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THE LANGUAGE PROBLEM AND NATIONAL UNITY
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The Language Problem and National Unity in Ceylon

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Abstract

In the short history of independent Ceylon, no problem has bedevilled the local politicians and the educationalists more than the problem of language. The movement to make Sinhalese the Official Language, resulted in wide cleavages between the Sinhalese and the Tamils. Exploitation of the issue by the politicians made the problem all the more difficult. The example of Ceylon has shown in no uncertain terms, the futility of trying to legislate on matters of language without the substantial support of the minority. After ten years of preoccupation with the language issue the people of Ceylon seem to have come to the conclusion that all the three languages - Sinhalese, Tamil and English - will continue to be in use despite the resurgence of Sinhalese-Buddhist nationalism.

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Preface

Contemporary events in several countries have focussed keen interest on the phenomenon of language in a plural society. The Tamil community in Ceylon differs from the majority not only in language but also in ethnic origin, to a considerable extent in religion and also in regional concentration. To this extent the situation in Ceylon has striking resemblance to the position in Canada. In both countries language stands out as the main criterion of differentiation and the most powerful and salient emotional symbol of group identity. In many respects the situation is similar in Belgium. The Indian political scene is continually marred by language demands. Supporters of Hindi as the national language face the bitter opposition of the large Tamil speaking minority in the south; here, too, there are other cultural differences which to some extent separate these groups, but it is the language which presents the major problem.

In all these cases, a large linguistic minority is fighting for what it conceives to be adequate recognition of its rights. In what follows an attempt is made to discuss the issue in Ceylon having due regard to its historical beginnings, political repercussions and the preservation of national unity, within a framework of parliamentary democracy.

Owing to the scarcity of first-hand material, mostly secondary sources have been used for exploring the historical aspect. Nonetheless every available book has been consulted in setting out the problem in its proper perspective. For the rest of the discussion many primary sources have been used. Among them the debates of the House of Representatives and the Senate have been invaluable. No one in Ceylon is proud of its newspapers, not even those who write them. However, liberal use of newspaper reports has been made especially in regard to the discussion of issues in the 1956 election. Conversations and correspondence with government officials and political leaders have been useful, and where relevant their comments are included, but in every case it has not been possible to mention names.

The pronunciation of Ceylonese names is approximate to their spelling and there is no hard and fast rule in this regard. For example, Jayawardane may be spelt Jayawardana or Jayasuriya as Jayasooria. Uniformity or conformity, by no means is a virtue that is much sought after in Ceylon. Similarly Sinhala and Sinhalese refer to the same thing; so also is Public Service, Civil Service or Government Service; Official Language Act. No. 33 of 1956 is referred to as Sinhala Only Act and the Tamil Language (Special Provisions) Act No. 28 of 1958 is referred to as the Reasonable Use of Tamil Act.

Acknowledgement

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Four maps included here would not have been possible but for the kindly help of Miss Charlene Law.

Chapter I

Introduction, General and Historical

Ceylon is the classic example of a non-Western plural society, struggling hard to maintain national unity, socialist conformity and economic development within a framework of parliamentary Democracy.

The pear-shaped island, noted, inter alia, for its beauty set in the blue ocean, lies a little North of the equator and to the South East of the tip of India,¹ separated by Palk Strait, a shallow sea only about twenty-five miles across. In area, it is 25,332 square miles, about the size of the Province of New Brunswick.² Its strategic location on the sea route between East and West and its nearness to the sub-continent of India greatly influenced its history from time immemorial. As a matter of fact the island's two major communities, Sinhalese and Tamils, both came from India, the former as settlers and the latter as invaders.³ The Mahavansa,⁴ written by ancient Buddhist monks, contains a continuous history

1 Indians refer to Ceylon as a teardrop from the vast sub-continent. One wonders why India should continue to cry!

2 American writers compare it in size to West Virginia, the British to the Republic of Ireland, and the Dutch to the Benelux Countries.

3 Historians differ as to the original settlers in Ceylon. Recent Tamil historians say that the Tamils were in Ceylon before the Sinhalese came. However, scholarly research leans towards the opinion that this was not the case.

Vide S. Paranavitana, (ed) The University of Ceylon History of Ceylon, Vol. 1, Parts 1 and 11, (Colombo, Ceylon University Press, 1959 and 1960)

4 The Mahavansa is available in English translation; W. Geiger (trans) The Mahavansa or the Great Chronicle of Ceylon, new edn., (Colombo, Ceylon Government Information Department, 1950.)

of early medieval Ceylon though embellished in detail. Fact and fiction are intermingled, yet the kernel of historical truth emerges from this 'Chronicle of the Great Lineage' that, despite the legendary account of the origin of the Sinhalese,¹ in about the fifth century B.C. waves of immigrants from Northern India, speaking an Indo-Ariyan dialect came and settled in the island of Ceylon. These early settlers, it is correct to assume, brought with them the social organization and cultural pattern existing at that time in India. However, it was with the introduction of Buddhism, three centuries later, during the reign of Emperor Asoka that the Sinhalese were given a cohesiveness and a culture whose basic elements, even to this day, inspire the aspirations of the Ceylonese in their search for a cultural identity despite 450 years of continuous Western influence. The years following the introduction and spread of Buddhism in Ceylon also witnessed the growth of a prosperous nation, signs of whose unhindered development are still seen in the ancient city of Anuradhapura.²

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- 1 According to the account given in the Mahavamsa, the origin of the Sinhalese is traced to a lion. The story tells how the daughter of a King of Vanga in Northern India was carried away by a lion. The lion and princess fell in love and out of this union were born a son and a daughter. The son, Sinhabahu, married his sister, Sinhaseewali, and founded a new kingdom at Sinhapura. Sinhabahu's eldest son, Vijaya, the Crown Prince, was of such headstrong and marauding nature that the king exiled him with seven hundred of his followers in a ship. They landed in Ceylon on the day of Buddha's Parinirvana. Vijaya then established himself as ruler of the island with the help of a native princess named Kuveni. Subsequently he abandoned her and got himself a wife from Madura and for his followers maidens of royal birth came from the Pandyan Kingdom of South India.
 - 2 When Western Europe was ruled from Rome and the British Isles were a distant outpost of the Roman Empire, a highly productive and culturally rich civilization flourished in Ceylon. Remains of the once prosperous cities, chronicles of the glories of ancient kings and reports of foreign visitors reveal a creative, well ordered ancient past. W. Howard Wriggins, *Ceylon: Dilemmas of a New Nation*, (Princeton; Princeton University Press, 1960), p. 11.

