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30 January 1985

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REGIONAL AFFAIRS

ARABIC LANGUAGE, DIALECTS, DIGLOSSIA IN MAGHREB EXAMINED

London AL-TADAMUN in Arabic No 75, 22 Sep 84; No 78, 6 Oct 84 [No 75, 22 Sep 84 pp 39, 40]

[Article by Marwan Bin Salih: "The Tongue Is Arabic and the Ungrammatical Language Is French"]

[Text] More than two, nearly three, decades after independence, the French language retains a prominent position in the Arab Maghreb region. Officially it is considered to be the second language after Arabic which is the official language of the country. However, in practical terms French ranks on the same level as Arabic. It is even predominant in many domains--decrees, administration and a number of basic sectors of education. The Arab Maghreb region is presently the only Arab region where a foreign language is able to compete with the pan-Arab language, and often with great success.

It is the language of reading and writing for many. It is not unusual for us to see that newspapers which come out in French are the most widely-circulated and the most influential, or that the book worth reading is imported from France. Nor is it unusual for us to see this or that administration using French in its transactions. It is not even unusual for us to see Tunisians, Algerians or Moroccans turning to French in their every-day speech.

Worse than all of that is observing a certain disparity. At one time, French was not as widespread in the countries of the Arab Maghreb as it is today. Only a small "elite" had acquired it during the period of imperialism. With independence came an educational policy based on the principle of making education universal and free of charge. It spread the language of the former imperialist on a broad scale, in both numerical and sociological terms. It brought French to the greatest possible number of people on all rungs of the social ladder. Many notable French personalities keep pointing to this "gain" made for French culture. Perhaps it compensates for all or some of the influence which Paris has lost in the Arab Maghreb in either military or political terms, or both. This is a striking phenomenon, especially if we remember the great setback this French culture has suffered in recent years. This is what has kept making French intellectuals and political officials lose sleep.

Actually, in this respect the Arab Maghreb is in a special position, perhaps in comparison with all Third World countries. It is a region which is not in

the same position as the countries of Black Africa, for instance. When those countries achieved independence and wanted to build their national entities, they found themselves without a successful single written language tool with a great cultural and historical heritage. Their citizens were divided in a number of primitive tribal dialects. Their only recourse was to use the language of the former imperialist--English, French, Spanish or Portuguese as the case might be. The Arab Maghreb is also different than a country like India which is vast and broad, with numerous inhabitants and languages, where a foreign language (English in this case) impose itself as a practical solution and as a colloquial language cutting through ethnic groups and their languages and cultures.

The Arab Maghreb in its entirety enjoys a single language. It does not need French as an intermediary to solve the problem of continuity within the single entity. Nor is Arabic a primitive dialect lacking a history. On the contrary, it has demonstrated its ability to develop and exist in numerous places. It is enough, for example, to compare the literary language used in a newspaper which came out at the end of the last century and the language used in our press today to understand how great this ability to develop is. Nevertheless, a number of those who speak French in the Arab Maghreb give French the same status as English in India, for example. In other words, it is a tool for communication within the entity. Or they give it the same status as foreign languages in Black Africa, languages which must be used in order to compensate for the deficiencies of the local language. Meanwhile, it is known that the discussions and readings of this particular type of person do not deal with nuclear physics, organic chemistry or similar fields of knowledge which raise the problem of technical terms in Arabic.

However, what are the causes of this Maghrebi linguistic phenomenon? Undoubtedly the causes are numerous and diverse, and to follow them would require a prolonged study. This is not the place for it. However, that does not prevent us from pointing out what we consider to be three important, principal factors. The first has to do with the nature of French imperialism, while the second concerns a trait often observed in the cultural history of the Arab Maghreb region. The third springs from the nature of the choices made by authorities in the Arab Maghreb after independence when they wanted to formulate their educational policy.

The first factor is what attracted the most attention from everyone who dealt with the problem of spreading the French language beyond its borders, especially in colonies of the Third World. It is a fact that when French imperialism emerged in the world in the 19th century, the cultural impetus was one of its motive forces. The French of that period believed that they bore a culture and a set of values which they thought were universal and should encompass the world, or at least be consolidated wherever France planted its flag or in any land where its troops set foot. Naturally the universality of this culture and these values went side by side with the universality of the French language, the tool for modernization, development and civilization on a world scale. Therefore we note that the experience of French imperialism, as compared to others, was characterized by many manifestations of cultural and civilizational devastation and destruction. (Algeria perhaps

has presented the clearest example of this policy.) As a result, it was characterized also by an effort to assimilate other peoples culturally (without relying on the principle of equality, of course). Therefore we also note that French imperialism did not pass through a country without leaving its people suffering from a more or less severe problem of identity. The Arab Maghreb was no exception.

The interaction of the Arab Maghreb with the French language recalls a cultural phenomenon often noted in the long history of this region going back more than 2,000 years. This region has often demonstrated its readiness to join in the cultural history of others. Many times, either voluntarily or by force, through invasion or persuasion, it has adopted the languages and cultures coming its way as the instrument of its own refined cultural expression and its share in the cultural history of man. Is it not striking to note that this land which has felt civilization since the dawn of history could not one day develop its original language (Berber) to make it a channel of refined, complex cultural expression? This land has produced great writers and thinkers who used the Phoenician language and then Latin. (Perhaps the most prominent was Saint Augustine.) Next they used Arabic when at first it was merely a passing language which Islam had not yet transformed into a language of identity for this region. However, it never produced a writer in the Berber language, nor did it even produce a Berber alphabet. This constant, permanent readiness to join in the cultures and languages which came its way perhaps explains in part this continuous acceptance of the French language which we note in the Arab Maghreb. However, this does not mean that history repeats itself and that French will eliminate Arabic, just as Arabic previously eliminated Latin, Latin replaced Phoenician, and so on. Arabic has a master protecting it. It is pure in the Qur'an, and people of the Arab Maghreb adhere strictly to their Islam.

Thus once again this desire to join in the "culture of others" has been repeated. It has been checked only by this astonishing ability to resist demonstrated by the Arabic language in our era.

The third and remaining factor has been perhaps the most obvious and effective. It is the educational policy formulated by national authorities when independence was gained.

Certainly, from the very beginning, universal, free education was written into the course of development. Development was regarded in a purely "technical" sense, with no accompaniment of a profound, overall cultural vision. The concerns of building a new national state and modern economy were raised sharply and insistently. They demanded the adoption of a set of "technical" tools which the national elites of the time considered necessary--the railroad, the factory and the modern educational institution. The French language fell within the latter category. French was regarded as the language for obtaining access to and acquiring the science and culture of the times. They thought it should be used alongside Arabic, the language of our identity and civilization.

The main flaw one can find in this vision lies in the fact that this technocratic approach with regard to language has failed to perceive that the use of a foreign language, the enemy's language to be exact, is not like the use of any neutral tool which can be completely controlled. On the contrary, this language bears a culture and world view. In this respect, it can enter only into a competing relationship with our native language and the culture and world view it represents.

Embarking on the teaching of any foreign language, no matter which one, is never a simple operation which can be carried out without taking precautions or attempting to foresee future repercussions. This is especially true if it is accompanied from the beginning by a profound inferiority complex and feeling of cultural inadequacy, and if the newly-arriving culture starts out from a position of superiority, whether real or imagined.

It seems that the people of the Arab Maghreb have fallen into this trap in serious fashion. Educational programs have designated French not only as a language to be studied, but also as a language which has been placed in a position making it the sole channel between the university or secondary school student and a great number of basic fields of knowledge--scientific subjects, literature (except for traditional subjects), the social sciences and philosophy. Meanwhile, Arabic is limited to religious subjects, traditional literature or certain stages of ancient history.

A situation such as this has led to making the educated person in the Arab Maghreb incapable of expressing the concerns of his times in his own language. It has also put him in a critical position by setting up a barrier separating his identity from his present, making the former a memory of the past and the latter a manifestation of Westernism, with no connection between the two. This has caused many people to confront a tragic, fatal choice. Either they join the present and sacrifice their identity, or they retain the latter and reject the present, with all the problems produced by such a situation with regard to a person's perception of himself, other Arabs, and the West. In addition, there are the manifestations of personal experience which the inhabitant of the Arab Maghreb confronts every moment of his life, especially if he is educated. This means that the educated Maghrebi finds himself at times facing one form of treachery or another. Either he "foresakes" his identity, or he "foresakes" his present and the act of belonging to his times. It is difficult to reconcile the two, except in rare circumstances.

If these are the returns from years of independence in terms of education and culture in the countries of the Arab Maghreb, then they should prompt at review of the subject. It should be debated in a calm, composed manner, without turmoil, confusion or turning to simple accusations. This should be done by raising once more a number of basic question, some of which might be:

1. What is the benefit of teaching foreign languages?
2. Should French be retained, or should another language such as English, for example, be substituted for it?

3. How can all of this come about within the scope of an overall, comprehensive cultural vision which prevents the intellectual or educated person of the Maghreb from entering a crisis of identity or a state of cultural Westernism?

Only widespread, responsible debate can provide some answers to such sharp questions.

In Tunisia

When one Tunisian meets another, the following conversation begins:

"Shniyya hwalak?

Ca va wa al-hamdu lillah .

Shniyya as-santé (health)?

Pas mal kuwayyis wa al-hamdu lillah."

The conversation continues with one word in Arabic and the next in French. As matters become more complicated, it is difficult to find the Arabic verb in the construction of the sentence. Both persons get by without Sibawayh [the father of Arabic grammar] and end their conversation in French.

In Algeria

In Algeria, the phenomenon is stranger. French verbs are transformed and come to express a strange, ungrammatical Arabic which cannot be understood easily. The following example explains our statement.

An Algerian is describing a car accident to his friend--how a car hit a man and crushed him. His body was picked up, piece by piece, from the road. The description begins as follows:

"Kan itraversey (verb "traverser," to cross) la rut ("la route," the road). Jat vwaturah ("une voiture," a car), ikrazeytu (verb "écraser," to crush). Ramasuh (verb "ramasser," to pick up or gather up), morsowat...morsowat ("morceaux," pieces or parts)."

[No 78, 6 Oct 84 pp 62, 63]

[Article by al-Tayyib Zal: "No to Diglossia and Yes to a Maghrebi Language"]

[Text] In the AL-TADAMUN file on the problem of unity in the Greater Arab Maghreb (see No 76 of 22 September 1984) we published a debate on the spread of French words in the colloquial dialects of countries of the Maghreb. We opened the door for debate of this phenomenon. Here is the conclusion of this debate, from a completely different point of view than that desired by

AL-TADAMUN. Here the writer expresses his determination to do away with what he describes as "diglossia" which he feels comes from the teaching of classical Arabic in school. In addition, he calls for a "Maghrebi language." It goes without saying that AL-TADAMUN published what relates to this point of view, without embracing the content of everything it agreed to publish. It opens the door for objective, calm debate and recollection. The last thing al-TADAMUN can embrace is a call to create Maghrebi, Egyptian, Lebanese or other "languages." Our tongue is Arabic, and our language is Arabic. The door is open for debate.

A person's language is his personality.

Through it he used to defy vowelizing, jump over the "hamzah" and flee from the "nun" of the feminine ending.

Which language is preferable and used professionally today? Which does one bite into with one's modern teeth?

A person's language is his problem. How does he find his native language?

People are tired of diglossia, the dissimilarity of cultures and the clash of languages. A person used to dream of having one language, one personality and one mentality.

They put school between him and his mother tongue. He turned into a person who didn't know how to talk with his mother, because they put school between him and his mother.

Excuse me. I had wanted to talk about imperialism and what it has done to our language and culture. Then I remembered that people's debate of this subject has turned to surrender. I would have liked to discuss the Arabic language, its joining the procession of culture and its backwardness in adapting to modern scientific development. Then I realized that we create language. It is not language that creates us.

When I speak with them in classical Arabic, they look at me with astonishment. When I speak with them in Maghrebi, they are uncomfortable and do not understand. I switch to the Eastern dialect, and through it there is contact resembling the act of palm reading. Contact is a mixture of Arabic, English and the Eastern dialect. I abandon "la bas, mizyan, hakda, abhi, and ok" and substitute "mashi, 'awuz, kiwayyis, kida, biddi, malih, and tayyib minshuf."

It is not important, as long as there is contact. However, the Eastern Arab expects the Western Arab to speak the way he does, with the same intonation and rhythm, just as the Englishman expects all God's creatures to speak English with a drawn-out, melodious accent.

Once a colleague and I agreed to speak classical Arabic all evening. Before long we burst out laughing at each other. Then we resumed speaking a language grafted together from here and there.

It appears that the people of the Maghreb like languages other than their own very much. That has been their misfortune since ancient history. They struck a blow at their language and removed it from schools and foreigners. In Europe they are proud of someone who speaks more than one language. The inhabitant of the Arab Maghreb is compelled by circumstances to learn more than one language, speak more than one dialect, and interact with more than one vision and culture. Nevertheless, he experiences a fierce struggle between it and himself over what belongs to him and what belongs to others. He studies in school something which he does not speak at home. There are many voices competing in his head when he begins to write a letter--voices of the language of his tribe, his city, his school and his job. All of them want to emerge at once. He chooses. Which one does he choose? Which future for which language?

He realizes that the future is with his mother tongue. However, it is an unwritten language. Its culture is oral. The educational programs which passed over him and those which he passed through did not take this fact into account. Those programs consider that the world is divided between Europe and America and that the interests of the developing nations are linked to the former or the latter and to both their languages.

He says to himself, "Give me a great, democratic nation, and I will give you a strong, widely-disseminated language."

Nevertheless, this does not mean that there are no people who use the foreign language and babble it in their everyday speech for personal benefit such as showing off their degree of civilization, learning and culture. This is a very widespread phenomenon among us in the countries of the Maghreb. It is one of the foundations upon which certain people base their worth and position. They feel a kind of superiority when speaking French or English or carrying a foreign magazine in their hand.

More importantly, the daily use of foreign words in discussing the description of a machine, for instance, stems mainly from the lack of equivalent technical terms and vocabulary in Arabic. Though a small number of the educated know some of these technical terms, the majority is not aware that they exist. The wide use of foreign words makes it easy for one to forget to look for their equivalent in Arabic.

Some of these usages go beyond the stage of firmly-entrenched habit to the realm of the unconscious which interacts with rhythm and mental image in its choices.

The word "santé," for instance, is a musical expression which, through its user, tends to suggest a positive sense of health and well-being. On the other hand, the word "al-sihhah" (health) contains a voiced consonant, the "ha" which evokes pain. Therefore we find most people drop the "ha" from this word when they pronounce it. This does not mean that we avoid all words containing heavy consonants. We are simply pointing out the unconscious use and choice of words in our daily speech.

Perhaps the French themselves today are finding it difficult to talk about computers without using American technical terms. They are the ones who have begun to worry about English penetrating deeply into their daily speech. They are doing everything possible to restrain it, without much success.

Language is one's daily bread.

It is one's means for fluency and social contact. Whether its usage is correct or distorted is not important in itself. Language is what is living with one at present. It is what is serving one today. If the Ummayyads, the Abassids, and the Murabitun could have lived at the end of the 20th century, they would have invented a new living language for themselves.

Language reflects the vitality of its users in its regeneration and adaptation to change. If imperialism, poverty and ignorance destroyed much of this vitality and effectiveness, then we have no recourse but to begin from the level we are at today. We are trying to encourage a language arising from the reality we are experiencing. We are using it as a means to cross to the level of responding to the needs of the times.

There is no war with language here. People of the Maghreb are open to cultures other than their own. Their reality makes them interact with these cultures without fear of being swallowed up, being deserted or disappearing. They realize that strong languages have benefited from reform movements throughout their history. Language does not need to be national, but it does need to be practical. Those who relied on Arabic alone in their renaissance have not been more fortunate than those who have used it in addition to other foreign languages.

A person's language is his beloved.

It is released and free from all contracts and rules. One embraces one's language in streets, houses and markets. However, one must leave it by itself in the school yard with one's bicycle when one enters class to learn how to court classical Arabic, read a book or listen to the radio. This does not happen to a Frenchman or an Englishman. They do not have diglossia. Their children learn one language at home and add to it at school. There is no pressure, fear or struggle. All this saps the energy of the Maghrebi student and puts him in the midst of unenviable chaos. How can our schools produce strong elements on a global level?

Those who succeed in attaining this level make a much greater effort than their peers at universities in Europe and America. The losses from psychological distress caused by diglossia, especially in the elementary stages, are enormous.

Perhaps this is the reason one turns to French. At least it is a single language in all aspects and domains. Those who study Arabic for particular reasons most often forget it after they graduate and get a job, because they

no longer need to use it. Therefore it dies in their retentive memory. Something which is dead in one's memory is not regenerated. It remains locked in darkness.

This diglossia which people of the Maghreb face from birth prevents them from developing their particular capabilities and using them to achieve progress early. Like a heavy cloud, it stands between them and their future. They continue to live in a state of fragmentation with feelings of guilt whenever they are compelled to give preference to their native language over their school language.

A person's language is his mother.

From its breast he sucked his first words of the Maghrebi language which remains in his heart, forever inalienable despite the fact that the educational programs imposed on him embrace other languages. Naturally he has no say in this. Nor is there a way out. His mother tongue is not written. It has no rules. It is a natural, oral language, just like his culture. It is a language of the heart, beating with vitality. It renews itself day after day. He can communicate in it anywhere in his homeland, with anyone. This universality and vitality of the mother tongue is what is lacking in any other language. Why force him to speak another language he has not heard before and will not use with his mother or colleagues, even in class? Indeed, we may assume that he feels disgust with this situation, and he cannot express it until he finishes school. He takes revenge on that other language by distorting it, altering it or completely ignoring it.

The pressure does not produce an explosion here, but it does produce a desire for revenge.

A person's language is his origin.

He sees that facing this whirlpool requires courage, not sympathy, positive will power, not regret, and a realistic view and long-term comprehensive plan, not camouflage, shouting and hot air. One sees that hope lies in organizing a seminar on the Maghrebi language and its problems and in establishing a committee to assess the damage and losses caused by diglossia to both the individual and society and its effect on the original culture of the country. Hope also lies in drafting a plan to make the Maghrebi language the official language of the country. Naturally this will require overhauling it, restoring it and establishing a language council to write rules and dictionaries for it. Also the council would organize it in modern, scientific fashion so that the Maghrebi language would become the instrument of learning, work and production, just as it is now the instrument of expression and life.

We need to exploit the vitality of the mother tongue and make it widespread. We need to make it serve man, not block his way. This negative diglossia creates discord in the overall personality and puts heavy, increased strain on the student which he does not need. First we must correct this situation before discussing a true, flourishing, independent culture.

Cultural suppression comes from linguistic suppression. The mother tongue is isolated from the written culture. Do we say that this is borrowed culture?

The operation of correcting the past through Arabization has added innumerable new problems. Imperialism did everything possible to destroy Maghrebi culture and eradicate its original language. This attempt began in ancient times with Berber and has continued into the modern era. Berber was a self-sustaining language written in Phoenician and Himyarite script. It also borrowed what suited it from Arabic, just as Arabic itself borrowed from the ancient languages and other civilizations which preceded it. Later the Berber language faded. It existed only in remote areas where modern cultures could not penetrate it. However, Berber culture passed beyond the point of return, despite numerous attempts to preserve certain of its manifestations.

The present Maghrebi language is here to stay until Judgment Day, because it is the language on which the people have settled. It is the one they wanted in order to express their emotions, their songs and their legends in public arenas and open-air theaters. They have introduced into it European, African, Arabic and other vocabulary at will. They have not burdened it with rules, as the English did with their language. It is a language which is going through a stage of rapid growth and development. Perhaps one day it will be free of foreign words and influences, especially when it becomes organized.

The information revolution, which reigns over the world today and makes one small country of the earth, compels us to get rid of the burden of diglossia by strengthening our present language in order to meet the challenges which have been raised. This will be done through the mental and spiritual make-up which demonstrates our true nature and does not evade our origin.

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CSO: 4504/101

EGYPT

WAFD'S VIEWS ON IMPLEMENTATION OF ISLAMIC SHARI'AH CRITICIZED

Cairo AL-NUR in Arabic 28 Nov 84 p 4

[Article by Dr Muhammad Yahya: "Wafd Between Shari'ah and Secularism"]

[Text] Writing on the application of the Shari'ah, Dr Nu'man Jum'ah said: Enactment of the second article of the constitution, which states that the Shari'ah is the main source of the law, is a great hope by virtue of the supremacy of the idealism, ethics and justice it achieves. Adherence to the Islamic Shari'ah is tantamount to adherence to all the divine laws. Islam and Christianity are identical in prohibiting usury, alcohol, gambling, murder, adultery, theft, the illicit taking of other people's money and in calling for the fulfillment of a pledge. Dr Jum'ah then adds: But implementing the Islamic Shari'ah requires profound contemplation and thinking and answers to numerous questions.

Before we discuss Dr Nu'man Jum'ah's objections to implementing the Shari'ah--objections which he has wished to call, thanks to his mild manners, contemplation--we have our observations on this prelude. Dr Jum'ah considers implementation of the Shari'ah a mere hope and not an urgent, necessary and inevitable demand by virtue of the constitution and in response to the call of the creed and the interest of the entire nation. Dr Jum'ah explains what he calls identity between Islam and Christianity. We do not know why he has disregarded Judaism and other religions as long as he says that adherence to Islam is tantamount to adherence to all religions! Had he said that Islam predominates the preceding religions, this would have been nearer, sounder, closer to the sound faith and farther from flatering some to the exclusion of others.

Moreover, Dr Jum'ah opens his short article by acknowledging that he does not claim to be well informed on the issue and capable of deciding it. Then, why bother to write on the issue to start with? Can certain points and certain issues be raised, as he says, prior to comprehensive knowledge and detailed study? Else, raising points and questions in this case is meaningless, unless it is intended to raise doubts. Had the doctor thought well, which we think he is capable of, then we believe that he would have inevitably reached certainty. But if what is meant by his inability to decide is that he cannot ascertain the need to implement the Shari'ah, then this is what we refuse to

have from Dr Nu'man Jum'ah, the veteran legist, even law professor. But if what he means is that he cannot impose its implementation by himself, then he is correct and nobody is asking him to do so.

The objections cited by Dr Jum'ah are divided into two parts, the first pertaining to the meaning of the Shari'ah and wondering whether it is the Koran and the Sunna or whether it also includes the interpretation of the jurists? He also wonders about the rationality of interpretation. All this is part of the abc's of the legal science which Dr Jum'ah teaches his students when speaking of the sources of the positive law, including the text of the law, tradition, court decisions and the interpretations of jurists. We wonder where the difficulty lies in arranging the rationality of the sources of the Shari'ah rulings. This is a topic discussed at length by the Muslim jurists. If somebody else were to raise such doubts, we would tell him that Dr Nu'man Jum'ah and legalists like him are more entitled to answer such doubts and those who arouse them. The second part pertains to the means of implementing the Islamic Shari'ah. Is it be abolishing the existing laws and promulgating new laws derived from the Shari'ah or by reviewing and amending the current laws? We also think that this issue is not hard for Dr Jum'ah's intellect. Every legal system has its philosophy and structure. Even within the framework of the positive law, the Latin law differs from the Germanic law, for example. The Egyptian legislation we want must rely entirely on a single philosophy, namely the philosophy of Islam and of its religious structure, not legislation patched up from here and there.

Concluding, Dr Nu'man Jum'ah says that interest on money is an extremely difficult issue because it is tied to banks and to international economic relations, adding that the requirements of stability may ultimately lead us to implementing the current laws while amending them so that they may not be incompatible with the Islamic Shari'ah. Herein lies the crux of the issue. Here also are revealed the true intentions seeking to obstruct the Islamic Shari'ah on the pretext of safeguarding domestic stability and external economic relations. This is a call advocated by the enemies of Islam, including the secularists and those supporting the crusader U.S. front and its Jewish allies. We hold Dr Jum'ah above sliding to this level. It will not harm stability to have the Islamic Shari'ah implemented with its entire philosophy and its complete legal structure. In the past, the civil law was abolished in its entirety and replaced by a group of other civil laws without turning the conditions upside down or troubling stability. As for the illicit usury, there is no doubt that Dr Nu'man Jum'ah knows that modern economists, especially Lord Keynes and subsequent European and U.S. economists, denounce dealing with interest and consider it, along with hoarding, one of the most important causes of successive economic crises. On the other hand, Islamic banks have spread not only in the Islamic countries but also in Austria, Switzerland, Luxembourg, Denmark and West Germany. Communist thought is also hostile to interest and bans dealing with it. The idea of interest is not a foregone conclusion nor an inevitable must, except from the viewpoint of the Jews and the colonists who use it as a means to fleece others.

It seems the Wafd has taken its final position on the side of secularism because Dr Nu'man Jum'ah's article has come in the wake of an interview given by

Counselor Mumtaz Nassar to an Arab paper and published in AL-NUR. What interests us in this interview is Nassar's answer to a question on implementation of the Islamic Shari'ah in which he said that the Wafd approves its implementation because the constitution states that it is the main source of legislation and because the parties approve this. But Nassar added that he does not want religion to overwhelm the state. Counselor Nassar's approval of implementation of the Islamic Shari'ah has nothing to do with his faith or with his concern for the religion which he embraces officially and which the majority of the Egyptians embrace. This approval comes just because he obeys the constitution and because the rival parties approve this implementation. Supposing the constitution called for excluding religion or for establishing an atheist state and supposing the parties approved this atheism, would Counselor Nassar approve also? He also supports the idea of separating Islam from the state and does not want religion to overwhelm the state. This is an amazing statement by a Muslim legalist who describes Islam as overwhelming when Islam's power is established. We think that he wants the state to overwhelm Islam and that he would not be worried, embarrassed or surprised by such domination. It is as if what Islam is suffering at the hands of the various Islamic states now is not enough.

Earlier, and before the New Wafd was founded officially, Dr Wahid Ra'fat published several articles in AL-MUSAWWAR after it came under the control of the present chief editor who has turned the magazine into an instrument for attacking Islam. Dr Ra'fat reiterated all the statements made in Dr Jum'ah's article and Counselor Nassar's interview.

We are not attacking or assaulting the Wafd here. God knows that we, as Muslim fundamentalists, viewed the return of the Wafd in the political arena as a good omen. But in view of this surprising position by a party whose main claim is that it is a party that has arisen from among and for the people, we cannot but express amazement and deep regret. It seems that the Wafd's leaders have forgotten that the overwhelming majority of the people whose support the Wafd is seeking embraces Islam. It is not a good policy, not to mention good faith, for the leader to antagonize the majority's religion or to take toward this religion the position taken by some other parties, one of which has devoted its paper to the pens of the secularists, atheists and those pretending to be Muslims while plotting against Islam, falsifying its thought and distorting the venerable Koran verses and noble hadiths. Another party confronts the Islamic movement with violence and oppression. At this party's hands and with the planning of its men, the cream of Muslim youth has been killed. In the darkness of this party's jails, a group of Muslims is serving tyrannical sentences and suffering all kinds of torture for no reason other than its wish to see Islam prevail. On this party's gallows, others have faced their death. The blood of young and old men whose only sin was to pray was shed by this party's forces. On the pages of this party's papers and magazines and on its broadcasting waves, Islam's opinions are ridiculed and Islam's traditions attacked.

A final word we wish to address to these parties, asking them: Are you true Muslims, as your names and your frequenting, at times, the Islamic [holy] places indicate? If you are Muslims, then why do you antagonize Islam, which

is your religion? If you are not Muslims, then make this public so that people may know. But to pretend that you are Muslims while all your actions show that you do not believe in Islam in your hearts, then this is a characteristic that we cannot name for you and we hope that you rise above it.

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EGYPT

LIBERAL PARTY CHAIRMAN DISCUSSES ECONOMIC OPEN-DOOR POLICY

Cairo AL-AHRAR in Arabic 26 Nov 84 p 3

[Interview with Mustafa Kamil Murad, Liberal Party chairman, by Jamal 'Abd-al-Sami': "After 10 Years of Open-Door Policy, What Are Experiment's Positive and Negative Features; Leftist Tendency Supporters Campaign Against Open-Door Policy; Central Bank Law Determines Volume of Investments by Joint Banks"; date and place not specified]

[Text] To continue the discussion started in the preceding edition to assess the open-door economy experiment which was begun in accordance with law No 43 of 1974, now that 10 years have passed on the implementation of this policy, AL-AHRAR interviews here the Liberal Party chairman after having presented the viewpoints of Dr 'Ali Lutfi, a representative of the National Party, and Dr Sharif Qasim, a professor of economics and political science who represents the socialist tendency.

What does the Liberal Party chairman have in specific proposals to overcome the negative features of the experiment in its first 10 years of life?

Mustafa Kamil Murad said: The negative features projected by the leftist line supporters are a reflection of their fundamental rejection of the open-door policy.

What is the basic objective of implementing the open-door policy? The local and international circumstances in the 10-year period from 1974 to 1984 have been different from the similar circumstances in the 1952-70 period.

The circumstances have changed in a manner that makes it difficult to continue in the 1980's the policy which existed in the 1950's or 1960's.

Murad also said: For matters to be clear, we must also know the roots of the open-door policy first.

In its wars for Palestine, Egypt, in its capacity as the biggest Arab state, spent more than 40 billion pounds, beginning with the 1948 war and ending with the 1973 war. Of this sum, the Arab countries gave us 11 billion pounds in aid and grants. This means that the Egyptian people spent 30 billion pounds of their own money, not to mention the revenues this sum would have

yielded to the national economy if it had been invested. This figure could have reached 60 billion pounds. There is no doubt that this had an impact on the standard of living as it had its impact on the national economy and national savings.

Therefore, after spending this enormous sum, efforts had to be made to seek an economic policy capable of making up for this big loss. What is needed is to engage in development activities in the industrial, agricultural and service spheres and to enhance the standard of living. This requires capital.

Three Million Abroad

Moreover, there has been a very large increase in the past 10 years in the number of Egyptians working abroad. Whereas they amounted in the past to a few thousand (30,000-40,000), their number has now reached nearly 3 million Egyptians working abroad, with savings amounting to nearly 7 billion pounds [annually]. It is necessary that these savings be invested in Egypt in housing and in industrial and agricultural projects. Any wise politician must inevitably think of utilizing this sum in the interest of the national economy.

This is on top of the fact that Arab capital in the area increased by a very large degree in the wake of the 1973 war as a result of the rise in oil prices from \$3 per barrel to \$28 per barrel. The oil revenues ranged from \$100-\$125 billion [annually]. These revenues exceeded the needs of the oil countries, which have sought to invest their surpluses. It is a foregone conclusion that Egypt's interest requires attracting this capital for investment in Egypt.

Technological Progress

This has been one of the most important motives and roots of the idea of adopting the open-door policy. There is technological progress in management, industry and agriculture and efforts must be exerted to utilize this progress and to try to acquire the advanced scientific systems compatible with Egypt's circumstances. Not all technology can or must be acquired.

All these factors encouraged the state to turn to the open-door policy.

For your information, I was one of those who demanded adoption of the open-door policy prior to 1974. I demanded the implementation of this policy in 1961 in the Preparatory Committee of the National Congress of the People's Working Forces which approved the charter. I demanded that capital be invested to utilize technology, to employ manpower and to increase exports.

Therefore, the idea of attracting capital for investment in Egypt to make up for what was spent in the wars and to achieve real development is an old idea and not an idea given birth by the open-door policy law of 1974.

'Abd-al-Nasir Did Not Reject It

Since 1953, several investment laws have been issued in Egypt, including laws issued in 1966, 1971, 1974 and 1977, meaning that 'Abd-al-Nasir did not reject

the idea of the investment of foreign capital even under the canopy of nationalization. However, this investment remained within very narrow limits in the technological spheres that help exportation. The proof of this is that I was personally permitted in 1963 to establish the first Egyptian joint-stock clothing company in the Alexandria free zone in partnership with a German party in order to increase the export of clothes which were one of the most important means to increase exports. The Egyptian cotton crop which is sold for 1 billion pounds can be sold for 15 billion pounds if it is manufactured. All this is an added value.

Therefore, the policy of investing foreign capital, be it Arab or western, was not completely out of the mind of the administration. Since the inception of the revolution, there have been laws regulating this investment. These laws are amended according to the country's political, economic and social circumstances.

So, the mainstays of the open-door policy have been present and there is dire need for capital to make up for the monies spent on wars--a sum estimated at 40 billion pounds, of which 11 billion came from the Arabs. This means making up for 30 billion pounds which, with their revenues, could have amounted to 50 or 60 billion pounds.

[These mainstays are] the presence of a large number of Egyptians working abroad and their saving nearly 7 billion pounds [annually]. These savings must be attracted for investment in Egyptian projects.

The availability of Arab capital seeking investment opportunities.

The availability of modern technology in industrial production and in management.

All these mainstays have encouraged the Egyptian politicians, and I am one of them, to amend the laws so as to attract capital in order to make up for the severe shortage of capital in the past.

Foreign Debts

Regarding the foreign debts and what has been said about these debts growing more rapidly in the open-door policy years than in the preceding years, Mustafa Kamil Murad said: Foreign debts should not arouse all this fear. These debts amount to \$17-18 billion, of which we pay nearly 10 percent annually, meaning that Egypt has the ability to repay. The debts of the developing countries have amounted to more than \$700 million [as published]. Borrowing is nothing new to Egypt or to the developing countries. On the contrary, borrowing is necessary for the purchase of production machinery and equipment to increase production. All developing countries borrow and there is nothing disgraceful in this. Moreover, the sum [borrowed by Egypt] is not as enormous as to make us imagine that it will have an adverse effect on the open-door policy because the interest on these debts is divided into installments and a part of the debts is advanced in grants. So, there is no reason to worry.

[Question] As long as we are talking about the need to invest capital advanced to us in the form of agreed-upon grants, then we must also explain how these funds have been utilized, whether they have contributed to the development processes or whether they have been used in purely consumption projects that have added nothing new in the various spheres of production.

