

The Lessons Tamil Administrators Need to Learn



(**March 26, 2013, Melbourne, Sri Lanka Guardian**) There is much excitement about disciplining the Sri Lankan Government at global level. Tamil Diaspora is a strong force pushing for global standards. When taken in the right spirit – this is healthy for Sri Lanka. But then what about poor Tamils having to live with substandard Administration? To the extent, Tamil Administrations acting on their own are guilty of similar acts of discrimination – the problem is common to both ethnicities and to the extent the Sri Lankan Government is being disciplined, we also need to discipline ourselves. Otherwise they would improve and we will continue to play catch-up or deteriorate. Below is a letter to a Divisional Secretary in Northern Sri Lanka. The essential background information is that our Tamil family of Sri Lankan origin donated land to the People of Thunaivi (largely of low caste folks) towards war related reconstruction through NECORD (North East Community Restoration and Development) organization. Unlike most other donors we continued to actively participate in the reconstruction and development in that area. The Government Administration responsible for that area has been remote and this has surfaced many problems.

Dear Sir,
Boundary Wall, Gate and Pathway Problems

Your Office kept sending the officers of the Council in relation to the boundary wall that we are building around our property. I do not know who has what authority in that area. You also have failed to inform me. In some instances I am able to work out intellectually - who has what responsibility. The rest I take to be as per your need or desire.

As per my mind, your issue is that we have installed a gate between our part of the property and the part that was donated; and also that the boundary wall between the two parts is too high. To my mind the rest

of the actions by your officers was due to lack of self confidence resulting in childish behavior. I do not consider it to be my responsibility to address that childishness. I believe that instead of being driven by individual thinking, if we use common principles and policies – the decisions would benefit all concerned. This is also my path.

Towards this, if there are not enough Common Principles and Policies applicable to that area at that time, we need to use the available principles and policies – justly and as appropriate to the maximum and then add to it the Truth of the highest contributor to Common welfare in that area. A decision based on the total would certainly benefit all investors.

When I came there in relation to the management of our temple and Mrs. Saroja Maruthalingam asked me to help the folks by donating land for a pathway to connect to the main road – I did not pause to think whether the lady knew the applicable laws and policies and whether or not these were practiced in that area. Instead I was driven by our family's belief/faith in that area through our Temple. But the events since then confirm to me that those who asked and those who received the donation did not reciprocate that faith to that extent. This is ok. But pretending that they have is to hide the Truth and therefore the need of that area.

As per the complaint allegedly from your office – I am not able to work out what the law says. If I were to take it that your actions were lawful and work backwards from the effects / outcomes I am able to work out your (interpretation of the) law / policy. According to that – we the donors do not have access to the main-road. Nor do the folks who sought the donation. Only you have access. It is to demonstrate this ridiculous outcome that we erected a fence around our part of the land – leaving a small opening for those who come into our premises to draw water from our well. When you showed no concern at all about this – we used our interpretation of common principles and our Truth as stated above – and erected the Gates towards orderly entry into our premises. At that time no one from that area – including your officers – objected nor did they say whether it was right or wrong. Later when we sent the Plan towards building the boundary wall, our coordinator who works at the Council asked one of the Council officers towards his own knowledge and informed me that we had to all 10 feet from the center of the road. To me this was hearsay. Yet I asked our Coordinator as to why he did not raise this when the front gates were installed. He said that a mistake had happened. I then instructed the team to move the gate at the beginning of the boundary wall further 2 ½ feet inside. Unless I had knowledge that the law said otherwise I used my common knowledge as per my life in Sri Lanka and in Australia. That was how the plans for the Temple extension, the cottage and the boundary wall were drawn up. The Plans were drawn by our son Pradeepkumar Paramasivam – Civil Engineer cum Architect. Our son-in-law David Springford also an Engineer and Architect made an overall contribution. We have brought these professional skills and standards to Thunaivi through this work. The Council driven by your office has behaved as if Australian money is good but not Australian skills and standards. In other words your office has thus behaved using the Council as your messenger. Due to the Government's failure to practice the Doctrine of Separation of Powers in relation to the dismissal of the Chief Justice – questions are being raised in educated circles on the basis of this Doctrine. Your management of this issue is also reflecting such weakness.

We make decisions at three levels:

1. By measuring through our outer senses. This is the path of majority vote. This is usually the path used by villages like Thunaivi. This is also the path of hearsay. Without common faith – this path would result in divisions and separations. It is for this reason that hearsay is not accepted in the Justice system nor in Public Administration. If decisions are driven by common faith in less educated communities, internal governance would be effective and as per Dharma (Righteousness) and would promote harmony. This is the path the Council ought to have taken as its first tool in managing Thunaivi. But then those administrators are not folks of Thunaivi. The claim that Sinhalese do not have the authority to rule in Tamil areas – is valid only on this common faith basis. If that rule is wrong then so is this. If Administrators largely from traditionally high caste areas such as Vattukottai come to rule in traditionally low caste areas like Thunaivi – and they come without common faith through temple worship and other faith building investments – problems such as these would surface. It is our conclusion also, that your officers failed to set up office in the Common Building built for that purpose in the land donated by us – due to this reason.