This prosperity did not last long. If the geographical proximity dictated early Sinhalese settlement, it also commenced the successive and intermittent invasions of the island by the Tamil Kingdoms of South India - Chola, Pandya and Kerala. The peaceful accomplishments of the early settlements ebbed and flowed parallel with the interruptions by the invasions.¹ The thrusts of the invasions were so damaging and destructive in effect, that the great irrigation works, the basis of the thriving agricultural economy, were neglected and the drift of the Sinhalese to the South West and protective mountains of the island began with the shift of the capital from Anuradhapura to Polonnaruwa in 1017 A.D. The process was complete in the early 13th century (1235 A.D.) when Magha of Kalinga, head of a marauding band of Tamils invaded the Northern part of the island and established temporary sway over what we today call the Jaffna Peninsula.

Magha had been particularly ruthless in his treatment of the conquered. It appears that he plundered everything that belonged to the Sinhalese and gave it away to the invading Tamils. "He gave fields and pastures, houses and gardens, servants and oxen and buffaloes, yea, everything that pertained to the Sinhalese."²

The last of the Tamil invasions was that of Arya Chakravarti. However, for the Tamils, it was only a succession of short lived invasions which alternated with reconquests by the Sinhalese. The Dravidian Kingdoms of the South were threatened by the growing Islamic

1 Economic Development of Ceylon - IBRD Report, (Baltimore: Johns Hopkins Press, 1956), p. 5.

2 Mahavansa, Chapter LXXX.

power in India and the Sinhalese were thus freed from further organized invasion by the Tamils.¹ But these successive invasions from the Tamil kingdoms of South India left the island a battle ground for communal disharmony and racial rivalry from which Ceylon has never since been wholly immune. The Indian cultural influence has been profound and no important phase of Indian civilization has failed to leave its impression on the island.² The price paid for this in the form of intermittent invasions and infiltrations was indeed too high. These invasions greatly damaged Ceylon's material civilization³ and even added a new racial element to the permanent population of the country, which Sir Arthur Ranasinghe describes as 'a new physical type, dark skinned, thick lipped, brachycephalic, combining what ethnologists call the Mediterranean and the Armenoid types'. Over the years they have developed a separate race consciousness⁴ and are referred to as Ceylon Tamils today. They form the largest minority group and represent eleven percent of the total population, concentrated chiefly in the Northern and Eastern Provinces of the Island.

The third element that makes the Ceylonese nation are the Muslims, the descendants of early Arab traders.⁵ Their earliest origin

1 Islamic Power extended in the South and was sweeping down on Pandya and Chola Kingdoms under Malik Kafur, the Hindu renegade who held court in Delhi.

2 M. B. Ariyapala, Society in Medieval Ceylon, (Colombo: K.V.G. de Silva, 1956), p. 1.

3 S. Namasivayam, The Legislatures of Ceylon, 1928-1948, (London: Faber and Faber, 1950), p.2.

4 Sir Arthur Ranasinghe, Census of Ceylon, 1946, Vol. 1, Part 1, General Report, (Colombo: Ceylon Government Press, 1950), p.8.

5 They were also known as Moors. At the present time anyone who has embraced Islam, including Malays, belongs to the category of Muslims.

is a little obscure, but it is a well established historical fact that there was brisk trade between Ceylon and the Arabian peninsula, dating back to the pre-Christian days. During the seventh century and later in the ninth century these Arab traders set up establishments in some coastal areas of Ceylon, the island which was known to them as Serendib, the home of precious stones, pearls and ivory. The Sinhalese kings, who realized the value of increasing trade through Arab merchants and carriers, encouraged more and more Arab settlements in the island and what the sword of Islam failed to achieve the Muslims accomplished through their shrewd commercial instincts. The Muslim community in Ceylon, from very early times has always supported the Sinhalese kings against invaders and the Sinhalese seem to have looked kindly to them all along.¹ They obtained a firm footing in the island and spread themselves throughout the country. The majority of them are, however, now settled on the east coast. Despite the freedom with which they intermarried, Muslims have maintained a distinctive race consciousness, helped greatly by the unifying influence of their religion and the ubiquitous Mosque. They form nearly five per cent of the island's population and speak the language of the people they live among - Sinhalese, Tamil or English.

1 The Muslim leaders of today, who are ever willing to extend the hand of friendship to the Sinhalese, (which-ever the party in power) always refer to the fact that no Muslim armada arrived off the shores of Ceylon at any time.

Among the other important elements that make up the permanent population of Ceylon are the Burghers. The name is a generic one used to describe the descendants of the Portuguese and the Dutch who have lived in Ceylon for centuries after the island was exposed to European penetration in 1505 A.D. They were a powerful community during the British period (1815-1948) and with the Independence their power and influence have steadily declined, mainly owing to the disappearance of foreign protection and patronage. In this numerically minuscule, but still economically and socially powerful community, some claim to prove European ancestry and the majority no doubt are the products of intermarriage with Sinhalese and Tamil.¹ Today they form less than one per cent of the population.

Of the non-permanent population of the island the most important are the Indian Tamils. They are not considered citizens of Ceylon since most of them came as indentured labour (coolies) to work in the coffee and later in Tea plantations and others as labourers.² These Indian Tamils were literally imported into Ceylon before the turn of this century from poverty stricken South India by the plantation owners, who at that time were mainly British. There are about a million of them, some of whom are now in the process of acquiring citizenship rights. Their history could be traced back to the late 1820's when the island was opened for

1 Portuguese and Dutch pride is proverbial, but they, especially the Portuguese have never been too proud to marry, or at least to mate with the native women.

