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Paper No. 21
PRESS FREEDOM AND RESPONSIBILITY

Social and cultural factors affecting press freedom in Sri Lanka

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The freedom of the press may be broadly defined as the fundamental democratic right of the press to keep the reader informed on men and matters about which the reader has a fundamental democratic right to know. This democratic right is in general part of the freedom of expression guaranteed by the constitution.

The freedom of the press is, like all other forms of freedom, relative. There are many fetters and constraints on it: formal and informal, direct and indirect. Formal constraints include laws governing libel and defamation, the authority of the press council, methods of censorship and parliamentary privilege. Informal and indirect constraints include the state ownership of the press, control of newsprint, the issue of loans from state banks, denial of access to state advertising and threats to journalists.

In addition to these constraints which are basically political, legal and economic in nature, there are other factors - social and cultural - that affect the freedom of the press, and in this paper an attempt will be made to explore the nature of these constraints from a Sri Lankan perspective.

The press in Sri Lanka is a colonial heritage and maybe analyzed basically into three main components:

1) The state owned press generally known as the ‘Lake House’, the island’s largest newspaper organization - publishers of the dailies ‘The Daily News’, ‘Dimamina’ (Sinhala) and ‘Thinakaran’ (Tamil).

2) The main stream privately owned press of which the Upali Group of Newspapers - publishers of the dailies ‘The Island’ and ‘Divayina’ (Sinhala) - and Wijaya Publications - publishers of ‘The Sunday Times’ and the daily ‘Lankadeepa’ (Sinhala).

3) The tabloid press of which ‘Ravaya’ and ‘Yukthiya’ are the most important.

Social and cultural factors that affect press freedom in Sri Lanka fall into the class of informal and indirect constraints because they derive their validity from social and ethical norms rather than from legal and constitutional sources. It is also important to know that these constraints affect the subject matter of news and information rather than the manner in which they are reported and discussed.

These constraints relate to two main areas of social life: caste and religion. In the Sri Lankan context, some aspects of these two topics are avoided in public discussion, in general, and in the press, in particular, because of their sensitive nature. They are also subjects that may arouse cultural and religious susceptibilities and thus lead to discord and conflict.
The most important social factor that affects press freedom is caste, one of the major criteria on which the Sri Lankan society is structured. It is a phenomenon found both among the Sinhalese and the Tamils who constitute the two major ethnic groups in the island. Every Sinhalese or Tamil is born into a caste and it cannot be changed, however rich, powerful or influential one becomes. The caste system in Sri Lanka is different from its Indian counterpart in that the former is essentially vocational in basis: farmers, fishermen, toddy tappers, cinnamon peelers, smiths, pot makers, dancers, washermen and so on constituting different castes.

Caste is a sensitive matter because it relates to an individual’s position in the social hierarchy and this position is defined in relation to a ‘high’ or ‘low’ scale, the so-called ‘high castes’ on the one end and the so-called ‘low castes’ on the other end, with several castes inbetween.

As Bryce Ryan notes in his “Caste in Modern Ceylon”, the caste which is at the peak of the Sinhalese hierarchy is that known as ‘Goyigama’ (literally cultivator or farmer). (p. 95)

In the Tamil caste system, which is different from the system in Tamilnadu, “the dominant caste” is that of the ‘Vellalas’, who except in rare cases “have social control.” (Sivathamby, p.4)

Among the Sinhalese castes that enjoy an important status in the Low Country are those known in Sri Lanka as ‘Karawa’, ‘Durawa’ and ‘Salagama’.

Although caste is a matter that goes counter to the ideals of a democratic society, it is still not a matter discussed in public, let alone in the press. This is in contrast to the attitudes that are found in the West and in India. Two simple instances can be presented to illustrate these contrasting attitudes.

First, the election of Mr. R. Premadasa as the president of the island in 1989. He was the first head of state to belong to a caste outside the Goyigama caste and this was highlighted in the western press while the Sri Lanka press made no mention of it, perhaps because every Sri Lankan reader was aware of it.

