

patrons, a variety of profit-seeking businesses, associated with temples or monks, appear to flourish in urban centers. Meanwhile, Buddhist links with international capital too are growing, indicating that large scale capital accumulation is welcome in these expanding islands of ecclesiastical capitalism. Yet these are not encouraging indications of a modernist economic or social transformation within the organized Sinhalese Buddhism; they are only symbols of a deformed modernity.

The task of coming to terms with these transformations is complicated by the unwillingness of the Buddhist intelligentsia to accept the need for reforms. Nevertheless, Buddhism, like all other religions, has never been static. Except for those bigots who claim doctrinal purity, there is no inflexibility towards innovation, incorporation and change in the popular construction of Buddhism. Popular Buddhism is flexible, pluralistic, and non-exclusivistic. It can induct into its pan-

theon of worship even a living god-man of Hinduism, once denounced by the rationalist Mr. Kovoov as a con-man. The point then is that there is ample structural space for a modernizing agency also to intervene in contemporary Sinhalese Buddhism.

However, contemporary debate among leading Buddhist intellectuals in Sri Lanka does not address these issues. Rather, it attempts to take Buddhism back into the past, to the antiquated world of pre-capitalist orthodoxies. Opposition to the ordination of women, antipathy to Mahayana Buddhism, and the militant opposition to any form of Buddhist intervention in seeking a peaceful resolution of the ethnic question are some recent examples of this fundamental lacunae in the contemporary Sinhalese Buddhist intellectual formation. ■

Notes and Comments

Banning the LTTE: From Narasimha to Ranasinghe

The banning of the LTTE by the Indian government has led to a new controversy in Colombo. Opposition political parties, groups and sections of the press are demanding that the Sri Lankan government too should proscribe the LTTE.

It is difficult to understand the logic behind the 'ban LTTE' campaign, because for all practical purposes the LTTE is being treated by the Sri Lankan government as an illegal entity. The war that the armed forces of the state are engaged in is exclusively against the LTTE. In Colombo and elsewhere in the South too, suspected LTTEers are being arrested and detained on a regular basis. Unlike in Tamil Nadu, there are no newspapers, political parties or individuals here to campaign openly for the LTTE. Besides, banned or not being makes no difference at all to the LTTE in its military campaign in the Northern and Eastern provinces of the island.

Examining opposition reasoning, one would fail to find a compelling argument for the proscription of the Tiger movement. What exists is merely a reactive proposition; 'Rao has done it; Why should Premadasa not do it?'

The meaning of the opposition campaign, nonetheless, has to be found elsewhere, in their current strategy to make

things rather difficult for the Premadasa administration. In the aftermath of a sustained campaign carried out by Sinhala chauvinist newspapers against the Thondaman proposals, the opposition parties appear to be ready to pick up the thread fallen from the grip of Gamani Jayasuriya and company.

If the Premadasa administration is compelled to ban the LTTE—let us not forget that this is a populist regime—it will certainly rule out, in the short-term, any room for political negotiations with the LTTE.

As Prime Minister Narasimha Rao is reported to have said recently, the LTTE is not India's problem; it is Sri Lanka's problem. The ease with which the Central and Tamil Nadu governments in India have moved from friendly to adversarial dealings with the Tigers, depending on changing circumstances, is not available to Sri Lanka. It would perhaps be easy to ban the LTTE with a mere legal stroke. Yet, what next? Obviously, Minister Thondaman may not again propose talks with an illegal organization. Nor would groups of Christian or Buddhist clergy feel comfortable anymore to go to Jaffna for peace parleys with LTTE leaders. Extremist Sinhalese groups and even anti-LTTE Tamil groups will also be jubilant with a sense of accomplishment. But, what then? Then, there will remain a very big question mark. →

The crux of the matter is not the legal banning of the LTTE, blindly reacting to the Indian government's rather well-planned and crafty move. It is the difficult question of dealing with the Tamil people politically in such a way that the LTTE's militaristic grip over Tamil society is weakened and the space for a political solution created. Until the South seriously addresses itself to this compelling political need, the LTTE may be banned a hundred times, yet with no avail.