2 Government of Ceylon - Report of a Commission on Immigration in Ceylon, Sessional Paper III - 1938, pp. 8-23.

cash crop plantations under British rule. The indigenous Kandyan peasants cleared the jungle for coffee and later tea and rubber, but they were not willing to stay in these plantations and eke out a living. Once the jungles were cleared they went back to their free and easy village life. They saw no reason to accept an employment which restricted their way of life without commensurate economic benefit. The plantation owners however found a reservoir of unskilled and cheap labour close at hand in South India from which they could draw unceasingly according to their need. In the barren and over populated districts of Southern India life was hard and miserable and the level of subsistence very low. This was in the middle of the last century. Even today their standard of living and their wage rates are very much lower than those prevailing in Ceylon. If for no other reason than the fact that they live a relatively better life in these plantations, the Indian Tamils want to stay in Ceylon. Their arrival no less than their continuance in the island is one long chronicle of poignant memories and harsh treatment.¹

In those early days the condition of Tamil coolies, as they were then called, was highly unsatisfactory. The worst feature was the journey from India to the upcountry. The labourers were brought down in gangs by a leader known as a kangani. After crossing

1 There is a vast amount of literature on the subject. An accurate short account is found in Wriggin's Dilemmas of a New Nation, pp. 211-228.

the narrow Palk Strait, they had to make their way on foot through the waste lands of the North Central Province; and on that long trek many of them died. Later on they were brought to the port of Mannar on the west coast by the sea; but this constituted a serious danger to the health of the colony, as cholera and smallpox were endemic in the parts from which they came, and even bubonic plague was a fell disease they might bring with them.¹ Their living conditions in the plantations, though probably an improvement from their original homes were far from satisfactory. There was very little medical care and a great deal of overcrowding, sometimes one family to a room. Death and disease circled their lives and many succumbed to the inevitable. Only gradually and after much agitation by the labour leaders did conditions improve. The worst aspects of unhealthy and unsanitary living conditions disappeared with the growth of unionism and the introduction of labour legislation.

Those who managed to survive the trip from India and the dreadful condition afterwards in the plantations managed somehow to save sufficient money to remit to India, or to take it back with them if they returned to their original homes - which was frequently the case. For a long time they have been birds of passage without an abiding interest in making their homes in Ceylon. The Ceylonese politicians say they had one leg in India and other leg in Ceylon.

1 S. A. Pakeman, Ceylon, (London: Ernest Benn, 1964), p. 79.

What is more important, their arrival in large numbers complicated the communal issue. Originally they were just in the same category as the Ceylon Tamils for they spoke the same language, worshipped the same gods and traced their origin to the same Dravidian source. It was only after 1911 that the Indian Tamils came to be treated as a separate entity and by then the Indian Tamils already out-numbered the Tamils. This trend has continued unbroken.¹ Naturally the Sinhalese felt they were being swamped by Indians, as indeed they were in some of the up country areas.² This was a very real fear especially because of their heavy concentration in traditionally Sinhalese areas such as Kandy, Matale, Nuwara Eliya, Badulla and Ratnapura.³ Tamils in Ceylon have generally refused assimilation or absorption. In the case of the Indian Tamil it is more so. As Farmer says "Indian Tamil labourers poured in much too fast for absorption, and in many smaller parts of Kandyan territory they became the majority community".⁴ Even after over one hundred years of living, working and association in Ceylon they continue to remain just like genuine South Indian pockets maintaining and observing their social tradition. Again to quote Farmer, "the Indian Tamil

1 Table 1, Content of the Population by ethnic origin.

2 In Nuwara Eliya District according to the census of 1953, 59% of the population was Indian Tamil. In Kotmale out of 163,115 inhabitants 119,268 were Indian Tamil. In Uda Bulathgama out of a total of 167,740 there were 126,421 Indian Tamils. For a detailed distribution of the population vide Statistical Abstract of Ceylon 1964, (Colombo: Ceylon Government Press, 1964), pp. 26-27.

3 Vide map. p.2.

4 B. H. Farmer, Ceylon, A Divided Nation, (London: Oxford University Press, 1963) p. 45.

remains separate from the Kandyan Sinhalese, retaining his language and his Hindu religion, marrying only his own kind, to a very large extent living his own life on the hillsides and hilltops as though the Kandyans were not there at all".¹ They have nothing in common with the Sinhalese nor have they at any time formed a part of the traditional community life of the Kandyan villager.

Expansions of the plantations with their overwhelmingly Indian Tamil population has driven the up country Sinhalese to the surrounding valleys where they find themselves effectively hemmed in with no land for their own expansion.² Land hunger in a primarily agricultural country is a general problem affecting every section of the population; for the Kandyans it is an acute one.

The presence of a large and concentrated block of Indians in the heart of Ceylon's hill country has created many problems and aggravated others, not of the least importance being the language problem. In an attempt to solve them the Governments of Ceylon and India have been conducting negotiations for the last twenty-five years. Some sort of accommodation was reached at the Delhi discussions in October 1964 when India agreed to take back 525,000 of the 975,000 Indians in Ceylon.

1 Farmer, p. 44.

2 Report of the Kandyan Peasantry Commission, Sessional Paper No. 18, 1951, (Colombo: Ceylon Government Press, 1951). p. 275.