[Answer] If we examine the past 10 years of the open-door policy era, we find that a total of 1,000 projects have been submitted [for approval], of which nearly 600 projects have been implemented.

The capital invested in the form of production machinery and equipment amounts to 6 billion pounds.

Of this sum, 2 billion pounds have gone to the private sector. Therefore, it is essential economically that the private sector investments be increased because the Egyptian private sector represents 45 percent of the national income, and this is a fact, while the public sector is not compatible with this sector's contribution to the national income, considering that only 22 percent of the 5-year plan (8 billion pounds out of a total of 35 billion) are invested in this sector, i.e. an average of 1.6 percent annually. This is a very small figure that must increase to 3 percent because when the public sector gets 78 percent of the investment volume (i.e. 3.8 billions annually), then this means that this sector is investing more than its share of the national income, namely 55 percent. This sector is thus compelled to borrow, causing a deficit of 5 billion pounds in the budget--a deficit which is covered from social security and pension funds, the National Bank's investment bonds and nearly 1.2 billion pounds from abroad. Despite this, there remains a deficit of 1.5 billion pounds which the government is forced to cover by way of the Central Bank, issuing banknotes in return for treasury bonds or notes. This leads to inflation. Therefore, the private sector must be encouraged--and this is one of the objectives of the open-door economic policy--to increase its investments by 500 million pounds annually so that they may reach 40-45 percent [of the country's total investments]. Thus, the government will not be forced to issue banknotes, which is being done at present. This increased investment will, naturally, lead to curtailing the sharp increase in prices and reducing the inflation rates.

Establishing Joint Companies

[Question] What is your opinion of the public sector companies that set up joint companies to produce competitive goods that affect the main producer?

[Answer] The public sector must establish joint companies because it represents 55 percent of the national income. The open-door policy cannot be crystallized and the foreign or Arab investor will not come to Egypt unless the public sector participates in joint companies and contributes some investments and some managers and resources.

So far, the public sector has invested only 800 million pounds out of a total of 6 billion pounds, i.e. about 12 percent only. This sector has employed only 8 percent of its total investments [in joint companies].

The public sector's participation encourages confidence in some projects.

As for the public sector's participation in producing rival goods, this is not the general characteristic. Competition in the economic sphere is nothing to be ashamed of. As for its being competition against domestic products, I say that two thirds of the capital of the joint companies is Egyptian capital. Thus, the products are ultimately national products.

Joint Banks

In reply to my answer on the joint banks that offer no projects that serve the development process and that are content with placing their deposits with foreign banks to collect interest, Mustafa Kamil Murad said: These banks have deposits exceeding \$5 billion. These deposits come out in the form of loans and projects. The banks have a reserve savings vessel and they use whatever remains in the form of loans.

The problem of the banks is that the Central Bank law limits a bank's investment to no more than 25 percent the capital of any company.

If a company has a capital of 5 million pounds, a bank may not contribute more than 1.25 million pounds to this company.

The other point is that a bank may not invest more than its capital and reserve. Assuming that the average capital of such a bank is 10 million pounds and its reserve 10 million also, then this bank cannot invest more than 20 million pounds.

The third point is that there is a shortage of projects. No projects coupled with economic feasibility studies have been submitted to these banks and turned down. On the contrary, these banks are looking for projects.

As for the accusation that these banks put their deposits in other banks to collect interest, this is untrue.

There is an international banking system in operation. According to this system, banks place their deposits with other banks to collect legal interest. This is not smuggling.

These foreign banks offer foreign trade credits that exceed many times the value of the deposit. This leads to developing foreign trade. The more banks there are and the more branches they have, the more capable they are of gathering savings and, consequently, of financing and making loans to development projects.

Investors' Problems

Concluding, Mustafa Kamil Murad has called for discussing the investors' problems, especially the problem of the high price of the dollar, which was set at 90 piasters per dollar in the feasibility study of a certain project but which has now risen to 138 piasters. This is capable of completely upturning the balances. There are also the customs and tax problems and the bureaucratic complexities.

He added: If there are 2, 3 or even 10 projects that have lost or gone bankrupt, this is normal. If there is a bank which has misbehaved and has experienced acts of embezzlement, this does not mean that the system is corrupt. The presence of an employee who has stolen does not mean that all the citizens are thieves.

An important thing must be taken into consideration, namely that the investor seeks profit. Let every man put himself in the investor's position to see matters from a sound viewpoint.

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EGYPT

EDITORIAL RIDICULES ARREST OF AL-AHALI REPORTER

Cairo AL-AHALI in Arabic 28 Nov 84 p 3

[Editorial: "Sunday's Appointment"]

[Text] Hamdi Salim is a good-hearted rural youth who studies at the Language College and who knocked at AL-AHALI's door more than a year ago, saying: I am in love with journalism and I am training to be a journalist. We told him: Welcome. Nobody asked him about his political tendency and we did not ask him to join the Grouping Party. We try to make AL-AHALI a nursery for talent and a window supplying the Egyptian press, both partisan and national [government] press, with new blood which believes, like we do, that there can be no talent without freedom and that a journalist who loses his freedom loses his talent.

Last Thursday, a student at al-Azhar University called us by telephone to tell us that there was a clash between the students and the security forces and asked us to send a reporter and a photographer. After contacts between the chief editor and his assistants, we made the hard decision not to send anybody for fear that the security forces would, as usual, fabricate an incident, arrest our reporter and accuse us of instigating the students. We decided to wait so that we could gather the details after the conditions subside.

But Hamdi Salim, who had heard the discussions, decided to prove his ability and to cover the incident between al-Azhar students and the security men. His colleagues, the BBC correspondent and reporters from the news agencies and AL-AKHBAR, AL-JUMHURIYAH and AL-AHRAM interviewed the students. Salim was hit by a brick in the head while standing in the street writing down the students' slogans. On his way home, a central security car stopped him, even though he revealed to the security men his identity and his mission. He was arrested but he insisted that a report be written on the circumstances under which he was arrested and that a central security officer and he himself sign the report so that nobody may claim that he was demonstrating. They then took him to a jail in a central security camp where he found himself among 60 citizens, 7 of whom were not students. He spent in jail a night whose details kept us laughing for an entire day.

At dawn, they took the students and in the morning they took him to the State Security Investigations where he kept going, under strong guard as if he were

a king or a head of state, back and forth from the Press Bureau to the Communism Bureau and from Maj Hamid 'Awad to Lt Col 'Adil 'Abd-al-'Alim. They asked him about his family and our families from great-grandfathers to great-grandchildren. They were surprised when they found that he is not a member of the Grouping. When he told them that he gets a few pounds every several months and when they found out that he had knocked on the doors of numerous newspapers to work in the press and that only AL-AHALI opened its door for him without binding him to any condition, not even to joining the Grouping, they offered him a job in MAYU and threatened to suspend him and beat him if he did not tell them all that we do. He said: They publish a newspaper. They then read him poems and asked him to explain them. Finally, they released him, with three detectives trailing him, without turning him over to the prosecution and without notifying the [Press] Union. They released him on his promise that he would return on Sunday so that the steps for recruiting him to spy on us might begin and that he would keep the entire story concealed.

This is a story we present to Ahmad Rushdi, the minister of interior, in the hope that he will extend his protection to the Egyptian journalists as he has extended it to the Libyan opposition members. We tell those who awaited Hamdi Salim on Sunday that all those who work in AL-AHALI are ready to work in any newspaper, even if it is MAYU, on one condition, namely that they be given the freedom they are given by AL-AHALI which asks them for nothing other than loyalty to the homeland and affiliation with the people.

Because all those who work and train at AL-AHALI want to be journalists and because they know from the history and reality of the press that he who chooses to become a police or a government informer cannot become a journalist, not even an informer, Hamdi Salim did not go to Sunday's appointment and did not fulfill the promise he made at the intelligence jail not to tell us or the readers what had happened since he left AL-AHALI at noon on Thursday and until he returned to it on Saturday morning. Let it be a topic in which he, and we, poke fun at the adventures of the State Security Investigations.

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EGYPT

PROSPECTS FOR INTERNATIONAL AIRPORT AT ALEXANDRIA EXAMINED

Cairo AL-AHRAR in Arabic 19 Nov 84 p 3

[Article by Misri al-Burdaysi and Muhammad al-Sayis: "Is al-Nuzhah Airport in Alexandria Fit to Be Transformed into International Airport; Passengers' Luggage Is Kept in Bathrooms and Sewer Water Covers Airport Apron"]

[Text] Is the present al-Nuzhah Airport fit to be transformed into an international airport?

What about building an airport in al-'Amiriyah?

To answer these questions, let us review what a report by the Tourism Committee of Alexandria Governorate Local Council says regarding the possibility of transforming al-Nuzhah Airport into an international airport.

The report exposes numerous flaws that impede receiving aircraft and regular passenger traffic, including the lack of a passengers hall capable of accommodating [large] numbers of passengers, in addition to the fact that the airport grounds are covered with sewer water and with reeds and shrubs, thus posing a serious danger to the airport and to the installations surrounding it, such as the oil installations.

There is, moreover, a garbage incinerator next to the airport and when garbage is burnt, thick smoke rises and may block the pilot's view, thus affecting the safety of air traffic.

Inspection Apparatus

The report exposes numerous flaws, including the lack of a canopy to protect the doors and furniture of the information and tourism offices, the lack of signs to direct the public to the airport installations and the lack of an automatic luggage inspection apparatus [presumably meaning x-ray detector]. The inspection is done manually, thus harming the airport's reputation, especially in the eyes of foreign visitors and tourists. The bathrooms also need maintenance, there is no free market and no luggage storage space. Various pieces of luggage are left in the toilets.

The report also asserts that all of the airport's clocks are out of order, and that there is no mailbox in the airport, no trash cans in the arrivals hall and no ashtrays in the airport hall. There is space in the airport to build a restaurant but so far no public bids have been invited to utilize it.

Proposals to Solve Problems

To solve the airport's problems, the committee proposes the construction of another building to be allocated for the offices of Air Egypt. Considering that there is no safety area for aircraft to hover at low altitude in cases of emergency landing, efforts must be made to deal with this serious flaw.

The report stresses the need to form a board of directors for the airport comprised of representatives of the agencies of all the ministries and authorities operating in and concerned with the airport and to give this board an independent budget so that it may have the power to make and implement decisions because the multiplicity of agencies and diversity of their decisions impedes development of the airport so that it may be operated as an international airport and boost Alexandria's tourist activity.

Story of Airport

When Al-AHRAR went to 'Izzat Qaddus, the chairman of the Alexandria Governorate Local Council, he said: Before 1967, the airport offered regular service 24 hours a day. When the setback was suffered, the armed forces seized the airport and did not return it [to the civilian administration] until 2 years ago. Because of its short runway and its inability to accomodate heavy aircraft, the airport receives at present only propeller aircraft and Boeing-737's. As for the big jumbo jets and 747's, they do not land at this airport.

The chairman of the Alexandria Local People's Council added: I have spoken to the prime minister and the minister of war on this issue in the presence of the governor of Alexandria. Marshal Abu Ghazalah, the minister of war, has promised to form a committee from the Ministry of War to discuss the possibility of intervention by the armed forces to develop the airport and to complete the development operations which, we hope, will be completed as soon as possible so that we may achieve the aspirations of Alexandria's citizens.

Khamis Khattab, a member of the Alexandria Governorate Local Council, has proposed that all efforts to develop the present airport of al-Nuzhah be canceled or suspended as long as another international airport is to be built in al-'Amiriyah.

This member added that in its present condition, al-Nuzhah Airport puts pressure on the governorate's population density and on the space available for development around the airport. He also said that all international airports are built nowadays far from cities, with transportation secured to them.

Governor Explains

In a session held by the Local Council to discuss the problem of al-Nuzhah Airport, Fawzi Ma'adh, the governor of Alexandria, stated that the problem lies in the fact that the airport was transformed to receive civilian aircraft only 2 years ago and that during these 2 years some restoration and rapid repairs have been made by the degree permitted by the budgets.

The governor added: We have succeeded in enabling the airport to accomodate 3 daily flights to Cairo. This is a big service for the population of Alexandria because these flights are scheduled to link with other external flights. We have also succeeded in operating weekly trips to Saudi Arabia and it suffices that all the pilgrims from Alexandria, Kafr al-Shaykh, al-Buhayrah and Matruh leave for their greater and lesser pilgrimage from al-Nuzhah Airport.

Regarding construction of al-'Amiriyah airport in the area of Hayj, the governor said that the question of building this airport is still under study.

Regarding the flaws in the present airport, the governor said that this airport is under the control of the Civil Aviation Agency. But we, as a governorate, do not hesitate to offer the airport all services.

Civil Aviation

Answering what the report says about the flaws exposed in the airport, Civil Aviation has said that insofar as the airport mail is concerned, there is mail and there is a direct telephone line to Cairo at the airport.

As for the "reeds" growing around the airport, we have proposed that the armed forces eliminate them. Marshal Abu Ghazalah [words indistinct]. [As for the] lack of banks at the airport [word indistinct] we have three banks.

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EGYPT

CAUSES OF RISE IN DOMESTIC VIOLENCE EXPLORED

Cairo AL-AHRAR in Arabic 19 Nov 84 p 3

/Article by Usamah Mukhtar/

/Text/ Acts of violence have been recurring recently in a manner that draws attention. Three crimes /murders/ have been committed in 1 month and the police blotter has recorded that a child of no more than 10 years of age planned an ugly crime against another child, that a young man killed his aunt despite his strong love for her, that a son killed his mother, that a peasant woman killed her third husband with a hammer and that a farmer shot his sister and her children to death. Aren't these crimes new to Egyptian society, with its deep-rooted traditions, family ties and customs?

What are the causes that have led to these crimes that are alien to our society? What is the psychological and sociological explanation for these acts and what is the opinion of the security men about them?

Psychology of Crime

Psychologists say that behind every crime there must be a motive or a psychological factor, such as the acts of revenge and vendettas which are founded on a wrong conviction whereby the criminal convinces himself that his act is legitimate. We even find that in cases where crime occurs accidentally, the perpetrator suffers from a psychological condition, such as spells of extreme rage and hysteria and unconsciousness. Even fantasy plays a role before perpetration of the crime, with the individual magnifying for himself the injustices which he believes are done him, thus going into a rage and taking revenge. It is well-known that extreme emotionalism obstructs mental functions and impedes clear thinking, with the individual subsequently resorting to crime and acts of revenge. The psychological factors surface in particular in murders and in assaults leading to death and to physical disability.

The rise in crime is tied to the factor of age which, in turn, is tied to the psychological condition. It is noticed, for example, that those who commit premeditated murder are in the 20-40 year age bracket and that the age groups that commit the least crimes are the 15-year olds and those of age 60 and above. According to a report by the Public Security Agency of the Ministry of Interior in 1982 "crime is also tied to certain kinds of professions and to the educational

levels of those engaged in them. We find that the highest percentage of crime perpetrators comes from among those engaged in agricultural work and craftsmen whereas the lowest percentage is among managers and owners of administrative and executive businesses and similar people."

Insofar as the crimes of premeditated murder according to motive are concerned, we find that psychological factors are responsible for numerous crimes, such as crimes of revenge: 120 premeditated murders, 12 crimes of revenge, 44 crimes of avenging soiled honor and 33 crimes of family feuds out of a total of 632 crimes.

Alcohol and Drugs

Psychological factors, such as alcoholism and drug addiction, play a major role in the perpetration of sex crimes and misdemeanors and other crimes. Some go as far as saying that alcoholism does not contribute greatly to serious crime, such as murders, but only to such crimes as vagrancy, family desertion and rape. But the fact is that though alcoholism does not lead directly to crime it does lead to the condition of personality disintegration.

Economic Conditions

A study by Dr Muhyi-al-Din al-Mabruk says that focusing on crime's relationship with the deteriorating economic conditions reflects a conventional concept of crime whereas crime is mobile and moves from one crime to another /sic/ and from one economic condition to another.

With this introduction, the researcher asserts the primary fact that crime is not the offspring of poverty alone and that it may be the opposite.

By examining a statistical study conducted by the Ministry of Interior on the distribution of jail population in the years 1977-80 according to economic condition, it becomes evident that poverty resulting from low income or unemployment leads to crime.

Finally, the researcher wonders: How can the youth avoid crime in a troubled world where the balance is upset because of the poor economic conditions! This condition requires attention at the national and international levels. This is why the issue of youth-crime-justice is the third issue of discussion in the agenda of the national and regional preparatory meetings of the seventh UN conference on crime prevention and the treatment of criminals--a conference which will be held in 1985.

The study says: What prevents us from killing is our emotions. A murderer is a human being whose emotions have been dulled. This is a serious disease symptom. For my PhD thesis which discussed the psychological motives behind crime, I conducted a study on a sample of murderers in Abu Za'bal jail and a sample of murderesses in al-Qanatir jail and I found that the convicted murderers are mentally sick with a disease called schizophrenia /al-infisam/ which is a serious mental sickness that completely dulls the emotions, meaning that a patient suffering from this malady may experience a catastrophe and not be

affected /emotionally/ or may encounter a very happy situation and not react because he has no emotions or feelings. Such a person is capable of killing his mother, father, brother or any other human being without any emotion!

Turning to crimes in which children kill their mothers, the study says: The crime of killing one's mother is the most heinous of all crimes. It is my opinion that a person who kills his mother is sick mentally. This is an opinion I have developed as a result of my experience of 16 years in psychiatry. I say that a person who kills his mother suffers from schizophrenia--I say this without the need to examine such a person--and needs hospital treatment because this crime means the ultimate disintegration and insensitivity of the conscience.

Crime and Civilization

Maj Gen Muhammad 'Adil Sha'ban, the director of the Public Security Research, said: Crime has been known since the dawn of mankind and it is mentioned in the various religions and laws. Scientists say that crime has surfaced in all ages and in all human societies.

He went on to add: An examination of the international societies demonstrates that crime is one of the negative consequences of civilization, meaning that it increases with the rise of the level of civilization. But in Egypt, we find that there are factors that alleviate the negative impact of civilization on society.

As for the police agency, the statistics indicate that the general characteristic is the tendency toward decreasing crime, despite the increase in crime in some locations or the increase in certain types of crimes. The general tendency is toward less crime. In 1982, the public security reports recorded 632 murders compared to 772 in 1981. In 1984, the number amounted by 30 September 1984 to 547 murders throughout the republic. Thus, the statistics indicate a drop in the crime rate generally.

Regarding the murder of mothers by their children, Major General Sha'ban said: It is not a phenomenon because phenomenon is used to denote something that is general and recurrent. These are individual cases. I attribute such crimes to the loss of family ties and this, in turn, is due to the lack of the proper family climate for a sound social upbringing. This crime reflects the ugliest form of the loss of family ties. The only solution to dealing with this crime is to have the family perform its role in raising children properly and in planting in them good values and family bonds and in having the school perform at the same time its sound educational and social role because the family and the school complement each other.

Media's Responsibility

Col 'Adil al-Hilal from the Public Security Agency said that the press plays a serious role in spreading crime. This press can publish the crime reports in few lines instead of publishing them on its front pages and in a provocative manner. The newspaper editors must turn to the police to find out the circumstances under which a crime has taken place.

The television must also have the fear of God in the programs it offers the public opinion because television series and films have a greater and more rapid influence than the press.

Relationship Between Poverty and Crime

Under this heading, researcher Dr 'Abd-al-Qadir al-Zaghal deals with the relationship between poverty and crime as a "problem," not as a constant causative relationship. The researcher says, "Even though the prevalent idea imagines that poverty is the most important factor in criminal behavior, it has been proven statistically that poverty in the rural environment inevitably leads to crime and that improved conditions in collective living in societies that have secured an advanced standard have not been followed by a drop in crime rate /sentence as published/. Rather, the reality of crime has proven the opposite." The researcher then analyzes the relationship between poverty and crime, breaking it down to three fundamental theoretical tendencies, each reflecting the maximum importance of a factor considered the main cause of crime.

Economic Tendency

The studies conducted within the framework of this tendency believe that the relationship between poverty and crime is a direct causative relationship because the poverty under which an individual lives motivates him to try to meet his essential needs illegally. From this viewpoint, the economic factor is the main determining factor in criminal behavior.

Social Tendency

Sociologists believe that the relationship between poverty as an economic condition and crime is an indirect relationship. Poverty has, to start with, its impact on the institutions that raise children, especially the family which, in turn, has its effect on the child's psyche and on his subsequent delinquency. This tendency underlines the role of the institutions that raise children in creating the conditions that encourage crime.

Psychological Tendency

Those who believe in this tendency find that the feeling of deprivation, not the objective condition of poverty itself, is the factor causing the imbalance in personality which may lead to criminal behavior. They also believe that the apparent behavior is the outcome of diverse psychological factors.

After reviewing these tendencies, the researcher takes us to the conclusion, namely that each of these tendencies displays a certain factor which he considers an explanation of the phenomenon of crime and of the relationship between poverty and crime. Meanwhile, the reality dictates that attention be devoted to the various factors revealed by these tendencies and that these factors be used to understand crime and to draw up the plans to combat it.

Violence Is Characteristic of Age

Dr 'Adil Sadiq, the professor of psychiatry at Cairo University, has written in an Arab magazine: The crime of murder as a part of a number of crimes is an extraordinary crime in the sense that it is the ugliest degree of violence. Regrettably, violence has become one of the characteristics of this age. The maximum degree of this violence is murder. Dr 'Adil Sadiq adds: Psychiatry considers any murderer a psychological patient until proven otherwise, meaning that if a person commits a murder in any civilized country, he must be subjected to a psychological evaluation, even if his attorney does not demand such an evaluation and even if the murderer has not been previously subjected to psychiatric treatment.

Dr Sadiq further adds: A person who becomes easily accustomed to murder is certainly a sick person because the psychological, scientific and medical translation of murder is that it is a state of a dead conscience. A normal person cannot run over an animal on the road with his car, not to mention killing another human being.

CSO: 4504/121

SUDAN

JOURNALISTS' GUILD CONDEMNS IRANIAN TREATMENT OF IRAQI PRISONERS

London AL-DUSTUR in Arabic No 351, 3 Dec 84 p 4

[Article: "The Union of Sudanese Journalists"]

[Text] The Union of Sudanese Journalists has condemned the stupid crime the Iranian regime has committed by killing Iraqi prisoners of war in violation of all international custom and international documents. In a statement on this subject, it has stressed that it fully realizes that this sort of base act can only bespeak a moral collapse which is afflicting the defeated persons as they drag their tails in disappointment during the decisive battles in the areas of tumult.

The union's statement went on to say:

"We in the Union of Sudanese Journalists and its legal council and foreign office, proceeding from the principles on which the Arab Federation of Journalists has based its clear frank positions of condemnation of the Persian Iranian aggression, which is aimed at the Arab nation in its entirety, not just noble Iraq, consider that the time has come for a firm, homogeneous, coherent Arab stand in the face of this danger, whose evil intentions are becoming apparent through this sort of act, which is disgraceful to mankind.

"We in the Union of Sudanese Journalists are becoming more convinced with each day that the enemy of the Arab nation, whose pathological dreams of crossing over the eastern gateway to the Arab nation have been crushed, would not have reached this level of idiocy of killing Arab prisoners, just as the Zionists did at Dayr Yasin, Bahr al-Baqr, Sabra and Shatila, had it not been for its feeling that there was Arab neglect of the goals and intentions of this war and that this would allow it to commit this sort of ugly deed.

"We consider that this sinful aggression against the Arab prisoners, which is characterized by cowardice, stands as a prominent sign of the imminent collapse of the tolerant pretensions of adherence to Islam which the rulers of Tehran have continued to prattle about, though they are devoid of them, since one of the most basic rules of the teachings and values of Islam is the proper treatment of prisoners, and international documents and usage have been based on that ever since.

"We in the Union of Sudanese Journalists, speaking through its legal council and office abroad, while condemning this ugly crime, remind one here of the resolutions of the seventh conference of the Federation of Arab Journalists in Baghdad and the recommendations of the meetings of the secretariat general in Tunis and Amman, which requested the Arab leaders to put the joint defense agreement, by which alone we can prove to the enemies of our nation, all enemies, that we are a single, distinctive nation which is worthy of its past and aspires to its unblemished future, into actual, practical application.

Glory and immortality to the noble martyrs.

Death and destruction to the enemies of mankind.

Shame and disgrace to people of Arab nationality who have not made their voices loud enough to state a single word of protest on behalf of the most noble of martyrs.

[Signed] Yusuf al-Shanbali

Secretary general of the union and person in charge of the foreign office.

11887

CSO: 4504/135

SUDAN

TRIAL OF BA'THISTS POSTPONED

London AL-DUSTUR in Arabic No 351, 3 Dec 84 p 5

[Article: "Khartoum: Postponement of the Trial"]

[Text] For the second time, the trial of five Sudanese citizens who have been accused of opposing the government and stirring up hatred against it -- 'Uthman al-Shaykh, Bashir Hammad, al-Jayli 'Abd-al-Rahman, and two others -- has been postponed. The State Security Agency had arrested them in the al-Fatimah section in the city of Omdurman on the charge of possessing publications hostile to the government in the wake of the escalation of opposition activity by the Arab Socialist Ba'th Party, Sudanese region.

Criminal Court Nine in Khartoum, under the chairmanship of Dr Ahmad Idris, reviewed the charge under Article 105, which covers the penalties for stirring up and provoking opposition to the government. However, the defense board, composed of a large number of lawyers, including al-Sadiq Sayyid Ahmad al-Shami, Mustafa 'Abd-al-Qadir, 'Ali al-Sayyid, Dr Salim 'Isa, 'Abdallah Salih, Sayyid 'Isa, Kamal al-Jazuli, and 'Ali Rajab, demanded that the papers on the case be transferred to the Omdurman court rather than Khartoum, basing itself on the criminal procedures law, which stipulates that a case be reviewed in the city in which the incident occurred.

The following day, the court issued a decree transferring the papers on the case to the minister of state for criminal affairs in the office of the public prosecutor, to be transferred to the competent court, which convened in the city of Omdurman last 22 November under the chairmanship of Dr al-Mukashifi Taha al-Kabashi, who at the same time is chairman of the court of appeals. On the day the court met a legal dispute occurred between the lawyer 'Ali al-Sayyid, member of the defense council, and the chairman of the court, which caused the latter to threaten to present a notification against the defense lawyer on the charge of defaming the court. When the judge al-Mukashifi asked one of the accused to name the person who was defending him, he answered him by stating that if he needed a lawyer there were a million of them who would rush to defend him. The court session was postponed to a later time.

It should be pointed out that this trial was enthusiastically received by masses attending its sessions, and became a subject of conversation in

discussions among common people, in view of the firmness the citizens accused of belonging to the Arab Socialist Ba'th Party had shown, especially since the trial connected the broad political activity of the Ba'thists to their challenge of the emergency law.

In a document in which it disclosed the conditions of the political detainees and union members in the Sudan, the Arab Socialist Ba'th Party stressed that "The State Security Agency has engaged in vicious forms of torture against a number of them, especially against the people who were arrested on the charge of belonging to the Arab Socialist Ba'th Party, such as the pharmacist 'Uthman al-Shaykh, Bashir Hammad, al-Jayli 'Abd-al-Rahman and Muhammad 'Isa, under the command of Security Major Mahjub al-Jak and the officers and noncommissioned officers loyal to him, such as Wadiktat, the officer 'Abd-al-Rahman and Sgt Muhammad al-Hass al-Jaww, and with the support and assistance of Col 'Abdallah Imam. The torture included beatings with whips, clubs and lead pipes while the persons were in chains, regular electric shocks, and suspension in the doorways of cells for long periods of time."

11887

CSO: 4504/135

SUDAN

DISSIDENT EXPOSES, CRITICIZES ONE-MAN RULE IN COUNTRY

London AL-DUSTUR in Arabic No 351, 3 Dec 84 pp 26-28

[Article by Salman Yusuf: "The File: Numayri Swallows 'His Constitution' and His Party's Charter"]

[Text] If Cervantes became famous for his masterpiece Don Quixote, which he created on the basis of an element of the popular heritage that was deeply rooted in the past, the Sudanese people have the right to be proud and to wait. They have the right to be proud of the elements of their popular heritage, which is brimming with maxims and sayings; they have the right to await the dawning of a new life which will unleash hidden resources of innovation among their intellectuals, to convey their heritage as Cervantes and others have done. It is certain that no one knows precisely when or where, in this million square miles, the stories of Wad Abzahanah or Hashshash bi Dignu arose, in spite of the great resemblance these profound maxims and tales bear to Cervantes' masterpiece. However, it goes without saying that the memory of our people is adding a "new" relic to its storehouse, to Wad Abzahanah and Hashshash bi Dignu, and this, without a doubt, is Wad Numayri, the president of the Sudan, who shares their very features and acts of behavior with Wad Abzahanah, Hashshash bi Dignu and Don Quixote, although he is less innovative than them, "and more false than they" to himself and God's servants.

To follow the stories of Wad Numayri and his speeches and movements is ultimately a waste of time, because Wad Numayri realizes more than others that what is going on in the Sudan is just a stupid execution of orders and programs that are formulated in other places. For this reason Wad Numayri is not in the right place, in the event one follows up on his speeches and conversations, for purposes of comparison or for an "indication" or instrument to analyze the course of events in the Sudan. However, it is still useful to comment on the conversations of the new Wad Abzahanah "on more than one level. It is useful on the first level because the conversations of Wad Numayri have become more frank," and eloquently so, concerning the plans the foreign forces which have designs on the Arab nation and Africa have for the Sudan. It is useful secondly on the level of psychological analysis of a phenomenon which I feel is totally new, that of a unique type of man who has been put in the top position in numerous countries of the third world,

examples such as Wad Numayri, Qadhdhafi, Hafiz al-Asad, Khomeyni and so forth, who compel us to live with them and listen to their lies and their trickery without interruption.

Wad Numayri, who on the surface is no less loved than al-Sadat, found it suitable, in response to attacks against him by Kuwaiti newspapers, and it also seemed appropriate to him, to give a lengthy exclusive interview to Nasir-al-Din al-Nashashibi which took up two pages (eight and nine) of the newspaper AL-ANBA' in its issue of 8 October 1984. As was his custom, Wad Numayri was superior to all his colleagues, "or wasn't he the captain of a soccer team?" He exceeded Wad Abzahanah, Hashshash bi Diqu and Don Quixote in presenting the readers of AL-ANBA' with a new wonder, which made al-Nashashibi, that well-versed journalist who is patient with the adversities of his profession, draw on "the rest of his nerves" so that he could keep a grip on them, continue with his conversation, "with his wages in God's hands," and, after all these enormous, lengthy answers, wonder "Who is responsible for the lack of understanding among brothers, you or them?"

Al-Nashashibi is to be totally excused for his exasperation with Wad Numayri and his failure to understand him. (Even Wad Numayri could not claim to understand himself, not to talk about the Sudan, for which Wad Numayri has appointed himself an imam.) He will not be able to do so, with the utmost abstraction and objectivity, if he assigns himself the task of casting a rapid glance at everything Numayri has said, or a "minor" portion of it, since his coup on 25 May 1969, or of casting a rapid glance at the constitution which he cut to his own measurement in 1973 or the charter of his socialist union, which the workers of corruption on earth cooked up for him and allowed him to have on 10 January 1982. Numayri will assuredly not undertake this effort himself, or perhaps he will not understand the few scraps of paper which he will read before a wave of ennui or fit of contrived mysticism takes him over. We will, however, not because we want to refresh his memory -- we are not concerned to do that; that might perhaps be a concern of American policymakers -- but because it will cause our people and country to avoid repeating old tragic farces of which it is said the most evil affliction is the one that causes laughter.

Al-Nashashibi asked Wad Numayri about al-Qadhdhafi and the need to solve problems with him "for the sake of serving" general unified Arab national action and Palestinian action in particular. Wad Numayri, totally ignoring Palestinian action, replied that he had been al-Qadhdhafi's first friend, the first person to reach understanding with him and the first person to enter into a union with him. It is obvious that everyone who read the reply must have been struck by the repetition of "first" three times; such repetition was not intended for emphasis or anything else that might come to one's mind, but was simply an expression of a deep-rooted complex which children in primary schools expressed in their cries in September 1973, when they stated "wayward fickleness will never rule us." The poor man was never "first" in his whole life, except in waking up at dawn on 25 May 1969 to save his revolution. Then, if Wad Numayri was "first" in all these great matters, "his friendship with al-Qadhdhafi and mutual understanding with him," how could he and his friend, with whom he had a mutual understanding, have involved the Sudan and Libya in their personal disputes or agreements?

Don't we have the right to be amazed at this interpretation of the criteria of agreement and dispute between Wad Numayri and the colonel? Then comes the crowning touch, which is that Wad Numayri was the first to enter into a union with al-Qadhdhafi. Very well, Wad Numayri, you and your first friend reached mutual understanding and entered a world. Then you had a dispute and separated. Why do you want to put walls greater than the Great Wall of China between the people of Libya and the Sudan? Is it true that Camp David is the reason? Relations between the colonel and Wad Numayri became bad and reached their lowest level long before Camp David. It would have been possible for the two to transcend their passing disputes; the fact of the matter is that there is nothing that calls for dispute between Qadhdhafi and Wad Numayri, from the standpoint of the interests they represent or from the standpoint of the nature of their regimes; rather, the real reason for the continuation, deepening and aggravation of the dispute is that Numayri and Qadhdhafi are two expressions of the phenomena we referred to in the context of psychological analysis, for how could two people, one of whom considers himself a whole people while the other considers himself the savior of the whole world, arrive at an agreement?

Then Wad Numayri talked about the Arab-Zionist struggle and gave a ruling on a new solution to this struggle, which was that we should use the commercial mentality to solve this struggle and should know how to buy and how to sell, since "the Arabs are unable to defeat Israel militarily." Wad Numayri asserted to al-Nashashibi, the Palestinian, whose blood sugar and blood pressure undoubtedly rose, that what he was telling him now was the policy he had been following for 15 years.

