

# National communication policies and legal frameworks affecting pluralism in Sri Lanka

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Legal Frameworks Affecting Pluralism In Sri Lanka**

**By**

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## NATIONAL COMMUNICATION POLICIES AND LEGAL FRAMEWORKS AFFECTING PLURALISM IN SRI LANKA

I come from Sri Lanka. Sri Lanka is a plural polity. It is a multi-ethnic, multi lingual, multi-religious and multi-cultural country. We have Sinhalese, Tamils, Muslims and Burghers. We have Buddhists, Christians, Hindus and Muslims. Each group have their own culture.

Sri Lanka's unitary Constitution accepts or recognises pluralism though there is a need for further development in that sphere. I say this because our Constitution though stating we are a plural polity has left some areas in doubt thereby raising doubts in the minds of the minorities as to how serious the Government is in giving true meaning to the safeguards enshrined in the Constitution.

As examples, I would like to mention Article 9 of the Constitution which gives "foremost place and accordingly it shall be the duty of the State to protect and foster" a particular religion while assuring to citizens the freedom to embrace any religion or belief of his choice. Of course we have Article 12 (2) which states that no citizen shall be discriminated against on the grounds of race, religion, language, caste, sex, political opinion, place of birth or any one of such grounds, but it is not reflected in the day to day activities of the State.

Another instance where there is some legal framework that concerns the plural character of Sri Lanka is Article 19 which refers to language where in is stated that one language is the official language of the country and goes on to state that another language shall also be an official language. Why there should be such tortuous wording one cannot understand for the simplest thing would be to state that A and B are the official languages of Sri Lanka. This is another example of why I say room has been left to raise doubt in the minds of society that we are truly a plural society.

There is a department called the Official languages Department, a government organ, which is solely concerned with translating. But a more important body is the Official Languages Commission which is trying to see that there is no discrimination in the matter of communication between individuals and government bodies. At the moment, the Chairman of this commission is going out of his way to see that government departments communicate with individuals in the language in which that individual ought to be proficient in. In order to make myself clear, when the department knows that a person belongs to an ethnic group, then the department must communicate with him in the language that group is associated with, then the reply from the department must go in the language that has been made use of in the first instance.

As far as national communication policies are concerned, it could be safely said that my country does not have such policies. Our Constitution, in Article 14 (1) (a), does say that every citizen is entitled to the freedom of speech and expression including publication but such fundamental rights are circumscribed and restricted by Article 15 (2) which states that the exercise and operation of the fundamental right declared and recognised by article 14 (1) (a) shall be subject to such restrictions as may be prescribed by law in the interests of racial and religious harmony or in relation to Parliamentary privilege, contempt of court, defamation or incitement to an offence.

Sri Lanka has print media and electronic media. We have two daily English morning newspapers and one evening newspaper. One of the morning dailies and the evening daily from the Lake House Group could be said, without any difficulty, to be the unofficial party organ of the ruling UNP and its government. It is one huge propaganda vehicle. The top administrators of this organisation are all high-profile party men. Their policy is for them. They will publish opposition material only if it suits them. The form and quantity is also guided by



these considerations. The other morning daily belongs to the Upali group. This Group gives more Opposition news than the Lake House Group but understandably has its own policies about men and matters. There are Sinhala daily newspapers published by the Lake House and Upali Groups. They too are guided by the principles enumerated above. There is also a daily Sinhala newspaper put out by Wijeya newspapers.

The Lake House Group puts out a Tamil daily newspaper. If you would read this newspaper two days running you would come to the inevitable conclusion many a Tamil friend has told me a paper not reflecting the view points of Tamils but rather other minority Communities.

There is also another Tamil daily newspaper called the Virakesari. Of the Tamils in my country the majorities of them are found to read the Virakesari which gives equal prominence to the many racial groups in the island.

On a Sunday, one finds the Sunday editions of all these newspapers, toeing very much the same sort of policy. In addition, there is a Sunday English newspaper put out by Wijeya Newspapers called The Sunday times which by and large is Independent in the presentations of its news and opinion on men and matters.

Apart from the daily newspapers we have a whole hoard of tabloids which are all in the Sinhala language, varying in degree in the type of language they use, which are published weekly. There are only one or two in this hoard which are taken seriously and read by many and these happen to be tabloids with a lot of material on the politics of the country.

There are hardly any weekly English publications but there is a Tamil weekly, Thina Murasu, published by a Tamil militant group - the EPDP - which is supportive of the Government.

There are some English periodicals, both bi-monthly and monthly. Special mention must be made of them because they are widely read by the English speaking citizens. They are The Lanka Guardian, Counterpoint, Pravada and Social Justice. These periodicals publish controversial political articles and take up issues of the day and for that reason would give a point of view that might altogether not be palatable to the Government.

There do not seem to be any comparable Sinhala or tamil periodical that is worth mentioning.

As regards the electronic media, we have radio and television. The Sri Lanka Broadcasting Corporation is a government institution. The SLBC had a monopoly on radio until very recently when other private institutions have been allowed to have space on the air. These new channels are devoted 100% to entertainment and are commercial ventures. News coverage is given only by SLBC and is for that reason, used again for government political propaganda. Mercifully the SLBC has channels for Sinhala, Tamil and English.

The Sri Lanka Rupavahini Corporation is the official television channel and for that reason has earned a justifiable notoriety for government and party propaganda work. Such propaganda is indulged in not only during news time but also during the peak times. For a long time there were only two TV channels - one for Rupavahini and another for the Independent Television Network, a supposed independently Independent institution with very strong governmental attachment. Again, mercifully, the ITN was not used for propaganda work.

Since of late, there have been a number of private channels opened and they have so far refrained from doing propaganda programmes for the government. But it might come sooner than later because in our country there is a tendency to operate most things on intimidation.

- (B) This is exemplified by the fact that the private T. V. channels are barred from broadcasting news programmes. However, we witnessed the spectacle not so long ago of the State demanding from the private stations too to televise the Sri Lanka Rupavahini broadcast. Mercifully we are spared of it now.

Talking about national communication policies, one thing comes very readily to mind. That is the strange phenomenon we see on one of the channels that give 24 hours of BBC news. On this channel, if there is any reference to Sri Lanka, which is not palatable to the powers that be, that part of the BBC news is obliterated or blacked out. So we are possibly the only country in the world where the people are not allowed to see what is happening in this country as the world sees us! So if this is the type of thing the Government does, do we need to spend much time on national communication policies in Sri Lanka, even if there was one?

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