The Government of Ceylon on her part agreed to grant full citizenship rights to 300,000 of them. The two countries agreed to continue discussions to determine the status of the remaining 150,000 at an early date. The repatriation of those going back to India was to be spread over the next fifteen years.¹

Race	Population of Ceylon by Communities			Thousands
	1921	1931	1946	1953
All races	4,498.6	5,306.4	6,657.3	8,097.9
Low-Country Sinhalese	1,927.1	2,216.2	2,902.5	3,469.5
Kandyan Sinhalese	1,089.1	1,256.8	1,718.0	2,147.2
Ceylon Tamils	517.3	598.9	733.7	884.7
Indian Tamils	602.7	818.5	780.6	974.1
Ceylon Moors	251.9	289.6	373.6	464.0
Indian Moors	33.0	36.3	35.6	47.5
Europeans	8.1	9.2	5.4	6.5
Burghers and Eurasians	29.4	32.3	41.9	46.0
Malays	13.4	16.0	22.5	25.4
Veddahs*	4.5	5.2	2.4	0.8
Others	22.0	27.4	41.1	32.2

* Veddahs are supposed to be the present survivals of the aborigines of Ceylon. They are a disappearing group, largely owing to their being absorbed into the local population.

1 Bandaranaike-Shastri Agreement, October 30, 1964, Asian Recorder, Vol. 10, No. 48, p. 6163.

Religious Division

The multiplicity of ethnic groups is only matched by the multiplicity of religions. However religious divisions of the people are easy to understand. The great majority of the Sinhalese are Buddhists and of Tamils are Hindus. Muslims follow Islam. There are no Hindus or Buddhists among the Burgher community. They are practically all Christians of one denomination or another. A few Sinhalese and some Tamils became Christians during the colonial period purely to obtain high positions under their foreign masters. All three European powers, the Portuguese, Dutch and British who occupied some or all of Ceylon for about four and a half centuries made great efforts to propagate their faith. The Portuguese were more successful than the others if only for the reason that the spread of Roman Catholicism was one major objective of their colonial policy. Despite the crude methods of proselytism that were employed by them, and after a century and a half of Dutch persecution, the Catholic church is still the strongest among Christians in Ceylon. The efforts of the Dutch to effect conversions to their brand of Christianity were less successful and it is today probably the Dutch Burgher community alone who belong to the Dutch Reformed Church.¹ The British in the early years of their occupation also sent missionaries to "convert the heathen" and there are a few thousand Anglicans, and other protestant denominations such as Wesleyan Methodists and Baptists in the island today.

1 S. A. Pakeman, Ceylon, (London: Ernest Benn, 1964), pp. 21-23.

Conversion into Christianity was a great boon for those who submitted to it. Europeans always considered them more reliable, more civilized and less troublesome. In this respect Christian missionary work in Tamil areas,¹ particularly in Jaffna, opened the way for a vast exodus of English educated young men to find lucrative employment in the administration, in commerce and trade, in professions and generally in every field which earlier was an exclusive domain of the Burghers and Europeans. In the rest of the island missionary work was thinly spread over. The coastal areas which had been subject to longer periods of Western penetration took more easily to Christian missionary work. In the predominantly and traditionally Sinhalese areas and especially in Kandyan provinces conversion to Christianity was negligible. Except among the Catholics who over the years tended to be more fanatical than religious, throughout the period of Western impact conversions into Christianity were of a nominal character. If not impossible to enter the service of the government, it was doubtless extremely difficult to do so during the Portuguese and Dutch times for non-Christians. In early British times there was a strong bias in favour of Christians in recruitment to the Public Service. The result was that where Christian missionaries had established themselves, education was mainly in English and consequently the Public Service, which is still the main industry² in Ceylon, consisted largely of converts.

1 S. A. Pakeman, Ceylon, (London: Ernest Benn, 1964), p. 22.

2 Serving the Government is considered a honourable position. It has social and economic advantages which are unthinkable in a Western country.

The interaction of four of the world's great religions in Ceylon did not make for common understanding. It rather continues to keep the people divided in an already ethnically divided society, and this division is all the more pronounced since religion generally follows an ethnic strain. All Muslims are followers of Islam and they have always believed in the exclusiveness of their religion. There have not been religious clashes in the island except for the 1915 riots, when a Buddhist procession passing a Mosque was stoned and intimidated by the Muslims. However the incident is remembered for its mishandling by the British,¹ rather than for its interreligious or communal context. Christians are a group apart, for Christianity, as in most of the other colonies, is considered a foreign import and a second arm of the Imperialist exploitation, although in Ceylon this has now passed over to the purely indigenous class.² Their continued Western modes of living and their contempt for ancient culture have set them objectively against Buddhists, Hindus and Muslims.

On the other hand, it is remarkable how well the Hindus and Buddhists have co-existed in amity and friendliness over the years, despite the differences in ethnic origin, culture and language. The

1 Sir Ivor Jennings, Pacific Affairs, (University of British Columbia, Vancouver, March 1949) p. 24.

2 Buddhist Committee of Inquiry, The Betrayal of Buddhism, (Balangoda, Dharmavijaya Press, 1956). The Catholic church in Ceylon has been accused of fixing jobs, dispensing political patronage and generally carrying on as an exclusive organization giving the semblance of a state within a state.

reason is to be found in the nature of the philosophies in the two religions and in the historical setting. In their original home in Southern India, Tamils worshipped local deities in a pre-Vedic form of Hinduism, until the sweeping surge of Brahminism caught them up, admitted these local gods into the Vedic-Pantheon, and established a catholic creed which, subject though it was to the Brahminical law,¹ is today accepted as Hinduism. The religious beliefs and practices of the early Sinhalese probably represented a combination of Vedic-Hinduism and forms of worship prevalent at the time in their original home land in North India, which presumably could not have been very different from the amorphous Hinduism of today. The influence of North Indian Renaissance under the Gupta Dynasty had extended to South India after the conquests of Samudra Gupta in the fourth century A.D., and what the South Indian invaders brought to Ceylon in the form of their culture and worship, therefore must have had a strong North Indian flavour.² So that, at the very early stages of conflict and association between the Sinhalese and Tamil, religion exerted a cultural synthesis.

During the early settlement of the Sinhalese there was much fusion of blood between the Sinhalese and the Tamils, for the Sinhalese princesses of the royal blood took unto themselves Tamil consorts.³ In the Mahavamsa it is said that the first king of Ceylon, Vijaya found the brides for himself and his seven hundred followers in the Pandyan Kingdom.

