is used to curb and intimidate journalists, and remove from parliament judiciary powers in deciding on matters of privilege.
- Stop the use of laws against sedition to harass and threaten journalists and newspapers, thereby preventing discussion on matters of urgent public interest.
- Stop resorting to the principle of sub judice to prevent debate and public discussion of matters of public interest, which are before the Courts, which can in no way influence or affect the findings of a learned Court of Law. Stop the new habit of running to the courts with a plaint to obstruct discussion of public issues in the Press and Parliament.
- Stop the control of Government advertising in a manner detrimental to the freedom of expression.
- Allow the Free Import of newsprint.
- Make a public declaration condemning attacks on journalists by the Police and political thugs, and explain what measures your political party would take to prevent such attacks in the future.

These are the minimum demands of the Free Media Movement. We call upon all political parties to state their position on them, and enter into a dialogue with us and the public on these issues.

This is only the beginning of this campaign. We will take this message to the people in every part of the country. We call on the public to discuss these matters in their political parties, youth organisations, trade unions, social and community groups. We assure the public that the Free Media Movement will carry on this campaign whatever political party is in power, in the larger interests of democracy in Sri Lanka. ■