

IFLA/FAIFE World Report: Libraries and Intellectual Freedom



Sri Lanka

04-01-1999

Freedom of expression, the free movement of information and the rights of individuals to have access to the information that they require and the abilities of the Media [newspapers, journals, monographs, radio and television programmes etc] and the library and information science [LIS] profession to provide them are all consequential upon Statutory Regulations stemming from the Government's monthly renewal in Parliament of a State of Emergency made necessary by the continuing war against the Tamil terrorists (the "Tamil Tigers") fighting for an independent homeland in the north and east of this small island-country.

Population:	18,100,000 (1996)
GNP per capita:	\$ 740 (1996)
Government / Constitution:	Republic
Main languages:	Sinhalese - Tamil and English
Main religions:	Buddhism - Hinduism, Christianity
Literacy:	90% (1995)
Online:	0,34% (July 2000)

Military Censorship

The Government argues that unfettered freedom for the Press [which it initiated four years ago as an Election Manifesto promise that brought it to power] resulted in newspapers carrying information that provided tactical benefits to the enemy. Censorship, which in the early days of this Government's rule had been removed, was strictly re-imposed some six months ago but operated by the Military and only with regard to information on the war, on the Armed Services and Police. However there appears to be an increasing awareness that current technology and the global free-flow across international boundaries of information hampers rather than helps the Government and its cause and therefore this Censorship may soon be lifted.

General Censorship

Elsewhere the picture is less clear. Certainly it is much better than under the previous government when official restrictions were far more extensive than today and when any critic 'stepping out of line' simply 'disappeared'. One such was the poet, playwright, actor and broadcaster Richard de Soyza who, when preparing a production satirising the then government, was removed late one night from his home and his mutilated body found washed onto a nearby beach days later. No-one has been prosecuted but the present Government's enquiries have resulted in criminal investigations.

Today nothing so extreme occurs. Books, magazines and videos are quietly banned or, if imported, confiscated. No lists appear and Customs & Excise have strong powers. Materials so treated are those deemed to be pornographic but given the respect for traditional cultural and family values and a prudishness born from orthodox Theravada Buddhism, that generates extremely conservative values, interpretations are constricting. Other classes of materials are those critical of Buddhism and of Government policies although for the latter there exists more tolerance than elsewhere. Book-burning is not carried out.

The Press appears to be much freer than in the past and far less fearful. However a year ago, under this Government, an Editor was tried, but exonerated, in the Courts (which are still independent of politics) for criticising The President and describing her arriving at the back door of an international hotel for a party. More recently an Editor's house was stoned and in another incident his car damaged - both allegedly by thugs. His paper was one openly critical of this Government. Investigations, so far, have revealed nothing! However, in the past Richard de Soyza-like 'disappearances' were much more the rule than today. The situation, though not perfect, is without doubt much improved. Editors, subject to their understandings of the risks of legal actions against them or of thuggery, are relatively free to speak out as they have done [and indeed continue to do] over what they observe as manipulations of information or the Press which indicates that they are aware of the greater freedoms within which they can operate.

These are anecdotes; they are repeated here for the purpose of painting the scene. They indicate that the situation has been far worse in the recent past but that much still needs to be done and the general climate is free enough for the Press to tell the Government precisely this.

Facts

What then are the background facts? The majority of the 30 newspapers are published in the private sector daily and at

weekends and are in Sinhala, Tamil and English (2 dailies). Two publishing houses are publishing both Sinhala and English language papers and as far as can be ascertained covering much the same issues and materials in each of their own different language editions. Only one remains private the other, previously independent and one of the largest - Lake House - was nationalised (ironically) by a former left-wing government (Mrs Bandaranayake's) for its strong continuous Government criticisms. Today it remains Government-owned and it now embarrassingly extols the virtues of whatever colour of government is in power. The remainder of the press houses are free although many are related in various ways to particular political parties' views.