1 Ranasinghe, Sir Arthur, p. 8.

2. Ibid.

3 Ibid.

Noble and commonfolk must have done likewise. As a result there was much intermingling of the language as well as religious beliefs. It could not indeed have been otherwise. This process was intensified when the Sinhalese kings brought in mercenary soldiers from South India to protect themselves against palace revolutions and intense internal rivalries.¹ There is no evidence of these Tamil mercenaries having left the island, and the only conclusion one could arrive at is that they were assimilated in the predominantly Sinhalese population.² The introduction of Buddhism worked in two directions. First, it not only provided the Sinhalese with a lofty moral code, but also a philosophy based on Ahimsa or non-violence which made them from very early times a peace-loving people, even in the face of plunder and invasion. Its appeal to the intellect and its stress on loving kindness compelled whoever came under its influence to adapt policies of conciliation and friendliness. Second, its cultural impact in Ceylon separated them from the rest of the Indian peoples and helped the growth of a Sinhalese individuality. In contrast with the abstract speculations and exclusive theology of Brahminism, Buddhism exercised the effective means of mass education. Pali was and still is the language of the Buddhist scriptures. Its closeness to early Sinhalese Indo-Aryan dialect influenced deeply the growth of the Sinhalese language to what it is today.³ Agnostic though Buddhism is, its inculcation of a code of ethics based on the Four Noble Truths and the

1 S. Arsaratnum, Ceylon, Modern Nations in Historical Perspective Series, (New Jersey: Prentice-Hall, 1964) pp. 98-123.

2 Ibid. p. 101.

3 Arsaratnum, p. 51.

Eight Fold Path¹ consequent upon the avoidance of the two extremes of self-indulgence and self-mortification, provided the Sinhalese with a way of life, which by any standards could be considered quite civilized and which stood in sharp contrast with the Brahminical teachings of Hinduism, strengthening and perpetuating among other things a caste-ridden society. Buddhism in effect was a revolt against the terribly ritualistic and sacrificial practices of Brahminical Hinduism. So that while on the one hand Buddhism extended a friendly peaceful acceptance of the Hindus, on the other it tended towards an exclusive identity of their own, different but tolerant of Hinduism.

<u>Census Year</u>	Population of Ceylon by Religion				Thousands	
	<u>Buddhists</u>	<u>Hindus</u>	<u>Muslims</u>	<u>Christians</u>	<u>Others</u>	
1881	..	1,698.1	593.6	197.8	268.0	2.3
1891	..	1,877.0	615.9	212.0	302.1	0.7
1901	..	2,141.4	826.8	246.1	349.2	2.4
1911	..	2,474.2	938.3	283.6	409.2	1.1
1921	..	2,769.8	982.1	302.5	443.4	0.8
1931	..	3,266.6	1,166.9	354.2	518.1	1.0
1946	..	4,294.9	1,320.4	436.6	603.2	2.3
1953	..	5,209.4	1,610.5	541.5	724.4	11.9

1 In Buddhism life is suffering and the cause of this suffering is craving and ignorance. If one could cease craving things material and non-material, it would be possible to put an end to suffering and sorrow. Therefore the Buddhist must accept his existence resignedly, almost fatalistically in the knowledge that the meritorious performance of this life's function, will be rewarded by rebirth into a higher stage of existence. This doctrine pervades the entire Sinhalese society and perhaps long periods of subjugation by foreign invaders including the Portuguese, Dutch and British could be explained by the Buddhist acceptance of their station in life as something predetermined. In materialistic terms Buddhism actively preaches a philosophy of submission. For a detailed explanation of Buddhism, there are several excellent works, vide Bibliography.

These are only the major divisions of Ceylon's population. There are other divisions which may be mentioned. The Sinhalese are divided into up country and low country, the Tamils into Jaffna Tamil and Batticaloa Tamil. Indian Tamils are a class by themselves. Then there are caste differences, although they are decidedly on their way out. None of the rigidity of the caste system in India ever existed in Ceylon. These divisions are insignificant except to identify geographical distribution of population.¹ Certainly the division between up-country and low-country originated in the administrative cleavage caused by European occupation of the littoral. These divisions in themselves do not militate against national unity. There is no difference in the language spoken in up-country from that of the low country, nor that spoken in Jaffna from Batticaloa Tamil. To Mr. James Morris, "Ceylonese people seem to have a positive flair for fissure".² Perhaps he is not too wrong. A few days in Colombo could not certainly give a correct insight into the social milieu of a people.

1 Vide map. p. 3

2 "Its political parties are endlessly subdivided - and there are 14 of them anyway. Its dog-fanciers are competitively split into Canine Club, the Dog-Lovers Club and the Kennel Club. There are two Afro-Asian Solidarity Leagues and there used to be two hotly rival United Nations Associations. The Sinhalese are divided into Low Country and Kandyan, the Tamils are Indian Tamils or Ceylonese Tamils; even the countryside itself is unmistakably divided into a wet zone and dry".
 Manchester Guardian Weekly, Nov. 18, 1965. p. 5.
 He didn't see the obvious division between men and women!

Chapter II

Communalism - Its Early Beginnings

Despite the multiplicity of ethnic and religious groups¹ there were no language disputes among the Ceylonese during the pre-independent period. When the Portuguese arrived in Ceylon in the 16th century the island was politically divided into three chief kingdoms of Kotte, Kandy and Jaffna.² The King of Kotte, as heir to the traditions and glories of the ancient Sinhalese kings, exercised imperial rights over the rest of the island and was called Chakravarti, Emperor of Lanka.³ The Jaffna Kingdom was⁴ predominantly Tamil, but accepted the sovereignty of the king of Kotte. The entire period was however characterized by internal strife, economic decay and other weaknesses. This process continued, unbroken until the British occupied, first in 1796, the coastal areas and in 1815 the whole island, when for the first time in more than

1 Ceylonese is the modern common denominator that encompasses every citizen of Ceylon whether one is Tamil or Sinhalese, Muslim or Burgher.

