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Media, Ethnicity And National Unity (Sri Lanka)

By

Manik De Silva
MEDIA ETHNICITY AND NATIONAL UNITY

The Media in Sri Lanka

The media in Sri Lanka, the commanding heights of which is under State control comprises the press, radio and television. Five newspaper groups, four privately owned and the fifth under government control, constitute the mainstream press in the country and command national circulations. Additionally, there is a vigorous political press, directly aligned to the various political parties, as well as a multiplicity of periodicals. The newspapers and the periodicals are published in all three languages spoken in the country - Sinhalese, Tamil and English. Radio and Television, both State owned, also broadcast and telecast in these three languages.

The five major newspaper groups are dominated by the Associated Newspapers of Ceylon Ltd. (ANCL). This group, privately founded but nationalised in 1973 under what was purported to be an endeavour to broaden base ownership, has long been the dominant print medium in the country publishing a string of newspapers and periodicals in three languages. It is the most powerful and prosperous newspaper group in Sri Lanka and has been under total government control since the enactment of the ANCL law of 1973. The other four national newspaper groups are the more recently founded Independent Newspapers of Ceylon Ltd., also publishing in Sinhalese, English and Tamil; Upali Newspapers Ltd., publishing in English and Sinhalese; Wijaya Publications which publishes in Sinhalese and English; and Express Newspapers which publishes only in Tamil.
Broadcasting in Sri Lanka has been a state monopoly since its inception in 1925. In 1967, what was then Radio Ceylon was converted into the Sri Lanka Broadcasting Corporation to give it more operational flexibility. This did not in any way alter the content of its broadcasts or change the relationship between the station and its owner, the Government of Sri Lanka. The State radio, yet the medium with the greatest reach in the country, maintains broadcasting channels in Sinhala, Tamil and English. At present, an estimated 3.5 million radio sets are in use in the country although the number licensed is only 2.4 million.

Television, also a state monopoly, is the newest mass medium in Sri Lanka. The privately owned Independent Television Network (ITN) was started in 1979 but differences among its owners led to the State acquiring the station within an year of its inception. The Sir Lanka Rupavahini Corporation was launched in 1982 with the station built with Japanese assistance. While ITN is totally commercially and entertainment oriented, Rupavahini which telecasts in all three languages used in the country has tried to break away from the older press and radio tradition of communicating in different language channels by beaming common programmes to viewers, conversant with any of the languages spoken in the country. This has been regarded as a contribution to the strengthening of the plural character of a multi-lingual and multi-ethnic society.

Presently, there are approximately 550,000 licensed television sets in Sri Lanka, although it is presumed that there are another 55,000 unlicensed television receivers.
Legal and Statutory Control of the Sri Lankan Media

The Sri Lanka Constitution guarantees the freedom of speech, expression and publication with an Article reading: "Every citizen is entitled to the freedom of speech and expression including publication" [Article 14(1)(a)]. However, it has been pointed out that neither the country's present Republican Constitution nor its predecessor of 1972 has guaranteed the freedom of information although the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights provides that all persons are free "to seek, receive and impart information and ideas through any media regardless of frontiers". The omission of this guarantee in the constitution is regarded as serious within journalistic circles.

The constitutional guarantee of the freedom of speech, expression and publication is subject to such restrictions that may be prescribed by law in the interest of racial and religious harmony or in relation to parliamentary privilege, contempt of court, defamation or incitement to an offence. A similar restriction is applied on matters relating to the interests of national security, public order and the protection of public health or morality or for the purpose of seeking due recognition and respect for the rights and freedoms of others or of meeting the just requirements of the general welfare of a democratic society [Articles 15(2) and 15(7)].

Besides the constitutional safeguards, the Penal Code deals with offences relating to religion such as defiling a place of worship with intent to insult the religion of any group; disturbing a religious assembly; uttering words with deliberate intent to hurt religious
feelings; and deliberate and malicious acts intended to outrage religious feelings of any group by insulting its religion. The references to religion has a direct relationship to ethnic matters as in Sri Lanka, most Hindus are Tamils and the Muslims are regarded as a distinct community. The majority of the Buddhists are Sinhalese, the Sinhala Buddhist being the country's majority ethnic religious group.