We will quote here from a passage in the charter of Wad Numayri's party, approved on 10 January 1972, which Numayri personally submitted to what was called the national charter conference of the Socialist Union on 2 October 1972. The passage is taken from Page 10:

"Resistance to international Zionism, full support for the Palestinian revolution, support for the Palestinian people's right to regain their nation and the expansion and deepening of material and human participation on the official level and the level of the people in the battle to defeat the expansionist Zionist imperialist colonialist aggression and liquidate its base, Israel, in a glorious struggle with the Arab peoples, in firm solidarity with the forces of liberation, progress and socialism in the world." Can the imam of the nation and the commander of the faithful, as he claims, lie, through the podium of the press, or was Wad Numayri taken by surprise by this persistent Palestinian's question as he calculated the revenues of his trade in "Wad Numayri's cooperative society" or other sources of commerce, and mixing commerce up with the politics he had been pursuing? The "charter" Wad Numayri read out on 2 January 1972 did not contain any mention of trade by means of the Zionists, with them or through them; indeed, although we reserve our own opinion, it talked about the liquidation of Israel, support for the struggle and the Palestinian people's right to regain their land. Has Wad Numayri forgotten? If he has, and no more than 12 years have elapsed since his earlier conversation, is it proper, in the law of the true religion, for Moslems to appoint as their ruler a man of such stupidity? Don't we have the right to say that Wad Numayri lied 12 years ago,

because he approved something he did not believe in and continued to lie, even after he had appointed himself commander of the faithful? If that is the situation, what would keep Wad Numayri from lying about everything he has said about going back to religion and appointing himself imam for the Moslems of the Sudan?

Numayri replied to al-Nashashibi's provocation by saying that he was the absolute ruler of the Sudan. He replied by referring to "the Sudanese constitution, which was not the creation of Ja'far al-Numayri but was the will of the Sudanese masses alone." Then he said, in another answer, "I led this revolution only because it wanted the system of Islamic law to be applied, and we put the phrase 'return to authenticity' in the program of the Sudanese revolution. Therefore the process of declaring the application of Islamic law just a year ago was in reality a culmination of a revolutionary stage in which we observed the appropriate time to announce what we had previously decided 15 years ago!" (Exclamation point supplied by AL-ANBA'.) I searched for what Wad Numayri had called the program of the Sudanese revolution and did not come upon any trace of it. If Wad Numayri meant the declaration broadcast early in the morning of 25 May 1969, this declaration made no mention of a "return to authenticity"; even if we presume that it did, did the "return to authenticity" actually mean the application of what al-Numayri claims is Islamic law? Perhaps that was something Wad Numayri was keeping to himself; God alone is knowledgeable about absent things and the things people hide in their hearts. Perhaps he should be excused for that; it is not reasonable that he should try to apply Islamic law while the news of his evening forays and alcoholic seances clog the noses of the people of the Sudan. Therefore, in order for us to be of good will, I will wait for Wad Numayri to achieve his return to authenticity until God gives him pardon or the doctors prevent him from doing so; however, the amazing thing, which cancels out all the good will which we have assumed, is that he, Wad Numayri, and no one else, submitted a national charter to his socialist union in 1972 which was totally lacking in any mention of Islam or return to authenticity, and then Wad Numayri, and no one else, approved a constitution in 1973 which in its ninth article pointed out that "Islamic law and common law are two major sources of legislation and the personal status of non-Moslems will be governed by their own law" -- that is, this "constitution," which Wad Numayri had tailored and approved, and which he said was not the creation of Ja'far Numayri, did not state, regarding Islamic law, that it was "the main source of legislation" but included common law with Islamic law, making the latter one among other sources. Here it is not our intention to get into a legal squabble; we know that Wad Numayri can tailor constitutions the same way he changes his socks; rather, we will point out that it is Wad Numayri, as he says, who made the revolution, essentially to carry out Islamic law at the right stage, it is Wad Numayri who is that Wad Abzahanah who approved a charter for his revolution in 1972 and a constitution in 1973 without observing that none of these things had a connection with the preparation for his presumed return to authenticity or his subsequent application of Islamic law. Even in this regard Wad Numayri lied, he is without a doubt lying about what he is doing now, and there is nothing to prevent Wad Numayri from abandoning his "Islamic law" as he abandoned his charter and constitution. On the subject of Wad Numayri's constitution, Paragraph E of Article 16 in that says, in these words, "It is prohibited to use abuse of religions

and holy spiritual beliefs with the purpose of political independence [sic], and any act which is intended to or could lead to the development of feelings of loathing, enmity or dissension among religious groups is considered a violation of this constitution and will be punished by law." Numayri himself, who approved this stipulation, wants to "return to authenticity" and impose his notion and the notion of his philosophers who are brothers of the devil and swindlers of Islamic law on a people in whose midst two divine religions and a group of other spiritual beliefs coexist, ignoring what he had approved in 1973 on grounds that that was a constitution on which he had relied in governing and in answering the people who committed violations against him.

Wad Numayri, who always forgets what he wants to forget, is under indictment by virtue of Article 16 of the constitution, which he had approved, and the stipulation is obvious, leaving no ambiguity or scope for religious exegesis or justification: it includes "intended" acts, or acts "which could lead."

Wad Numayri talked about the south, and said that subdividing the south into three regions had been the idea of the people of the south themselves; if they wanted to return to the system of a single region, the decision was theirs also. What is happening in the south now just consists of small operations carried out by Communists, whom al-Qadhdhafi is behind. He denied that his application of Islamic law had any relationship to what was happening in the south, and explained the absence of competent southern judges to justify why cases bearing on Christian southerners were not being handled by southern Christian judges.

Wad Numayri's constitution of 1973, in its eighth article, says "The system of regional self-government will be established in the Southern Region on the basis of a unified Sudan in accordance with the regional autonomy law of 1972 for the southern provinces, which is considered a basic law and may be amended only in accordance with the stipulations contained within it." It is unfortunate for Numayri, and the citizens of the south, that the regional autonomy law for the southern provinces does not refer, remotely or closely, to the possibility of subdividing the south (as an area of self-government) into regions, on the one hand, and, on the other, that the heretical innovation of regions, rulers of regions and ministers of regions is one which basically did not exist in 1972. Indeed, Numayri innovated it after that, and established rulers for the regions, and ministers who had their own privileges and circumstances. Of course people from the south who have cooperated with Numayri do not differ in any way large or small from their counterparts in the north. Some of them became greedy and asked to be ministers also; Wad Numayri took a stand against these ambitions at the beginning, because he did not understand them -- "if he understands, he always does so late" -- then responded to them when he realized the motives behind this appeal and used them in the game which he was good at, "as well as soccer," that is, the game of balances; that was a ripe opportunity for him to strike out at one person with another and remain himself the sole unique person squatting over the spirits of our people for 15 years. The subdivision of the entire Sudan into administrative areas through which self-government by the people would be exercised never was a cause for a problem in the Sudan, either in the south or in the north; rather, it is a problem today because

it is connected to massive material and social interests in a country whose people are consumed by poverty, hunger and disease. Wad Numayri is in no way large or small concerned with the south or the north; rather, in the first place, he is concerned with maintaining and kindling every struggle and competition throughout the length and breadth of the Sudan in order to guarantee his own security and safety. He has continued, by direct statements, acts and implication, to give the people of the north and south the illusion that the unity of the country depends on his survival at the seat of power. Today, after these lies have failed and are no longer a secret to anyone, he is trying to inspire the people of the south to believe that the solution to all their problems is connected to his presence, and his satisfaction with them, that what he wants and does not want from the southerners is the subdivision of the autonomy region and that they must seek refuge with the "godfather" of the Sudan and its savior so that they can receive his blessings and their desires will not be subjected to any obstacles.

On the subject of the application of Islamic law to the people of the south, Wad Numayri has appointed himself a scholar of statistics and ethnology. He has ruled that the Moslems are a majority in the south and the north -- indeed, to that he has added the instigation of the Moslems of Sierra Leone and Nigeria against their non-Moslem rulers. Numayri's talk about the Moslems in the Sudan might be correct or incorrect, but in this talk, accompanied by the talk about Nigeria and Sierra Leone, the obvious orchestration between him and "the first person to make friends with him, reach understanding with him and enter into unity with him" is instructive. Wad Numayri and Qadhdhafi want to stir up a factional race war in the Sudan and all of Africa although no Moslems have appointed them, except for specific groups which have been exposed and whose connection with Kissinger's scheme to knock on the bottom of the wall by establishing factional racist statelets in the Arab nation are well known.

The talk about the absence of an adequate number of Christian southern judges as a justification for extending the provisions of Wad Numayri's Islamic law to the citizens of the south inspires amazement. If the number of judges in the south or the north who have expertise is small, how did Wad Abzahanah allow himself, with a single stroke of a pen, to dismiss more than 400 Sudanese judges during the famous judges' strike? One should bear in mind that the judges struck in protest against Wad Numayri's aggression against them, against their bad service conditions and against many things which lie in the category of an absence of chances for them to gain expertise and promotions.

Wad al-Numayri talked about the Iranian war against Iraq and declared a position which in any case is new as far as he is concerned. From support for Iraq and the boast that he was the first Arab country to send forces, al-Numayri made the ruling that it was necessary to suspend arms and loans for Iraq and Iran both. This was not a contradiction in positions, as it seems at first glance; Wad Numayri basically has no position on the war imposed on Iraq. Cavalcades of Sudanese volunteers poured into Iraq before Numayri's announcement, and after that continued to be seen, and the man had no power over that or hand in it. The noble Sudanese military personnel did not and will not forget that the army of Iraq was and will remain a school and

source of inexhaustible aid to offer them its expertise, and in addition they understand what Iraq's taking a strong, rigid stand in the face of Khomeyni's yellow wind means. Numayri faced no option but to bow to a storm which would have thrown him over him had he not allowed the Sudanese volunteers and military figures to participate with their brothers in their triumphant battle. However, Wad Numayri, who in this participation saw a promising opportunity to obtain money or aid from affluent Arab bodies, after he had lost hope that this money would come, went back to his old self and turned into a dove of peace, ignoring that Iraq was defending itself against a frank conspiratorial aggression against its borders which had the intention of occupying its territory and interfering in its internal affairs. The evidence in regard to this frightful position was that Numayri, who implored the United States and Egypt to stand alongside him in his war against the people of the south, on grounds that al-Qadhdhafi and the Soviets were behind the latter, this Numayri, who presents himself as an imam for the Moslems of the Sudan, begrudges Iraq the arms it buys with its own money to defend its territory, its sovereignty and the interests of its Arab nation. The issue then is not peace, war, the injection of blood or other expressions which Wad Abzahanah repeats like a parrot but rather the ignorance and stupidity of one of the pawns in the scheme against our Arab nation, and in reality the flagrant poor choice made by the people who forged this scheme, having chosen someone like Wad Numayri, who does not hesitate to reveal the most dangerous links in their conspiracy, because of his ignorance and superficiality, in order to repeat this allegation, which has been exposed, that Iraq, which is defending itself and its nation, is on a par with the aggressive Iran of Khomeyni.

Wad Numayri talked about oil in the Sudan and announced the establishment of a national oil company. He said, "We have established a new oil company because we expect that the new company will seek to discover Sudanese oil reserves." He added, "We also want this company to work to exploit other bounties in the Sudan, such as agriculture, minerals and wood in various regions, and work in confidence and stability and without fear and hesitation." Wad Numayri stated that this company was established because the foreign companies operating in the area of oil had declined to continue their operations, as a result of the difficult security conditions in the exploration and drilling areas. Before less than a month had passed following Wad Numayri's conversation with AL-ANBA', that Kuwaiti political newspaper, in its issue of 5 November 1984, quoting the American HERALD TRIBUNE, unmasked this multipurpose company, which Hashshash bi Diqnu had relied on a great deal. The American paper talked about the signing of an agreement between Wad Numayri and 'Adnan al-Khashuqji by virtue of which the Sudanese National Oil Company Ltd, NOC, was established; al-Khashuqji was represented in this new company by his private company, called Sigma, which owns half of the shares of the NOC company. The HERALD TRIBUNE said that NOC would obtain "exemptions in accordance with the system of Islamic law in effect in the country now. For example, the company would be exempted from all taxes, even business profits and customs duties, and would be exempted from restrictions on the prohibition of direct imports of goods or imports of these goods via middlemen. The company can also develop local products and buy these goods without duties or taxes. All these exemptions have been carried in a presidential decree, in addition to immunity from nationalization for the Sigma company."

This information the HERALD TRIBUNE cited, which without a doubt is information that has been confirmed and derived from reliable sources, reveals the magnitude of the deception which Wad Numayri is carrying out against the Sudanese. If the absence of security is the reason why other foreign companies have suspended the work of exploring for and producing oil, will the new agreement with 'Adnan al-Khashuqji solve this problem?

Moreover, the subject of the problem between the foreign companies and Wad Numayri was oil and oil alone. Why should Wad Numayri reach agreement with Khashuqji to establish a company which, from the practical standpoint, will have all the powers of the Ministries of Trade and Commerce in terms of imports, distribution, manufacturing and exports? The effects of the signing of this agreement with Khashuqji go beyond the extraction of oil or exploration of oil deposits, to reach the point where an international middleman and broker can directly and indirectly dominate the resources left to the Sudan. What is unfortunate is that that is taking place under the cover and in the name of Islamic law.

The signing of this agreement, on which Wad Numayri made an announcement in his conversation with AL-ANBA', as if it were a purely Sudanese act, casts a heavy shadow on its hidden motives, in particular since it occurred roughly at the time Baha'-al-Din, known as Mr 10 Percent, resurfaced as part of Wad Numayri's forces. He is well known to have been Wad Numayri's financial secretary and the person in charge of his private financial affairs. Had the matter been lacking in purpose, Wad Numayri would not have hesitated to make an announcement about it in an obvious way; he would have said that the new company was a joint venture between the Sudan and 'Adnan Khashuqji, or between it and international companies. However, portraying the matter as if it were a national effort, or as Wad Numayri said "a mixture between the spirit of ability and the spirit of citizenship," is a cover from which the smell of secret commissions emanates which is not in keeping with the integrity and probity Wad Numayri is calling for. Then, if Wad Numayri and his philosophers the Brothers of Satan were sincere, as they claim, if their hands were clean, and their basic concern was to bring the Sudan out of its economic crisis, if matters as Wad Numayri portrays them were aimed at having "the Sudanese institutions, after today, become with God's permission at a level of rectitude before sincerity, work and activity in a manner that will amaze the whole world and assert to everyone that the Islam we have embraced as a religion, as life and as a form of governance is not just worship but rather is labor, is production and cooperation, and is the fight against poverty and unemployment also," if this were the case, wouldn't it have been a matter of greater sincerity, work and activity, and more feasible in terms of production, cooperation and the fight against poverty and unemployment, if Numayri had tested cooperation between his government and the Arab governments which have covered great ground in the oil industry? Don't these Islamic governments, and Islam, call for cooperation and solidarity among Moslems? Why not? How can Wad Numayri's insistence on cooperating and dealing with companies, the foreign companies in particular, instead of cooperating with the governments or government companies, Iraq National Oil Company, the Algerian Sonatrach, the Saudi Aramco, or others, be explained? Or is cooperation with foreign and private companies easier for Wad Numayri because that will guarantee him secrecy for his deals and commissions at the

expense of the economy of the Sudan and the sufferings of its people? Wad Numayri, in his talk about Islam, which he has recently "embraced," can cause the Sudanese to avoid many calamities if he can bind himself just to worship and avoid swindling and manipulation in the name of religion and creating confusion, lying and seizing commissions in the name of the Islamic economy.

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SUDAN

REPORTAGE ON TURMOIL IN SUDAN

Paris LE MONDE in French 26-29 Dec 84

[Article by Eric Rouleau: "A Seething Sudan"]

[26 Dec 84 pp 1, 5]

[Text] I. The Hidden Famine

Khartoum--Skeletal children, stretched out on the scorched sand of the desert as if in a daze, women with emaciated faces, silently weeping, stooped men, their eyes beseeching, offering to work for foreigners passing through for a handful of *durra* (kind of sorghum used to make bread) or a few liters of water. Around them, stretching as far as the eye can see: tents made out of raggedy gunny sacks, the remains and bones of goats, cows and camels that starved to death or died of thirst, like the thousands of Sudanese who have fallen prey to the famine.

The plague is moving from west to east, almost secretly, inasmuch as officials and the media are remaining discreetly silent on the subject. Few know of or admit the existence of this camp of Suq Libya, even though it is located 2 kilometers from the capital, a camp to which a hundred thousand inhabitants of Darfur and Kordofan have streamed. Five times that many are said to have sold their meager property for a pittance before deserting the two hard-hit provinces and crowding around the provincial cities. They could no longer stand living on *umbaz* (oil by-product used as livestock feed), insects, leaves and tree roots and, above all, going without water.

Merchants and doctors returning from the West report that families are leaving behind in the shade of a tree or hut relatives and grandparents deemed too old to cross the desert on foot, giving them a modest pittance. Malnutrition, dehydration and various intestinal maladies decimate the long cortege of the exodus. Some have passed women who begged them to take their children, sometimes offering to trade them for a bag of *durra*. Others have witnessed riots, especially in Kadugli, the capital of South Kordofan, where the population, overcome by anger over embezzlement and speculation on food products, took warehouses and storage facilities by storm, seizing the contents before setting them afire.

The word "famine" is not in the official vocabulary and it was not until 31 July -- when the drought had been steadily spreading like a cancer for 3 years -- that Marshal Numayri proclaimed only the region of Darfur as a "disaster zone."

On the Chadian and Libyan border, peopled by non-Arab Black tribes more inclined to dissent than those of Kordofan, Darfur, the gossips say, inspires the chief of state with a solicitude not lacking in ulterior motives. The desire to minimize the extent of the scourge and to conceal its effects to the point of abstaining for a long time from asking for aid from international organizations is reportedly dictated by a concern for caution.

The arrival of tens of thousands of tons of grain would pose serious logistics problems, given the handling capacity of Port Sudan and the shortage of roads, while the free distribution of products would ruin many landowners by causing prices of their products to crash. Discretion is advisable also insofar as it makes it possible to avoid answering uncomfortable questions about economic management and the gradual deterioration of industry and agriculture which the government has been powerless to halt.

Hunger does not only threaten the some 6 million inhabitants of Darfur and Kordofan. The durra harvest -- surpluses were once exported -- would be enough to feed the population only until February.¹ Other agricultural products, which provide most of the export receipts, are clearly down.²

The trade balance deficit grows steadily worse and, combined with restrictions on the importation of basic products, causes painful shortages. Drivers in Khartoum stand in line at the gas pumps, sometimes all night long, in order to receive their weekly ration, which is so small that they could not leave the city on it. The government already devotes over half of its foreign exchange resources to paying the oil bill. The latter would have been singularly lightened last year if the southern rebels had not interrupted work underway to extract the black gold. But Marshal Numayri is determined to "continue the war as long as necessary."

The shortage of energy products, the frequency of blackouts, the lack of imported raw materials, combined with the deterioration of the infrastructure and poor management of the bureaucracy, cause breakdowns all down the line and the gradual paralysis of industry.

Textile, sugar and cement plants, for example, have a production capacity exceeding the country's needs. In practice, however, they supply an average one-third of the anticipated quantities, the difference being made up by costly imports.

The Gulf countries were determined, after the 1973 oil boom, to make Sudan -- whose arable land covers 40 million hectares -- the breadbasket of the Arab world. They have since been disillusioned. Khartoum does offer foreign financial backers an exceptionally liberal system of customs and tax exemptions, the right to repatriate profits and capital and tamed unions to boot. But to what purpose when loans granted to the government for development are squandered to make up the budget deficit or import common consumer goods and when it is impossible to make direct investments profitable?

One case among many others: The Kinanah sugar refinery was to cost its sleeping partners Sudan, Saudi Arabia and Kuwait, \$60 million and meet local consumption starting in 1979. It ended up by swallowing up \$1 billion and production is below estimates. Sudan, which a 6-year plan was to make self-sufficient in food products before 1978, has never in its history been so dependent on foreign countries for its subsistence.

The Islamization of the economy, ordered in April, rouses a certain malaise in business circles. Foreign banks cannot adapt to the new legislation which prohibits the deduction of interest, likened to usury (*riba*), and forces them into partnership with failing enterprises with which they are to share profits or losses prorated based on the sums advanced. As a result of this curiously retroactive law, many customers refuse to pay interest due on loans contracted in recent years.

The *zakat*, the uniform 2.5-percent tithe prescribed by Islam for the poor, should theoretically enchant the rich because it takes the place of income tax, which is much higher. But most businesses present books in the red and the Islamic tax is collected annually, not on profits, but on real and movable holdings and, in their stead, on turnover or bank deposits. It is true that the authorities can scarcely tax all manner of middlemen, the speculators who get rich without visible capital -- or books! Likewise, they will have difficulty collecting in kind -- as provided by the *zakat* law -- 2.5 percent of the livestock, farmyard animals and trees owned by farmers and livestock breeders.

The law has not yet gone into effect, probably in the absence of precise information on taxable fortunes. But the government will definitely lose: According to one estimate, the *zakat* would bring in 10 times less than the income tax. It is consequently predictable that the foreign debt, already alarmingly high, will be further inflated. In 10 years and despite massive foreign aid, it has gone up 15 times, from \$600 million to \$9 billion (the equivalent of the gross national product). It has annual interest of \$1.25 billion (153 percent of the value of exports), a sum that the budget cannot bear.

Naturally, the United States and the European powers could increase their aid, already substantial, and save the government of Marshal Numayri from bankruptcy. But the confidence of the local bourgeoisie has been seriously damaged. Made up of Armenians, Lebanese and Greeks, but also Muslims hostile to Islamization, it refrains from investing and sends its capital abroad. "If the West abandons the regime to its fate, which is likely," one important businessman and friend of the chief of state told us, "the catastrophe is inevitable."

Social tensions risk degenerating into confrontations. The cost of living has reached intolerable levels. The Sudanese pound is worth one-seventh what it was in 1978, going from \$2.80 to \$.416. The price of certain basic products has quadrupled in 5 years, that of gas in 8 years. A kilo of mutton, particularly prized in this part of the world, is higher in Khartoum than London. The price of durra, essential for making the bread eaten by the people, is 20 times higher than in 1982. As a result of the drought, it has quintupled since last summer.

And yet, the income of farmers and independent workers has dropped substantially because of the crisis, and wages have been frozen because of union paralysis. Although it has not yet been applied, the death penalty is planned for strikers.

In a country in which uncontrolled liberalism permits the undeserved and rapid enrichment of a tiny minority of privileged persons, in which some 400 persons in top government positions, the legislative and executive organs, give themselves, in addition to substantial benefits in kind, monthly salaries ranging from 1,000 to 4,000 Sudanese pounds, a worker in the public sector earns, depending on his seniority, from 30 to 140 pounds, a doctor from 140 to 300, and a 2d lieutenant a pay, deemed generous, of 225 pounds.³ It should not then be surprising that a large proportion of skilled workers, technicians, engineers, doctors and teachers -- totaling 1 million -- have gone to other Gulf countries and Libya, where they are suitably paid, thereby causing their country a singular brain and labor drain.

A foreign observer can spend three weeks in Khartoum, talk at length with many officials at all levels, without ever hearing about the grave socioeconomic problems, however explosive. Some of them even deny the existence of the famine, which a burst of international solidarity could halt. Another factor of destabilization seems to worry them more: the insurrection of autonomists in the southern provinces.

FOOTNOTES

1. From 3.3 million tons in 1981, production of durra for 1984-1985 is 1.2 million tons, while the country's minimal needs would be 1.8 million tons.
2. The volume of agricultural exports has dropped by two-thirds since 1971.
3. The Sudanese pound is worth about 7 francs.

[27 Dec 84 p 5]

[Text] While famine ravages the western provinces of Sudan, while there is a growing shortage of food products and the government's indebtedness is alarming, Islamization worsens the economic crisis and rouses the discontent of local and foreign business circles. (LE MONDE, 26 December)

II. John Garang's Challenge

Khartoum--After the name of Marshal-President Numayri, that of John Garang is without a doubt one of the best-known in Sudan. The personification of the devil for some and a saviour for others, he holds in his hands the future of the regime, in the opinion of most. These views are probably excessive, but the leader of the southern rebellion has become an almost legendary personage, forged by his action as much as by the mystery surrounding him. A little over

a year ago, few people knew him and rare were those who could imagine him in the role he would suddenly assume.

One of his fellow students at the Rumbek School -- the only secondary school in the south in the 1960's -- described him to us as "a workaholic, discreet, taciturn, introverted." He was only remotely interested in the guerrilla warfare waged against the Arab-Muslim central government by the Black, Christian or animistic southern autonomists. Rather than to join the underground as many young southerners did, Garang chose to pursue his studies at Grinnell College in the State of Iowa. He is obviously fascinated by the United States, where he spent a dozen years completing his education.

It was after his first stay in 1970 that he enrolled under the banner of the southern Anya-Nya Movement. The following year, he completed military training in Israel, which provides multifaceted aid to rebels against the government of Marshal Numayri, which at the time was allied with the communists. The latter having been eliminated, the regime in Khartoum reconciled with the Anya-Nya according to an agreement concluded in Addis Ababa in March 1972.

Like other members of the underground, Garang is a member of the regular army. Named captain, then promoted to the rank of colonel, he served under Gen Joseph Lagu, former leader of the Anya-Nya, now vice president of the republic. "I have never suspected him of opposition tendencies," the latter told us, "but because of his poor character, I got rid of him, granting him permission twice to study in the United States."

John Garang then obtained solid military training at Fort Benning, Georgia, where he remained for 2 years. Later, he spent 4 years at the campus of the State University of Iowa, doing his doctoral thesis in economics. Marshal Numayri, who considers him "an excellent soldier and a brilliant intellectual," named him head of the army research center upon his return to Sudan in 1981 and authorized him to give courses in agricultural economics, his own field, at the University of Khartoum.

On 16 May 1983, the "peaceful man" -- which John Garang is in the eyes of his regimental comrades and students -- disappeared into the woodwork. "On vacation" in Bor, his native city in southern Sudan, at the very time when the regular army was putting down a mutiny of southern soldiers at the cost of great bloodshed, Colonel Garang, accompanied by his wife and children, left the area in a Land Rover and went off into the bush. No news came from him until 10 weeks later, on 31 July, with the dissemination of the manifesto-program of the SPLM (People's Movement for the Liberation of Sudan), of which he is both founder and president.

If one is to judge by its clarity and precision, the detailed exposition of ideology, the tactics and strategy of the movement, the document had long been reflected upon. As the launching of hostilities had been, inasmuch as John Garang's guerrillas, organized under the name of the People's Army for the Liberation of Sudan (SPLA), undertook wide-ranging military operations less than 4 months later.

It is true that the circumstances lent themselves to rebellion. For years, the southerners had thought that the Addis Ababa agreements had been cynically violated by the central government. The economic situation was growing worse and poverty was spreading, while, with the help of the misappropriation of funds and corruption, development projects were never implemented. Marshal Numayri's decision not to refine oil discovered in the southern area of Bantiu at home, his determination to export it in the crude state solely to profit the Khartoum treasury and thereby depriving the poor people of the south of jobs and income which they deemed were rightfully theirs, caused violent protests and demonstrations, which were futile. The presidential order of June 1983, dividing the autonomous region of the south into three distinct provinces, was interpreted as a maneuver to "Balkanize" and weaken the south vis-a-vis the "hegemonic power" of the north. The introduction in September of that same year of the Shari'ah, the Islamic penal code, with its train of cruel sanctions, made blood boil among the southern ethnic groups, viscerally attached to their beliefs (Christian or animistic), their customs and above all, their right to complete autonomy, banned by the Addis Ababa accords.

Freeing the Entire Country

The genius of John Garang, say his supporters and adversaries, is that he presents a program that can rally sympathy and support throughout Sudan, among Arabs, Blacks, Muslims and Christians combined. Breaking with the ideology of his predecessors and colleagues, regionalist militants favoring the autonomy or the secession of the southern provinces, Garang claims a national role by promising to "free the entire Sudan from the dictatorship of Numayri, exploitation and underdevelopment," pledging to defend first and foremost the unity and integrity of Sudan. He satisfies the Muslim Arabs of the north by proclaiming his determination to prevent "the disintegration of the country" favored by a "separatist mentality which, after developing in the south since 1955, is now spreading to the backward portions of the west and the east" among Black ethnic groups.

How is one to achieve the harmonious coexistence of 597 tribes speaking languages or dialects, whether they be Arab or Black, Muslim, Christian or animistic?¹ The program of the SPLM proposes a potion with three ingredients: democracy, socialism and secularity. The state will be separate from the mosques and the church. All "exploiters" will be cast out and national wealth could be fairly distributed, without racial or religious discrimination. The various component parts of the population will enjoy complete autonomy based on a democratic system. "I agree that the call for a united, socialistic Sudan made by a southern movement could seem unusual," Garang wrote in an open letter to his fellow citizens, "but objectively speaking, this is the only solution guaranteeing the interests of the south and the north."

Whether sincere or simply shrewd, it is also the only formula that could assure the SPLM of the benevolent neutrality or active support of African countries unanimous in defending "the borders of colonization." It was because of it, undoubtedly, that Garang was able to obtain different types of aid immediately, including Libyan funds, and purchase military equipment -- particularly Soviet -- and Ethiopian hospitality to train his soldiers.

Nor did he have difficulty setting up -- in 3 to 4 months -- battalions of guerrilla fighters. He recruited them from among the May 1983 rebels who, at several garrisons, had deserted at the same time as he in order not to be sent to the north as Marshal Numayri had decreed. He thus brought under his banner different groups of rebels who had banded together in the bush over the years, since the first uprising in Akobo in 1975. He brought about a split within the Anya-Nya II, an organization that preaches secession. The most important gain was the rallying of the underground existing in Bahr al-Ghazal Province, which still operates autonomously thanks to weapons received, not from Ethiopia or Libya, but from the Central African Republic, from unidentified sources.

Army on the Defensive

The "ecumenical" program of the SPLM is beginning to bear fruit. Muslim soldiers from the north, from Darfur and Kordofan, where famine rages, have joined the southern underground, along with some 50 officers, including Col Ya'qub Jama'il, named to the high command of the SPLA. Jama'il is a member of the powerful sect of the Ansar, whose leader, al-Sadiq al-Mahdi, was freed from prison on 18 December. Garang has a total army of some 7,000 to 10,000 men, well-armed and trained thanks to a "revolutionary military college" which he probably set up on the Sudanese-Ethiopian border.

Since the beginning of operations on 17 November 1983, one can no longer count the actions of the SPLA. While abstaining from occupying any part of the territory in a lasting manner, it is stepping up attacks, ambushes, bombings, forcing the regular forces -- some 15,000 -- to stick to their garrisons and limit themselves to strictly defensive responses. Garang's guerrillas practically control two of the three southern regions (Bahr al-Ghazal and the Upper Nile), that of Equatoria not yet having been won over to the rebellion -- but for how long?

The SPLA won success at the time of its double offensive in February against the Bentiu oil fields and the Jonglei canal site, where four technicians, two of them French, were taken hostage. This success actually deprived the central government of major revenue in foreign exchange from working the oil (initially scheduled for 1985) and vital hydraulic resources -- some 5 to 7 billion cubic meters -- which Sudan was to begin sharing equally next year with Egypt. In a manifesto published this year, Garang swore that he would paralyze these two giant projects "as long as Sudan is not completely liberated."

Marshal Numayri is determined to meet Garang's challenge, but he has little room to maneuver. He cannot make up with the rebels, who reject any negotiation or compromise, sustaining that the chief of state is no longer "credible" inasmuch as, according to them, he violated all the commitments made in the 1972 Addis Ababa agreements. Nor can he intensify the war. Over one-quarter of his army troops are already engaged in the south and the catastrophic state of the economy prevents him from increasing military spending. Naturally, special anti-guerrilla troops are being trained to defend the "useful south" -- particularly the oil fields and the Jonglei Canal -- but will they be able to

ensure security in a territory half as big as France? He would have asked for American units to lend extra backing, but it appears highly unlikely that Washington would want to get involved in such a viper's nest. Nor does it seem that the Marshal-President will go so far as to take its concessions away from the American oil company Chevron, as he has implicitly threatened to do, and turn them over to Saudi magnate Khashoggi (LE MONDE, 1 November), out of fear that the United States might halt paying subsidies to the Khartoum government in reprisal.

The proposal of the Sudanese chief of state to win the good graces of Ethiopia and Libya, in order to deprive the rebellion of its hinterland and its suppliers of funds and weapons, has turned out to be mere fancy. Addis Ababa refused outright to negotiate the deal proposed: abandoning the SPLM to its fate, in exchange for which Khartoum would cease supporting the Eritrean separatist movements. Colonel al-Qadhdhafi, discreetly contacted, even refused to envisage the "Arab-Muslim solidarity" that would have led Sudan no longer to arm itself and train Libyan dissidents.

Given the impasse, the main concern of Marshal Numayri is now to prevent the southern disease from spreading to the north, where all political groupings -- with the exception of the Muslim Brotherhood, its allies -- are in the opposition. He therefore has no other choice than to pursue his policy of Islamization, hoping that the *jihad* (holy war) that he proclaimed will enable him to face the infidels on all sides.

FOOTNOTES

1. Some 50 percent of the 22 million Sudanese are of Arab culture, 75 percent Muslim, 20 percent animistic and 5 percent Christian, equally divided between Protestants and Catholics.

[28 Dec 84 p 4]

[Text] The SPLM (People's Movement for the Liberation of Sudan) is rapidly spreading guerrilla warfare in southern Sudan, most of which it controls, and has managed to paralyze two major projects: the extraction of oil, a precious source of foreign exchange, and construction of the Jonglei Canal, indispensable to the country's agriculture. The Movement's program (made up of Black tribes, Christian or animistic) is designed to win the sympathy of people in the Arab-Muslim north, where the government has not been able to gain control of the socioeconomic crisis or halt the famine. It is a double challenge for Marshal Numayri (see LE MONDE, 26, 27 December).