A Minister for Telecommunications and the Media sits in the Cabinet and is reputed to be close to The President. Educated in the UK he has a full understanding of, and a genuine commitment to, a free Press as and when the security situation allows. He is much vilified in the opposition press and so, within the law, has taken action through the Courts but nothing more - proof positive of his commitment.

A Sri Lanka Press Council exists but it is believed to be a government-appointed body more concerned with the rights of individuals with alleged complaints against the Press than with the rights of journalists and press-owners. Most journalists belong to unions which are related in various ways to political parties. The most independent is the Editors' Guild. Another, currently involved in some factional in-fighting, is the Free Media Movement which itself is related to the Canada-based Freedom of Expression Exchange. Another specialist body is the Sri Lankan Environmentalist Journalists Forum. It has recently called for a Code of Ethics for journalists which, currently does not exist. Many of the English-language journalists have contacts, formally with UK newspapers or informally with them or/and the UK professionals and are well aware of standards for, and the responsibilities of, responsible journalism.

Whether the general reading public would accept that journalism in the Island is responsible is a moot point. There are examples of what calls itself 'responsible investigating' [as in the past the UK's Sunday Times Insight team] but these too often have turned into muck-raking and mud-slinging. I suspect that most educated readers would agree that there is still a long way to go before Lankan journalism can be called responsible. Until it is there is too much scope for vendettas and revenge - either through the Courts or, worse, outside them. A first step must be the promulgation of a code of conduct. Interestingly a recent newspaper [the Governments!] highlighted the Tokyo Interaction Council's call for the Declaration of Human Rights to be complemented by a Universal Declaration of Human Responsibilities. Three of the proposed clauses for which impinge on the subjects addressed here :

"Article 12. Every person has a responsibility to speak and act truthfully. No one, however high or mighty, should speak lies. The right to privacy and to personal and professional confidentiality is to be respected. No one is obliged to tell all the truth to everyone all the time.

"Article 13. No politicians, public servants, business leaders, scientists, writers or artists are exempt from general ethical standards, nor are physicians, lawyers and other professionals who have special duties to clients. Professional and other codes of ethics should reflect the priority of general standards such as those of truthfulness and fairness.

"Article 14. The freedom of the media to inform the public and to criticize institutions of society and governmental actions, which is essential for a just society, must be used with responsibility and discretion. Freedom of the media carries a special responsibility for accurate and truthful reporting. Sensational reporting that degrades the human person or dignity must at all times be avoided."

It should be noted that there is no specific mention of the information profession.

Library and Information Services Profession

The recently agreed - December '97 Extraordinary General Meeting - Sri Lanka Library Association's [Code of Professional Conduct and Ethics](#) states under the heading 'Responsibility to the Community and Users': "(3) Shall have an obligation towards facilitating the free flow of information and ideas and to protect and promote the rights of every individual to have free and equal access to sources of information, without discrimination and within the law." It is suspected that few of the 250+ members who might have read the Code fully comprehend the implications of the responsibilities placed on them by these clauses - especially in the situations outlined above. Neither, it might be safely assumed, is there much understanding by the profession at large - for instance with regard to the possible consequence for professional reputation, status and rewards - or within the SLY itself, as their professional organisation, for the future relatively dangerous areas of its work into which it may have to move if it is to seriously undertake responsibilities on behalf of its members - for instance protection or litigation or, more generally, advocacy to justify the professions international developments into the areas of intellectual freedom. A SLY large-scale 'education' programme will be necessary but only in very carefully monitored circumstances given the dangers that in the past have plagued editors and journalists (and described earlier) and for which those professions have much more effective and longer-existing international organisational support than IFLA can currently provide.

Where current attitudes are concerned to be safe, to keep jobs, not 'rock the boat' and to keep 'heads down below the parapet' major attitudinal changes will have to be brought about. It will be a long and hard path to travel and the realisation that this path exists is, itself, only dimly understood.