2. Through Discriminative thinking and allocation of rights and wrongs using Common Principles and Laws. My friend Sam Hensman said that you were studying law with him. That knowledge would be helpful in making decisions through this path. Many laws in your books would arrive at the decision that many existing structures in villages like Thunaivi are wrong / unlawful. Hence the high possibility that decisions using such laws would be unrighteous. This is why your officer did not instruct the removal of existing gates. Similarly your officers did not seek the removal of sewerage pits that are less than 40 feet away from the well. Even though our well is not drinking water well, we adhered to the 40 feet rule and spent extra money to move the sewerage pit accordingly. Similarly, we allowed additional 2 ½ feet in constructing our boundary wall – to meet the 10 feet rule as per the unofficial word of a Council officer who does not live in that area. Despite all this you are trying to chase us away from that area. In Democracy, the victim has every right to find fault with the perpetrator, by using common principles and specifying the rule/principle through which fault is being found. We may not have the authority to take direct action against the perpetrator but every victim has the right to find fault with the perpetrator through common laws and principles.

Your office did not register your plan with the Council. Nor did your officer register with the Council, the land we donated to the People through your office. Hence to the Council the land was not donated to you – unless they use hearsay. Your officers also failed to set up office there as promised. Through your conduct we have learnt that the promise made to obtain the donation was false. If we fail to perform and satisfy the basis on which the donation was sought – legally that donation is invalid. Hence the donation is effectively revoked and the whole property is ours. You therefore do not have the authority to use Public Funds to erect fence. We on the other hand have the authority to install gate because the fence erected by you is not lawful due to you through your conduct having handed the donated land back to us. Your officers are trespassing each time they enter without our prior approval.

(3) On the basis of Truth – the whole Truth. It is on this basis that I have stated that your officers are guilty of Trespass. This Truth could be known through one of two ways. When Truth is surfaced the whole would divide into two equal halves – in this instance with you on one side and me on the other. One provides and the other one benefits. During our seminar on 16 February 2013, at Jaffna College, Mrs. Rani Ratnadevi Karthigesan Sinnathamby – a retired Public Administrator of Vattukottai area stated beautifully that the differences between the expectations of providers and the expectations of the beneficiaries was often the cause of conflict and discontent. Likewise between you and I.

If the People of Thunaivi had had genuine need for our land or if we had been facilitated to act as per the needs of the people who sought the donation there would have been no conflict over this. According to the experience of those folks – it is still our land. Until your office acts as per the lawful conditions of the donation – lawfully also that land is effectively ours. Any just system would uphold this.

As per your study of law, you would have knowledge of the various categories of property – such as Inheritance (Muthusum) / Dowry and Acquired Property (Thediya Thettam) in the system of Thesavalamai. Tamil Hindu legend about Murugan and the mango illustrates the value of this. The elder son – Ganesh – circumvents His Parents claiming that They are His world and wins the prize mango. That is the way of Internal Governance and its suits a good Council. Younger Son Murugan went around the world on His Peacock and using His six faces observed the world from all angles towards a 360 degree view. Murugan thus met the conditions of the challenge transparently and in real terms won the race for all to see. Since the Parents gave away the Prize to His elder Brother – Murugan set up His own Empire on the Hill top of Palani (to have and to facilitate 360 degree view). Now at global level they call this Transparency. This path is very suitable for the Tamil Diaspora. It is needed by those who accept foreign Resources. It is essential for multicultural societies. It is needed by your officers in their administration / management of Thunaivi to achieve Equal Justice for all investors. At the moment they are trying to enforce Ganesh's path in Murugan's area. Thunaivi is a place where we came on the Peacock called Plane and brought it under the boundaries of Murugan's Governance. This is deserving of Governance similar to Nallur Governance.

The areas of Vattukottai and Chankanai from where most of your officers come – are made up of majority folks of Senior Caste. Majority folks in Thunaivi are of Junior Caste. When administering Thunaivi your

office has the responsibility to come there transparently and have the duty to observe from six angles to gain a 360 degree view and make decisions as per those observations and the total picture and nothing less. If your officers are not able to mark rights and wrongs – they have the duty to take action equally for or against all. When Mrs. Jayanthi Indrakumar was asked to cover the opening in her fence with the property in your care – all others including your coordinator – with similar openings including those that provide pathways through private properties ought to have been required to do likewise. The area covered ought to have been that area directly visible to your officers. In other words, when reality is unlawful – all who show that reality are to be rewarded or punished. But your officer ordered as if he was desirous of inheritance of your status – and thus subjectively discriminated against some in favor of others in that area. This is also like caste discrimination – those close to you being treated as high caste and those distant to you as low caste.