Khartoum--It is almost a daily sight at Kobar Prison: On Wednesday and Friday, one can witness the amputation of the hand or foot or both of criminals. On the other days of the week, there are hangings and crucifixions and the bodies of the criminals are displayed. The public is cordially invited by the press.

It may choose between the execution of persons guilty of adultery or flogging administered to couples not married, but "suspected of having had the intention of fornicating." Such is one of the innovative provisions of the "Islamic" legislation introduced in Sudan in September 1983. It was nearly applied in September to a colleague and one of the closest advisers of Marshal Numayri who had been apprehended by the morals police -- a militia of Islamic "volunteers" -- when going together to the presidential palace, where the chief of state awaited them for an interview. The personal intervention of the latter was nearly needed to free his two visitors of any suspicion.

Flogging is the most common punishment, as evidenced by a fragmentary statistic published by the daily AL-SAHFAH (9 September). In 3 weeks in May, 19,351 lashes were administered in the city of Khartoum alone to different "guilty parties": persons who had consumed alcohol, "thieves" who had issued checks without funds, ladies' hairdressers (now outlawed), "agitators" tending to disturb the public order and who incite "hatred of the state and institutions represented by the president of the republic." The reading of the new penal code, drawn up based on the Shari'ah, is edifying: It enables one to observe that Muslim "fundamentalism" can accommodate itself to "reasons of state."

Also thanks to the Shari'ah, Sudan does not suffer the delays of the legal system common to many Christian countries. Among other things, penal procedure excludes interminable speeches by counsel and the "dilatory ruses" of attorneys (the accused is responsible for his own defense, using witnesses, if he so chooses). Nor is the drafting of bothersome records in vogue. All laws are automatically retroactive. Nor is it necessary for the offense or crime involved to be explicitly included in the penal code because "obviously" the lawmakers state, "anything immoral is also illegal." But rest assured: In the absence of a confession, it is the "personal conviction" of the judge that guarantees the fairness of the verdict. The trial is therefore brief -- from a few minutes to a few hours in most cases -- and the sentence is carried out in the hours or days that follow.

Authorities noisily congratulate themselves over the results obtained. Crime is substantially down, immorality declining and the established order consolidated. Even better: the people are "enthusiastic" about the gradual Islamization of the state: all assertions contested by local intellectuals -- except for the Muslim Brotherhood, allies of Marshal Numayri -- and those in the know about daily life. Sudanese Muslims, the latter observe, are for the most part believers and therefore favor the precepts of the Prophet in principle. But in practice, the pagan, tolerant, even "libertine" African morals have somewhat colored their behavior. The consumption of alcohol, for example, is very widespread in the Islamized Black tribes in the form of *marisa*, a drink made from sorghum and so nutritious that many use it as a "liquid meal." The elite, marked by the English colonization, commonly drank whiskey and beer in addition to the traditional five o'clock tea.

More than in other Islamic countries, women work, go about without veils, deal with men on an equal basis and -- as we observed in a low-income suburb of Khartoum -- sway to the rhythms of lively African dances, lightly dressed and without false modesty. It is highly likely that many of them are scarcely

happy that the new Islamic penal code relegates them to the category of second-class citizens -- along with Christians or Jews -- downgrading, for example, the validity of their testimony before a court (the deposition of a minimum of two women is equivalent to that of one man).

Hypocrisy of Authorities

The extent of dissent is manifest within the elite groups, at any rate. Doctors refuse to do the amputations, leaving this "dirty task" up to the jailers. The order of doctors, that of the lawyers, the magistracy (some 700 civilian judges) collectively protested in one way or another against the Islamic legislation or its application. Leaders of the General Union of Women publicly called for the elimination of the so-called "morals militia." The powerful Muslim brotherhoods of the Khatmiyah and the Ansar let it be known that they disapproved of this "perversion" of Islam. For publicly saying so, the leader of the Ansars, former Prime Minister al-Sadiq al-Mahdi, was held for 15 months. He had spoken out for an Islamic legislation adapted to contemporary realities and "based on freedoms, human rights, national independence and peace."

The illegal pamphlets and tracts of the Ansars -- heirs of the Mahdist movement that had established an Islamic state at the end of the last century -- are more explicit. There are a number of key phrases: "Amputating the hand of a thief when famine and poverty rage is an anti-Islamic act." "Islam fights crime by faith, not punishment." "The caricature of Islam that now exists was designed to defend internal despotism and submission to the interests of foreign powers."

Islamic militants -- mainly the "Republican Brothers," a movement whose leaders are also imprisoned without a trial, enumerate the complaints against the government, accused of using "a la carte Islam": The notorious corruption of major officials, the illegal operations of known speculators are never punished. Major foreign companies such as that of Saudi Khashoggi are exempt from the zakat, the Islamic tax. The authorities, who have an Italian priest flogged for drinking wine during the mass, close their eyes to the abundant, daily consumption of alcohol in the American Navy club located in the heart of the capital. All opposition political groups, from the right to communists, whether religious or secular, have denounced the hypocrisy of the authorities in one way or another.

What is most surprising is to learn that the Sudanese Socialist Union (SSU), the single party in power, does not favor, despite appearances, an Islamization which, according to one of its leaders and not the least important, "alienates a large share of the population, including our Christian or animistic fellow citizens, along with international public opinion." Another SSU leader told us: "We are supporters of Numayri and his May (1969) revolution and therefore, of socialism and secularity, not that so-called Islam that makes us blush with shame."

Which is undoubtedly why 105 out of the 153 members of the National Assembly asked and obtained from the chief of state in July the *sine die* adjournment of

the constitutional amendments that would have turned Sudan into an "Islamic state" and its president "the imam," the country's spiritual and political leader. This collective resistance on the part of those constituting one of the pillars of the regime is without precedent. It is probably not foreign to the decision made by Marshal Numayri 2 months later to cancel the state of emergency. It is true that he immediately integrated the main provisions of the special laws into legislation, for example, those that had been used to dissolve most of the professional associations that "were promoting disturbances" against the government.

"A large share of our misfortunes come from the Muslim Brotherhoods, from the duality of power they create by inspiring or imposing Islamic legislation that creates sadness and tensions among the people," Isma'il al-Hajj Musa, former minister of information and one of the members of the current SSU leadership, forthrightly tells us. Duality of power and, one might add, a curious ambiguity on the part of Marshal Numayri, who from time to time denounces the "Machiavellianism," the "bad faith," of the Muslim Brothers, his most reliable, if not most faithful, allies.

The chief of state has proof, those close to him say, that the Muslim Brotherhoods smuggle in weapons, that they are training commandos in the Islamic republics of Iran and Pakistan, as well as Jordan. That is why, President Numayri told us (LE MONDE, 5 October), he did not exclude the possibility that these "hypocrites, traitors and agents of foreign governments" might reserve the same fate for him as that which Egyptian Islamists inflicted on Sadat in murdering him. Certain leaders of the Muslim Brotherhoods have highly unflattering things to say to foreign newsmen about the chief of state, concerning his "paranoia," his "dictatorial methods," his "ignorance of Islam" and his "unpopularity" in the country.

Marshal Numayri does not ignore what his "allies" think of him or the potential threat they pose to the regime. Nevertheless, he has entrusted them with key posts in the Office of President (Hasan al-Turabi, secretary general of the Brotherhood, is one of his main advisers), in the leadership of the single party, the government, where they hold several ministries, in the magistracy and Parliament. Even more decisive, he has authorized them to have their own intelligence service, independent of those of the state, by virtue of their long experience in the anticommunist struggle to which they have devoted themselves since the founding of their organization 30 years ago. Al-Turabi is well-equipped for the task: The thesis he presented to the Sorbonne for the doctorate dealt with subversion and special laws. A brilliant jurist and highly cultivated, he became familiar with Marxism, the structures and methods of the Communist Party in order better to fight them.

Multiple Services

The Brotherhood renders many other services to Marshal Numayri. It provides precious backing for his policy of Islamization and the cadres to carry it out. It serves as an intermediary with many Islamic states and movements throughout the world. It contributes to the jihad (holy war) waged against the southern

rebels, labeled as "infidels" for the needs of the cause and, among the workers, helps break the strikes deemed "anti-Islamic." It indoctrinates Islamists from Syria, Libya and the Republic of South Yemen, adversaries of Marshal Numayri's regime, politically and militarily.

The Brotherhoods care little about the public insults directed at them inasmuch as the chief of state allows them, in spite of everything, to organize and extend their influence in the government to the students and workers, most of whose unions they control, to the women's, cultural and sports associations, where they are predominant, in the world of finance, where they manage several import-export firms, insurance companies and Islamic banks, including the all-powerful Faisal Bank belonging to a prince in the reigning family of Saudi Arabia. "No government, today or tomorrow, can get along without us, much less ignore us, because the process of Islamization started by President Numayri is irreversible," Hasan al-Turabi told us.

"The Muslim Brotherhood will turn their weapons on us when they are certain they alone can take over the succession," comments Isma'il al-Hajj Musa, one of al-Turabi's colleagues in the leadership of the SSU, bitterly adding: "It is perhaps not too late to cross swords with them, but a test of strength would cost us much too dearly, given their power...." A bold remark illustrating the terrible dilemma of Marshal Numayri. The chief of state can do without his "diabolical brothers" all the less because he now has only them left to help face the other political groups in the shadows who are reorganizing and polishing their weapons in order to throw him out.

[29 Dec 84 p 5]

[Text] Famine, the economic crisis and the social conflicts in northern Sudan have combined with the guerrilla warfare of southern autonomists to threaten the regime of Marshal Numayri. The Islamization of the state, with its train of cruel corporal punishment, has not achieved its main objective: to create a national consensus, transcending political parties, all in the opposition with the exception of the Muslim Brotherhood, whose loyalty to the chief of state is dubious (LE MONDE, 26, 27, 28 December).

Khartoum--As soon as one crosses the threshold of the university, one has the feeling of passing from one planet to another. The slogans one reads on huge banners are enough to make the eyes of an unseasoned observer bug out. "Down with the fascist regime!" "Death to the assassin Numayri!" "Death to those starving the people!" Men and women students stand before the wall posters to read equally vehement libels put up by various opposition parties, all outlawed and whose leaders are in prison or underground. Small groups form here and there to listen to the pleas of passionate speakers.

The government tolerates this island of freedom, which serves as an outlet for a rebellious youth and an escape valve for a seething country. But the indulgence of the authorities is not limitless. The university is occasionally shut down, sometimes for months at a time, when agitation reaches the breaking point.

In addition, students or professors deemed dangerous to the public order are "picked up" on the other side of the university gates to go join the some 500 political opponents in prison.

And yet, repression has turned out to be ineffective in two ways: It has not silenced the Sudanese, who, by nature and tradition, are distinguished by their frankness. Nor has it prevented political groups from joining together in a National Salvation Front whose proclaimed objective is to overthrow the regime of Marshal Numayri. The agreement is without precedent in the history of Sudan, among other things because it brings together traditionalists and radicals, the two powerful brotherhoods of the Ansar and the Khatmiyah, as well as the Communist Party and other secular groups, Nasirites, Ba'thists, and so on.

Initialed in London in July and signed the following month in Khartoum, the proposed "common program" includes provisions that are remarkable in more than one way. The signers pledge, once in power, to "cancel the falsely Islamic laws that harm Muslims as well as non-Muslims (....), to defend human rights, particularly those of the non-Muslims, in all fields, in order to promote national brotherhood." They nevertheless state that in the new constitution they are drafting, Islam will remain "the main source of inspiration for all legislation."

The draft common program provides for the formation of a government of national unity that would have as its tasks, during a 3-year transition period, to restore the multiparty system, public freedoms, the independence of the magistracy, to reform the economic system in a direction helping social justice and national sovereignty, to put an end to southern dissidence by closely associating southern people into public affairs. The text of a new constitution, finally, would be submitted for the examination of a constituent assembly, elected by universal suffrage at the close of the period of transition.

What is one to think of the influence which this National Salvation Front represents? Marshal Numayri, to whom we put the question, shrugged his shoulders, sarcastically replying: "It is an agreement made between drawing room exiles in London...." "As for the Communist Party," he added, "it has been very active in...South Yemen" (where some of its leaders have fled). It is true that the Communist Party is generally deemed no longer "the most influential in Africa and the Arab world," as maintained in the 1960's. Following the abortive pro-communist coup in July 1971, the main party leaders were executed, its cadres imprisoned, and some 10,000 members purged from government offices, the public sector, the schools and unions. The fact nevertheless remains that it has rebuilt its strength, especially in urban areas, that it is particularly active, judging by the variety of its publications, which circulate underground, that its secretary general, Muhammad Ibrahim Nujud, a brilliant intellectual who was once the colleague and friend of Marshal Numayri, lives underground in Khartoum and not in South Yemen.

Army's Role

Furthermore, it is also generally believed that the Islamic brotherhoods of the Ansar and the Khatmiyah are, despite their divisions, incomparably more

influential, especially in the rural milieus of the west (in Darfur and Kordofan), the central region and the north. While it is true that some of their cadres have been exiled to London, their main leaders are in Sudan, particularly former Prime Minister al-Sadiq al-Mahdi, the president of the Ansar, who has just been freed, and Sayyid Muhammad 'Uthman al-Mirghani, the spiritual leader of the Khatmiyah, who lives as a recluse. The representatives of all the opposition groups are accessible to newsmen passing through Khartoum, once the customary precautions have been taken.

But the National Salvation Front is not thereby operational. The four factions claiming to belong to the Khatmiyah Brotherhood are not in tune with one another. Agreeing on the essential, the other groupings have not yet come to an accord on certain practical aspects of their program and above all, have not succeeded in integrating the People's Movement for the Liberation of Sudan (SPLM) of John Garang, who heads the guerrilla warfare in the southern provinces. The latter has established conditions deemed sectarian by all the northern parties. In particular, he demands that the common program come out for the absolute secular nature of the state and implicitly contests the establishment of a liberal, multiparty system, referring in its publications to the "future government of the SPLM." The dialogue nevertheless continues with Garang.

The common program of the National Salvation Front has established the objective of "liquidating this corrupt regime by all means, but especially through a popular uprising." The possibility of a coup d'etat has not been excluded, although it would not be easy to instigate. The army has repeatedly been purged and men of trust have been named to key posts. Higher officers are paid fat sums and, in the case of some, derive additional benefits from a whole host of economic and commercial undertakings entrusted by the government to the army's administration. Security services are particularly effective, thanks to technical aid supplied by the United States.

The fact nevertheless remains that the officers are allergic to Islamization, especially since some of them have been flogged for drinking alcohol, and they abhor the Muslim Brotherhoods (allies of Marshal Numayri), whose commandos killed a number of soldiers in 1976 at a time when they were in the opposition, in the course of an operation organized and financed by Libya. Demoralized by reverses suffered in the south and confronting the autonomist rebels -- supporters of the opposition -- the army could topple on the occasion of a general strike, demonstrations or hunger riots.

It is for the latter hypothesis that the National Salvation Front's preferences run, for it fears an outright coup opening the way to a military regime. "We are now working so have the army observe neutrality on the day when we manage to rouse a popular uprising," more than one opposition leader told us.

This strategy of riots, drawn up because of the prospect of a worsening of the famine and the economic crisis, can only be helped if the foreign powers were to interrupt or reduce their financial aid to the Khartoum government. The latter received \$270 million from the United States, more from Saudi Arabia and the Gulf countries. Loans or gifts from the EEC and different international financial organizations amount to hundreds of millions of dollars.

Economy in Death Throes

Financial backers nevertheless doubt that these infusions can save a dying economy. They mainly worry about the political circumstances and the isolation of the regime. Sudan's neighbors, Black and mainly Christian, disapprove of the policy of Islamization whose excesses irritate Gulf countries. All the Arab nations fear lest Sudan be won over by Khomeynism. Egypt in particular is hostile to the alliance between Marshal Numayri and the Muslim Brotherhoods, suspected of being suppliers of funds and weapons to Egyptian Islamists. Furthermore, President Mubarak's government is exhausted from pursuing guerrilla warfare in southern Sudan, which has paralyzed work on the Jongley Canal, which should supply Egyptian agriculture with precious additional water amounting to some 3 billion cubic meters.

Cairo seems well-disposed toward the Sudanese opposition for at least two additional reasons. The National Salvation Front has forgiven Egypt for concluding a military alliance with Sudan in 1976 and has stated in its program that the two countries should continue to maintain "privileged relations," given their "complementary nature." In addition, the opposition coalition, largely dominated by "moderate" groups, also includes the Khatmiyah Brotherhood, traditionally pro-Egyptian. It is therefore not at all surprising that leaders in Cairo should welcome -- discreetly, it is true -- the representatives of the Sudanese opposition, whether from the north or south.

As for the American Administration, it is divided. It considers Numayri's regime as a zealous defender of the "Free World," a "rampart" against "Sovietized" Ethiopia and "terrorist" Libya and above all, a loyal ally, especially since it is largely dependent on the multifaceted aid from the United States. But the negative attitude roused in Congress by Islamization and the human rights violations, the inability of the Marshal-President to rectify the socioeconomic situation or settle the problem in the south, cause the Americans to scrutinize the horizon to discern a worthy successor.

It is not an easy task, the terrain having been largely occupied by the National Salvation Front, which does not exactly reassure Washington. The coalition has in fact stated in its program that, once in power, it will practice a policy of "nonalignment" and strict neutrality of the two superpowers. From which one can deduce that Marxist Ethiopia and al-Qadhdhafi's Libya will no longer be considered in Khartoum as "satanical" powers.

No in Khartoum denies the extreme vulnerability of the regime, especially since many recall the shrewdness of Marshal Numayri, who at critical times has always turned the situation around to favor him. Whence the scornful confidence he has exhibited when we mentioned the danger of a coup, riots or his assassination to him. But some of his closest aides do not hesitate to express their greatest concerns. One of them told us: "Our president perhaps does not realize that Sudan is in the eye of the hurricane and that the relative calm that reigns there is consequently deceiving and only temporary."

ISRAEL

ISRAELI FRIENDSHIP SOCIETY OFFICIAL ON DOMESTIC ISSUES

Moscow SOVETSKAYA KUL'TURA in Russian No 136, 13 Nov 84 p 7

[Interview with Yoram Gozhanski, general secretary of the friendship movement "Israel-USSR," by SOVETSKAYA KUL'TURA correspondent A. Gurkov; date and place not given]

[Text] [Question] What is the internal political situation in Israel today, after the extraordinary parliamentary elections that were held this past summer? In this connection, what are the tasks for the country's democratic forces?

[Answer] Unfortunately, the internal political life of Israel is characterized by a further strengthening of the positions of rightwing circles. The continuing occupation of Arab lands is corrupting Israeli society, and chauvinistic intoxication, alas, is preventing many from seeing the true situation. But the real interests of Israel are served not by the usurpation of someone else's lands, which is the aim of the policies of governing circles and the ideology prevailing in the country, but by a stable peace in the region. For our country, through the fault of its leaders, has not lived a single day in peace! The occupation of Arab lands is bringing tremendous harm to Israel politically, economically and morally. It is enough to say that inflation in Israel has now reached an unprecedented level. The fact that the Labor Party, which considers itself social-democratic, entered into an agreement with the Likud Bloc of rightwing parties and formed a joint government with it after the elections is by no means a victory for the Labor Party. This agreement plays into the hands of the forces of the extreme Right, who have increased their own influence. For example, such an outspoken fascist and criminal as Meir Kahane, whom even the United States was forced to deport, has become a deputy in the Knesset and enjoys parliamentary immunity.

At the same time, the noticeable strengthening of the extreme Right and profascist forces has had a sobering influence on many of the country's citizens, and it has placed democratic circles before the necessity of joining forces and activating their efforts. One of our most important tasks is now that of struggling against racism in all of its manifestations and against the discrimination against the Arabs living in Israel, who make up about 17 percent of the overall population of the country. An important event in this connection was the formation of the Israeli Committee Against Racism, which was joined by representatives of the broadest groups of the society, from members of religious

parties to communists, including deputies to the Knesset, artists, writers, and university professors. The events in the village of Umm al-Fahm, where Jews and Arabs joined together in blocking the road to Kahane and his thugs, found broad support not only in our country. The committee against racism recently held a representative conference in Tel Aviv. An important direction in the work of the committee is also the struggle for the adoption of a law against racism, which the communist representatives of the Knesset have been proposing since the first days of the work of the latest convocation of our parliament.

Such various antiwar organizations as "Peace Today," the Committee Against the War in Lebanon, the Committee for Solidarity With the University Bir-Zayt, "There Is a Limit," and others are continuing to work actively. The organization "Peace Today" carried out a huge antiwar demonstration, and the organization has demanded that the Labor Party not enter into any agreement with the Likud Bloc and that it not include in the government a criminal such as Sharon, whose hands have been stained in the blood of the inhabitants of Sabra and Shatila. In the current government, however, Sharon occupies such an important post as that of minister of industry and commerce! Recently, a group of parachutists, having finished their service in Lebanon, came to Tel Aviv and demonstrated in front of the Ministry of Defense, demanding the immediately end to the occupation of that country. Literally just a few days ago, there was an antiwar demonstration by the organization "There Is a Limit" on a central street of Jerusalem, with the participation of conscripts refusing to serve in Lebanon. Many of them went to prison for that refusal. The Committee for Solidarity With the University Bir-Zayt carried out a large action in support of the inhabitants of the Palestinian village of (Dekheysh), who are being oppressed by the authorities. So there are decent people in our country (and there are a lot of them!), who not only adhere to progressive democratic convictions but defend them resolutely. These are people who understand that without a fair solution to the Palestinian problem, without the withdrawal of Israeli troops from the occupied lands, and without good neighborly relations with the Arab countries, our country cannot have a peaceful future.

[Question] The progressive public opinion of the entire world is now preparing for the celebration of the 40th anniversary of the victory over Hitler-style fascism. How will this date be observed in your country?

[Answer] The anniversary of the crushing defeat of fascist Germany is a great holiday for the Soviet people--whose shoulders bore the major weight of World War II--and of all nations that fought against the invaders. This is truly a holiday for the entire world. One of the goals of Hitlerism was the physical annihilation of Jews. It was precisely the Soviet Union that made a decisive contribution to their salvation. Every year, our friendship movement "Israel-USSR" goes all out to celebrate the victory throughout the country. For our movement itself had its start--under a different name, to be sure--in 1941 in what was then Palestine, when Germany attacked the USSR, and its purpose was to give support to the Soviet people in their struggle. In 1953 in Israel, the "Red Army Forest" was created, and here they put up a monument to Soviet soldiers. Thousands of people from throughout the country come here every year on Victory Day, and here there are meetings and exhibitions. Already

traditional is the participation in the holiday of delegations and groups of artists from the USSR, who come expressly under the invitation of the friendship movement "Israel-USSR."

Our preparations for the 40th anniversary of the victory are taking place under special circumstances. The Government of Israel has worked out its own plan for the "celebration." Judging from newspaper reports, the official measures on the occasion of the victory are to be given a clearly anti-Soviet character. Under these conditions, our movement and the democratic circles have significantly activated their efforts. An Israeli Public Committee for the Celebration of the 40th Anniversary of the Victory Over Nazi Germany has been created, and many organizations have already announced their support for this committee and their refusal to participate in the official measures. So the 40th anniversary of the destruction of Hitler's fascism will be celebrated by the broad democratic public of Israel. Under the conditions of the strengthening of the struggle in our country against racism and fascism, this anniversary is acquiring special meaning for us.

[Question] Please tell us about the goals and activities of the friendship movement "Israel-USSR" in more detail.

[Answer] Our movement, as I have already said, has been in existence for 43 years. Its fundamental special feature under the conditions of our country is in the fact that representatives of both the Jewish as well as the Arab populations of Israel are equal members of the movement. We are united by a feeling of true friendship toward the Soviet Union and also by the understanding of the circumstance that friendly relations with your country correspond to the fundamental interests of the people of Israel. Proceeding from these convictions, we see our main task in the dissemination of the truth about the USSR and about its consistent peace-loving policy, the foundation of which was laid as early as 1917 in the clarification of the Soviet initiatives directed toward a comprehensive settlement of the crisis in the Middle East. Our movement has permanent organs--council, presidium and secretariat--and we have friendship houses and clubs, where Soviet films and exhibitions are shown and where there are meetings and lectures. Twice a year--on the eve of Victory Day and on 7 November--our movement's periodical, DA-DRUZHBE, comes out. A great event for all of us was the publication this year of a book by the movement veteran Rut Lyubich, which uses much factual material to follow the entire history of our movement and explains its goals and tasks. This is the first time that such a book has been published in Israel. It is, of course, not easy for us, for it may be that there is no other country with such an intensive and unbri-dled anti-Soviet campaign as in Israel. But we are trying to do everything possible to oppose this campaign. I would also like to add that for several years now the Initiative Committee for Improving Relations Between Israel and the USSR--of which I am a member--has been active. This organization unites sober-thinking and farsighted political and public individuals who recognize that for Israel it is simply essential to improve its relations with the Soviet Union. Along with our friendship movement and the Israeli Association of Anti-fascist Fighters and Victims of Nazism, this committee was involved in the establishment of the Committee for the Celebration of the 40th Anniversary of the Victory, about which I spoke. In a word, there are forces in today's Israel that are coming out in favor of developing relations between our countries as well as for peace with the Soviet people.

LEBANON

PARLIAMENTARY SPEAKER OUTLINES MEANS TO OVERCOME TRIBULATION

Paris AL-MUSTAQBAL in Arabic No 404, 17 Nov 84 pp 19-21

[Interview with Husayn al-Husayni, Chamber of Deputies speaker, by Ghassan Bayram: "Husayn al-Husayni to AL-MUSTAQBAL: Syria Is One Capable of Helping Lebanon Out of Its Castastrophe"; date and place not specified]

[Text] Never has the election of a speaker of the Lebanese Chamber of Deputies been given all the meanings, dimensions and interpretations given to the election of Husayn al-Husayni, the Ba'labakk'--al-Hirmil deputy, to this speakership.

Some of the lot which has been said is that al-Husayni's election is a reflection of the new phase which the Lebanese situation has entered and that this election reflects a new political equation and entrenches a Syrian-Lebanese concord unprecedented since the twin countries got their independence. It has also been said that Husayn al-Husayni's election to the Chamber of Deputies speakership has come with the purpose of restoring balance to Shi'ite political decision-making and to put an end to the fragmentation in the Shi'ite political position. But what was not said at the time and what has begun to surface now is that al-Husayni's assumption of the Chamber of Deputies speakership was necessary at a time when the conflicts within the ruling administration were intensifying and beginning to paralyze the regime's ability to overcome a phase which will, it is said, be the phase of salvation. His election has been necessary so that he may act as a major element of pressure and support that restores balance to the regime.

A lot has been said about al-Husayni's election. As to what the new Chamber of Deputies speaker says, this interview with AL-MUSTAQBAL has conducted with him and which dealt with various issues provides some answers.

[Question] Disregarding any personal or political consideration, it can be said that the success of the Syrian role and of the Arab option in Lebanon has come to mean rescuing and saving Lebanon, and vice versa. To what extent does the political and security situation from which we are suffering currently reflect negatively on the Syrian role and pose a threat to the Arab option?

[Answer] It is my belief that Syria is serious and that it is utilizing all its resources to end the Lebanese catastrophe, especially since Israel was able

to end all the Arab efforts and capabilities in Lebanon and to preoccupy them with the Lebanese catastrophe and, consequently, it was able to create the right climate for invading Lebanon. Israel was about to reap major political and economic gains from the 17 May accord. But now that the 17 May accord has been abolished, the situation is very different and it dictates that the dossier of the Lebanese catastrophe be closed because such an accomplishment would be the epitome of pan-Arab action. Considering that Israel seeks to fragment Lebanon and to set up sectarian entities on its debris, it is axiomatic that the pan-Arab action would seek to insure Lebanon's unity, to liberate its territories and to establish concord among its citizens.

We must note here that a change has taken place. Prior to the 17 May accord and to the Israeli invasion, the Arab viewpoint was founded on not separating the Lebanon issue from the Middle East issue. But the events have proven the invalidity of this approach, thus giving rise to a new Arab viewpoint which calls for the speedy separation of the Lebanon issue from the Middle East issue because closing the dossier of the Lebanese crisis leads consequently to devoting the efforts to the main Arab cause.

[Question] But we must pause before what exists on the ground because the security and political actions are still creating negative features. To what extent do these actions threaten the Arab option?

[Answer] There is no doubt that these actions have hampered so far the solution process and that they have had an impact on the Syrian role. But we must not forget that it is impossible to surmount overnight the cumulative legacy of 10 years. However, what is desired and what actually exists is the determination and the resolution to end the internal problems through implementation of the agreed upon security plan. It seems to me that we have embarked on rapid and serious steps in this regard, beginning with formation of the Lebanese army brigades which will start their task on the coastal highway leading to the south so that no more fragmentation may continue to exist in the army. It will be easy then to implement the comprehensive security plan because the existing situation is incapable of continuation and because it is an instrument for creating security tension.

[Question] Do you think that solving the coastal highway's security problem to enable the army to use it to get to the south can be accomplished without solving the Beirut security problem and solving the problem of the mountain security plan?

[Answer] It is my belief that dispatching the army to the south after it is reunited will necessarily lead to creating a positive climate that helps solve many problems because the issue of the south is a national issue and a general Arab issue which nobody can disavow. Dealing with this issue requires that we rise above the present level of bickering and infighting.

[Question] In principle, what are the points distinguishing the negotiations which led to the 17 May accord from the current negotiations?

[Answer] The negotiations which led to the 17 May accord were conducted by a political, economic and military delegation and were very similar to the negotiations leading to the two Camp David accords whereas the current negotiations are being conducted by the truce committee, meaning that they are confined to the military aspect only and that their framework is defined in implementation of Security Council resolution 425 and the subsequent resolutions. Moreover, we are not extremely interested in these negotiations, except from the angle of staying within the framework of international legitimacy because Lebanon cannot reject the UN call for such a meeting.

It is obvious that Israel disavows the truce agreement which it considers as being abolished since 1967. But Israel is contradicting itself because Moshe Dayan, a former Israeli minister of defense, notified the United Nations on 3 August 1973 of the need to reactivate the truce agreement. Lebanon's answer to the then UN Secretary General Waldheim was that it abides by the said agreement and that it does not consider the agreement abolished, especially since the said agreement states clearly that it can be abolished only by the UN Security Council. When the United Nations now calls for this meeting Lebanon cannot refrain from attending it because it will have thus abolished the agreement unilaterally. Moreover, Lebanon's adherence to the truce agreement means that Lebanon wants to state clearly that the question of establishing peace in the Middle East area is an Arab affair of which it cannot dispose. If Egypt, being what it is, has not been able to establish peace, then it is certain that Lebanon cannot be so.

[Question] As long as the negotiations are taking place within this framework, then how do you interpret the reactions that have created tension in the political and security conditions?

[Answer] The lack of trust which resulted from the 17 May accord causes the people to fear that there may be a game to pass the 17 May accord in a new form. I will hasten to say here that there is no possibility of any agreement similar to the 17 May accord. We have nothing to give Israel and we are not Israel's security police. The UN Security Council resolutions underline our right to liberate our land. In this respect, we rely much more on the valiant national resistance in the south, in western al-Biqa' and in Rashayya than we rely on any international mediation or on any negotiations with Israel. Our people have decided to pay the price for liberation and have actually begun to pay this price.

[Question] A few days ago, you visited Syria and met with President al-Asad and with 'Abd-al-Halim Khaddam. What are the conclusions with which you emerged regarding the possibility of closing the dossier of the Lebanese crisis?

[Answer] There is strong determination and a real inclination to help Lebanon overcome its tribulation. Syria shares our opinion on maintaining international legitimacy through our determination to maintain the truce committee and our adherence to the Security Council resolutions. But it also shares with us at the same time the fear that Israel may be maneuvering in the al-Naqurah negotiations to gain time and to deceive Israeli public opinion into

believing that it is exerting efforts to withdraw its army and that it needs time and that Israel is seeking, consequently, to create a state of relaxation among the Lebanese people and in their national resistance while waiting for the international circumstances to change in a manner that enables it to embark on a new aggression that leads it out of its current crisis.

[Question] If the negotiations achieve the outcome desired by Lebanon, do you think this would be the beginning of a real solution to Lebanon's crisis?

[Answer] It is my belief that if the negotiations succeed, and this is not expected, then the credit for this goes to the national resistance in the south because it is the main element that will have forced Israel to withdraw. Moreover, this withdrawal, should it come about, will definitely reflect on the internal situation in a manner that enables us to put our affairs in order and to restore Lebanon to its normal condition. I must stress here that whoever imagines that he will continue to have something in case the south is lost is certainly naive because loss of the south means the loss of all of Lebanon. Moreover, the loss of any part of Lebanon means the loss of all of Lebanon because the link between Lebanon's population demography and land geography makes it impossible for Lebanon to survive within its present internationally-recognized borders.

[Question] Don't you think that the ongoing argument over the priorities and over linking the political solution to the security solution creates numerous problems and complications that impede the achievement of any solution?

[Answer] There is a point that must be explained, namely that a distinction must be made between the government formula, the national charter and the Lebanese system because there are still those who get matters confused. The national charter means the formula of coexistence between Muslims and Christians in an independent homeland. This cannot be relinquished. Rather, it is the most sacred of our sanctities. There is also the Lebanese system, i.e., the democratic, parliamentary, republican system. This also cannot be relinquished because it is tied to the survival of the Lebanese entity. There remains the third issue, namely the government formula. This formula was established in 1943 as a provisional formula to move from the mandate government to the independent government. It is a foregone conclusion that a provisional phase depends on individuals. But what has happened is that this formula became fossilized, stopped at the limit of individuals and opened the path for the emergence of numerous crises, with each crisis becoming bigger than all the individuals [involved]. A gap developed between the formula concept and the Lebanese people concept. The people made progress while the formula lagged behind and grew old. The eruption of the 1974 events was tantamount to the declaration of the death of this government formula and it became necessary to find an advanced and developed formula that meets the needs and aspirations of the Lebanese system.