Select Committee

The rumpus at the Jayawardenapura parliament, between the ruling UNP and opposition parties, has been going on for a few weeks. The goings on inside the legislative chamber have been, judging by newspaper reports, rather acrimonious. The government's refusal to heed opposition demands for parliamentary debates on the Udugampola disclosures and on the Election Commissioner's report has led to this new and vigorous phase of conflict inside Parliament.

An unfortunate victim of this government-opposition rancor is the Parliamentary Select Committee on the ethnic question. Headed by the affable Mangala Moonesinghe, SLFP MP, and constituted by all political parties in Parliament, the Select Committee has been achieving slow but commendable progress towards working out an all-party consensus on a political alternative to the ethnic war. Many reasonable people in Sri Lanka and the diplomatic community in Colombo had pinned their optimistic hopes on the Moonesinghe Committee, because, as Anura Bandaranaike of the SLFP was reported to have said, this was the last chance for peace in Sri Lanka.

Now the SLFP has decided to boycott joint parliamentary activities with the UNP, as a response to the latter's treating the opposition with disdain. So, the SLFP will not take part in the Select Committee proceedings until the UNP has corrected its parliamentary behaviour.

As we have repeatedly pointed out, the ethnic question is too serious a matter to be subjected to partisan political interests. Will our political parties ever be able to stand above party politics and treat the ethnic question as a national question of paramount importance?

The Clergy as Moral Guardians

The clergy, both Christian and Buddhist, are very much in the news these days. Among the many causes they have found important to fight for is the protection of the moral purity of innocent natives from marauding Western tourists.

All this started in Negombo last year when a group of Catholic priests started a campaign against AIDS and tourist hotels. Then came the Iranawila campaign to protest against the proposed setting up of a VOA transmission station and

a tourist hotel complex. This latter campaign, which was joined by the Bishop of Chilaw and some left-wing academics, was so strong that the government now appears to have shelved the tourist hotel component of the Iranawila project.

'Sex is Sin' appears to be one major assumption of these priestly protestors in Negombo. According to reports, the police too have joined this anti-sex campaign of moral purification. Meanwhile, the fear of AIDS, propagated by the church and the police, has gone beyond the good intentions of these moral preachers. In the Free Trade Zone near Negombo, where thousands of young female workers are employed, many young women are now being stigmatized and harassed, because they are suspected to be AIDS carriers. Misplaced religious radicalism, as in this particular instance, can easily be turned into moral policing and social conservatism.

Not to be outdone by the action of the Catholic church, the Buddhist monks too have initiated an anti-tourist hotel movement. The venue has shifted from the Catholic coastal belt between Negombo and Chilaw to the Buddhist hinterland, to Dambulla where an ancient Buddhist temple of great artistic and architectural value is located. A private company in Colombo has started building a tourist hotel, overlooking the Kanadalama irrigation tank. The site would certainly have been a great attraction to tourists, both local and foreign.

The Dambulla protest appears to have led to some unsavoury developments too. A sudden fire at the Dambulla temple is reported to have destroyed either a part of the library or some documents pertaining to title deeds to temple property. The temple, in any case, owns over 20,000 acres of land—a prime land owner in an area where peasants are generally landless. Who set fire to which particular building of the temple? What specific documents have been destroyed? Answers to these vital questions still remain unclear, although a section of the Sinhala press and the *Hela Urumaya* ('Sinhalese Heritage') wing of the SLFP have launched a vigorous campaign to denounce the 'traitors.' In any event, when propagandist hysteria sets in, the press goes for headlines and slogans, not necessarily for the facts.


This Sangha-led protest against the tourist hotel in Kandalama-Dambulla has a number of interesting ramifications. Firstly, the objections are based on a moralistic argument against tourism. Tourism, as the argument goes, will destroy the traditional village culture, as symbolized in the cultural trinity of *Weva* (irrigation tank), *Dagaba* (temple pagoda) and *ketha* (paddy field). The tourist hotel, it is assumed, will disrupt this symbolic trinity. Tourists, in this case white males of European origin obsessed by all sorts of insatiable sexual desires, will, it is feared, bring in modern diseases to the village.