Allocation of higher and lower status through time base is the path of Ganesh. Under that subjective method – Parents' / Supervisors' word is law. Distributing equally on the basis of what happens at that Place – using Right-Wrong; Cost-Benefit; Pleasure-Pain is the way of Democracy – the Path of Lord Muruga. That is also the basis on which acquired wealth (Thediya Thettam) is also shared. This Equal method is used after marriage due to a new culture (from a different place) being added through marriage. Since it is family – merit is not calculated. Hence Commonwealth is Equally divided. Likewise in Public Administration in a democracy. Likewise in active migrant nations such as Australia. To my mind, Thunaivi is also a Puthukudiyiruppu / New land of immigrants – to your officers and yourself.

If in one generation we practice the path of common law and principles and go beyond to live by our Truth, the path traveled by us is the source of the principles for the next generation. This to me is the message from my Guru when He says 'My Life is My Message'. Our system structures in Thunaivi confirm structure need by the People of Thunaivi. When beneficiaries demonstrate to the donor gratitude equal in value to the donation two become one and when shared equally – democratic living is confirmed. Gratitude is the source of Faith. If the value of the gratitude demonstrated by the beneficiary is greater than the value of the resource provided by donor/provider - then it is the beneficiary who is leading the facility for the donor to get good status value from wider world. If the value of the gratitude is less than the value of the benefit accepted – then – the provider has natural authority over the beneficiary to the extent of the 'gap'. This is similar to Parents having authority over young children. When Juniors feel gratitude to the extent Seniors feel responsibility – the two merge to become one and the relationship becomes ownership. When this whole is shared – each portion carries the same quality as the whole. Hence we say that there is God in everyone of us. Towards this, in Common structures / facilities – there needs to be Equal Authority to share – instead of calculating the actual quantum of contribution and making decisions on merit basis. Towards this the status attributed by the beneficiary to the donor – reflecting the gratitude of the beneficiary - needs to be raised to match the value of the donation. When the status of the relationship is elevated to the higher level and then the relationship become common ownership – the value of the whole is greater than the value of the two sum of the two individual parts. Or if they are merged at the lower level – the value of the whole would be less than the value of the whole formed through higher level merger. We need this higher level value to merge with wider world. The higher the experience the wider the global reach.

All those who feel and demonstrate appreciation for our donation would thus share in the value of the whole to that extent. This structure / system developed on Truth would render good and wholesome value. All those who feel and/or demonstrate lesser or no gratitude would lose the value of that donation and also the power of ownership that comes with it. Most of the latter are those close to your Administration and those who do not have faith in Thunaivi. When I learnt that there is provision in Sri Lankan law to revoke donations when the receiver is not grateful – I admired the height of our culture that has provided for such revocation. Even though this has not yet been confirmed in writing – in conduct those who are enjoying the benefits of the donation and the authority it brings - without paying their dues or showing higher/priority status for the donor are actually losing the value of the donation. We also have mentally revoked the donation. That is the judgment as per our Truth. There is no higher judgment than that. This would continue to source global resources towards Thunaivi. It is also your duty to ensure that such resources are regulated in their use.

The boundary wall on your side was constructed at that height as per the wisdom demonstrated by your coordinator. When you erected the fence on our common boundary – it demonstrated that you were seeking to protect yourself from risks from our side. Your Gate is almost the same height of our wall. If you had considered that there was no security risk – you would have erected a lower gate. Also your Thunaivi Coordinator stated many times that your office was going to build a wall. When asked why she said that it was for security purposes. If that building which is not used most of the time, needs a certain level of security then human resources need higher protection - for human resources are more valuable than money resources. Wisdom is the most valuable wealth of all. Higher value money wealth and human wealth is entitled to higher security than lower value of money and human wealth. Hence we are entitled to construct higher security walls relative to our higher wealth compared to yours.

In the alternative your coordinator ought to have moved to change the plan of the Common Building. If the skills of the person who planned the building had been respected and his consultation had been sought in erecting the fence and the gate – along the path of Ganesh - this problem would have not arisen. Instead your office has taken the decision on its own. The effects / outcomes are also yours. As you sowed so are you reaping.

We have followed the path of Lord Murugan and observed the risk in that area through all angles and have taken security measures and at the same time facilitated access to those who have demonstrated faith in us and expressed gratitude. That is the structure we have developed for Thunaivi. This includes construction of walls around the well – so the users would have privacy from us and we from them. The gate along the back boundary confirms that in Truth – the land is still ours and not yours. In addition, as per the deed of donation, the two blocks form one long pathway. One does not differ from the other. Hence effectively it is your office that has built a building in the middle of a pathway – leave alone allowing 10 feet from the middle of the pathway !

In addition, your office has installed a gate that blocks access to the common water facility that we built. In other words – you are treating it like your private property. The gate is kept locked most of the time. A building without human resource or higher wealth of wisdom is a lifeless building. To us who donated it – it is part of our high value Inheritance. To use it on equal basis as if it is currently acquired property – you and us have not started living under one structure using equal rights.

Yours sincerely

Gajalakshmi Paramasivam

CC: Mr. A Arumainayagam Government Agent . Northern Province and others concerned