2. Arsaratnam, p. 124.

3. Lanka is the Sinhalese word for Ceylon.

4. Father S. G. Perera describes that at this time the Kingdom of Jaffna was inhabited by Hindu Tamils who had come to this island as conquerors or settlers. Before that it was peopled by Buddhist Sinhalese, as shown by the recently discovered remains of Viharas and Dagabas and by the large number of Tamilicised Sinhalese place names. History of Ceylon, Vol. 1, p. 2, (Colombo: Lake House Press, n.d.)

three hundred years, the Sinhalese aristocracy united, rebelled and overthrew the monarch and then unable to agree among themselves on a successor invited the British king to be their sovereign under the terms of the now famous Kandyan Convention.¹ During all these centuries the recognized language for transacting official business and conducting state affairs was the language of the ruling king or the royal family. Furthermore language and Buddhism were so closely connected that both received royal patronage. In fact the whole basis of early Sinhalese education was the inculcation of Buddhist values and therefore learning centered round monasteries.² Even during the occasional rule of the island by the successive Tamil adventurers, following the custom prevailing at the time, which then had the force of law, there appears to have been no interference with the Buddhist religion nor with the Sinhalese language. Rather they seemed to have learned the language and practised the religion of the country.³ Clearly then, in the pre-colonial Ceylon there

1. March 2, 1815, Vide Report of the Special Commission on the Constitution 1928, Cmd.3131,p.173. It is an important document since in subsequent years the Sinhalese, especially the Kandyans based most of their claims for separate treatment on its clauses. Important among them are that the chiefs were to be maintained in the privileges accruing traditionally to their offices, that the country was to be governed according to its customary laws and institutions. Most important however, was the provision guaranteeing the preservation of Buddhism.

2. "All education, sacred as well as secular was in the hands of the monks:" Walpola Rahula, History of Buddhism in Ceylon (Colomb, M.D.Gunasena 1956) p. 287. This system has survived to date and in the remote parts of the island where schools are not available, students still have to go to monks for their education.

3. Ibid. pp. 62-77

was only one official language and that was Sinhalese.¹ Under the Portuguese, Dutch and British they had their own language imposed on the people, a privilege of conquering power.² There were few, if any, who learned the indigenous language.

In the Instrument of Surrender, the Kandayan Convention of 1815, the British guaranteed the protection of Buddhism and other native institutions, but no specific mention was made of the language. What happened in practise however was the withdrawal of governmental patronage of both Buddhism and the Sinhalese language and transference of it generally to Christianity & to English. The British did not pay much attention to the culture of the people. They were more concerned about political procedures and institutions that guaranteed individual rights rather than with their culture and civilization. They generally believed in the superiority of the British way of life over that of any other nation and many considered it their mission to spread their civilization among other peoples of the world.³ Findings and recommendations of the various Royal Commissions⁴ indicate that the British policy in the island was based on the assumption that a knowledge of English would lead to the advancement of the people and the acceptance of Christianity to

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1. Report of the Commission on Higher Education, Sessional Paper No.10 1956. (Colombo, Ceylon Government Press 1956) pp. 3-9.
 2. They considered the native languages tribal and barbaric which could not be tolerated by a 'civilizing' colonialist power.
 3. G.C.Mendis (ed) The Colebrooke-Cameron Papers, 1796-1833, Vol.1 London Oxford University Press, 1956. p. xii
 4. Cmd.3131, Report of the Special Commission on the Constitutions 1928 (Donoughmore Report) Cmd.6677, Report of the Commission on Constitutional Reform 1945 (Soulbury Report).

their moral improvement. With the unification of the island, and the introduction of a plantation economy by the British, revolutionary changes were set in motion. If the old social structure was shattered and a new middle class appeared simultaneously with tremendous economic and social changes,¹ it also coincided with the growing communal suspicion, which was to darken much of the Ceylon scene since Independence² and whose harshest accents found expression in the language conflicts between the Sinhalese and the Tamil, culminating in the crisis of 1958.

Unification of the island politically, administratively and economically under the centralized and strong rule of the British gave the island a tightness from which none of the centrifugal forces of communalism could escape or raise their ugly heads. However, they simmered underneath and gradually, with every concession of power to the indigenous population, these forces found expression in the open. British policy in Ceylon recognized these differences and in point of fact in the Legislative Council of 1833, when nomination was the basis of representation, the Governor had recourse to selection of native members on communal criteria. "In this way," says Mr. Namasivayam in his book,

1 G. C. Mendis, Ceylon Under the British, 3rd edition, Colombo, Colombo Apothecaries, 1952, pp. 126-187; see * p.23.

2 Farmer, p. 33.

"at this early date there was introduced, with unfortunate results to Ceylonese politics, the problem of communal representation, which for many years checked constitutional advancement and embittered political relationships between the communities."¹

Even in the legislative Council of 1910,² this principle of communal representation was continued and it was only after the recommendations of the Donoughmore Commission³ 1927 that this was abandoned. The commissioners in surveying the situation in the island concluded that "communal representation is, as it were a canker on the body politic, eating deeper and deeper into the vital energies of the people, breeding self-interest, suspicion and animosity, poisoning the new growth of political consciousness, and effectively preventing the development of a national or corporate spirit... there can be no hope of binding together the diverse elements of the population, of their common kinship and an acknowledgement of common obligations to the country of which they are all citizens so long as the system of communal representation, with all its disintegrating influences, remains a distinctive feature of the Constitution".⁴

* The three centres of political power Kotte, Kandy and Jaffna under the last of the Sinhalese kings disappeared when the British occupied the whole island in 1815. Adoption of a uniform system of administration for the whole island set in motion the administrative unification. With the growth of the plantation economy, roads were built, railways were constructed and telegraph was introduced and the cumulative effect of all this was to break the parochialism and dissipate the isolation of villages. The far reaching recommendations of the Colebrook Commission legalized the unification. Vide Colebrook Commission papers.