[Question] This being the situation, then what prevents presenting the issue for a profound discussion free of maneuvers and conflicts?

[Answer] We should not forget that there is a cumulative legacy [tarakumat] left behind by the events and by what preceded them and that this legacy requires a calm and profound dialogue in order for us to find a formula that is not founded on privileges but rather on guarantees of equality in duties and rights for all the Lebanese and on moderation and justice because Lebanon has been built, as I said after my visit to his eminence the Maronite patriarch, on the basis of moderation and justice and because its problems cannot be tackled except within this basis and with composure and balance.

[Question] Regardless of what is said about closing the dossier of the Lebanese catastrophe, the fact remains that the Lebanese will not be reassured until he sees basic practical steps, such as eliminating the manifestations of partition and dissolving the militias and the armed organizations.

[Answer] It is a foregone conclusion that the emergence of the militias came as a result of the people's feeling that the government institutions no longer reflected their opinion. Abolition of the militias now has become inseparable from finding the formula that guarantees the rights of all. It will be then possible to dissolve these militias, even if by force. We must not forget that some of these militias have arranged their affairs and the sources of their livelihood on the basis that they are staying. Therefore, any solution will encounter a number of victims who will try to obstruct it. But if a formula satisfactory to all the Lebanese is found, then it will be capable of abolishing all these militias.

Steps have already been begun in this regard, such as the efforts to eliminate the revenues of these militias by closing the [illegal] ports and through the security plans. We will reach the day when these militias will find themselves unable to survive and when they will find that the reasons for their existence are no longer present.

[Question] We understand two things from your statement: first, that the militias came into existence as a reflection of the people's wish, meaning that the war has been a civil war, and, second, that the Lebanese war has ended and its dossier is being closed?

[Answer] It is my belief that when the south is liberated and when we reach the new government formula, we will be able to say that the war has ended. I do not want it understood from my statements that there is one cause for the Lebanese events because these events have their numerous causes and numerous parties. We, the Lebanese, created the most convenient climate to make our country ripe for instability. Israel exploited that climate and preoccupied the Arab forces with conflicts on Lebanon's soil. Thus, the causes of the Lebanese events cannot be pinned down to one cause at which to stop. There are local complexities, regional complexities and international complexities. The indication now is that there are signs of international detente and there is an international conviction that Syria can bolster the solution in Lebanon and help Lebanon overcome its catastrophe. The Lebanese cannot be excused if they waste this opportunity.

[Question] There are those at home and abroad who believe that Lebanon will not go back to what it was prior to the events in terms of its political structure and system of government if the Lebanese crisis is solved.

[Answer] There are broad lines from which the new formula must emanate, namely: the unity of Lebanon's territories, people and institutions, a democratic, republican and parliamentary system;; and, above all, liberating its land, establishing its sovereignty over all its territories and equality among the Lebanese. We must know that the deprivation is not a deprivation of sects but of provinces. Scaring one sect with another is something that may continue in a climate of conflict but not in a climate of peace. Any reconciliation must be the result of agreement in the will of the Lebanese. This is why it is impossible to establish a bilateral formula between one sect and another.

[Question] If these are the fundamental given facts, then what are the fundamental no's insofar as you are concerned?

[Answer] First, no to partition and to similar federal, confederal and political decentralization projections. Second, no to dwarfing Lebanon and to depriving it of its vanguard Arab and international role. Third, no to any settlement between the parties involved at the expense of the homeland. In other words, what is required is not concessions by one faction to another but rather concessions by all for the interest of the homeland. Fourth, no to any gaps in the future formula capable of creating instruments for torpedoing this formula anew. We are not prepared to bequeath to our children a formula that exposes them to that to which we have been exposed.

[Question] The fact remains that the Shi'ite issue in Lebanon continues to besiege us. One of the meanings attributed to your election is that it has restored balance to Shi'ite political decision-making. Why this interpretation?

[Answer] I say that my election has bolstered the lines established by Imam al-Sadr--a line in whose establishment we participated. It is my belief that the Higher Shi'ite Islamic Council does not belong to one person, and neither does the Chamber of Deputies speakership. Rather, there is a line and within this line there is the Amal Movement. The more the efforts of the Higher Shi'ite Islamic Council and of the Amal Movement flow into this line, the stronger the line becomes and the more likely to succeed it is. All people know who am I and know my line and the principles to which I adhere. A working paper was issued by all the Shi'ite organizations in 1977 and I, as a Shi'ite, am fully committed to every word it contains. As for my being speaker of the Chamber of Deputies and, at the same time, belonging to this line, I will work not in my capacity as a Shi'ite but as a representative of the Chamber of Deputies which represents all the Lebanese. I will hasten to say that this working paper has nothing to do with any sectarian or factional demand and that it is tantamount to a complete visualization for building the new Lebanon. The paper's main headings include stressing Lebanon's unity, its democratic parliamentary republican system and its Arab affiliation and reforming Lebanon's political structure in a manner compatible with the democratic, parliamentary, republican system.

[Question] Within this framework, to what do you attribute the state of contradiction existing between the Higher Shi'ite Islamic Council and the Amal Movement?

[Answer] I believe that the events have played a fundamental role in this regard. If we backtrack a little, we find that the Higher Shi'ite Islamic Council was founded in 1967 and that its committees were elected in 1969. Through action, it became evident to Imam al-Sadr that the problem is not the problem of the Shi'ites but of all the Lebanese and that deprivation afflicts all Lebanon. This is why he proceeded to form the movement of the underprivileged, namely Amal, whose objectives include defending the south and which has a comprehensive characteristic that is not confined to the Shi'ites. The proof of this is that nearly 92 Lebanese figures from the various sects and provinces contributed to drafting this movement's charter. This demonstrates that the movement is not concerned with the Shi'ite sect alone and that its task is to eliminate deprivation from among all the Lebanese. But the events and the cumulative legacy they have produced and the compulsory sectarian separation which has taken place as a result of the Israeli plot seeking to create sectarian entities have caused most of those belonging to Amal Movement to be from the Shi'ite sect, considering that the founder and leader of this movement is the head of the Shi'ite sect. Thus, the situation has turned from one compatible with these aspirations into a situation saying that Amal is the representative of the Shi'ite sect, as if Amal is trying to rival or compete with the Shi'ite Council in representing the sect. This is the fundamental flaw that has created this contradiction. I hope that we are now on our way toward eliminating this contradiction, especially since Amal has begun to issue explanations to the effect that it does not represent the Shi'ite sect but rather represents all the underprivileged from all sects.

[Question] Until a few years ago, the Shi'ite sect was viewed as an element helping the solution and providing the needed balance. Now, the situation is reversed and it is said that the Shi'ite sect has turned into an element obstructing the solution?

[Answer] I still believe that Lebanon's interest is completely harmonious with the Shi'ite sect's interest. This reality has existed and continues to exist. As for the characterizations attributed to the Shi'ite sect here and there, they are a part of a plan to make the others fearful of this sect. The Shi'ite sect harbors evil for no other faction or sect. On the contrary, what reassures the other sects reassures the Shi'ite sect and what worries the other sects also worries the Shi'ite sect.

[Question] We now come to the cabinet situation. What exists within the current cabinet is unprecedented. What is your role, as a Chamber of Deputies and as speaker, in correcting this situation?

[Answer] Ceaseless efforts must be exerted to eliminate the fears existing among the parties involved, to enable the Chamber of Deputies to perform its role in controlling the cabinet and in putting pressure on it so that it may be united while at the same time, supporting the cabinet politically. The absence

of the Chamber of Deputies contributed by a large degree to this fragmentation. Therefore, our task is the dual task of exerting efforts to correct this situation.

[Question] Your recent address to the Press Union Council has drawn the attention of many people, especially your statements concerning the position of the president of the republic and your call for helping save some ministers from what they are embroiled in?

[Answer] We must return to principles. Our system is not a presidential system but a democratic parliamentary system. The head of the state is the head of all the authorities and he is entitled to supervise them so that he may be able to perform his mission of preserving the system as a means for survival of the entity. This, briefly, is the role of the president of the republic. He must perform this role and, therefore, must rise above the conflicts and the parties. The proof is that the constitution does not hold him responsible except in the two cases of violation of the constitution and of high treason. This demonstrates that the game between the government and the opposition must continue because the Chamber of Deputies is divided into a loyal faction and an opposing faction. If we permit, as we have done for a long time, loyalty to the president of the republic then we must permit opposition to the president of the republic also. Thus, the president of the republic will lose his role and will descend to the level of the conflicts. This is why I say that we must return to the principles because with our current practices, we have lost the authority to refer to and lost the overseer who supervises the good progress of our system and the president of the republic has come to represent a faction with which we quarrel and which quarrels with us. This causes grave damage to our system and entity. As for the embroilment of the ministers, this is obvious in the nature of the discussions that take place in the cabinet. We find [in the cabinet] no faction that does not cling to its position which has been dictated by the events. Consequently, we must surmount this situation and rise to the level of tackling the catastrophe by realizing that any reconciliation among the parties involved can only be the product of the agreement of numerous wills. It is wrong for any faction to believe that it can dictate its opinion to the others through intransigence and force.

8494

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LEBANON

CURRENCY CRISIS ALLOWS CLOSURE OF ILLEGAL PORTS

Paris AL-MUSTAQBAL in Arabic No 404, 17 Nov 84 pp 65-66

[Article: "Fear of Lebanese for Their Pound Has Closed Illegal Ports; Economic Measures Adopted by State of Lebanon Have Bolstered Financial Position Very Considerably"]

[Text] The state has, as a result of the first week's work, recorded a passing grade of 10/10 in the test it waged in connection with the illegal ports. This test is almost the first in the period of Karami's cabinet, unless we consider what has happened in Greater Beirut in terms of abolition of the contact lines as the first test.

The closure of the illegal ports, beginning with the fourth basin (called mistakenly the fifth basin) in Beirut Port and ending with the ports in the north has come as a result of the decision made by the cabinet within the framework of economic measures aimed at strengthening the pound, curbing the wave of speculation to which the pound was exposed last month and planting the seeds of confidence in order to alleviate the state of panic which has prevailed in the currency market.

Thus, closure of the illegal ports has come more as a result of given economic facts than of political premises. The prevalent belief was that control over the Lebanese coastline could not be achieved except within the framework of the comprehensive security plan whose implementation has been faltering so far from al-Awwali to al-Madfun Bridge and from Beirut to the Damascus highway. The evidence that the closure of the ports has no political dimension perhaps lies in the statements made by Walid Junblatt, the minister of public works and transportation, who has said that the closure of the ports is "another theatrical."

Even though it is impermissible to disregard the political dimension of the closure of the illegal ports, even at its minimum, there is no doubt that the deteriorating economic situation and the dangers it has produced were the main motive for all to move and to put the leaders face to face with their responsibilities.

An economic expert who also deals with politics has said that the fear of the Lebanese for their pound is what has led to controlling the illegal ports. In

recent years, and despite the war, the Lebanese has found that there is economic prosperity and that Lebanese pounds are pumped into the Lebanese market and take their cycle. Thus, he has been preoccupied with the pound and has been chasing it, he who has loved and continues to love money. When the currency situation deteriorated and the price of a dollar reached 9 pounds, those concerned realized that the danger had become imminent and that the harm would hit all without exception, even if by varying degrees. The feeling of imminent danger was the motive for the step that was taken.

The economic expert dealing in politics has noted that the state tried at the outset to ignore the issue of the ports, considering that the solution to this issue had not ripened yet. At the beginning, the state tried to tackle the economic situation with currency measures, some of them suitable and some unsuitable. But those measures were futile and the deterioration continued, with the dollar price leaping to 9 pounds instead of stabilizing at 805 piasters. In view of this, there had to be a rapid and urgent step capable of producing an economic and political yield that would reflect positively, even if within the narrowest limit, on confidence in the pound.

The impact of the decision to close the ports on the exchange prices came even before the decision was implemented, considering that what is more important than the step's direct yield is its political significance, which indicates that the state is present, is capable of making and implementing a decision and is determined to block the existing gaps one by one, taking the "step-by-step" approach.

The economic expert has concluded that the agreement of the Lebanese on the need to protect the pound has been important in stopping the drain afflicting the economy as a result of the loss of control over the coastline from the north to the south. Consequently, the Lebanese is, despite all that has happened, more fearful of the economic danger than he is of the national or political danger.

In any case, the closing of the ports has succeeded fully and beyond expectation, at least as of the time these lines were written. There is no fear of a setback, especially since there has been Syrian eagerness equal to the government's eagerness to bring success to the plan [to close] the ports in the north where the Syrian forces are in control. The proof of this is that control over Tripoli Port has been established "politically" and without the need for operational forces.

The step has an important economic aspect likely to bolster the pound's position. Control over the ports means in the language of figures that the state will be able to collect nearly 1.5 billion pounds next year, a sum comparable to the customs fees collected in 1983 after closure of the illegal ports on 10 March [1983]. If the expectations come true, the financial yield to the treasury will amount to 1.25 billion pounds at least. Moreover, control over the ports in the desired manner will lead to two results that flow into the pound's interest:

First, control over the imports may lead, even if by a small percentage, to an increase in the prices of imported goods which have been previously marketed free of fees. This increase, though saddling some groups with an additional burden, will automatically lead to compulsory austerity, with the consumer thus avoiding the purchase of luxury goods and seeking automatically to modify his consumption pattern. This will reduce the bill for imports and this reduction will reflect positively on the balance of payments, which suffers from a deficit.

Second, control of the ports and of the imports will inevitably reflect positively on the industrial sector which has been constantly complaining of the smuggling and of the illegal competition. If the complaint is true, then production will move forward and, consequently, the local wealth will improve and the opportunities for manufactured exports will grow, thus enhancing the foreign revenues that bolster the position of the balance of payments.

There is no doubt that these two results will not come about immediately. But they will in a short time, provided that agencies capable of controlling port fees are established to prevent tampering with bills and to prevent illegal re-export operations.

The immediate outcome will be an increase in the customs fees and, consequently, a drop in the treasury and budget deficit. Improvement in the treasury's position does not mean economically pumping foreign money into the market. But the relationship existing between financing the treasury deficit on the one hand and the balance of payments on the other hand makes the closure of the ports a positive factor insofar as the pound's exchange rate is concerned--a fact that at least contributes to stabilizing the pound until the other fundamental factors leading to its improvement come into existence.

Moreover, establishing state control over the ports may help the state establish its control over the other utilities, and this is something whose early signs have begun to surface at more than one level.

At the level of tax collection, the [possibility of] reaching the Ministry of Finance in the near future will enable the ministry's agencies, despite the lack of technical and personnel capability, to revitalize collection and to collect no less than 800 million pounds, especially under the canopy of the exemption incentives offered the taxpayers in case they pay the fees and taxes by a certain date.

Moreover, the Ministry of Post and Communications has begun to exert serious efforts in collecting its bills and in hinting that it will cut off the lines of those who fail to pay. The same applies to the Lebanon Electricity Authority, which has begun to shut off power to those who fail to pay their bills. The Lebanon Electricity Authority has also been given special powers that permit it to install meters on violating buildings to prevent the acts of current piracy.

All these measures collectively will inevitably bolster the state finances, which suffer from a deficit of more than 25 billion pounds.

If we add to all this the government's renewed determination to control government spending at all levels, it can be said that the state is exerting serious efforts with all the means at its disposal to stop the economic deterioration that nearly toppled the Lebanese pound last month.

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LEBANON

BRIEFS

INTERNATIONAL INTEREST IN PROJECTS--Governments, multi-national companies and Arab investors have expressed renewed interest in the Lebanese markets and projects. There has been renewed talk of secret negotiations to sell a number of hotels and banks to Arab and Lebanese investors at a time when international hotel companies are looking for buildings to lease or purchase with the purpose of turning them into hotels. However, these negotiations have borne no fruits yet. On the other hand, the Romanian government has expressed to a delegation of Lebanese industrialists headed by lawyer Ahmad Kabbarah, the chairman of al-Shuwayfat Industrialists Group, its earnest desire to contribute to rebuilding the Lebanese industrial sector and asked the delegation to convey this desire to the Lebanese government, keeping in mind that Romania will give the industrialists the opportunity to pay the costs of rebuilding over a long period of time. The Greek government has also expressed through its public companies its interest in having a foothold in Lebanon. Toward this end, this government has concluded with a Lebanese firm, called al-Hajj International, an agreement in accordance with which the Lebanese firm becomes a representative of EKETE, a Greek contracting and construction firm, and also of ITCO, another Greek company responsible for marketing Greek agricultural and industrial production. These two firms are among the biggest Greek firms and have high-level international commitments. EKETE has already implemented a number of construction projects and contracts in the Arab world. This interest has evoked a wave of questions in economic circles as to whether the governments and international firms are optimistic regarding Lebanon's conditions or whether they are exploiting the weakness of the Lebanese pound to purchase Lebanese real estate, hotels and establishments "dirt cheap." [Text] [Paris AL-MUSTAQBAL in Arabic No 404, 17 Nov 84 p 47] 8494

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INDIA

NEWSPAPER FEATURE STRESSES COOPERATION WITH SOVIET BLOC

Soviet Official on S&T

New Delhi PATRIOT in English 29 Nov 84 p 8

[Text]

V Litvinenko, Deputy Chairman of the USSR State Committee for Economic Ties with Foreign Countries.

Economic and technical assistance rendered by the Soviet Union is backed by the entire ample experience of Soviet economic development, by the achievements of Soviet science and technology. Now it has achieved an impressive scale and is playing an appreciable role in the country's industrialisation, covering many key sectors of the Indian economy.

The industrial projects built or still under construction with Soviet assistance (90 in all) make up the backbone of the state sector in India's economy and in size and technical equipment fully conform to the present-day world standards. This is ensured by the high quality of technical documentation, deliveries from the USSR of high-efficiency equipment required materials, and effective training of national personnel. While providing technical documentation and supplying equipment, the Soviet Union simultaneously passes to India the valuable scientific and technological information contained in it, ready for direct practical application.

With the help of Soviet organisations India has built a number of enterprises with advanced technology and unique units, which are the largest in the whole of Asia.

Soviet-Indian cooperation has made especially noticeable progress in the development of such a key industry as ferrous metallurgy. From the pioneer project — the iron and steel works in Bhilai and another

giant in Bokaro to construction of yet another iron and steel plant in Visakhapatnam — such is the road travelled in a comparatively short period of time. Work is now completing to expand the works in Bokaro and Bhilai to capacities of 4 million tons of steel a year each, following which nearly half of all capacities in Indian ferrous metallurgy will be concentrated in these two plants. Good headway is shown in the construction of the first stage of the iron and steel works in Visakhapatnam, which embodies the latest achievements of science and technology. It will have coking batteries with chambers 7 metres high, installations for dry quenching of coke, sintering machines with a sintering area of 312 square metres, a blast furnace with a volume of 3,200 cubic metres, an installation for slag granulation near the furnace, and other equipment. All steel at this plant will be poured on continuous casting machines. All that will guarantee high productivity and quality of output.

among the projects built in India with Soviet technical assistance mention should be made of a heavy electrical equipment plant in Hardwar, a heavy machine building plant in Ranchi, a mining and allied machinery plant in Durgapur, large oil refineries in Koyali, Barauni and Mathura, an aluminium factory in Korba, oil fields, medical enterprises, power stations, educational establishments, agricultural farms and others. These enterprises were equipped with modern machine tools and present equipment, turbine — and hydro-units of various capacities, and oil drilling and oil

processing plant. Together with Soviet equipment delivered, Indian experts received all the technical documentation, including that relating to concepts, design and technology, which in a number of cases is further developed at design offices and laboratories set up at these enterprises, and also at specialised

design and research institutes of India.

A salient feature of economic cooperation between the USSR and India is its comprehensive nature when, along with the construction of industrial enterprises, corresponding raw materials and infrastructural projects and design and research organisations are built. For example, India, with Soviet assistance, has set up the large Metallurgical Engineering Construction Institute (MECON) in Ranchi, an institute for designing metallurgical equipment in Ranchi, and the Research and Development Centre for Ferrous Metallurgy in Ranchi. Soviet organisations took an active part in establishing the Drilling Technology Institute, Dehradun, and the Institute of Research Studies, Ahmedabad. All these organisations are leading centres that ensure the development of the appropriate branches of the Indian economy at a modern level. For example, the MECON Institute in Ranchi, which has subsidiaries in six other cities of the country, is the main design centre for ferrous metallurgy projects. In recent years MECON has been fulfilling orders in design and engineering services also for third countries.

Another significant fact is that an increasing share of equipment to meet the growing requirements of the national economy, above all of ferrous metallurgy, is made on Soviet documentation at Indian engineering plants in Ranchi, Durgapur,

Hardwar and Kota, established with the assistance of the Soviet Union. Indian exports of engineering products to other countries, including the USSR, are growing. This, too, shows the advancing technical and engineering maturity of Indian experts.

In the domain of fuel and power industries the Soviet Union helped India to construct a number of large collieries: the coalmines of Banki and Surakachar, the open pit of Manikpur and the enrichment plant at Kathara. In the design and construction stage are coal pits at Jayant, with a capacity of 10 million tons of coal a year; Nigahi, 14 million tons a year; Mukunda, 12 million tons a year; and Janra, 2.8 million tons. A number of other projects are being designed. High-speed sinking of mine shafts, working of sharply inclined coal beds, the use of directional explosions in stripping operations in open coal pits, working by means of long walls and mechanised complex — this is a far from complete list of highly-efficient methods of construction and coal production, of modern technology, which Soviet experts pass to their Indian colleagues.

In the field of oil industry Soviet experts together with Indian scientists have studied, assessed and estimated all known resources of oil and gas on Indian territory. Plans have been drawn up to prospect for and produce oil in 1981-1990. With active Soviet assistance, an Indian national oil industry was practically

established and is developing very successfully.

Soviet experts help their Indian colleagues in mastering the complicated technology methods of drilling deep wells under hard mining and geological conditions, of repairing wells, of mechanised mining and also in setting up and organising special scientific research institutes.

A specific feature of the USSR's cooperation with the developing countries is mass-scale training of national personnel, which is an important channel of technology transfer.

In view of this, all agreements on economic, technical scientific and technological cooperation between the USSR and India also provide, in addition to assistance in construction of industrial enterprises and projects, for wide participation of the Soviet Union in training Indian national personnel.

In the years of Soviet-Indian cooperation, over 80,000 Indian skilled workers and experts have been trained directly at projects of Soviet-Indian cooperation, both under construction and in operation. Training centres set up at enterprises train several thousand people annually. All the higher and secondary educational establishments set up in India with Soviet assistance have already trained more than 35,000 people, and that apart from some 6,000 Indian experts who have had their training in the Soviet Union.

Assistance to Coal Industry

New Delhi PATRIOT in English 29 Nov 84 p 8

[Text] Soviet and Indian experts have been cooperating in the field of coal mining for over 25 years already. Nigahi, Mukunda, and some other large open-cast collieries, now under construction in India with Soviet technical assistance, will increase annual coal production in the country over 30 million tonnes. In the near future, Soviet-aided projects will account for each third tonne of coal

mined in India. The 6th Five-Year Plan of India envisages production of 165 million tonnes of coal by 1984-85, besides exploration of new coal deposits. Significantly enough, the protocol signed in September last, inter alia, provides for technical and material assistance to set up a number of coal fields in India in the next few years.

At present, both Soviet and Indian organisations are drawing up a draft working programme for 1986-90 to step up cooperation in the coal industry. Both sides will also examine volume of deliveries of Soviet mining equipment.

The Soviet side has recently submitted to India the feasibility study of the Mukunda colliery seams (annual capacity of 12 million tonnes

with 4 million in its first stage) and coal-dressing mills at the Jharia coalfield. The Soviet Giproshakht Planning and Design Institute completed the feasibility study for constructing another large-scale open-cast colliery in India at Nigahi (Bihar) (annual capacity of 14 million tonnes, with 4.2 million in its first stage) in the Singrauli coalfield. Nigahi coal will go the Vindhyachal Super Thermal Power Plant, which is being built in Madhya Pradesh, also with Soviet assistance and scheduled to be commissioned by 1986. Nigahi will contribute to the integrated development of the entire region.

The Nigahi colliery will be constructed using both Indian-built machinery and Soviet-made tropicalised vehicles, including high-performance power shovels.

India employs the most advanced Soviet techniques, tried and tested in Soviet mines. India has received Soviet design plans and specification for sinking two vertical and one main slant shafts at the Jhanjra mine in the Raniganj coal-field (West Bengal).

Soviet assistance rendered in modernising coal-dressing mills is also a major field of Soviet-Indian cooperation. The Indian side is presently studying the stage-by-stage modernisation projects for the Kathra (capacity 3 million tonnes a year) and Paterdih (capacity 2 million tonnes a year) coal-dressing mills; a contract for technological assistance to the Singareni Collieries Company has been signed. The Soviet experts will make their recommendations on working a 5.5m thick seam in a mine under construction now in the Ramagundam coal-field. 36 Indian technicians will be trained in the latest coal-working techniques at the leading Soviet coal mines in 1984. They will be introduced to the Soviet methods of designing and building coal-producing projects, of running open-cast collieries and repairing equipment. Another group of 36 Indian experts will, at the same time, learn the pitch-dipping seam working techniques used at the mines of the Kuznetsk coal-field in the USSR.

The Indian side will rely on Soviet experience and use Soviet equipment in developing the steeply inclined seams at the Tipong mine of the Makum fields (Assam). In 1985, they will also use Soviet equipment

at the experimental section (Disbergarh seam) of the Chinakuri mine (West Bengal). Soviet organisations are now designing a directional explosion to be arranged during stripping works at the Jhargurda open-cast mine. They have also been working on the Master Plan for the development of the Godavari fields belonging to the Singareni Collieries Company

(Andhra Pradesh), and will render technical assistance in developing recommendations for achieving the designed capacity of the mines at the Manuguru fields, and of the mine now under construction at the Ramagundam fields.

The construction of the above enterprises will help India increase its coal production by 20 to 25 million tonnes a year by 1990.

The USSR has agreed to help India set up a coal mine construction design institute. Indian engineers will receive training for this at the Donetsk Institute for Coal Mine Construction, and Donetsk experts will also be deputed to Ranchi so that they can provide expertise to the Central Mine Planning and Design Institute there.

The Working Group on Coal Industry of the Inter-Governmental Indo-Soviet Commission on Economic scientific and Technical Cooperation at its fourth meeting which concluded here yesterday has agreed upon the programme of cooperation in new areas for the period of 1985-1990. Under the programme Coal India Organisation for planning, detailed engineering and supervision of construction of washeries in India with Soviet assistance will be set up to discuss in detail the scope for preparing of working drawings, designers' supervision, etc. The Soviet side will also give assistance and technology transfer to the Indian side in the areas of chemical utilisation of coal and gasification of coal at shallow depths and for power generation.

The Protocol also envisages Soviet technical assistance to be provided to M/s Singareni Collieries Company and to prepare feasibility reports for reconstruction of Prakash Khani collieries No. 1 and 2, Godavari Khani colliery No. 11A and a colliery in the Bellampalli area.

Indo-Soviet Shipping

New Delhi PATRIOT in English 29 Nov 84 p 9

[Article by V. Cherepanov]

[Text] Last spring the Pervomaisk semi-container carrier of the Soviet Far Eastern Shipping Company with a consignment of containers for Indian trade companies left Manila and headed for Singapore, from where it proceeded to Bombay, Cochin and Madras. It unloaded its cargoes in Madras, took aboard a new consignment of containers and backtracked to Manila via Singapore.

This ship has inaugurated a new international container service line set up by the Far Eastern Shipping Company (FESCO) of the USSR at the request of trade companies in many countries, including India.

The container service is now being broadly introduced in sea, railway, motor and even air transport of the Soviet Union. The country is building a vast network of specialised container terminals in its sea and river ports and at the railway stations. Soviet marine designers are developing specialised container carriers, universal, medium-size and big-size containers for any means of transport. Economists have computed that the containerised carriage of one million tons of cargoes saves up to four million roubles as against the conventional types of transportation. The introduction of the container service in the Soviet Merchant Marine will increase labour productivity 6-8 times over.

The Soviet Union has been playing an important role in international containerised carriage. In 1971, when the Suez Canal was closed for international navigation, the Soviet Union set up the first international container service line at the request of many countries. From Japan cargoes were brought to the Soviet Far Eastern port of Nakhodka by sea. From there, containerised cargoes were delivered to the countries of Europe and the Middle East by rail along the Trans-Siberian trunk line. This line has been given the name of the Trans-Siberian Container Service. Trade and economic organisations in many countries prize it as an economically efficient, reliable and fast service. This line cuts the delivery time by 7 to 10 days compared to the line passing through the Suez Canal. Cargo transportation by the Trans-Siberian Container Service is considerably cheaper than by any other service. As of today, the service caters for the customers from Australia, the Philippines, Hong Kong and Japan. Many other countries have also applied for its services.

FESCO has already accumulated a wealth of experience in carrying containerised cargoes to and from India. In 1967, the FESCO-Indian line joint company was set up for transporting cargoes between India on the one hand, and Japan, Hong Kong and South-East Asian countries on the other. To meet the requirements of trading partners for transportation in the best possible manner and to ensure trouble-free operation the line runs multi-purpose ships of the Lenin-skaya Gvardia-class with a capacity of 6,300 tons. The use of this class of ships was preconditioned by their small draft, an extremely important advantage in the shallow Indian sea ports. To improve the loading and unloading operations the ships were equipped with cranes and winches.

Last January the FESCO-India container service line was set up on the basis of the FESCO-Indian Line company. The line is more than 7,000 nautical miles long. The exploitation of this line make it possible to send containers, including the containers with Indian goods cargoes along the operating FESCO-Australia line via Manila.

The Pervomaisk motorship, now run on the new line, is the most suitable vessel for local conditions. It can carry aboard 368 20-foot containers, is adequately equipped with cranes to unload its cargoes on any type of piers. Along with conventional 20 and 40-foot containers it can carry refrigeration containers. It is a very stable motorship and can effectively operate in storms which are not infrequent in the southern regions of the Indian and Pacific Oceans.

Like many other countries India has launched its containerisation programme. Special container terminals are being built in sea ports and at the railway stations of that country. As soon as India assembles its container cranes the FESCO company will begin running honeycomb container carriers on the FESCO-India line. This will speed up the handling of ships and increase the flow of cargoes.

Trade with CEMA Countries

New Delhi PATRIOT in English 29 Nov 84 p 9

[Article by N. Bogaty, CMEA Secretariat and A. Olshany, Cand. Sc. (Econ.)]

[Text] An important role in developing the leading sectors of the Indian economy and strengthening the country's economic independence has been played by its diversified ties with the Soviet Union and other CMEA members, who base their cooperation on respect for national sovereignty, equality, mutual advantage and non-interference in other another's domestic affairs.

Cooperation between the CMEA countries and India in the economic trade, scientific and technical areas has a planned basis and a mutually beneficial and long-term character.

Trade turnover between the CMEA members and India is a most general indicator of their mutual economic relations, for it includes all deliveries of goods effected under the various forms of their cooperation. Over the 1970-1982 period alone the CMEA countries' trade with India showed a five-fold increase and in 1982 it amounted to 4,300 million rubles.

India has become one of the biggest trading partners of the socialist community countries.

In the early 1950s the share of the CMEA members in Indian foreign trade was under one per cent, but in 1982 those countries, according to Indian estimates, accounted for 25 per cent of India's exports and 13 per cent of its imports.

Trade between all CMEA countries and India is rapidly developing. This no doubt attests to the stable nature of their economic relations. The Soviet Union is

Trade Between the CMEA Countries and India
(min rubles)

	1960	1970	1980	1982
Turnover	198.6	641.4	2283.2	3289.4
Exports	94.7	264.4	1179.4	1420.5
Imports	103.9	377.0	1103.8	1868.9

a major trading partner of India among the socialist countries: in 1982 it accounted for over three-quarters of India's trade with these countries.

The trade between the CMEA members and India is based on long-term, predominantly five-year inter-governmental agreements.

Over the past few decades their mutual trade pattern has changed. In the 1960s India set up new and expanded some key industries, for which she needed machines and equipment. Between 1961 and 1982 the export to India of Soviet machines, equipment and transport facilities alone amounted to 2,200 million rubles. In the 1970s, the proportion of equipment, machines and transport facilities in the CMEA countries' exports to India began to decline as a result of expansion of India's own industrial base. At the same time there was a marked increase in shipments of oil and oil products, fertilizers and other chemical goods.

Trade Between Individual CMEA Countries and India
(min rubles)

	1960	1970	1980	1982
Bulgaria	1.1	26.6	39.9	105.3
Hungary	11.6	37.6	59.8	88.0
GDR	27.1	59.3	94.9	106.6
Cuba	- -	0.3	4.8	10.1
Poland	13.0	58.0	97.5	161.1
Romania	13.5	28.1	147.6	184.5
USSR	104.0	364.9	1,739.8	2,514.0
Czechoslovakia	28.3	66.6	98.9	119.8

More than 60 per cent of Czechoslovakia's exports to India consist of machines, equipment and means of transport, including equipment for power plants, the iron-and-steel, engineering, textile and tanning industries, farm machinery, section and sheet steel, pipes and fittings.

Poland exports mining, foundry and power-generating equipment, metal-cutting machine tools, cranes, fertilizers and other chemical products.

The GDR's exports to India include equipment for chemical, textile, food and metal-working industries, farm machinery, sea-going vessels and other products. In recent years there has been a steep rise in the shipments of fertilizers, basically potassium ones.

Hungary delivers to India equipment for thermal power plants, coal mining, non-ferrous metallurgy, for chemical, food, textile, tanning and shoe-making industries, as well as ferrous metals and chemical products.