Second, the use of the term ‘scheduled caste’ in state documents in India. Indian universities, for example, have reserved a quota of seats for members of the so-called ‘scheduled castes’ and university application forms have a space to carry this information. In no state document in Sri Lanka do names of castes occur and even in the general census taken every ten years, no information is recorded on the caste affiliations of citizens.

The sensitive nature of caste in Sri Lankan society became the focus of public attention recently when the compiler of the ‘Practical Sinhala Dictionary’ published by the Ministry of Cultural Affairs in 1982 was taken to courts in response to a petition submitted to the Supreme Court by a member of the
Durawa caste. The complaint was about the definition of the term ‘Durawa’, the Sinhala name of this caste. In the dictionary it was defined as ‘ra madinnage kulaya’ meaning, ‘the caste of toddy tappers’ (p. 886). It was alleged that this definition was both ‘inaccurate’ and ‘offensive’. It was argued that these offensive words amounted to a violation of the fundamental right to equality of the petitioner and the members of his community.

The history of the proceedings of this case is also illuminating. The case was argued in the Supreme Court, but halfway through the proceedings the judges of the Supreme Court requested the two parties to meet, discuss and arrive at an amicable settlement outside the courts of law and report back to the court.

The decision to request the parties to arrive at a settlement outside of courts also points to the sensitive nature of the topic. If the case was argued in the courts, it would have led to further embarrassments, more serious than the embarrassments caused by the definition in the Dictionary.

As a result of this request, the two parties met at the Ministry of Cultural Affairs and came to a settlement: to delete the entry ‘Durawa’ completely. Details of this case was published in a separate book “Jaya Handa” (The Voice of Victory) published by members of that community.

The lexicographer ran into trouble because he aroused the cultural susceptibilities of a certain caste group in Sri Lanka. Thus, no journalist of the mainstream newspapers wishes to discuss the topic of caste in public.

In the recent past, however, a few articles on the state of the so-called ‘low castes’ were published in the tabloid press in order to bring into focus the social oppression that members of these castes are made to undergo by the members of the so-called ‘high castes’.

Although caste is taboo in public discussion, it is yet a crucial phenomenon in Sri Lankan society. It is recognized informally, at least, in four main areas of social behaviour:

a) marriage
b) politics
c) religion
d) ritual

Marriage in Sri Lanka, both among the Sinhalese and the Tamils, is still largely endogamous, that is, within the same caste. In spite of the spread of mass education, the impact of mass media and the role of modernization and westernization, Sri Lankans consider caste a crucial factor in choosing marriage partners.
Typical advertisements in the 'matrimonial columns' in English newspapers begin thus: "Buddhist Karawa parents seek suitable partner........."

"Govigama Catholic parents seek for young daughter ................."

"Durawa Buddhist parents seek....................."

Occasionally one comes across advertisements inserted by those who don't care for caste affiliations. But their position is made clear in no uncertain terms by inserting the phrase 'caste immaterial' in the advertisement.

Secondly, caste is an important factor in Sri Lankan politics. The very first parliament of independent Sri Lanka had a few seats reserved for 'nominated members' by which was meant members of minority castes. The choice of candidates for a particular electorate depended on the caste composition of the electorate. Thus the electorate which has the majority of caste X, all parties contesting the electorate will nominate candidates from that caste, so that the caste factor ceases to be a variable at voting.

The electoral map was redrawn from time to time and one of the factors that was given informal consideration in such redefinitions was the presence of large concentrations of certain castes. The term 'block vote' used in informal communication really meant 'caste vote' because even political critics were aware of the trend among the Sinhalese of minority castes to act as one single 'block' irrespective of political differences and ideologies.

Thirdly, caste plays an important role in the organization of Buddhist monks, known as the 'maha sangha'. Buddhists monks are divided into three main sects or 'nikaya', viz. 'Siyam Nikaya' which admits members of the Govigama caste only into its order, the 'Amarapura Nikaya' and 'Ramanna Nikaya' which admit, in theory, members of any caste, but in practice, members of some castes only.