In addition there is a corpus of enactments relating to matters germane to the media. These include:

(1) Printing Presses Ordinance (1903)
(2) Printers and Publishers Ordinance
(3) Newspapers Ordinance
(4) Copyright Ordinance (1919), which has been amended as the Code of Intellectual Property Act No.52 of 1979
(5) Public Performances Ordinance of 1919 and the Public Performances Order, 1952
(6) Sri Lanka Broadcasting Corporation Act No.37 of 1966
(7) State Film Corporation Act No.47 of 1971, amended by the National Film Corporation of Sri Lanka (Amendment) Act No.45 of 1980
(8) Sri Lanka Press Council Law No.5 of 1973
(9) The Associated Newspapers of Ceylon Ltd. (Special Provisions) Law No.28 of 1973
(10) Sri Lanka Rupavahini Corporation Act No.6 of 1982

(The Act also provides for the exercise of "supervision and control over the use of video cassettes and the production of programme material on such cassettes for export.")
While these laws are specific to the media, the scope of some of the general laws has in the post-1970 period been expanded and certain provisions of some of both sets of laws have the effect of constraining the press and the functioning of the other media.

The Sri Lanka Press Council Law No. 5 of 1973 has among its objects:

1. To ensure the freedom of the press in Sri Lanka, to prevent abuses of that freedom and to safeguard the character of the Sri Lanka press in accordance with the highest professional standards;

2. To ensure that newspapers shall be free to publish as news true statements of facts, and any comments based upon true statements of facts;

3. To ensure on the part of newspapers and journalists the maintenance of high standards of journalistic ethics and to foster a due sense of both rights and responsibilities of citizenship;

4. To advise the government on any matter pertaining to the regulation and conduct of newspapers.

It will be noted that a serious lacuna in the Press Council Law in Sri Lanka is that it deals solely with the print media and does not govern the electronic media - radio and television - and there has been little or no demand that the functions of the Council be broadened to include the electronic media as well.

Three of the four objectives cited above at (1), (3) and (4) can be invoked to ensure that press coverage of matters dealing with ethnicity does not in any way damage national unity and inter-racial
harmony. According to the chief executive of the Sri Lanka Press Council, while a few complaints relating to newspaper coverage of ethnic issues and publication of material considered to damage good relations between the different racial groups living in the country have been lodged, the Council itself has made no determinations in these cases. This reflects more a sense of apathy among the community at large and a lack of desire to forcefully pursue matters that require correction rather than an unwillingness on the part of the Council itself to make a pronouncement.

The Domestic Situation

The Sri Lanka press cannot be pronounced free of racial and ethnic prejudice with the Sinhala and Tamil papers being more guilty of a chauvanistic approach on these matters than the English press. But it must be said to the credit of the left political press, reaching its audiences largely through the Sinhalese language, that it has been totally non-communal and has through its history been a strong proponent of unity among the different ethnic groups populating the country.

A factor that deserves mention is that there is no coherent policy among the national newspaper groups on how the newspapers of each, published in different languages should approach ethnic matters. Each newspaper and editor generally tends to adopt a different policy with the English papers reaching opinion makers and leaders generally being more liberal and enlightened while the Sinhala and Tamil newspapers, often reflecting the thinking and cultural orientation of the journalists working for them, taking a different approach. It could be credibly argued that the different approaches of the
newspapers, depending on the language in which they publish, broadly reflects the thinking and attitudes of the readership they serve. Unhappily, not enough attention is paid by the managers and owners of the newspaper groups to the need to use their publications as instruments of educating the readers on the desirability of ethnic harmony and national unity in a multi-lingual and multi-racial society. It would not be entirely wrong to say that few publishers are sufficiently literate in the indigenous languages to have a firm grasp of what is going into their newspapers published in these two languages. They are much more conversant with English and have a better hold on the content of the English language papers of their groups.