Romania has increased her exports to India chiefly by expanding deliveries of fertilizers, oil-drilling rigs, equipment for oil refineries, thermal power stations and the production of construction materials (concrete structures and brickmaking plants).

Bulgaria's exports include, in the main, fertilizers and other chemical products, and rolled steel. In recent years Bulgaria began to export radio and electronic apparatus and equipment for the food and tobacco industries.

Traditional agricultural and industrial raw materials (tea, coffee, tobacco, spices, jute and raw hides) loom large in India's exports to the CMEA countries. Recent years, however, are characterized by a noticeable diversification of Indian exports: there is an increase in deliveries to the socialist countries of articles manufactured by India's growing industry. In the early 1980s, the proportion of finished goods and semi-manufactures in Soviet and Czechoslovak imports from India was 55 and 40 per cent, respectively, whereas the share of these goods in India's total exports does not exceed 30 per cent.

The USSR tops the list of India's trading partners for imports, having become the main purchaser of products put out by a number of industries. This is particularly true of such wares as cable, garage equipment, cotton fabric, garments and knitwear, detergents and cosmetics. Big orders from the USSR and other CMEA countries help India expand traditional and set up new industries. For instance, knitwear production in India is concentrated in the town of Ludhiana. More than 90 per cent of the output is exported to the USSR, which provides 500,000 jobs.

Year after year, the CMEA countries increase their purchases in India of her non-traditional goods, mainly equipment and machinery. The USSR alone expanded the import of these goods from 2.1 million rubles in 1970 to 154 million rubles in 1982. Soviet organizations buy ever greater quantities of garage and electric engineering equipment, fitter's tools and other wares from India.

The CMEA countries' trade with India is increasingly becoming part of a whole system of economic ties covering technological and production cooperation, and other forms of joint effort.

Over 400 industrial enterprises and other projects, fundamentally in the sphere of material production, have been built or are under construction predominantly

in India's public sector with the CMEA countries' technical assistance. All these projects were envisaged in India's five-year economic development plans.

The application of new forms of cooperation, along with the traditional ones, is furthering the expansion and deepening of economic ties between the CMEA countries and India. Production cooperation with its promising future is of an increasing significance in this respect.

There is a form of cooperation under which one of the partners supplies the other for a lengthy period with parts, units and assemblies as components of end products, which are marketed by the manufacturer himself. For instance, Soviet organizations hand over production technology to their Indian partners and provide complementary parts and units for most sophisticated equipment produced by machine-building plants built with Soviet assistance in Ranchi, Durgapur and Hardwar.

On the basis of cooperative deliveries from Czechoslovakia, there has been organized in India the production of Zetor tractors in Baroda and of Jawa motor-cycles in Mysore. Originally, Czechoslovakia shipped unassembled tractors; later on it began to supply individual parts and assemblies; gradually reducing their volume as their production in India increased. The manufacture of metal-working machines on the basis of Czechoslovak-supplied components has been organized at the engineering works in Ranchi and Ajmer.

Hungary has given assistance in building an electric bulb factory and fitted it with the necessary equipment. The manufacture of components for electric bulbs and neon tubes has been started in India using Hungarian technologies. Hungary is providing equipment for a microwave communication system (4,000 km range) presently under construction and has supplied India with technical documentation for the manufacture of similar equipment. Indian specialists in making and operating microwave communication equipment undergo training in Hungary.

Compensation-based economic and technical cooperation is also on the rise.

Soviet organizations are increasing their imports of heavy machine-building products as compensation for the assistance rendered in the construction of the plants. The parties have agreed upon the deliveries to the USSR in 1981-1985 of equipment manufactured in Ranchi and Durgapur. At present the plants are fulfilling Soviet orders for the manufacture of about 30,000 tons of equipment.

The export of equipment for small wool-spinning mills in India by Poland is being repaid by countershipments of cloth.

In the 1970s India started the production and began exporting a wide range of sophisticated machines and equipment, providing thus favourable conditions for fruitful cooperation between Indian firms and CMEA countries' organizations on the markets of third countries. For instance, in cooperation with Soviet and Czechoslovak factories, Indian companies produce oil-drilling equipment and excavators for third countries.

The engineering factories in Ranchi and Durgapur, fulfilled orders placed with them by Soviet organizations for partial deliveries of equipment for iron-and-steel works.

INDIA

VISITOR REPORTS PRC WISHES TO IMPROVE INDIA TIES

New Delhi PATRIOT in English 3 Dec 84 p 10

[Text] There is a "great desire" in both official circles and among the people of China to improve relations with India, according to former Supreme Court Judge H R Khanna, reports UNI.

Justice Khanna, who recently led a delegation of senior lawyers to China, told UNI "wherever we went we were received with great warmth and cordiality by officials and people".

At official banquets, the hosts expressed the need for normalisation of relations between the two countries. The Vice Minister of Justice, Chairman of the Supreme Court of the People's Republic of China and Deputy Director of the Shanghai Bureau of Justice had hosted banquets for the delegation.

People were "very eager" to explain their work wherever the delegation went. At the Shanghai prison, a band comprising prisoners played the Chinese national anthem and Hindi film tunes.

The delegation was accorded a warm welcome by the audience during an unplanned visit to a cultural show. As soon as the delegates entered the theatre, the people in the front row immediately got up and offered their seats.

Justice Khanna said a Chinese delegation of judges and lawyers would visit India next March to study the country's legal system and constitution. This was a part of efforts to establish a "spirit of friendship and solidarity between members of the legal fraternity" of the two countries, Justice Khanna said.

China is restructuring its judicial system with particular stress on developing the economy. Changes in the law have been necessitated by the greater inflow of foreign capital expected in the coming years.

Justice Khanna told UNI that lawyers in particular were being trained in the strict scrutiny of contracts with foreign companies to ensure that the latter did not take undue advantage.

The team discussed the working of the judicial system with judges, lawyers and officers of the Bureau of Justice, including the Vice Minister of Justice and

Vice Chairman of the Supreme Court of China. It also visited the law school in Fusan University and held discussions with law teachers and students on the judicial system and legal education.

The delegation witnessed the trial of a 20 year old man accused in a theft case. It noted that the court's emphasis was on ascertaining the circumstances in which the crime was committed. A large number of workers from the factory where the accused had been working were present during the trial. The accused was provided a defence counsel.

Justice Khanna said the delegation members were impressed with the efforts being made to turn juvenile delinquents into good citizens through education, vocational training, music and sports.

Describing the conditions in the juvenile delinquents home in Guanghou as "very orderly and good", he said the delegation was informed that 93 per cent of the children did not commit any crime after leaving the home.

About the Shanghai prison, Justice Khanna said about 3,800 prisoners were engaged in the manufacture of textiles, garments, and radio parts. The division of labour was extremely streamlined, he added.

A particular feature which struck the delegation was the orderliness and discipline of people from all walks of life.

Regarding the equality of the sexes, Justice Khanna said in many places the delegation found that women were paid more than men "as they require more money to maintain themselves".

The other members of the delegation were Mr Hardev Singh, Mr Amal Dutta, Mr D S Dhillon, Mr Bimaendu De, Mr J Hemachandran, Mr V P Singh Rathour, Mr Dilip Kumar Gupta, Mr R C Sharma, Mr Prem Krishna Sharma. Mr T N Balaji (all lawyers) and Mrs Manjeet H Singh, Executive Editor of "Popular Jurist".

CSO: 4600/1204

INDIA

CONSTITUENCY SAID TO LACK ENTHUSIASM FOR NEHRU

Calcutta THE STATESMAN in English 4 Dec 84 p 9

[Article by Hasan Suroor]

[Text] Rae Bareilly, Dec. 3--If there is excess of enthusiasm for Mr Amitabh Bachchan in Allahabad, there is virtually none for his friend, Mr Arun Nehru, in Rae Bareilly. Resentment is so widespread that people openly complain about his alleged arrogance and complete "indifference" towards his constituency. Even traditional Congress-I supporters do not conceal their anger and point out that he has become a leader overnight and has no links with the people.

An old Bengali doctor, who claims to be a staunch supporter of the Congress-I asks angrily: "Who is Arun Nehru? Four years ago he came here asking for votes in the name of Indira Gandhi and got them. Now he comes asking for votes in the name of Rajiv Gandhi and he will get them again. Votes are the only link between him and us--nothing more".

The alleged arrogance of Mr Nehru seems to have rubbed off on some of his local party activists. Replying to a question on how Sikhs would vote in view of the recent incidents of violence against them, one Congress-I propagandist sitting in the party office said: "With sadistic satisfaction. Those who have cut their hair and shaved off their beards would vote for us".

Congress-I men are not bothered about the voters' mood and seek refuge in the fact that Mr Arun Nehru comes from an "illustrious family, which has done so much for the country. Which other candidate can claim such credentials"? asks a partyman supervising the distribution of propaganda material here.

The manner in which the Congress-I men regard Mr Nehru's opponents--Mr J. N. Mishra of the Rashtriya Sanjay Manch and Mrs Savita Ambedkar of the Dalit Mazdoor Kisan Party--borders on contempt and reflects a style of contempt and reflects a style of functioning that might have cost the party dearly in normal circumstances.

In fact, some people still bitterly recall the use of money and muscle power by the Congress-I in the last elections. A shopkeeper in Rae Bareilly city says that last time Congress-I volunteers had placed a big drum full of liquor in his shop and anyone was free to come and help himself. "When I objected they

tried to pick up a fight with me and it was only when I threatened to report the matter to the Election Commission that they moved it out of my shop to another".

The Congress-I seems to have no dearth of money and the number of jeeps at its command, mostly bearing Delhi registration number plates, would probably be more than all the motorized vehicles put together in Rae Bareilly. In comparison, the RSM and DMKP do not qualify to be even the poorest of poor cousins of the ruling party.

Disillusionment with the Congress-I cuts across all communities both in the city and rural areas. Farmers say that contrary to the official claims, the Government is not procuring wheat and paddy with the result that they have to sell their produce on the open market at considerably lower prices than the official procurement rates.

In Nimitgarh village, farmers said that while the official procurement price for paddy was Rs 135 a quintal, they had to sell it on the open market for Rs 100 to Rs 115 a quintal because the Government's procurement machinery did not exist. "This, coupled with the growing cost of urea, which is now Rs 112.50 for a bag of 50 kg is affecting us badly", complained an angry farmer.

Yet they say that they will vote for the Congress-I. The reason they give is that since all political parties are the same why incur the displeasure of the ruling party. "Unless we are sure that the entire country is going to vote against the Congress-I what is the point of our voting against it" asks another farmer in Bachrawan.

CSO: 4600/1203

INDIA

IRANIAN DELEGATION WELCOMED IN NEW DELHI

Calcutta THE STATESMAN in English 28 Nov 84 p 9

[Text] New Delhi, Nov. 27--India today called for a "just and speedy" end to the Iran-Iraq war threatening peace and stability in the Gulf region and warned that the continuation of the conflict would lead to the intervention of outside powers in that part of the world, reports PTI.

Welcoming the 23-member Iranian delegation led by Syed Hussain Aadel, acting Deputy Foreign Minister, at the official-level meeting preparatory to the second session of the Indo-Iranian Joint Commission here, the leader of the Indian delegation, Mr I. S. Chadha, Additional Secretary, Ministry of External Affairs said: "It is our earnest desire that both Iran and Iraq be enabled to divert their vital energies and resources towards reconstruction, progress and stability within their borders as also in the region and elsewhere".

Mr Chadha said the Indian Government had been making all efforts in this respect in consultation with other leaders in the non-aligned movement and elsewhere for an end to the conflict between the two non-aligned neighbours for more than four years.

At the official-level discussions, the two countries will review the progress made since July, 1983, on certain recommendations and decisions at the first session of the joint commission in Teheran on strengthening cooperation.

Mr Chadha said though there had been some progress concerning cooperation in industry, pharmaceuticals, transport, agriculture, instrumentation and development of water resources, there was scope for greater cooperation in all fields.

The second session of the joint commission will begin on November 30 where the Indian delegation will be led by Mr G. Parthasarathy, chairman, policy planning committee External Affairs Ministry and the Iranian side by Syed Akbar Velayati, Iranian Foreign Minister.

UNI adds: The Indo-Iranian Joint Commission, which began official-level discussions today, split into three sub-committees to discuss economic and industrial cooperation, trade and cultural scientific and technical cooperation.

Mr Chadha expressed India's anxiety at the procedures being followed by the Iranian authorities concerning visas, residence and work permits of Indian nationals who either resided in Iran or went there for business.

Mr Chadha referred to the understanding between the two countries in May last that Iran would step up its imports from India to \$225 million from \$75 million by the end of the year.

Mr Chadha said as six months had passed since then, "we would wish to review the progress made in achieving this target".

The Iranian Foreign Minister, Mr Akbar Ali Velayati, will arrive here tomorrow to co-chair the ministerial-level meeting of the Indo-Iranian Joint Commission on Thursday.

He was scheduled to reach here on November 30.

CSO: 4600/1205

INDIA

REPORT NOTES ENTHUSIASM AMONG YOUNG BENGAL VOTERS

Calcutta THE STATESMAN in English 30 Nov 84 p 1

[Text]

MANY among the first generation voters in West Bengal who will cast their vote for the first time in the ensuing Lok Sabha elections, seem to be excited about the prospect of participating in the electoral process which will help form a Government that will run the country for the next five years.

The animated discussions in the university class rooms, hostels, canteens, clubs and restaurants give one the idea that these young men and women have suddenly become aware that they have also a say in the formation of the new Government. The incisive manner in which they discuss the merits and demerits of

different candidates make it clear that they want to use their vote in the best possible way.

DISILLUSION

On the other hand, there is a section among the young generation who takes a dim view of the existing political situation. They seem to be disillusioned about the performance of the two main contesting parties in West Bengal—the Left Front and the Congress (I). It is not that they have lost faith in the electoral process like the Naxalites, but they have come to the conclusion that neither the Marxists nor the Congress (I) is capable of steering the country towards a fast pace of planned growth. Both the parties, they feel, are “exploiting

either Gandhi or Marx” to meet their ends.

These young people want a third force to emerge which will have leaders with a “clean record”, a feature lacking in the Congress (I), and will not be bettered by Marxist slogans. Disenchanted by the non-performance of both the Congress (I) and the Left Front, they seem to favour a political party which will deliver the goods. “But where is that party?” they ask.

But, the students, who are actively involved in the students’ and youth movements, are quite enthusiastic about the coming poll. Some of the young people consider Mr Rajiv Gandhi as the leader of the new generation and

they feel Mr Gandhi will be able to infuse new blood in the Congress (I) and free the Government from the morass of inaction in which it is bogged down at present. On the other hand, Mr Jyoti Basu, who is already 70, has still a great appeal for a section of young generation for his forthright statements and no nonsense attitude towards life.

There is no doubt that since the Left Front came to power in West Bengal in 1977, there has been an upsurge in the Left wing students’ movement and the CPI(M)-controlled Students Federation of India captured most of the students unions in the colle-

INDIA

REPORT ON ELECTION MANIFESTO ON CPI-M

Calcutta THE STATESMAN in English 30 Nov 84 p 2

[Text] New Delhi, Nov. 29.--A major plank in the CPI (M) manifesto for the December Lok Sabha elections is revision of the priorities and policies of planning "with a view to the independent development of the national economy in full freedom from foreign influence".

The party urged in its "appeal to the electorate" an "end to the policy of depending on the World Bank, IMF and multinational firms for aid in planning". The appeal, which included a seven-point programme, call for by raising internal resources by better management of the public sector with the participation of workers with equal status and authority".

Some other suggestions the party made were: State acquisition of the assets of big landlords and monopoly capitalists, nationalization of foreign monopoly concerns, and revision of the Seventh Plan in the light of the suggestions made by several States at the last meeting of the National Development Council.

The party suggested vigorous implementation of land reforms, distribution of land to the tiller, breaking of land concentration, cancellation of the agricultural workers and poor peasants, remunerative prices for peasants' produce, and cheap credit and subsidized inputs for peasants.

Other sailient points projected by the party in its programme were: full trade union rights to Central and State Government employees, abolition of police verification, unemployment allowance in both urban and rural areas, inclusion of the right to work as a Fundamental Right, withdrawal of NSA, ESMA and other such measures, "stopping the process of communalization of education", and transfer of Education from the Concurrent List to the State List.

In a long preamble to that programme, the CPI (M) emphasized that the situation today "demands of the electorate that they reject all communal forces--Hindu, Muslim, Sikh, Christian communalists and fundamentalists, who play into the hands of the imperialists to divide and disintegrate the country".

The party added: "Many opposition parties do not fully comprehend the danger inherent in the communal appeal".

Analysing the Congress (I) performance, the CPI (M) claimed that "in contrast to the Congress (I) Governments, the two Left Front Governments of Tripura and west Bengal protect the interests of the downtrodden sections".

It claimed also that in Tripura the party had succeeded in maintaining the unity of the tribal and non-tribal people and in isolating the secessionists: "Unlike in other States in the north-eastern region the majority of the tribals in Tripura stand firmly wedded to national unity".

The CPI (M) noted in that appeal to the electorate that the party was working for a new alignment of political forces through elections: "For in the present situation, it is not possible for a single party to defeat the Congress (I)".

CSO: 4600/1197

INDIA

BHARATIYA JANATA ELECTION MANIFESTO SUMMARIZED

Bombay THE TIMES OF INDIA in English 1 Dec 84 p 9

[Text] New Delhi, November 30. The BJP today pledged itself to strive for a new policy free from criminalisation and corruption, and for governance based on consensus instead of confrontation.

"Whether we are in power or remain in the opposition, we promise to work for cleansing the filth in public life," the party president, Mr. A. B. Vajpayee, declared releasing the BJP's election manifesto.

The nearly 9,000-word manifesto details the party's commitments ranging from positive secularism to a pursuit of national sport policy.

While the manifesto has covered subjects including national politics, economy, quality of life and culture and security, the thrust of the party campaign would be that all problems facing the nation were the accumulated result of the policies of the government in the last five years.

Mr. Vajpayee predicted that the Congress would not get a majority and that electors would choose a better candidate from among the nominees of the divided opposition. Talking about adjustments, Mr. Vajpayee enunciated the thesis that these were unrelated to ideology.

The main points in the manifesto are: "The BJP is pledged to defend the unity and integrity of India. It believes that India from Kashmir to Kanyakumari is one country and all Indians, irrespective of language, caste or creed, are one people."

The BJP will restore the balance between the Centre and the states and to that end will support and strengthen state governments--and not destabilise and topple them; appoint state governors in consultation with state governments; enact an anti-defection law as per the report of the committee on defections; give the states fairer share of central revenues and increase the financial powers of the states.

The BJP will also delete article 370 of the constitution; constitute an inter-state council under article 263 to settle all inter-state and state-Centre disputes; and guarantee to all minorities--linguistic or religious--peace and security, and full opportunities for progress and development.

Lowering Voting Age

The party will give "the right of vote to all those above the age of 18; introduce identity cards for voters, use electronic voting machines and to this end make necessary changes in the election law as recommended by the parliamentary joint committee on amendments to election law, examine the feasibility of introducing the list system of elections and give the right of postal ballot to Indian citizens living abroad.

It will also hold state and Central elections simultaneously every five years; extend the jurisdiction of the election commission to local body elections, and ensure that elections to local bodies are regularly held; arrange for public funding of elections as is the case in France, Germany, Japan and most other democratic countries and have party accounts publicly audited."

It will enact a law and create an ombudsman--Lokpal and Lokayukta--as recommended by the administrative reforms commission; streamline procedures and rules relating to purchases and awarding of contracts in government and public sector undertakings, and regulate discretionary powers of political authorities; and end intervention in day-to-day functioning of government departments and public sector corporations dealing with purchases and award of contracts and require all ministers to make an annual declaration of assets.

The BJP will take all effective steps to prevent further illegal immigration. For this purpose it will work towards a joint, co-operative effort by all the concerned adjoining states like Tripura, West Bengal and Bihar.

The BJP declared unequivocally that "the nation shall not allow another assault on the country's integrity, and there can be no compromise with those who talk of Khalistan. At the same time, the BJP will not allow any harm being done to innocent people, Hindus or Sikhs.

The Punjab problem is basically political--and the BJP will solve it politically.

The BJP will "reserve all ugly trends and give the country a humane economy. It will take all steps necessary to achieve full employment, maximise production, stabilise prices and pull millions above the poverty line, until nobody is left poor in the country". [text may be missing] and profitable: demarcate the spheres of multi-national corporations, other foreign companies, big industry, small-scale industry and cottage industry: and reserve more and more consumer items to small-scale and cottage sectors.

The manifesto promised not to impose any new taxes: in fact it will reduce some taxes. To begin with, the income-tax exemption will be raised to Rs. 30,000: it will abolish octroi duty--and require the state government to make good the loss of municipalities. "We will abolish sales tax--and require the Centre to make good the loss of state governments, by matching increases in excise duties," it said.

The BJP will introduce an employment guarantee scheme on the Maharashtra pattern throughout the country; there will be pensions for the aged poor; and there will be "antyodaya" for the poorest of the poor."

To government employees the manifesto promises: "It will ask the fourth pay commission to submit a quick interim report, doing urgent justice to the employees; order full and prompt neutralisation of all increases in the cost of living index; immediately pay all arrears of DA instalments that have become due; and provide residential accommodation to all government employees.

Pension Policy

To pensioners, the BJP promises to have a national pensions policy to secure social and economic justice to all citizens; constitute a separate pension commission to examine the special problems of pensioners; grant pensioners DA relief on the same scale as to serving employees; and exempt pensions from payment of income-tax.

The BJP views science and technology as "handmaids of human welfare. It will foster a scientific temper among the people; use science and technology for increasing productivity and generating employment.

The BJP says it is committed to family planning as a means of individual and national development.

It will revive the Prasar Bharati Bill of 1979, which sought to convert AIR and Doordarshan into an autonomous corporation, 'sui generis'. This corporation would have greater autonomy than that enjoyed by BBC today. It will enunciate a national sports policy.

On foreign policy, it says "a continued strengthening of the non-aligned movement" is the foundation of our policy plank. The BJP will work towards re-imparting dynamism to the non-aligned movement.

CSO: 4600/1199

INDIA

PAPER REPORTS TELUGU DESAM ELECTION MANIFESTO

Calcutta THE SUNDAY STATESMAN in English 2 Dec 84 p 7

[Article by Ravindra Kumar]

[Text] Hyderabad, Dec. 1--Underlining the need for stronger States and at the same time calling on the people to perform a patriotic duty by crushing the Congress (I), the manifesto of the Telugu Desam for the Lok Sabha polls, released this evening by the Andhra Pradesh Chief Minister, Mr N. T. Rama Rao, said that the interests of the State could only be met with a strong representation at the Centre.

Describing the formation of a national coalition as a historical inevitability, the party hoped that it would have "its own strength in Parliament to press and if necessary to participate in the Union Government to safeguard the legitimate interests of the people of the State".

Elsewhere the manifesto called for a constitutional amendment to incorporate a set of instructions to Governors, changes in the financial arrangement between the Centre and States for a more equitable distribution of resources, constitutionalization of the Planning Commission with a role for States in formulating plans, increasing the accountability of the public sector, autonomy for All India Radio and Doordarshan, greater freedom of the Press and changes in the recruitment system of judges.

On foreign policy, the party seeks genuine non-alignment and better relations with neighbouring countries.

The manifesto also spoke of the alarming deterioration in India's security environment and said that the assassination of Indira Gandhi brings into sharp focus the dangerous inroads made by anti-national forces.

CSO: 4600/1201

INDIA

CORRESPONDENT REPORTS VOTER ATTITUDE IN AMETHI

Calcutta THE STATESMAN in English 2 Dec 84 p 9

[Article by Hasan Suroor]

[Text] Amethi, Dec. 2--The main point of interest here is not which of the two Gandhis will win, but whether Mrs Menaka Gandhi will be able to reduce her brother-in-law's previous victory margin. It is stated that if she is able to do that she would have made her presence felt, besides embarrassing the ruling party.

Even Congress-I supporters concede that she has been more active here than Mr Rajiv Gandhi and through door-to-door canvassing in the villages has been able to make a considerable impact, especially among women. In fact, women votes are crucial as they account for 35% to 40% of the electorate, but few women would have the courage to vote in defiance of the wishes of the male members of the family.

A young Congress-I activist said: "It is true that Menaka Gandhi has been able to whip up women's emotions, but here a woman traditionally votes for the party which is supported by her husband. Even if my wife is inclined to vote for Menaka Gandhi, she will have to vote for Rajiv because I am a Congress-I supporter".

Interview

In an informal interview two days ago, Mrs Menaka Gandhi had said that voters in Amethi were terrorized to speak out their mind. To some extent, it is true that people here are extremely reluctant to discuss about the elections. Dr S. K. Srivastav, who runs a small clinic in the heart of the town, said that he would talk only if the report was going to be "positive"--meaning pro-Congress.

A Government servant who was critical of the Government's economic policies and especially its failure to control prices, initially said that he worked for Bharat Heavy Electricals. Later, he confessed that he actually worked in the Health Department. His rationale for telling the lie was "I am a Government servant and don't want to get into trouble". The owner of a tea stall, close to the local Congress office, said: "I have this little shop and would not like to get into any controversy that might affect my business. As for

elections, there is enough time for all of us to decide". His wife, who seemed to be keen on talking, restrained herself after her husband's no-nonsense attitude".

Many others, thinking that this reporter belonged to a political party, said: "We will vote for anyone you want us to vote for."

It seems that the fear to talk is not because of any open terror tactics employed by the Congress but because people are conscious that it is the Prime Minister's constituency and it is better to keep a low profile. As a local advocate put it: "It is the psychological terror of Mr Rajiv Gandhi's office that has put fear in people's hearts and this terror is more terrifying than any physical terror tactics."

CSO: 4600/1203

INDIA

FINANCE MINISTER: 5-YEAR GROWTH RATE AT 5.5 PERCENT

New Delhi PATRIOT in English 30 Nov 84 p 2

[Text]

Calcutta, Nov 29 (PTI)—With the economy now based on a 'sound footing' and the annual rate of inflation dropping to six per cent by early this month, the country's growth rate for the next five years has been assessed at 5.5 per cent, according to Union Finance Minister Pranab Mukherjee.

Speaking at a 'Meet-the-Press' programme at the Calcutta Press Club, today, the Finance Minister said that the country was in 'a comfortable' position with the estimated foreign exchange reserve totalling Rs 4,650 crore by the end of this year. This, he said, had enabled India to do without the third instalment of Rs 1,100 crore from the International Monetary Fund.

Giving statistics of the rate of inflation beginning with 21 per cent in 1979-80, he said it fell to 16.6 per cent in '80-'81 and then to 12.5 per cent in '81-'82. This year, it stood at six per cent, he added. This was a 'positive trend' towards improving the economy. In turn, it had helped achieve a growth rate of 5.2 per cent at present. The growth rate was expected to look up to 5.5 per cent, he said.

Mr Mukherjee said the country could now well boast of having reduced the inflation rate 'remarkably' over the years in comparison to the recently-assessed 32 per cent for non-oil producing countries of the world.

With debt servicing estimated at 'a reasonable' 14.6 per cent, he said, the foreign investors were willing to

sink capital in India. There was 'encouraging' response from non-resident Indians in this regard as disclosed by available figures, he said.

The Minister said under the tri-

bal component plan and the Integrated Rural Development Programme, the Government brought above the poverty line about 88 lakh families against the sixth Plan target of 15 million. The Government would continue to make serious efforts to uplift the backward classes and the down-trodden under the policies pursued by the late Prime Minister, Mrs Indira Gandhi, he added.

Mr Mukherjee criticised what he called the 'mismanagement of economy by the West Bengal Government. He said under the centrally administered resources, the Centre had contributed 92 per cent towards the State's development for the approved Plan outlay in the first four years of the sixth Plan out of the total of Rs 1,862 crore.

Criticising the State Government for crying hoarse about the Centre's 'indifferent attitude' towards West Bengal, the Finance Minister said that going by the statistics, it was found that its contribution recorded 'a negative note' in 1981-82 when the Centre gave Rs 458 crore for the State's approved annual Plan expenditure of Rs 454 crore. "All these figures give a very poor impression about the State Government's haphazard way of dealing with the fiscal administration", he alleged.

He also ridiculed the Left Front Government's claim that the State's

per capita income had registered a 'steady rise'. "Then why does this Government ask for more overdrafts and grant-in-aid from the Centre", he asked.

CSO: 4600/1198

INDIA

MAHARASHTRA REPORTED TO FACE SEVERE DROUGHT

Bombay THE TIMES OF INDIA in English 3 Dec 84 p 1

[Article by B. M. Purandare]

[Text] Pune, December 2: Electioneering amidst the prevailing gloom cast by Mrs. Gandhi's assassination has pushed to the background the plight of the people facing a severe drought in 12 districts--seven in Maharashtra region and five in western Maharashtra. About seven million people are hit on account of poor kharif crops in 6,500 villages.

The drought was caused by the erratic monsoon. In the crucial month of August. There was virtually no rain in the Marathwada districts and also in most parts of Ahmednagar, Sangli, Satara, Dhule and Nasik. Adding to this was the prolonged dry spell in September.

Heavy damage was caused to groundnut and bajra which are grown mostly on light and medium soils. Short duration crops such as 'moong' and 'udid,' too suffered badly. In many districts, the damage was to the extent of 75 per cent, according to agricultural experts.

In Marathwada's seven districts--Aurangabad, Jalna, Beed, Nanded, Osmanabad, Latur and Parbhani--the farmers had brought 31.21 lakh hectares of land under cultivation. Of this, 23.77 lakh hectares were affected. The worst hit district was Nanded where crops in all the 1,185 villages, withered. In terms of loss in yield, Aurangabad district suffered to the extent of 85 per cent.

Even in the best of times, the region has a serious drinking water problem. Of the 17,112 villages identified as "difficult or problem villages" towards the beginning of the sixth Plan, 13,138 were tackled, though not satisfactorily. The pinch will be felt most when the walls start drying up in March. Food perhaps could be arranged from outside but the water shortage will remain.

The low precipitation this year has affected the flow in rivers and streams many of which, have already dried up. Lakes and reservoirs have not been adequately replenished, nor groundwater aquifers recharged. Consequently, the wells are expected to dry up shortly.

The farmers in Marathwada have now brought the kharif land under rabi crops taking advantage of the moderate rains in the first week of October. They

have sown jowar, safflower and linseed in kharif as well as rabi lands. During the visit of the press party in these areas, it was pointed out by farmers that the moisture stress was not adequate for the full growth of the crops. At several places, the stunted growth of crops was visible. They said one or two winter showers were necessary for the proper growth of the crops.

The divisional commissioner of Aurangabad, Mr. Y. L. Rajwade, estimated 1,747 villages in the Marathwada region would be hit by drinking water shortage. He said plans were afoot to sink bore wells in 769 villages and temporary pipe water supply would be made available in 138 others. Tankers and bullock carts would also be used for supplying water to 840 villages.

Water supply through tankers is an expensive proposition. The collector of Aurangabad, Mr. Bhaskar C. Patil, said in one district of Aurangabad alone, Rs. 85 lakhs was spent on it, in two years. Mr. Patil, who is the secretary of the district planning development committee, hoped to try out a new scheme to supply water to difficult villages on high altitude. Water would be carried through pipes on the principle of lift irrigation schemes. He said he had set up three such pumps to lift water to a height of 51 metres. He claimed the scheme was the first of its kind in the country. The only snag in the scheme was "what if the well, from which water as lifted itself dried up in the summer," he said.

With the spectre of famine hanging on them, the people have started searching for work in the neighbouring areas. The authorities are planning to take up more EGS works this time to meet the situation.

Our study in the area showed that the kharif crop is a total loss and the prospect of rabi crops not so encouraging at this moment. Apart from the loss in crop yield and drinking water shortage, there will be a scarcity of fodder too, affecting the huge cattle population in the region.