Fourthly, some castes have a certain ritualistic role to play in traditional social behaviour. For example, the caste of the washermen have a role to play at many rites of passage, such as puberty and marriage. The girl who attains puberty is given her first bath by a female member of this caste, and cloth necessary for the wedding ceremony, such as those used to cover the chairs and canopies, are provided by this caste.

Although caste is a theme avoided in public discussion and the press, it is a common theme in interpersonal communication. To talk about caste in interpersonal communication, the Sinhalese, particularly those bilinguals of the middle class, have evolved a jargon of their own.

They use the letters of the English alphabet, such as G, K, D and H to refer to the castes that have names beginning with these letters. Thus if a Sinhalese says that "so and so is a G married to a K", he refers to a member of the Goyigama caste (G) married to a member of the Karawa caste (K).
In Colombo one is likely to hear that caste is no longer very important and that in any case it is disappearing. Yet, the concepts and strictures that of caste are still of central interest to the Sinhalese and - at least in the villages of the Dry Zone - they retain a remarkable potency,” observes Professor Nur Yalman in his study of “Caste Principles in a Kandyan Community” (p. 78).

The second topic that the Sri Lankan journalist is careful to avoid is the behavioral aspect of religious orders. All the four major religions of the world - Buddhism, Hinduism, Christianity, and Islam, are found in Sri Lanka and they have formal organizations that look after their vested interests. The public is aware of a certain element of corruption and abuse that have crept into these organizations in the course of time, but the Sri Lankan press, in general, avoids this theme for fear that it may arouse religious susceptibilities of the laity.

In the days of the Sinhalese kings, there was a formal system by which members of the Buddhist order of monks were subjected to moral scrutiny and those found guilty were removed from the order. The kings have laid down from time to time, certain legal documents known as ‘Katikawatas’ that proclaimed the rules governing the moral conduct of the Buddhist monks. With the fall of the Sinhalese kingdom in 1815, this system also ceased to be functional.

The moral conduct of Buddhist monks is a theme avoided in public discussion in the Sri Lankan press because of the prestigious social position that Buddhist monks occupy in the traditional Sinhalese society. The social position that Buddhist monks occupy is so high and esteemed that Buddhist laymen use almost a sacred dialect in Sinhala to communicate with Buddhist monks. For instance, when a Sinhalese agrees with a layman he says 'ou' (yes), but when he agrees with a monk, he says 'ehey' (may that be so).

Buddhist monks are respected in public gatherings by the recognition of their presence and the seeking of their permission by the speakers to address the gathering. Thus before a speaker addresses the chair, he asks the permission of the monks who are present in the audience, usually in the front seats, by saying in Sinhala, “garutara maha sangha ratnayen avasaray” (May I have the permission of the most venerated members of the great community - the maha sangha).

The Sinhalese show their respect to Buddhist monks by worshipping them by placing their palms against each other, and sometimes placing them at their feet. The monks have thus enjoyed a prestigious status in Sinhalese society over generations and, no Sinhalese, journalist or not - thinks that he has the right to criticize their behaviour in public.

In a very rare instance in which a Buddhist monk living in Australia who had to face sex charges was given publicity recently in the Sri Lankan press, the circumstances were exceptional.
a) the news item titled ‘Mouk faces sex charges’ appeared only in the English press (‘The Sunday Times’ April 21, 1996)

b) it referred to a monk who was living outside Sri Lanka

c) it did not carry the name of the reporter but only the fact that the report was taken from the ‘West Australian’ - Wednesday.

On the other hand, the Sri Lankan press spares no laymen, Buddhist or otherwise, who are found guilty of corruption and other charges of anti-social nature. The recent ‘Tawakkal issue’, where some members of the cabinet were also suspected of taking bribes, is a case in point.

Press freedom is, in theory, a fundamental democratic right to be able to express one’s opinion on men and matters that concern public interest, but in practice, there are, besides formal fetters and constraints, social and cultural factors that affect such freedom in very informal but crucial ways.

References

1. Ryan, Bryce; Caste in Modern Ceylon, Navarang, New Delhi (1993)