1 Namasivayam, pp. 9,10.

2. Ibid p 17

3 Report of the Special Commission on the Constitution, cmd 3131

4 Ibid. p. 39.

The communal issue has been characteristic of the Constitutional agitation of the Ceylonese politicians during the entire British period. In the Legislative Council, the Tamils had a distinct advantage. They were represented in a proportion of one to two vis-a-vis the Sinhalese. A passage from the Donoughmore Report ¹ is self-explanatory. "Before the Constitution was last revised, (1923) the Sinhalese members of the National Congress of Ceylon came to a private arrangement with certain Tamil representatives as to the relative proportion of seats to be allotted to each race in the Legislative Council. This proportion was to be two Sinhalese to one Tamil and was embodied in effect in the distribution of seats proposed by a Committee of the Legislative Council". As a result there were eight Tamils and 16 Sinhalese in the Legislative Council. Conflict soon arose when the Tamils asked for another seat in Colombo, known as the Western Province.² This demand was conceded, but Tamil claims for increased representation remained unabated. As a matter of fact, by 1931 the Tamil demands soared high and they wanted a relative proportion of two to three representation in the Legislature. After the abolition of Communal representation and the introduction of universal

1 Cmd. 3131, p. 92.

2 Western Province is traditionally and predominantly a Sinhalese area. Vide map. The only reason one could adduce for the Tamils to demand a seat in Western Province was that a large number of them settled in Colombo after they found employment in the Public Service as well as in industry and commerce in the private sector.

adult franchise in 1931 the Tamil demand was for a 'position of balanced representation' based on what came to be known as 'non-domin-
 ation theory'. By this they meant that as against the Sinhalese all
 other ethnic groups together should have a representation equal to
 them in number. According to Mr. G. G. Ponnambalam, the wildest
 champion of this theory, in a legislature of 100 members Sinhalese
 must be limited to 50 seats and the other 50 seats must be divided
 among the Ceylon Tamils and the rest of the minority groups. This
 formula never materialized for in addition to it being dreadfully
 unpopular, "some of the Burghers and most of the Muslim leaders
 definitely refused their support."¹ However, this demand which
 came to be derogatorily known as 'fifty-fifty' greatly inflamed the
 Sinhalese politicians who described it as an attempt to make the
 majority community a minority one and as a result inter-communal
 suspicion increased intensely.² Debates of the State Council³ were
 interspersed with references to communal disharmony.⁴ For example

1 Pakeman, p. 151.

2 I.D.S. Weerawardena, Government and Politics in Ceylon 1931-46,
 (Colombo: Ceylon Economic Research Association, 1951). pp. 16-18

3 After the acceptance of Donoughmore's recommendations, the
 Legislative Council of Ceylon was replaced by a State Council,
 1931-1947. Members were elected on the basis of universal
 adult franchise and communal representation was thus abolished.

4 Vide Hansard, State Council of Ceylon, 1931-1947.

Sir A. Mahadeva¹ and Mr. G. A. Wille,² both leaders of two minority communities, complained of the deterioration in the Sinhalese-Tamil relations in the State Council.

These communal conflicts, however, were strictly confined to the political sphere, unlike in India which was marked by crusading religious differences. Furthermore charges by the Tamil political leaders were found to be thoroughly exaggerated and groundless when the Soulbury Commissioners³ investigated their complaints against the discrimination by the Sinhalese. They concluded that 'a careful review of the evidence submitted to us provided no substantial indication of a general policy on the part of the Government of Ceylon

- 1 Sir A. Mahadeva, a Ceylonese Tamil and member for Jaffna constituency in the State Council became a Minister in 1942. For his remarks on the communal situation refer - Hansard 1935 Vol. III, pp. 4255-4278. He was knighted in 1949 and was appointed High Commissioner for Ceylon to India.
- 2 Mr. G. A. H. Wille was a nominated member of the Burgher community and he stated on May 12, 1939 in the course of a debate on Constitutional reform that: "When they (Donoughmore Commissioners) came here there was very little embittered competition for seats, very little discussion about communal representation...after writing their bombastic words (in the Donoughmore report) they thought they had introduced a sort of millenium; they imagined that the Tamils and the Sinhalese would march to the goal of Swaraj arm in arm. But what really is the position today? I ask whether there was ever a time when the representation of the two communities stood so far apart, at least on the question of communal representation." Hansard 1939, Vol. II, p. 1510.
- 3 Lord Soulbury and Messers. J. F. Rees and F. J. Burrows constituted the impartial tribunal that inquired into the charges. They were commanded to visit Ceylon and propose Constitutional Reforms, 'after consultation with various interests in the island'. Vide Report of the Commission of Constitutional Reform, cmd. 6677, September 1945.

of discrimination against minority communities'.¹ An examination of the reasons for minority complaints clearly shows that during this period and indeed until the ill-fated statement of Sir John Kotelawala² on September 30, 1954 in Jaffna, language was certainly not the immediate cause for communal conflict, if only for the reason that the political elite, those who claimed to represent the people at this time, had no knowledge of the indigenous languages, neither Sinhalese nor Tamil. They were English-educated, western-oriented, both in culture and outlook, an oligarchy of upper class junta.

In addition to the normal psychological fears of any minority group wanting to preserve its identity, an analysis of the cases of conflict show that, Tamil fears and suspicions were based on a desire to preserve their privileged position in the country and especially in the administration. Even the Royal Commissioners who usually underplay the communal issue, in this case were constrained to report as early as 1928 that the Ceylon Tamil having found no more opportunities left in the Straits Settlements and in the Malay States are now gradually spreading themselves into the Sinhalese districts 'and are to be found all over Ceylon, especially in the professions and in clerical positions'.³

1 Ibid. p. 50.

2 Third Prime Minister of independant Ceylon. He was invited to a prize-giving in Jaffna and was made to declare that constitutional provision would be made to make both Sinhalese and Tamil the official language of the country.