The ethnic crisis that Sri Lanka has been fighting since 1983 has both created its own problems for the media as well as served to focus attention on the need for the media to play a positive role in the healing effort. Here too, the responses from the English language press has been superior to those of the Sinhala and Tamil media. The English press has demonstrated a willingness to publish statements and articles advocating ethnic harmony. The Sinhala and Tamil press, while not remiss in this area, have also tended to carry material that tended to focus on differences, often publishing statements, reports and articles that could rouse communal passions. For example, an English newspapers would be less likely to report that "Tamil terrorists have massacred Sinhala villagers", while most Sinhalese papers will have no reservations about presenting it that way.
When the 1983 riots erupted, with Tamils in many parts of the country attacked by mobs in what has been generally perceived as a backlash of the separatist war in the northern and eastern provinces, the Tamil press while highlighting the many atrocities that occurred paid little attention to the fact that in many instances victims of the violence had received the protection and hospitality of their Sinhala neighbours. There was a tendency to focus almost exclusively on the negative aspects. This is also true of Sinhala newspaper coverage of Tamil terrorism in the northern and eastern areas of the country. However, there is increasing consciousness of the need to report these events in a balanced manner with attention paid, particularly in editorial commentary, to processes that preceded the events.

As the state controls the dominant section of the Sri Lanka media, a desire on the part of government to ensure that the media is used as an organ of national unity rather than as an instrument of division can and has had some beneficial effects particularly where television is concerned. The International Centre for Ethnic Studies (ICES) which is located in Colombo has received the cooperation of Rupavahini for telecasting a series of dialogues on the country's ethnic problem over the national network. These programmes have been very well received.

ICES, with the assistance and cooperation of NORAD, the Worldview International Foundation and the Sri Lanka Rupavahini Corporation has produced a series of dialogues on Sri Lanka's ethnic
problems. These programmes were produced in English (a series of four dialogues) and Sinhala (a series of six) and were telecast over national television. The dialogues included participants from the Sinhala, Tamil and Muslim communities. ICES said that since the intention of the programmes was to promote rational understanding of the issues, extremist opinion on any side was left out in selecting participants who were drawn from among moderates who often differed from each other on specific questions.

Each programme lasts half an hour. In the English series, all participants spoke in English; in the Sinhala series, Tamil participants spoke in their own language, but their contributions were simultaneously translated into Sinhala in the transmission. The topics discussed in English were:

(1) National identity
(2) Education and employment
(3) Land, and
(4) Devolution.

In Sinhala, the discussion covered:

(1) Historical background
(2) National identity
(3) Education
(4) Employment
(5) Land, and
(6) Devolution.
The programs were not subject to any censorship and was the first occasion national television transmitted any programme on such a controversial issue. ICES said that the mail at the end of each programme indicated "predominantly favourable and sometimes enthusiastic" public reception with a few hostile letters.

Guidelines on Ethnic Reportage

No hard and fast rules have been laid down in Sri Lanka to guide journalists on how they should handle ethnic matters outside a single clause in a code of ethics for journalists gazetted as rules of the Press Council in 1981. This clause reads: "A journalist shall not report or cause to be printed or published any matter for the purpose of promoting communal or religious discord or violence". There has been no enforcement of this code of ethics in any serious way and editors, for example, have at meetings with the Press Council admitted ignorance of requirements of the code with regard to the non-publication of names of victims of sex crimes. By, and large, good sense is the primary guideline adopted in the newsrooms of the mainstream press, conscious of the need to ensure that the media does not contribute towards ethnic disharmony.

In a situation like Sri Lanka's where the Sinhala - Tamil conflict, and what it has done to the country, has evoked passions rising sometimes to white heat, it is inevitable that feelings have been reflected even in Parliament. In general, the mainstream press
has steered clear of sensationalising such speeches and the media has moved a long way since a major political party put out a brochure with a single footprint obliterating one-third of the map of the country, depicting the area claimed as a Tamil homeland by Tamil groups whose militancy at that time was limited to blacking out the Sinhalese character on licence plates of buses plying in Jaffna, the capital of the Tamil dominated Northern Province.

Conclusions

Although there are some legal and statutory restrictions governing publication of material damaging to ethnic harmony in a multi-lingual and multi-religious society like Sri Lanka, these have seldom been invoked. That does not mean that the Sri Lanka media conducts itself in an exemplary manner with regard to the reporting of ethnic questions. But it does mean that its transgressions have been within the bounds of control, both for the reason that government controls a substantial portion of the mainstream media in the country or has enough muscle to check newspapers outside its pale if they get too far out of line, as well as the general good sense of the media. But, as has been stated earlier in this paper, such good sense has been better demonstrated by the English language press than the indigenous language newspapers.

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