CSO: 4600/1202

INDIA

BRIEFS

FOREIGN FINANCIAL TIES--Bombay, November 30: The Reserve Bank of India has notified that the RBI and the government of India are not in favour of foreign banks appointing individuals, firms, or companies resident in India as their agents without their prior approval. In a press note issued in Bombay, the RBI has said, that of late it has come to the notice of the bank and the government of India that a few foreign banks have either opened offices in the country to undertake functions normally attended to by representative offices, or have appointed or engaged the services of individuals, firms, or companies resident in India, or otherwise entered into agency agreements with such persons, firms or companies under which the latter act as advisers or undertake the functions of a representative on behalf of the former. The RBI has said that in view of the clarification made by it, all those interested should write to the chief officer, department of banking operations and development, RBI, Central Office, World Trade Centre, Bombay for further details in the matter. [Text] [Bombay THE TIMES OF INDIA in English 1 Dec 84 p 11]

OFFER TO BURMA--New Delhi, November 27: India has offered soft loans to Burma but the size and modalities of the lendings are still to be finalised. The issue came up when the minister of trade of Burma, U Khin Maung Gyl, called on the finance minister, Mr. Pranab Mukherjee, Mr. Mukherjee offered to share India's expertise and experiences with Burma. India had developed appropriate technology, more relevant to the neighbouring countries, Mr. Mukherjee said, and suggested that areas for further bilateral trade and cooperation between India and Burma should be identified. Mr. Byl felt there was immense scope for India to offer more capital goods and appropriate technology to Burma provided it was backed by aggressive salesmanship on India's part. The Indo-Burmese trade is covered by a bilateral trade agreement signed on May 28, 1980, which provides for grant of most-favoured nation treatment to mutual trade and merchant vessels by the two governments. The bilateral trade increased to Rs. 40.46 crores in 1983-84 from Rs. 21.08 crores in 1982-83 but the balance of trade has remained in favour of Burma. [Text] [Bombay THE TIMES OF INDIA in English 28 Nov 84 p 15]

FRG ENVOY'S CREDENTIALS--New Delhi, November 27 (UNI): The new West German ambassador, Mr. Gunther Schodel, presented his credentials to President Zail Singh at Rashtrapati Bhavan today. [Text] [Bombay THE TIMES OF INDIA in English 28 Nov 84 p 7]

NEW NAVY CHIEF--Nov. 30.--Admiral Radharkrishin Hariram Tahiliani today assumed command of the Indian Navy and announced that his top priority would be to strengthen its aviation wing. The 54-year-old Admiral in his first order told his men to be on their toes keeping in view the fact that the "waters round the country were troubled." [Text] [Calcutta THE STATESMAN in English 1 Dec 84 p 1]

HUNGARIAN PRESIDENT'S STOPOVER--The President of Hungary, Mr Pal Ltmonczi, made an hour-long stop-over at Calcutta airport on Thursday on his way from Vientien to Tashkent. He was accompanied by his wife and some officials. The President was received at the airport by representatives of the Hungarian Trade Commission in Calcutta and officials of the Union and State Governments. [Text] [Calcutta THE STATESMAN in English 30 Nov 84 p 3]

MEMORIALS TO INDIRA--Moscow, Nov. 23. The Soviet Union has announced nine memorials for the late Prime Minister, Indira Gandhi, in recognition of her "outstanding services in the cause of universal peace and international security as well as promotion of friendship and cooperation between the USSR and India." The memorials include a square or street and a school in Moscow, a palace of culture in Tashkent, the Uzbek capital, a library in Dushanbe, the capital of Tadzhikistan, a medical school in the Turkmenian capital of Ashkhabad, a new seagoing vessel, a documentary film, a postage stamp and a collection of her articles and speeches. An official Soviet communique said 'a number of other activities' will be conducted to perpetuate her memory in the Soviet Union. The Soviet Union has previously undertaken such a wide range of commemorative work for its late Presidents, Leonid Brezhnev and Yuri Andropov, who now rank in the pantheon of heroes here only after Lenin. 'Reliable friend': The Soviet communist politburo has declared that the Soviet Union was, is and will be a reliable friend of India." The top policy making body at the same time affirmed its resolve to "further strengthen and develop all spheres of our mutually advantageous cooperation in the name of social progress and peace among nations." In a resolution adopted after hearing the Prime Minister, Mr. Nikolai Tikhonov, on his visit to Delhi to attend the funeral of Indira Gandhi, the politburo said: 'In the Soviet Union, there is a profoundly sympathetic approach to the striving of the Indian people and its leadership to strengthen the unity and independence of their State, to defend its sovereignty and territorial integrity.'--PTI [Text] [Madras THE HINDU in English 24 Nov 84 p 6]

GDR TRADE TEAM--Madras, Nov. 23. A trade delegation from the German Democratic Republic met representatives of Export Promotion Councils and manufacturers of engineering products, leather goods and textiles, at a meeting here today. Dr. Herbert Hoericke, Executive Director, Chamber of Foreign Trade of GDR, highlighted the scope for further developing the industrial and technical collaboration between his country and India. GDR was in a position to transfer technology to India in micro-electronics, computer engineering and telecommunication among other things, he said. Dr. Bernd Jaeckel, GDR Consul in Bombay, said his country was prepared to import manufactured industrial products from India in addition to traditional products. The meeting was organised by the Federation of Indian Export Organisations and the Madras Chamber of Commerce and Industry. Mr. K. V. Sitaram, Chairman, MCCI, welcomed the gathering and

Mr. S. Rajendran, Secretary of FIEO, proposed a vote of thanks. Addressing members of the Southern India Chamber of Commerce and Industry on Thursday, Dr. Hoericke said his country was willing to offer its technical expertise in lignite based chemical products, foundry equipment, foodstuffs, micro electronics and a host of other items. Mr. N. S. Siamwala, Vice-President of the Chamber welcomed the gathering. Mr. Mohamed Adam Sait, past President, proposed a vote of thanks. [Text] [Madras THE HINDU in English 24 Nov 84 p 12]

CSO: 4600/1200

IRAN

'CRESCENT INTERNATIONAL' REPORTER INTERVIEWS MUSAVI

Tehran ETTELA'AT in Persian 17 Dec 84 p 3-4

[Interview with Mir Hoseyn Musavi]

[Text] In an interview with CRESCENT INTERNATIONAL, published in Canada, Engineer Mir Hoseyn Musavi, the prime minister of Iran, responded in Tehran to the questions of the reporter for this publication concerning the imposed war, the foreign policy of the Islamic Republic of Iran, land reform and the role of the private sector in the economy of the country.

In this interview, referring to the successes of the government, Engineer Musavi renumerated the reasons for the lack of progress in some other areas. He said: "The Islamic economic model must be perfected. Our problems stem from not having a particular model in this area." Emphasizing that sometimes political and economic issues are mixed, he gave assurances that along with the growth and development of the society in regard to land reform, bills concerning foreign trade and the role of the private sector will be ratified by the Majlis.

In this interview, which was published in the last issue of CRESCENT, pointing out that after six months of inaction, the Meymak operations were successful, the CRESCENT reporter asked: Has the Islamic Republic made any changes during this time period in its tactics or policies vis-a-vis the war?

Mr Musavi responded: "We have not made any changes in our war policy." He added: "These operations were limited and successful, but we took the high grounds which were strategically very important. However, the tactics have become more complex. Therefore, our forces must be more cautious." The question was asked: What are Iran's conditions to end the war?

The prime minister said: "The conditions are the same as those announced earlier. The Ba'thist regime, and along with it Saddam, must be eliminated. Other conditions depend on the first condition. Many of the Iraqis have left their country seeking asylum in Iran. Obviously, they must return to their country. The issue of the recognized borders between Iran and Iraq must be

resolved. We have suffered much damage in the war. But we have frequently said that following the imam, if a popular government comes to power in Iraq, we cannot expect to be paid compensation by the people of Iraq."

The CRESCENT reporter asked about the amount of compensation requested by Iraq.

Mr Musavi responded: "I have no estimates regarding this year. However, last year the amount of compensation was estimated at more than \$150 billion."

In response to the question of whether the borders to be recognized are the same borders as in the 1975 Algerian agreement, the prime minister said: "Since Saddam has violated the 1975 agreement, we do not speak now of the borders. When the war ends, the enemy forces must return to the positions they held before the war."

The interviewer asked about the morale of the people and the Iranian Muslim combatants. Mr Musavi responded: "The morale of the combatants is very high. By visiting the fronts, you can experience it. In fact, it is the morale of the combatants which keeps the morale of the people throughout the country high. The principles of the revolution are still strongly evident in the country and, God willing, will remain in place."

He added: "Of course, when we begin an operation, the people become more excited about participating at the fronts and when the fronts are calm, the excitement of the people reduces. We are certain that the enthusiasm and excitement of the people about participating in the war escalates as soon as a new operation begins. The Meymak operations indicate that more expansive attacks are ahead."

The reporter asked: The foreign policy of Iran has come to new grounds with the visit of President Khamene'i to some Arab countries. Imam Khomeyni has also made important statements in this regard. What is the fundamental principle of Iranian foreign policy? Mr Musavi responded: "We steadfastly insist on the principles of the Islamic revolution. Support for the oppressed and deprived people of the world is one of those principles in which we believe. We have tried to expand our relations with the outside world and in this area, we give priority to Third World countries. Our relations, particularly with Africa, have expanded. We have opened embassies in many of the countries. Also, many visits have been made in this connection." He added: "The issue that the Third World countries must rely on great powers for trade has become a myth. But, if the Third World and Islamic countries come together, they can provide for many of their needs. Of course, advanced

technology is an exception. These countries can ultimately produce it."

The prime minister said: "At present, we have an active foreign policy. We do not look at relations with the world as a goal but consider it a means to expand the message of the Islamic revolution, a means for supporting the revolution and becoming more active on a global level. Our viewpoint concerning the international assemblies is also the same. We do not enslave ourselves to them but make use of them as a podium. Some of the Third World countries place too much importance on the international organizations, to the extent of breaking apart under the pressure of their framework. But we do not do so. We have shown that we are prepared to turn our back on these organizations if it is in the interest of the revolution."

The CRESCENT reporter asked: What is the policy of the Islamic Republic towards governments that are in conflict with their people, particularly the governments of the Islamic countries?

The prime minister said: "A very small number of the governments of the world are in harmony with their people, but Iran will have normal relations with the outside world by interpreting and analyzing global history and the internal movements of the Islamic countries."

He added: "The important point is that in these relations, we must not become involved in a lack of homogeneity. In other words, what in fact belongs to 20 years hence we must not take into consideration now, just as we should not consider what happened 20 years ago as the reality of today. We must have active relations with the government and the people."

Then, giving an example, the prime minister explained: "The present volume of trade between Iran and Turkey is nearly \$2 billion annually. Previously, we made purchases from the United States and Europe with this \$2 billion. But now we purchase from Turkey. We are expanding relations between the people of Iran and Turkey through trade. In this way, we increase our awareness of this country (Turkey) and at the same time, we provide our border security when necessary. This action places the revolution in a better international position, enabling the revolution to deal with its internal and external issues."

The reporter asked: You received a decisive vote of confidence from the Majlis on 5 June. In what areas do you think you have been most successful?

Mr Musavi answered: "If the government has been successful, it is due to the great attention that we have paid to the war. This war plays a very important role in the Islamic revolution. Other

successes can be considered the strengthening of the bases of the government, making revolutionary decisions, and achieving economic vitality.

"Three years ago, when this government came to power, we were at the threshold of economic paralysis. At the present time, we have left that stage behind and the sluggish economy has begun to move rapidly. We defeated the counterrevolutionaries, who existed on a large scale throughout the country. It must not be forgotten that this government came to power shortly after the martyrdom of martyr Raja'i, martyr Bahonar, martyr Beheshti, and 72 of the best revolutionaries."

The interviewer asked: Some of the goals of the revolution, for instance in the economic area, have not been attained due to a lack of laws and the length of the legislative process in the Majlis. What must be done to speed up this process?

The prime minister answered: "Certainly, the revolution has its priorities. Security, the war, and control of inflation are among them. I believe that we have been successful to a certain extent. According to the statistics of the Central Bank, the inflation rate is now 12.5 percent, whereas it was 18 percent last year. During this period, we have implemented many of the Islamic laws.

"But in the area of the economy, we still do not have a clear model; we must perfect a model based on Islam which will be responsive to the problems we have due to the legislative void. For example, some thought that the ratification of the law concerning Article 49 of the Constitution, involving the confiscation of religiously unlawful property, was impossible. But it was ratified. We also ratified the retribution law, which seemed impossible. The Islamization of the banks and the elimination of usury were also ratified by the Majlis and are now being implemented. We also intend to have the Majlis ratify the laws concerning cultivated lands, foreign trade, distribution and the boundaries of the activities of the private, cooperative, and government sectors in the economy. My general feeling is that our society has grown enough to deal with these problems."

Referring to the statements of Imam Khomeyni concerning activating the private sector, the reporter asked: What is the government policy in this regard?

The prime minister said: "The policy of the government is to ensure the widespread participation of the people in economic affairs. The Islamic Republic does not support large capital investments, but small investments resulting from the work force of the people will be most welcome. The Islamic Republic tries, by placing these small investments and the work force side by

side, to provide sufficient capital for investment. We try to control our feelings and, by devising Islamic methods, to confront the economic issues. This policy will be beneficial in the long term and will enable us to create our own particular model for the economy. Following the imam's statements, the government reviewed its policies and placed more importance on areas that increase the participation of the people."

The CRESCENT reporter asked: It seems that there are differences concerning the economic policy between the government and some of those who claim to be representatives of the bazaar, particularly concerning the management of distribution and the expansion of the cooperatives. What is the government policy in regards to the bazaar and how serious are these differences?

Mr Musavi responded: "Perhaps on the whole there are differences, but not with all the bazaar, rather with some of the brothers in the bazaar whom I consider, except for some corrupt individuals, to be honorable. I think economic and political issues are mingled and the economic problems are not the only problems that play a role in Iran."

In response to a question concerning the relations of the Iranian authorities with the people, the prime minister said: "Emulating Imam Khomeyni, no authority considers himself to be above the people. Such humility and respect regarding the people is natural. This is a blessing of the Islamic revolution which is unprecedented in the world.

"Another point is that our officials always concern themselves with the hardships of the poor people in the cities and villages. This is so common that sometimes its importance is overlooked. I believe humble life began to expand from the very first days of the revolution. Perhaps the people do not realize it, but as far as I have observed the lives of the officials of the Islamic Republic, I do not feel that their positions have made any change in their life style. Another point that may be interesting to you is that one of our governors general, after resigning, engaged in driving a taxi. The former minister of housing is now a simple teacher. And I have heard that Mr Parvaresh, the former minister of education, hopes to return to his previous job as a high school teacher. Engineer Hashemi, the former minister of industries, after a period of rest, now works in a company."

It was asked: If Mr Khamene'i is reelected president, will you agree to remain prime minister?

The prime minister said: "I think the answer to this question should wait until the time comes. Of course, the spirit governing the brothers who serve in the government is that, after all, we must serve in this country; it does not matter what position, as a librarian or a newspaper reporter."

SRI LANKA

BILL INTRODUCED TO ESTABLISH DISTRICT, PROVINCIAL COUNCILS

Colombo DAILY NEWS in English 20 Dec 84 pp 10-11, 13

[Text]

An Act to provide for the establishment of District Councils and the Constitution of inter district authorities to be called Provincial Councils with a view to strengthening and broadening the democratic structure of Government and the democratic rights of the people, and strengthening national unity by affording opportunities to the people to participate at every level in nation life and in Government; to specify the powers, duties and functions of such Councils and Authorities; to provide for the Constitution and composition of Executive Committees of District Councils; to specify powers, duties and functions of the District Ministers in relation to such Councils and Committees; and provide for all matters connected therewith or incidental thereto.

1. This Act may be cited as the District and Provincial Councils Act, No. of 1984.

DISTRICT COUNCILS

ESTABLISHMENT AND COMPOSITION OF DISTRICT COUNCILS

2. (1) The President shall, by Order published in the Gazette—

(a) establish a District Council for each administrative district;

(b) assign a name to the District Council so established;

(c) Specify the number of elected members that the District Council so established shall consist of taking into consideration the population and the area comprising of the administrative district for which such District Council is established, so however that the number so specified shall be less than the number of members of parliament elected for the administrative district for which such council is established.

Provided that where the number of members of parliament elected for the administrative district is less than three, the President shall specify such number of members, which together with the number of Members of Parliament elected for such administrative district shall be not less than five and for such purpose he may

specify such number of members which may exceed the number of Members of Parliament elected for such administrative district.

(2) (a) Every District Council established under subsection (1) shall be a body corporate with perpetual succession and a common seal and shall have power, subject to this Act, to acquire, hold and sell property, and may sue and be sued by such name as is assigned to it by the Order establishing such Council.

(b) The common seal of the District Council shall remain in the custody of the District Secretary, and shall not be affixed to any contract or other instrument on behalf of the District Council, except in the presence of the District Minister, the Chairman of the Council and the District Secretary, who shall sign their names to such contract or other instrument in token of their presence.

(3) No act or proceeding of a District Council constituted under subsection (1) shall be deemed to be invalid by reason only of the existence of a vacancy among its members or any defect in the election of a member thereof.

3. (1) A District Council shall consist of:-

(a) the Members of Parliament for each administrative district for which such District Council is established; and

(b) such number of elected members as are specified in the Order under section 2 determined by the President taking into consideration the population and the area comprising of the administrative district for which such District Council is established.

(2) Where any Member of Parliament is a member of the Cabinet of Ministers, the President shall appoint any person qualified to be elected as a Member of Parliament to function as a member of the Council in his place.

(3) Any person appointed under subsection (2) shall hold office at the pleasure of the President.

TERM OF OFFICE OF MEMBERS OF DISTRICT COUNCILS

4 (1) Every member of a District Council established under section 2 of this Act shall hold office only during the continuance of Parliament and accordingly the term of office of every such member shall unless Parliament is sooner dissolved be six years.

(2) Where a member is elected in place of an elected member of a District Council who dies, resigns or otherwise vacates office, he shall, subject to the provisions of this Act, hold office for the unexpired period of the term of office of his predecessor.

5. Upon dissolution of Parliament the ex officio members of a District Council shall cease to function, and where the Executive Committee of a District Council is dissolved the District Minister shall exercise, perform and discharge the powers, duties and functions of such Executive Council until the conclusion of a General Election of the Members of Parliament, and accordingly no other member of such Council shall exercise, perform and discharge such powers, duties and functions during such period.

MEETINGS AND CONDUCT OF BUSINESS OF A DISTRICT COUNCIL

6. (1) As soon as convenient after the commencement of the term of office of the elected members of a District Council or after the General Election of Members of Parliament, the District Secretary shall, by written notice, summon all the members of such Council to a general meeting of the Council, notwithstanding anything to the contrary contained in section 7.

(2) Where for any reason such general meeting of the District Council is not held on the date appointed under subsection (1) for the purpose, the District Secretary may, by further written notice or notices, appoint as often as may be necessary any other date for that meeting.

7. (1) District Council shall have at least twelve general meetings in every year.

(2) The Chairman of the District Council may, whenever he thinks fit, and shall, upon written requisition signed by any three members, call a special meeting of such Council to be held at the District Office.

(3) The Chairman shall cause notice in writing of every general or special meeting or adjourned meeting of the District Council, and of the business to be transacted thereat to be served on each member at least four days before the meeting.

(4) Without the permission of a Council, no business shall be brought before or transacted at any general or special meeting, other than the business specified in the notice of the meeting.

8. (1) No business shall be transacted at any meeting of the District Council unless one-third of the number of members in office on the day of that meeting is present. Where one-third of the numbers is an integer and fraction, the integer immediately higher to that integer and fraction shall be deemed to be the one-third of the number of members for the purpose of this subsection.

(2) All matters or questions authorized by this Act or by any other written law to be decided by a District Council shall be decided by a majority of the members present and voting at any general or special meeting.

9. The Chairman, and in his absence, the Vice Chairman, shall preside at all meetings of the District Council. In the absence of the Chairman and the Vice

Chairman the members present shall elect another member to preside at the meeting.

10. If, at any general or special meeting of a District Council, there is not a sufficient number of members present to form a quorum, the meeting shall stand adjourned to such date, not more than fifteen days after the date of the meeting so adjourned, as the Chairman determines, or in the absence of the Chairman, as the member who presides at the meeting, determines. No business other than business which would have been brought before the meeting so adjourned if there had been quorum present, shall be brought before, and disposed of, at such adjourned meeting.

11. The Chairman, Vice Chairman or other member presiding at any general or special meeting at which a quorum of the District Council is present may, with the consent of the meeting, adjourn the meeting from time to time; but no business shall be transacted without the permission of the District Council at any adjourned meeting other than the business left unfinished at the meeting from which such adjournment took place.

12. Minutes of the proceedings of all meetings of a District Council shall be drawn up and fairly entered in a book to be kept for that purpose, and shall be signed by the Chairman, Vice Chairman or other presiding member after each meeting and such minutes shall at all reasonable times be open at the District Office to the inspection, free of charge, of any member and to the inspection of any other person on payment of a fee of one rupee.

13. Where the votes of the members present and voting at any meeting of the District Council, are equally divided in regard to any question, the Chairman, Vice Chairman or other member presiding at such meeting shall, in addition to his own vote as a member, have a casting vote.

14. All notices of meetings of the District Council may be forwarded by post addressed to the usual or last known place of abode of the member to be served; and where a notice is so forwarded by post it shall be deemed to have been served at the time when the letter containing the same would be delivered in the ordinary course of post.

15. A District Council may, from time to time, appoint from among the members of the District Council, special committees consisting of such number of members as it thinks fit for the purpose of inquiring into and reporting upon any matter relating to the affairs of such Council.

16. Any elected member of a District Council who without leave of the District Council first obtained, fails to attend meetings of the District Council for a period of three months shall ipso facto vacate his office.

POWERS, DUTIES AND FUNCTIONS OF DISTRICT COUNCILS

17. (1) The powers, duties and functions of a District Council shall be the following:-

(a) The approval of the annual development plan submitted to it by the Executive Committee;

(b) the implementation of such plan through the Executive Committee;

(c) the making of Ordinances in respect of all or any of the subjects specified in the First Schedule hereto;

(d) the investment of the revenue of the Council for development purpose;

(e) the delegation to Pradeshiya Sabhas of the implementation of any projects included in any annual development plan:

Provided that no delegation shall be made in respect of items 16 to 36 contained in the First Schedule hereto.

(f) the approval of the budget prepared by the Executive Committee;

(g) the exercise and discharge of the powers and functions vested in the Council with a view to achieving maximum benefits to the District and the people;

(h) delegate to the Provincial Council constituted under Article 154 A of the Constitution, all or any of its powers, duties and functions;

(i) implementation of any scheme or project delegated to it by any Provincial Council constituted in relation to such Council;

(j) the consideration of any divisional development plan submitted by any Pradeshiya Sabha and where it approves any plan, the transfer of the implementation of such plan to the Pradeshiya Sabha;

(k) the formulation of a development scheme in respect of any subject not included in the First Schedule to this Act and the submission of such schemes to the appropriate Minister for approval with the concurrence of the Minister.

(2) The appropriate Minister may, with the concurrence of the Minister, by Order published in the Gazette, transfer to a District Council the implementation of any such development scheme or work as shall be specified in such Order, being a scheme or work relating to any subject not included in the First Schedule to this Act, subject to such terms and conditions as may be specified in such order.

(3) An Order under subsection (2) shall contain all such provisions as may be necessary to give force and effect to the transfer to which the Order relates.

18. Where there is an inconsistency between an Ordinance made by a District Council and any by-law made by a Municipal Council, Urban Council or Pradeshiya Sabhas established within the administrative district for which such District Council is established the provision of that Ordinance shall prevail over the provisions of such by-law, to the extent of that inconsistency.

THE DEVELOPMENT FUND OF THE DISTRICT COUNCILS

19. (1) Every District Council shall, for its general financial purposes, establish a Development Fund (hereinafter referred to as the "Fund")

(2) There shall be payable into the Fund-

(a) All rates, taxes, duties, fees and other charges levied by the District Council by virtue of this Act or of any other written law;

(b) all fines levied and penalties recovered under the authority of this Act, or any enactment the administration of which may be vested in the District Council;

(c) all sums realized by sale, leases or other transactions of the District Council;

(d) all revenue derived by the District Council from any property vested in the District Council or by the administration of any public service.

(e) all sums and all sources of revenue from time to time appropriated or made over to the District Council by Parliament, whether by resolution or otherwise;

(f) all grants and appropriations allocated to the District Council by the appropriate Minister in consultation with the Minister;

(g) the proceeds of all loans raised by the District Council with the prior approval of the Minister in charge of the subject of Finance in consultation with the Minister;

(h) any donations or other assistance made generally or for any specified project with the approval of the Minister;

(i) all sums otherwise accruing to the District Council in the course of the exercise of its powers and duties.

20. All moneys received by a District Council and payable into the Fund shall be lodged with an approved bank, and shall be credited to an account entitled the "Development Fund".

In this section "approved bank" means a bank specified by the Minister with the concurrence of the Minister in charge of the subject of Finance by Order published in the Gazette as a bank in which the moneys of a District Council may be lodged.

21. Any part of the Fund may be invested by the Executive Committee on behalf of the District Council, in any one or more of the following investments:-

(a) stock or other securities of the Government;

(b) any other securities guaranteed by the Government;

(c) any other investment approved by the Minister with the concurrence of the Minister in charge of the subject of Finance.

22. (1) There shall be paid out of the Fund by each Executive Committee- (a) all sums incurred by the District Council in the implementation of the annual development plan or any other development scheme, project or work transferred or delegated to the District Council under section 17;

(b) all sums payable by the District Council in respect of any liability incurred under the Workmen's Compensation Ordinance;

(c) all sums payable by the District Council as premium for the insurance of any property belonging to, or vested in, the District Council, or for insurance against any liability that may be incurred by the District Council under the Workmen's Compensation Ordinance;

(d) all sums which the District Council is authorized or required to refund by or under this Act, or any other written law;

(e) all expenses incurred by the District Council in the acquisition of land necessary for any public purpose;

(f) all such contributions made towards the Fund of the Provincial Council constituted in relation to a Council;

(g) all contributions voted by the District Council for the purpose of recreation or entertainment in the district, or for the relief of the poor or the support of any charitable or benevolent society or institution, or for any fund or scheme constituted or established for the purposes of granting relief or assistance to officers or servants of the District Council in cases of sickness, indebtedness or distress;

(h) such contributions not exceeding in the aggregate two thousand rupees in any year as may be voted by the District Council towards the cost of any public ceremonies, and any other contributions voted by the District Council with the prior sanction in writing of the Minister, towards the cost of any such ceremonies;

(i) all expenses incurred by the District Council in the establishment and maintenance of any form of public service which the District Council is authorized to establish, maintain or provided by or under this Act or any other written law;

(j) such salaries, allowances or honoraria payable to members of the District Council and to officers and employees of the district service as may be determined by the Minister; and

(k) All sums which are required or authorized to be paid out of the Fund by or under this Act or any other written law.

(2) No payment shall be made out of the Fund except on the authority of a resolution of the District Council.

23. All orders or cheques for the payment of moneys out of the Fund shall be signed by the District Secretary or an officers authorized by him to sign on his behalf and one other officer from among the officer specially authorized by the District Council for that purpose, and the Bank in which the Fund is established may pay all orders or cheques against the said Fund which are so signed.

24. At each general meeting of District Council the Chairman shall submit to the District Council a statement of receipts and disbursements on account of the Fund from the close of the previous year up to the close of the month preceding that in which the meeting takes place. Such statement, together with the minutes of the proceedings of the meeting, shall be forwarded forthwith to the Auditor-General for his information.

TAXATION AND ASSIGNMENT OF REVENUE

25. A District Council shall, in relation to any annual development plan, have the power to levy by Ordinance subject to the provisions of article 154 E and Article 154 F of the Constitution such taxes, rates or other charges as may be determined by the District Council and approved by the Minister with the concurrence of the Minister in charge of the subject of Finance.

26. The Cabinet of Ministers may allocate to District Councils, certain revenue paid to, or recovered by, the Government for the purposes of the exercise, discharge and performance of their powers, functions and duties, such sums shall be paid upon a resolution of Parliament.

LOANS

27. A District Council may, with the sanction of the Minister and the concurrence of the Minister in charge of the subject of Finance, borrow from the Government or any Bank or other institution such sums as may be required for any of the purposes of the District Council.

28. Where a District Council is authorized by or under this Act to borrow money, the District Council may, subject to the provisions of this Act, raise the money by mortgage.

29. (1) All moneys borrowed by a District Council under this Act shall be charged indifferently on all the taxes, property and revenue of the District Council.

(2) Subject to the provisions of this section, all mortgages created by a District Council under this Act shall rank equally without any priority.

30. The Minister with the concurrence of the Minister in charge of the subject of Finance may make regulations for the purpose of carrying out or giving effect to the principles and provisions of this Part.

EXECUTIVE COMMITTEE

31. (1) There shall be an Executive Committee of a District Council consisting of the District Minister, the Chairman and the Vice Chairman of the District Council and not more than two other members of such Council appointed by the District Minister in consultation with the Chairman:

Provided that where the Executive Committee is dissolved under section 63 (2), the new Executive Committee appointed in place of the dissolved Committee shall consist of the District Minister and two other members of the District Council who will command the confidence of such Council to be appointed by the District Minister.

(2) The District Minister shall be the Head of the Executive Committee and shall in consultation with the Chairman and with the concurrence of the Minister, determine the nature of the functions to be assigned to each member of the Executive Committee.

(3) Each member of the Executive Committee shall be responsible for the discharge within the district, of each function assigned to him under subsection (2).

(4) The members of the Executive Committee shall be both individually and collectively responsible to the District Council.

32. The District Minister shall preside at the Meetings of the Executive Committee of a District Council.

33. The quorum for any meeting of the Executive Committee of a District Council shall consist of three members of such Committee:

Provided that in the case of a Committee appointed under section 61 (3), the quorum shall be two members.

34. The Executive Committee shall meet at least once in every month and the District Secretary or in his absence an officer authorized by him in writing, shall be present at the meetings of the Executive Committee and shall keep minutes of the proceedings of such meeting.

35. The Executive Committee of a District Council shall-

(a) in respect of all or any of the subjects specified in the first Schedule to this Act, consider the draft development proposals prepared by the appropriate Minister, formulate other proposals in consultation with the appropriate Minister, prepare an annual development plan

incorporating all or any such proposals and submit such plan through the Minister to the District Council for its approval;

(b) prepare a budget containing an estimate of the available income and the details of the proposed expenditure for the ensuing financial year;

(c) conduct the administration of the District Council;

(d) implement the annual development plan;

(e) exercise, discharge and perform such powers, functions and duties as are delegated to it by the District Minister with the concurrence of the President.

36. (1) Subject to the provision of subsection (2) and the other provisions of this Act and the regulations made thereunder, an Executive Committee shall, on behalf of the District Council, exercise the following powers:-

(a) create all such posts or offices as it may deem necessary.

(b) make appointments to posts or offices referred to in paragraph (a), and assign to such posts or offices such salary, allowance or remuneration as the Committee in consultation with the Minister thinks fit;

(c) in the case of any land or building referred to in section 88 sell with the sanction of the Minister, by public auction or other-wise than by public auction, or lease, either in blocks or in parcels any land or building belonging, to, or vested in, the District Council;

(d) purchase or take on lease any land or building;

(e) subject to the express provisions of this Act, enter into any contract with any person for any work to be done, or service to be rendered, or goods or materials to be supplied;

(f) make by any officers authorized in that behalf and the workmen accompanying them all such entries into lands and buildings and inspections thereon as may be necessary for the detention prevention and abatement of all contraventions of this Act or of any ordinances or regulations made thereunder, or for the performance of acts required to be done by or under this Act in respect of which the owner or occupier of such premises is, or may be deemed to be, in default;

(g) institute or defend any legal proceedings which the District Council may deem necessary to institute or defend for the purpose of enforcing or protecting the rights of the District Council or of protecting any officers or members in the execution or intended execution of their duties;

(h) with the approval of the Minister and with the concurrence of the minister in charge of the subject of Finance, raise loans for the implementation of the annual development plan, or for the exercise and discharge of any of the powers and functions of such District Council;

(i) purchase any land or other immovable property which may be sold in execution of any judicial decree or order obtained by the District Council against any person-whomsoever, and resell the same;

(j) exercise, perform and discharge all powers, duties and functions as are by this Act vested in or assigned to the District Council, and are incidental to and consequential upon the exercise, performance and discharge of its powers, duties and functions under this Act.

(2) The provisions of the Local Government Service Law, No. 16 of 1974, shall apply to District Council in respect of all officers and servants other than officers and servants to whom the provisions of the Local Authorities (Special Provisions) Act, No. 3 of 1979, apply, whose posts are of a temporary or casual nature or the maximum salary per annum assigned to such posts does not exceed an amount prescribed by the Minister.

37. (1) The Executive Committee of a District Council may, subject to the approval of the Council, by resolution delegate to any officer of such Council any of the powers, functions or duties conferred or imposed on, or assigned to, such Executive Committee by or under this Act or any other written law.

(2) The exercise, discharge or performance by any officer of a District Council of any power, function or duty delegated to such officer by resolution of the Executive Committee of a District Council shall be subject to such conditions and restrictions, and limited to such purpose or purposes, as may be specified in the resolution, and any such delegation may at any time be varied or revoked by a resolution of the Executive Committee.

(3) Notwithstanding the delegation by the Executive Committee of a District Council of any power, function or duty to any officer of such district Council, the Executive Committee shall be entitled to exercise, discharge or perform any such power, function or duty.

38. Where the votes of the members present and voting at any meeting of the Executive Committee are

equally divided in regard to any question, the District Minister shall, in addition to his own vote as a member, have a casting vote.

39. All notices of meetings of an Executive Committee may be forwarded by post addressed to the usual or last known place of abode of the member to be served; and where a notice is so forwarded by post it shall be deemed to have been served at the time when the letter containing the same would be served in the ordinary course of post.

ANNUAL DEVELOPMENT PLAN AND BUDGET

40. (1) The annual development plan considered by the Executive Committee of a District Council under section 35 (a) shall be submitted by such Committee through the Minister to the District Council for its approval.

(2) The Executive Committee shall prepare a budget containing an estimate of the available income and details of the proposed expenditure of the Council for the ensuing financial year.

41. Every annual development plan and budget of a District Council shall -

(a) be circulated among the members at least seven days prior to the date of the meeting of the District Council before which they are laid; and

(b) be open to public inspection at the District Office or at such other place as the Chairman may determine, for seven days prior to the said date and notice thereof shall be given by the Chairman in the Gazette and in two or more of the newspapers circulating within the administrative district for which such District Council is constituted.

42. Every District Council shall finally approve the annual development plan and the budget at a special meeting to be called prior to the end of the financial year.

43. (1) The Executive Committee may at any time prepare a supplementary budget and lay it before the District Council.

(2) Every supplementary budget shall -

(a) be circulated among the members at least seven days prior to the meeting of the District Council before which it is laid;

(b) be open to public inspection at the District Office or at such other place as the Chairman may determine, for seven days prior to that meeting and notice thereof shall be given by the Chairman in the Gazette and in two or more of the newspapers circulating within the administrative district for which such District Council is constituted.

44. It shall be in the discretion of a District Council to approve with amendments or modifications all or any of the items in any budget or supplementary budget or annual development plan or to add any item thereto.

45. The District Council shall, after it has approved the annual development plan under section 44, submit such plan to the Minister for his approval and upon such approval, such plan shall constitute the annual development plan of that District Council for that year.

46. The authority for expenditure conveyed by any budget or supplementary budget passed by a District Council shall expire at the end of the financial year to which such budget or supplementary budget relates.