Then there is the fear of private capital, again born out of moralistic considerations. 'Immorality' of capitalism apart, unproductive landed capital in the village has surely become nervous about the sudden onset of large scale rentier capital from the city, because landless villagers and unemployed educated youth might find the latter more attractive than the former.

There is also a fascinating political dimension to this conflict. The entire Dambulla chapter of the Sangha is reported to have taken a decision not to take part in any ceremony attended by government politicians. They are being supported with a similar resolution by the Sangha of the Sabaragamuwa province. This is indeed a serious business

- boycotting the ruler -, particularly at a time when that ubiquitous entity called the state has been transformed into a form of public spectacle, often visibly enhanced by the saffron robe. Increasing tension between the Sangha and the state—more correctly, the Premadasa administration—is a fact in Sri Lanka's politics in 1992.

Meanwhile, let us assume that the Sangha protests succeed in halting the hotel project in Kandalama. Will the Dambulla temple distribute its 20,000 odd acres of land among the poor Sinhalese Buddhist peasants who are now heroic spectators to a great conflict between the tradition and modernization? 

Sub-Judice?

sub judice (sūb jōō' dīsi or sōōb ū' dīka) a. Underjudicial consideration (*newspaper comment on cases sub judice is prohibited*); not yet decided, still debatable, (*the matter is still sub judice*). [L, = under a judge]

It was a caustic columnist on the *Sunday Island* who put it succinctly: "Sub-Judice..., the officially endorsed doctrine of silence on matters of public interest."

The legal definition, however, of the principle of sub judice is something else. When any matter or question is the subject of a pending judicial proceeding, it is said to be sub judice. Consequently, the discussion of such a matter or question at any public forum is either totally prohibited or subject to certain limitations.

The controversy around senior policeman Udugampola's 'disclosures' (see *Pravada*, March/April) has raised yet another issue of tremendous legal and political importance. Can a public discussion of a serious political issue be stalled, because some matters pertaining to it are before the courts, pending a judicial decision? While the government is firm on the applicability of the sub judice principle to the Udugampola revelations, the opposition thinks otherwise. Still more, emerging legal opinion on the issue is critical of the government's stand.

The brief history of this sub-judice episode is also the story behind Udugampola's Black Cat tales. When the newspapers published in early April excerpts of so-called affidavits circulated by Udugampola, the AG's department went into action, filing two cases, one against Udugampola himself, and the other against *Aththa*, the Communist party newspaper. The charges were framed under emergency regulations.

Now there are two more cases filed. *Yukthiya*, a weekly Sinhalese tabloid which published some of these controversial stories, is charged for defamation. A second case against Udugampola relates to the charge of incitement against the state.

For the opposition, which was gleefully hopeful of another opportunity to mount a vigorous campaign against the Premadasa regime, these legal actions created difficulties; the government

took cover under the sub-judice principle to say 'no' to even a parliamentary debate on the Udugampola disclosures. When the motion for such a debate was presented in parliament, the opposition MPs are reported to have made references to incidents described by Udugampola. However, these references will not appear in the Hansard, the official report of parliamentary proceedings; the sub judice principle, strictly applied, would mean that these references would be expunged from the Hansard.

The controversy about the feasibility of a parliamentary discussion on a matter under judicial investigation centres on the interpretation of Standing Orders. According to Standing Orders governing the business of Sri Lanka's parliament, no reference can be made to any matter which is under jurisdiction by a court of law or to any matter on which a judicial decision is pending.

However, the issues involved in this particular episode of sub judice are not ordinary ones. Whether substantiated or not, they entail profoundly political questions about the administration in power, human rights, civil and democratic rights, elections, political parties and the behaviour of the state apparatus. Therefore, it is natural that, sub judice or not, there already is a great deal of public interest in the tales popularised by this very senior police officer.

The opposition criticism of the government's deployment of state lawyers to file legal action against Udugampola and *Aththa* is that it was a political move to stall public discussion on a subject which was politically damaging to the government. But the term 'public discussion' is also rather amorphous. Or to put it in other words, the act of public discussion on an issue of great political appeal can take many forms. For instance, anybody who watched the joint-opposition May Day procession would have noticed that Udugampola and the Black Cats were themes that engaged public