47. A District Council may, in case of necessity, during any year, reduce or increase the expenditure under any head of the budget or of any supplementary budget, or may transfer the moneys assigned under one head of expenditure to another head:

Provided that the total amount of expenditure sanctioned by the budget or by any supplementary budget passed by the District Council shall not be exceeded.

STAFF

48. (1) There shall be a district service consisting of -

(a) officers and servants of the District Councils;

(b) such other officers and servants as may be appointed to the Council under section 51.

(2) Every officer or servant of the district service shall be subject to the disciplinary and supervisory control of the Executive Committee of the Council in which he is for the time being employed.

(3) Notwithstanding anything in the Industrial Disputes Act, that Act shall not apply to or in relation to any officer or servant of the district service and the provisions of the Local Authorities (Special provisions) Act, No. 3 of 1979, shall apply to and in relation to any officer or servant of such service, who is not a member of the Local Government Service.

(4) Where a Provincial Council is constituted for the administrative district for which that District Council is constituted the officers and servants of that District Council and referred to in such subsection (1) shall be subject to the disciplinary control of that authority.

49. (1) There shall be established in respect of each District Council a District Secretariat which shall consist of the members of the district service.

(2) The Government Agent shall be the administrative head of the District Secretariat and shall hereinafter be referred to as the "District Secretary."

(3) The District Secretary shall be the Chief Accounting Officer of the Council.

50. (1) The District Secretary of a District Council may, subject to the approval of the said Council and the Executive Committee thereof, by general or special order in writing delegate to any officer of the district service any of the powers, functions or duties, conferred or imposed on, or assigned to him by or under this Act or any other written law.

(2) The exercise, discharge or performance by any officer of the district service or any power, function or duty delegated to him by the District Secretary by an order under subsection (1) shall be subject to such conditions and restrictions, and limited to such purpose, as may be specified in any such order, and such delegation may at any time be varied or revoked by order of the District Secretary.

(3) Notwithstanding the delegation by the District Secretary of any power, function or duty to any officer of the district service, the District Secretary shall be entitled to exercise, discharge or perform any such power, function or duty.

51. (1) At the request of the Executive Committee any officer of the public service may, with the consent of the officer and of the Secretary to the Ministry of the Minister in charge of the subject of Public Administration, be temporarily appointed to the district service or be permanently appointed to such service.

(2) Where any officer of the public service is temporarily appointed to the district service, the provisions of section 13(2) of the Transport Board Law, No. 19 of 1978, shall, mutatis mutandis, apply to, and in relation to, him.

(3) Where any officer of the public service is permanently appointed to the district service, the provisions of section 13(3) of the Transport Board Law, No. 19 of 1978, shall, mutatis mutandis apply to, and in relation to, him.

(4) At the request of the Executive Committee any member of the Local Government Service or any officer or servant of a local authority may, with the consent of such member, officer or servant and the Local Government Service Advisory Board, or the authority, as the case may be, and the Secretary to the Ministry of the Minister in charge of the subject of Local Government, be temporarily appointed to the district service or be permanently appointed to such service on such terms and conditions, including these relating to pension and other rights as may be agreed upon by the District Council constituted for the administrative district and the Board or authority, as the case may be.

(5) Where any member of the Local Government Service, or any officer or servant of any local authority is temporarily appointed to the district service, he shall be subject to the same disciplinary control as any other member of the service.

ACCOUNTS AND CONTRACTS

52. The Chairman of a District Council shall as soon as possible after the close financial year, prepare a detailed report of the administration of the District Council during the previous year, with a statement showing the nature and amount of receipts and disbursements on account of the Fund during that year. Such report and statement shall be submitted to the District Council, and with any resolution that may be passed thereon by the said District Council, shall be submitted to the Minister within six weeks of the date when the same were first submitted to the Council.

53. The provisions of Article 154 of the Constitution relating to the auditing of accounts shall apply in relation to the audit of accounts of each District Council.

54. The auditor shall submit a monthly report of his audit to the District Council, and shall submit an annual report of such audit to the District Council and a duplicate of such annual report to the Minister as soon as possible after the close of the financial year.

55. (1) The Minister may by written order direct the auditor or auditors appointed under Article 154 of the Constitution to call the attention of the Council to any material defect or impropriety in the expenditure of moneys by, or in the recovery of moneys due to, the District Council or in the accounts of the said Council

(2) The District Council shall report to the auditor as soon as possible the action which it has taken, or which it proposes to take, in respect of any such defect, impropriety or irregularity.

(3) The auditor may make such orders as he think fit upon such report, and such orders shall be final and shall be complied with by the District Council and all other persons.

56. A District Council may from time to time require the auditor of its accounts to furnish information concerning the extent, method or progress of any audit or to make any special audit.

57. Every District Council shall from time to time pay out of the Fund to the Deputy Secretary to the Treasury as remuneration to the auditor of its accounts, such sums as the Minister may certify as reasonable for his service.

58. (1) The auditor of the accounts of a Council acting in pursuance of the powers conferred upon him by this Act or any other enactment shall disallow every item of the accounts of the District Council which is contrary to law, and surcharge the same on the person making or authorizing the making of the illegal payment and shall charge against any person the amount of any deficiency or loss incurred by the negligence or misconduct of that person and any amount which ought to have been, but is not, brought into account by that person, and shall, in each case, certify the amount due from such person and communicate his decision in writing to such person through the District Secretary.

Provided that no expenses incurred by the District Council shall be disallowed by any such auditor if such expenses have been sanctioned by the Minister.

(2) Before making any disallowance or surcharge against any person, the auditor shall afford an opportunity to such person to be heard or to make any representation with regard to the matter which he may think fit, and shall, in the event of his making such disallowance or surcharge, furnish such person in writing, on application being made to him for that purpose, with the reasons for his decision in respect of such disallowance or surcharge.

(3) Any person aggrieved by any such disallowance or surcharge may appeal therefrom to the Court of Appeal, and the Court of Appeal may either confirm such disallowance or surcharge, or if it determines that such disallowance or surcharge, is not in accordance with law, may modify or set aside such disallowance or surcharge accordingly. Every appeal under this subsection shall be presented, prosecuted and enforced within the time, and in the manner, and subject to the rules prescribed in relation to appeals from interlocutory orders of the District Court, and all proceedings in connection shall be subject to the same stamp duties as appeals from the District Court.

(4) In lieu of an appeal under subsection (3), any person aggrieved may, within thirty days of the date of the decision of the auditor duly communicated to him, appeal from such decision to the Minister.

Provided that no such appeal shall be entertained in any case in which the appellant has failed or neglected to make any representation with regard to the matter of such disallowance or surcharge after an opportunity to

do so has been afforded to him by the auditor in accordance with the provisions of subsection (2).

(5) Upon an appeal to the Minister under subsection (4) the Minister shall decide the same according to the merits of the case, and may by order direct the recovery from the appellant of the whole or any portion of the amount disallowed or surcharged, if he thinks fit to do so; and if he finds that any disallowance or surcharge has been lawfully made, but that the subject matter thereof was incurred in such circumstances as to make it fair and equitable that the disallowance or surcharge should be remitted, the Minister may by order direct that the same shall be remitted, but that the amount of the costs and expenses which may have been incurred by the auditor in the enforcing of such disallowance or surcharge or any portion thereof, shall be recovered from such person.

(6) Any amount directed to be recovered from any such person by any order made by the Minister under this section may forthwith be recovered by the District Secretary in the same manner as any sum certified to be due by an auditor is recoverable under the provisions of this section.

(7) Every sum certified to be due from any person by any auditor as aforesaid shall be paid by such person to the District Secretary within fourteen days after the decision of the auditor has been communicated to such person, unless there is an appeal against the decision, and if such sum is not paid and there is no such appeal, it shall be the duty of the District Secretary to recover the same from such person, and any sum so certified, together with all costs and expenses incurred in connection with the enforcement thereof, any, on application to a Magistrate having jurisdiction be recovered in the same manner as if it were a fine imposed by such Magistrate.

59. The District Secretary may, on behalf of the Council, enter into any contract for the execution or performance of any work or service, or for the supply of any articles or materials, involving an estimated expenditure of not more than fifty thousand rupees, if the contract will not or is not expected to endure for more than one year, and the necessary funds have been provided for the same in a sanctioned budget or by supplementary budget.

60. Any contract for the execution or performance of any work or service or for the supply of any articles or materials for a District Council which involves an estimated expenditure, of more than fifty thousand rupees, or which will or is expected to endure for more than one year, shall, if entered into in Sri Lanka, be reduced to writing and signed by the Chairman and the District Secretary on behalf of the District Council, and sealed with the common seal of the District Council, and in addition to such other matters as may be deemed necessary for inclusion in any such contract, shall specify-

(a) the work or services to be executed or performed or the articles or materials to be supplied;

(b) the price or rate to be paid for the work, service, articles or materials;

(c) the time or times within which the work or service is to be completed, or the articles or materials are to be supplied; and

(d) any penalty or penalties to be imposed in case of breach.

61. Any officer or servant of a District Council who has directly or indirectly any concern or interest in any contract or work made with or executed for the District Council shall be liable to dismissal from his office or employment; and if his concern or interest is otherwise than as a shareholder in a joint stock company he shall be guilty of an offence and shall, upon conviction after summary trial before a Magistrate, be liable to a fine not exceeding five hundred rupees.

62. Before any such contract as is referred to in section 60 is entered into-

(a) the District Secretary shall, if the District Council so direct, take sufficient security for the due performance of the contract;

(b) the District Secretary shall, unless authorized by a resolution of the District Council in any particular case, call for tenders by advertisement;

(c) the invitations to tender and the tenders, if any, or copies thereof, shall be laid before the District Council which shall either accept one of such tenders, or reject all of them; and

(d) the contract shall be sanctioned by the District Council, after satisfying itself that the necessary funds have been provided for the same in a sanctioned budget or supplementary budget.

GENERAL CONTROL

63. (1) Where any difference arises between the District Minister and the Executive Committee of the District Council constituted for an administrative district regarding the application of the general policy of the Government to the district, it shall be the duty of such District Minister to bring such differences to the notice of the President.

(2) Where such differences between a District Minister and the Executive Committee of the Council constituted for such administrative district appear to the President to be irreconcilable, he may dissolve such Executive Committee.

(3) Where in pursuance of the powers conferred on him by subsection (2), the President dissolves the Executive Committee of a District Council constituted for an administrative district the District Minister shall, with the concurrence of the President, appoint a new Executive Committee in accordance with the proviso to subsection (1) of section 31.

63 A. The President may by proclamation dissolve a District Council on any of the grounds specified in paragraph (2) of Article 154G of the Constitution.

64. (1) If at any time the Minister is satisfied that there is sufficient proof of -

(a) incompetence and mismanagement; or
(b) persistent default in the performance of the duties imposed by this Act; or
(c) persistent refusal or neglect to comply with any provisions of law; or

(d) abuse of the powers conferred by this Act; or
(e) persistent refusal to hold or attend meetings or to vote or to transact business at any meeting to be held; on the part of the Chairman, Vice Chairman or if any of the members thereof the Minister may as the

circumstances of each case may require by Order published in the Gazette—

(i) remove the Chairman or Vice Chairman from office; or

(ii) remove all or any of the elected members of the Council; and such Order shall as soon as may be convenient be laid before Parliament.

(2) The Minister shall, before making an Order under subsection (1), appoint for the purpose of satisfying himself in regard to any of the matters referred to in subsection (1), a retired judicial officer to inquire into and report upon such matter within a period of three months, and the person so appointed shall in relation to such inquiry have the powers of a Commission of Inquiry appointed under the Commission of Inquiry Act.

(3) (a) When the Minister appoints a retired judicial officer under subsection (2) to inquire into any matter the Minister may, as the circumstances of such case may require, by Order published in the Gazette—

(i) suspend the Chairman from office and direct the District Secretary to exercise the powers and perform the duties of the Chairman; or

(ii) suspend all or any of the elected members from office and where he suspends all the elected members from office direct the District Secretary to exercise the powers and perform the duties of the District Council and its Chairman and thereupon the other members shall cease to function.

(b) Upon the receipt of the report of the person appointed under subsection (2), the Minister may make an Order under subsection (1), or revoke the Order made under paragraph (a) of this subsection.

(4) Where the Minister removes the Chairman of a District Council from office by Order under subsection (1), the Chairman shall also cease to be a member of such Council.

(5) Where all the elected members of a Council area removed under subsection (1) the other members shall cease to function, and—

(a) the District Minister shall exercise, perform and discharge the powers, duties and functions conferred or imposed on, or assigned to, the District Council by this Act or other written law;

(b) the Minister may at any time, by Order published in the Gazette, direct that an election be held to elect the new members of the District Council and such members shall, notwithstanding the provisions of section 4, hold office for the unexpired period of the term of office of the elected members in whose place they are elected.

65. The Minister may by written order require any District Council to furnish him with any extract from any proceedings of the District Council, or of any special committee of the District Council and the said Council shall comply with the requirements of such Order without unreasonable delay.

66. The Minister may at all times call for such returns, information and statistics connected with the working, income and expenditure of any District Council as he deems fit; and the District Council shall comply with the requirements of such notice without unreasonable delay.

67. If at any time it appears to the Minister that any District Council is omitting to fulfil any duty or to carry out any work imposed upon it by this Act or any other written law he may give notice to the District Council that unless, within fifteen days, the District Council shows cause to the contrary, he will appoint a special officer to inquire into and report to him the facts of the case, and to recommend what steps such officer thinks necessary for the purpose of fulfilling such duty or carrying out such work. Such inquiry shall be conducted as far as may be practicable, in an open manner.

68. On the receipt of the report of the officer appointed under section 67, the Minister may determine what duty or work shall be done or executed and make an order requiring the District Council, within a time to be specified in such order, to fulfil such duty or carry out such work.

69. Where any District Council fails to comply with any order made under section 68, within the time specified therein, the Minister may direct the District Minister or appoint any other person to fulfil such duty or carry out such work, and may fix the remuneration to be paid to such person, and may direct that such remuneration and the cost of such work shall be defrayed out of the Fund.

ORDINANCES

70. (1) Every District Council may subject to the provisions of Article 154 E and 154 F of the Constitution from time to time make such Ordinances as may appear necessary for the purposes of carrying out the powers and duties vested in the District Council under this Act and the implementation of the annual development plan.

(2) Every contravention of an Ordinance made by a District Council shall be an offence under this Act and shall be published—

(a) in the case of a first offence, with a fine not exceeding one hundred rupees;

(b) in the case of a second or subsequent offence, with a fine not exceeding two hundred rupees; and

(c) in the case of a continuing offence, with an additional fine not exceeding twenty-five rupees for every day during which the offence is continued after a conviction or after service of a written notice from the Chairman directing attention to such contravention.

71. (1) The Minister may make regulations—

(a) in respect of all matters which are stated or required by this Act to be prescribed or for which regulations are required or authorized by this Act to be made, and in particular—

(i) the procedure for the conduct of business of District Councils; and

(ii) the accounting and financial procedure of District Councils;

(2) No regulations made under this Act shall have effect until it has been approved by Parliament and notification of such approval is published in the Gazette.

(3) Every regulation made under this Act shall, upon the notification of such approval, be as valid and effectual as though it were herein enacted.

72. Copies of all Ordinances made by a District Council and of all regulations made in respect thereof shall be kept in the District Office, and shall be available for inspection or sale to the public.

GENERAL

73. (1) A District Council may enter into any contract necessary for the discharge of any of its functions.

(2) A person entering into a contract with a District Council shall not be bound to inquire whether any written law applicable in that behalf has been complied with, and all contracts entered into by the District Council, if otherwise valid, shall have full force and effect, notwithstanding that such written law has not been complied with.

74. None of the provisions of the Prevention of Frauds Ordinance shall apply to any sale, lease, mortgage, release or other agreement or contract affecting immovable property to which a District Council is a party.

75. (1) If the amount of any tax imposed under this Act is not paid into the District Secretariat within such time as the District Council may direct, a warrant signed by the District Secretary shall be issued to some collector or other officer of the Council named therein directing him to levy such tax and the cost of recovery by the seizure and sale of the property on account of which such tax may be due, and of all movable or immovable property of the defaulter.

(2) Every warrant issued under subsection (1) shall be in such form as may be prescribed.

(3) A District Council may by resolution waive the whole or any part of any tax and any costs incurred for the purpose of recovering that tax if it appears to the District Council that the amount to be waived is inconsiderable or irrecoverable or that it should be written off on the ground of the poverty of the person liable therefor; and if any case where any such resolution is passed, no warrant under subsection (1) shall be issued and any such warrant that may have been issued shall be recalled.

76. A Development Council may by resolution waive the whole or any part of any sum of money (not being a sum for the waiver of which, provision is made by section 75) due to the District Council from any person if it appears to the District Council that the amount to be waived is inconsiderable or irrecoverable or that it should be written off on the ground of the poverty of the person liable therefor.

77. (1) Every notice, order or other document required or authorized by this Act or any ordinance, or regulation made thereunder to be served on any person may be served-

(a) by the delivery thereof to such person, or by the delivery thereof at the last known place of abode of such person to some adult member or servant of his family;

(b) by the delivery thereof at the usual or last known place of abode or business of such person in a cover addressed to such person; or

(c) by the despatch thereof by registered post in a letter addressed to such person at his usual or last known place of abode or business:

Provided always that where a District Council has made provision for the registration of owners of property and any owner of property has registered his name and address in accordance therewith every such document shall be served upon him by the despatch thereof in a letter sent by registered post to that address.

(2) Every notice, order or other document despatched by registered post shall be deemed to have been served at the time when the letter containing the document would be delivered in the ordinary course of post; and in proving such service it shall be sufficient to prove that the letter containing the document was properly addressed and put in the post.

(3) A notice, order or other document required or authorized by this Act or any Ordinance or regulation made thereunder to be served on the owner or occupier of any premises shall be deemed to be properly addressed by the description of the "owner" or "occupier" of such premises without the addition of his name or any further description.

(4) A notice, order or other document required or authorized by this Act or by any Ordinance or regulation made thereunder to be served on the owner or occupier of any premises may be served by the delivery of a true copy thereof to some adult person on the premises or, if there is no such person on the premises to whom the document can with reasonable diligence be delivered by affixing it on some conspicuous part of the premises.

(5) Any notice, application or other document required or authorized by this Act or any Ordinance or regulation made thereunder to be given, or delivered to a District Council, shall be deemed to have been given, made or delivered to the Council if such notice, application, or other document is given; made or delivered to the District Secretary.

78. A District Council may, by resolution, authorize any member or any officer, either generally or in respect of any particular matter, to institute or defend on behalf of the District Council, proceedings before any court of summary jurisdiction or to appear on behalf of the District Council before such court in any proceedings instituted by, or on behalf of, or against the District Council, and any member or officer so authorized shall be entitled to institute or defend such proceedings.

79. (1) No action shall be instituted against any District Council, the Chairman, the Vice Chairman or any member, or any person acting under the direction of the District Council, Chairman or Vice Chairman for anything done or omitted to be done under the provisions of this Act or any other written law or of any Ordinance or regulation made thereunder, until the expiration of one month next after notice in writing shall have been given to the Council or to the defendant, stating with reasonable certainty the cause of such action, and the name and the place of abode of the intended plaintiff and of his Attorney-at-Law or agent, if any, in the action.

(2) Every action referred to in subsection (1) shall be commenced within two years next after the accrual of the cause of action and not afterwards.

(3) Where any person to whom notice of any action is given under subsection (1) tenders, before action is

brought, sufficient amends to the plaintiff, such plaintiff shall not recover in any such action when brought, and the defendant shall be entitled to be paid his costs by the plaintiff.

80. No person shall be liable to any fine or penalty under this Act or any Ordinance or regulation made thereunder for any offence triable in any court unless the complaint respecting such offence is made within six months next after the commission of such offence.

81. No matter or thing done or omitted to be done, and no contract entered into by any District Council, and no matter or thing done or omitted to be done under the direction of the District Council, by any member or by any other person whomsoever shall, if the matter or thing so entered into was done or omitted to be done or entered into bona fide for the purpose of carrying out the provisions of this Act or any other written law relating to the powers and duties of the District Council, the Chairman, Vice Chairman or the District Secretary or of any Ordinance or regulation made thereunder, subject any member or other person personally to any action, liability, claim or demand whatsoever and any expenses incurred by the District Council, Chairman, Vice Chairman or by any member or other person acting as aforesaid shall be borne and repaid out of the Fund:

Provided that nothing in this action shall exempt any member from liability to be surcharged with the amount of any payment which may be disallowed upon the audit of the accounts of the District Council and which such member authorized or joined in authorizing.

82. Subject and without prejudice to any other powers, a District Council, if the defendant in any action, prosecution or other proceeding is a member or an agent of the District Council, may, if it think fit, and except so far as the court before which the action prosecution or other proceeding is heard and determine otherwise directs, pay out of the Fund all or any part of any sums payable by the defendant in or in consequence of the action, prosecution or proceeding, whether in respect of costs, charges, expenses, damages, fines or otherwise.

83. The members of a District Council shall be remunerated at such rates as may be determined by the Minister with the concurrence of the Minister in charge of the subject of Finance.

84. Every member, and every contractor or agent to whom the collection of any district tax, rent or toll, or any payment on account of, or in connection with, district land is entrusted by or on behalf of the District Council, and every person employed by such contractor or agent, shall be deemed to be a public servant within the meaning and for the purposes of the Penal Code.

85. Every District Council shall be deemed to be a scheduled institution within the meaning of the Bribery Act, and the vision of that Act shall be construed accordingly.

86. The Magistrate by whom any fine is imposed by virtue of this Act may award any portion, not being more than one-half of the amount recovered, to any

informer, and shall order the remainder, or if he makes no award to the informer, the whole of such fine to be paid to the District Council.

87. (1) The records and documents of every District Council shall be in the custody of the District Secretary, and they shall be kept in safe custody in accordance with Ordinances made in that behalf under this Act.

(2) The district Secretary shall have in his charge and custody, and shall be responsible for, all deeds, records, other books and documents belonging to the District Council.

88. (1) The President may, by Order published in the Gazette, vest in or transfer or dispose to a district Council -

(a) any movable or immovable property of the State for the purposes of the annual development plan;

(b) any contracts and liabilities connected with such purpose.

(2) Upon the publication of an Order under subsection (1) in the Gazette -

(a) the properties specified in the Order shall vest in and be the properties of the Council;

(b) the contracts specified in the Order shall be deemed to be the contracts of the Council and all subsisting rights and obligations shall be deemed to be the rights and obligations of the Council; and

(c) the liabilities specified in the Order shall be deemed to be the liabilities of the Council.

89. Where any land or building is required for the purposes of a Council, the purpose for which such land or building is required shall be deemed to be a public purpose, and may accordingly be required under the Land Acquisition Act by the Government for the Council.

90. For the purposes of this Act and the Administrative District Act, "Administrative District" means each of the administrative districts set in the First Schedule to the Constitution, and the limits of such administrative districts as Parliament may by resolution determined after the commencement of this Act.

91. It shall be lawful for the President to make orders of an administrative nature providing for any unforeseen or special circumstances or for determining or adjusting any question or matter, that would arise in connection with the administration of the affairs of a District Council for which no provision or no effective provision is made by this Act.

92. Every Development Council established under the provisions of the Development Councils Act, No. 35 of 1980, and which had been dissolved prior to the coming into operation of this Act, shall be deemed to have been re-constituted on the day immediately prior to the coming into operation of its Act and such persons who were members of such Development Councils on January 01, 1982, shall be deemed to have been members of such Development Councils:

Provided however, that if on January 01, 1982, there was a vacancy in any such Council, or if any person who was a member of such Council on January 01, 1982, has died prior to the day immediately preceding the date of the coming into operation of this Act, the President shall nominate any person to be a member in

place of such member, and such nomination shall be deemed for all purposes to have come into effect on the day immediately preceding the date of the coming into operation of this Act.

93. (1) The Development Council Act, No. 35 of 1980, shall be hereby repealed.

(2) Notwithstanding the repeal of the aforesaid Act -

(a) every Development Council constituted under the provisions of the Development Councils Act, No. 35 of 1980, shall be deemed to be district Councils established under the provisions of this Act;

(b) all moneys lying to the credit of the Development Fund established under section 19 of the Development Councils Act, No. 35 of 1980, of every Development Council shall be transferred to the Development Fund of the corresponding District Councils;

(c) all assets and liabilities of each Development Council shall be transferred to the corresponding District Council;

(d) all movable and immovable property of each Development Council shall be transferred to the corresponding District Councils;

(e) all proceedings which have been instituted by or against any Development Council shall be deemed to be instituted and continued by against the corresponding District Council by or against whom such proceedings were instituted;

(f) all by-laws made by each Development Council and which are in force in any administrative district in which a Development Council was constituted immediately prior to the date of the coming into operation of this Act, shall continue to be in force in such district to which they relate and shall be deemed to be the Ordinances made by corresponding District Council.

For the purposes of this section "corresponding District Council", in relation to a Development Council means, the District Council established for the administrative district in respect of which that Development Council was constituted under the Development Councils Act, No. 35 of 1980. Where on the day immediately prior to the coming into operation of this Act, no Development Council had been constituted for any administrative district, a District Council shall be deemed to have been established for such district and the President shall nominate all the members of such District Council deemed to be so established.

PROVINCIAL COUNCILS CONSTITUTION OF AN INTER-DISTRICT AUTHORITY TO BE CALLED PROVINCIAL COUNCILS

95. (1) An inter-district authority to be called Provincial Councils shall be constituted for two or more administrative districts in a province, where the requirements specified in Article 154B are complied with, and that Council shall be deemed to have been constituted with effect from the date of notification of the approval referred to in Article 154 (1)(b).

(2) Every Provincial Council shall be a body-corporate with perpetual succession and a common seal and may sue and be sued in such name as it may assign to itself by resolution.

(3) Every Provincial Council shall continue until it is dissolved by the President under Article 154g of the Constitution or the number of administrative district for which it is set up is reduced to one by reason of the withdrawal of one or more District Councils from the Provincial Council.

(4) Every Provincial Council shall consist of the members of the District Councils established for the administrative districts for which that Provincial Council is constituted. The Chief Provincial Minister appointed under Article 45A of the Constitution in respect of that authority shall be the Chairman of the authority and shall preside at its meetings.

(5) Where by reason of a dissolution of Parliament, the District Councils established for the administrative district for which a Provincial Council is constituted are also dissolved, the Chief Provincial Minister appointed in respect of that Provincial Council shall exercise and discharge, the powers and functions of the Provincial Council during the period intervening between the dissolution of Parliament and the conclusion of the General Election of Members of Parliament.

96. The term of office of the members of the Provincial Council shall be their period of membership of their respective District Councils.

96 A. There shall be a Secretary of a Provincial Council appointed by the President, who shall be the Chief Accounting officer of the Provincial Council.

97. (1) Where any powers and functions have been delegated to a Provincial Council by its constituent District Councils, the authority may exercise and discharge those powers and functions in relation to all the administrative districts for which it is constituted.

(2) For the purpose of exercising and discharging the powers and functions delegated to it, a Provincial Council may -

(a) acquire in any manner whatsoever, and hold and take or give or lease or hire, mortgage, sell or otherwise dispose of, any movable or immovable property;

(b) enter into any contract with any person for any work to be done, services to be rendered or goods or materials to be supplied;

(c) to establish a secretariat, and to appoint, employ, remunerate, and have disciplinary control over its staff;

(d) the planning, co-ordination and implementation, through delegation where feasible, programmes and projects relating to such powers and functions;

(e) the preparation and approval of the budget of the authority;

(f) the making of Ordinances in respect of which powers and functions; and

(g) such other powers and functions as are necessary or incidental to the performance and discharge of the aforesaid powers and functions.

98. (1) Every Provincial Council may, subject to the provisions of Articles 154E and 154F of the constitution, from time to time, make such Ordinance as may appear necessary for the exercise and discharge of any power or function delegated to it by its constituent District Councils.

(2) Where an Ordinance made by a Provincial Council is inconsistent with any sub-ordinate legislation made by any District council or a local authority established within any administrative district for which that authority is constituted the provisions of that Ordinance shall prevail over such sub-ordinate legislation to the extent of that inconsistency.

(3) Every contravention of a Ordinance made by a Provincial Council shall be an offence under this Act and shall be punishable -

(a) in the case of a first offence, with a fine not exceeding one hundred rupees;

(b) in the case of a second or subsequent offence, with a fine not exceeding two hundred rupees; and

(c) in the case of a continuing offence, with an additional fine not exceeding twenty-five rupees for every day during which the offence is continued after a conviction or after service of a written notice from the Chairman directing attention to such contravention.

99. The provisions contained in Chapters III, VI, VII, X, XI, and XII, of this Act, shall, mutatis mutandis, apply to, and in relating to, a Provincial Council.

100. There shall be established a Fund of the Provincial Council into which shall be paid -

(a) such funds as are remitted to it from its constituent District Councils;

(b) donations from local sources;

(c) all fines levied and penalties recovered under the Authority of the Act;

(d) all revenue derived from the Council;

(e) all sums as may from time to time be voted by resolution of Parliament for the use of the Council;

(f) all grants and appropriations allocated to the Council;

(g) the proceeds of loans received by the Provincial Council with the prior approval of the Minister in charge of the subject of Finance; and

(h) all sums otherwise accruing to the Council in the course of the exercise of its powers and duties.

101. Money received by a Provincial Council and payable into the Fund shall be lodged with an approved bank. In this section "Approved Bank" means a bank specified by the Minister in charge of the subject of Finance by Order published in the Gazette.

102. There shall be paid out of the Fund -

(a) all sums which the Provincial Council is authorised or required to disburse in the carrying out of its duties;

(b) all expenses incurred by the Provincial Council in the acquisition of land necessary for a public purpose; and

(c) all expenses incurred by the Provincial Council in the exercise of its powers or the discharge of its functions.

102A. Every Provincial Council shall appoint a Standing Committee on Finance, whose duty it shall be to consider the annual budget and accounts of the Provincial Council, and make recommendation as to the allocations of resources between the administrative districts for which such Provincial Council is constituted.

103. No matter or thing done or omitted to be done, and no contract entered into by any Provincial Council and no matter or thing done or omitted to be done by or under the direction of the Provincial Council by any member or by any other person whomsoever shall, if the matter or thing so entered into, was done or omitted to be done, or entered into, bona fide, for the purpose of carrying out the provisions of this Act or any other written law relating to the powers and duties of such Council, the Chairman or the District Secretary or of any Ordinance or regulation made thereunder, subject any member or other person personally to any action, liability, claim or demand whatsoever and expenses incurred by the Provincial Council or by any member or other person acting as aforesaid shall be borne and repaid out of the Fund;

Provided that nothing in this section shall exempt any member from liability to be surcharged with the amount of any payment which may be disallowed upon the audit of the accounts of the Provincial Council and which such member authorized or joined in authorising.

104. Every Provincial Council shall be deemed to be a scheduled institution within the meaning of the Bribery Act, and the provisions of that Act shall be construed accordingly.

105. (1) The President may, by Order published in the Gazette, vest in or transfer or dispose to a Provincial Council -

(a) any movable or immovable property of the State for the purposes of the authority;

(b) any contracts and liabilities connected with such purpose.

(2) Upon the publication of an Order under subsection (1) in the Gazette -

(a) the properties specified in the Order shall vest in and be the properties of the Provincial Council;

(b) the contracts specified in the Order shall be deemed to be the contracts of the Provincial Council and all subsisting rights and obligations shall be deemed to be the rights and obligations of the Provincial Council; and

(c) the liabilities specified in the Order shall be deemed to be the liabilities of the Provincial Council.

106. Where any land or building is required for the purpose of a Provincial Council the purpose for which such land or building is required shall be deemed to be a public purpose, and may accordingly be required under the Land Acquisition Act by the Government for the Provincial Council.

107. It shall be lawful for the President to make orders of an administrative nature providing for any unforeseen or special circumstances, or for determining or adjusting any question or matter, that would arise in connection with the administration of the affairs of a Provincial Council for which no provision or effective provision is made by this Act.

108. (1) Notwithstanding anything in any written law, the Development Councils referred to in section 92, and deemed by paragraph (a) of subsection (1) of section 93, to be District Councils established under

this Act, shall, unless within one month of the coming into operation of this Act, the members of those district Councils, resolve to the contrary at a meeting, by a majority of the whole number of members (including those not present) of those Councils, be deemed to have constituted a Provincial Council for the administrative districts for which those District Councils are established, being administrative districts within one province.

(2) Where a Provincial Council has been deemed, by subsection (1), to be constituted for two or more administrative districts in a province, any other District Council established for an administrative district within that province and not included in that Council may, within one month of the coming into operation of this Act, resolve, by a majority of the whole number of members (including those not present) of the Council, to join such Provincial Council, and such Council shall, with effect from the date of that resolution, be deemed to be included in that Provincial Council.

109. Where a constituent District Council withdraws from a Provincial Council or where a Provincial Council is dissolved by the President under Article 154G or where a Provincial council is dissolved by reason of the number of its constituent District Councils being reduced to one, the President shall appoint a liquidator to apportion the assets and liabilities

of the Provincial Council -

(a) in the case of a District Council withdrawing from a Provincial Council, between the District Council which withdraws and the Provincial Council;

(b) in the case of a dissolution of a Provincial Council, between the District Councils which were included in that Provincial Council.

110. In this Act, unless the context otherwise requires-

"appropriate Minister" in relation to any matter or thing, means the Minister to whom the subject or function of that matter, or thing has been assigned;

"District Minister" with reference to any District Council means the Minister to whom the subject and function of the administrative district for which the District Council has been established has been assigned;

"District Secretary" means the District Secretary appointed to an administrative district under section 48;

"electoral district" has the same meaning as in the Constitution;

"Local Authority" means any Municipal Council or Urban Council or Pradeshiya Sabha;

"prescribed" means prescribed by regulations made by the Minister.

CSO: 4600/189

END