3 Cmd. 3131, p. 92.

In 1921, the numbers of Sinhalese and Tamils were equal in most government departments. But there has been a change over the years and by 1946 in the top administrative service, ie. Ceylon Civil Service, there were 69 Sinhalese and 31 Ceylon Tamils; a proportion quite unequal in the context of their respective population figures.¹ Also, the growing middle class, the consequence of a flourishing plantation economy, expanding trade and government expenditure compelled the minority leaders to seek a larger share of its benefits.

The system of administration created by the British required a large number of government employees. To meet this demand English schools were established and many people from all communities, though in unequal proportions² found employment under the crown. The Tamils were at a distinct advantage since Christian missionaries had established English schools in their midst and therefore they had a good start.³ In a limited economy where industrialism had not even touched the fringes, the avenue of lucrative employment was in the Public Service.

1 According to the 1946 census there were 4,637,000 Sinhalese and 826,000 Ceylon Tamils in Ceylon. For a detailed discussion see S.J. Tambiah, Ethnic Representation in Ceylon's Higher Administration Series, 1870-1946, University of Ceylon Review XlII, (April - July 1955) pp. 113-135. Also Weerawardena, pp. 15-17.

2 Census report of 1921 shows that the percentage of English educated among the Sinhalese was 9.5 while for the Tamils the figure was 10.6. The report comments: "The growing percentage of English literates in every race, especially in the Ceylon Tamils...The number of clerks supplied to Daffna to the Government service is out of all proportion to the size or population of the district and for the purpose of becoming government clerks, if for mother, the educated Jaffnese realize the value of an English education. Vol. 1, part 11, pp. 68-69.

3 Weerawardena, Government and Politics in Ceylon, p. 16.

According to Dr. Weerawardena,¹ a public servant of the highest grade drew a salary of one hundred times the average national income per head; a clerk entering the service drew a salary twelve times the average national income. If this is an indication of the economic advantage of an English education which is really the passport for such employment, one would not be surprised by the intense competition among the various ethnic groups to get into these positions; and to grab the spoils, which were insufficient to satisfy all, as the British were preparing to leave.

In this lucrative field, as the research paper by Dr. Tambiah² clearly shows the Sinhalese were out-numbered by the Tamils. He comments "The Ceylon Tamils also found attractive avenues of employment in the administrative services and professions. Coming from the Northern region of Ceylon where land was both scarce and infertile, they had no scope for large scale agricultural activity." So that the Tamils generally could not have hoped for better. What they were really fearful of was, what would follow once the British left the island, as unmistakably stated by G. G. Ponnambalam, leader of the All Ceylon Tamil Congress³, "The near approach of the complete transference of power and authority from neutral British hands to the people of this country is causing in the minds of the Tamil people, in common with other minorities, much misgiving and fear."⁴

1 These figures are for 1948, and he compares them with the position in Britain which was ten times and less than twice respectively.

2 Ethnic Representation in Ceylon's Higher Administrative Services, 1870-1946, University of Ceylon Review XlII, April-July, 1955.

3 Party of exclusive Tamil speaking people, still led by the same person.

4 Soulbury Report, p. 50.

On the question of Government expenditure it appears that none of the ethnic groups was thinking in terms of a nation. "With every increase in the power of local representation one group was apprehensive lest the other should get a larger share."¹ It must be mentioned that these fears and apprehensions were confined only to the governing circles who shared political and economic power with the British. To the vast majority of the people, both Sinhalese and Tamil, who were outside the pale of English education, well rooted to the indigenous soil, oppressed and exploited as they were by both the British and local aristocracy², the problem did not exist. The masses of the Sinhalese and Tamils separated geographically but sharing equally, and almost fatalistically, the grinding poverty and misery, the legacy of years of suppression, could not care less whether it was the Brown Sahib or the Pukka Sahib who was at the top.

Despite the communal bickering that went on among the political elite, they were gradually united in demanding independence from the British. This unity was not totally synthetic or forced.

1 Weerawardena, p. 17.

2. The Colonial power often used the aristocratic elements in order to stabilize its system of Government and therefore helped them to retain their social pre-eminence. However this feudal power and privilege was trimmed with their becoming agents of a new master; and the maintenance of their privileged position under the new regime was partly contingent on their learning the conquerors' language and art of government... In Low country Ceylon the feudal Mudliya class were the first to enter political service under the British; their feudal family status and political power, and their modern attainments (English education) made them the elite in the new era. The story of the Kandyan aristocrats is different. They were progressively stripped of their privileges and power and they showed no inclination to be 'modernised'. Tambiah, University of Ceylon Review XIII, April-July 1955.

They had a common back-ground of English education, belonged to the land-owning aristocracy, went to the same public school (Royal College and St. Thomas' College) played cricket and generally indulged in the same kind of sports. Consequently they shared a common view of life, public purpose and a common endeavour to rid the country of foreign rule. To them language was no problem. Some of them who were such keen nationalists didn't even care to learn their own. The mother tongue was consigned to oblivion. As Vittachi says "it was a debased currency which was legal tender only for the exchange one had with the servant, the dhobi, the rickshaw-wallah and the vegetable hawker."¹ Local languages were referred to as 'vernaculars', the languages of the slaves. Although Sinhalese and Tamil education was not completely neglected, education through these media meant ending up in the blind alley. Swabasha² schools in any case were confined to rural areas or to the children in the lowest classes of society.³

English schools were better equipped, better staffed and were generally situated in urban areas. The products of these schools found quick and easy employment in the government or in the mercantile sector. They naturally became the strongest supporters of the western-oriented political elite, which, at least in appearances, rose above the divisive factors in society.

1 Tarzi Vittachi, The Brown Sahib (London Andre Deutsch, 1962) p.50.

2 Common name for both Sinhalese and Tamil.

3 Arsaratnum, p. 163.

In the eyes of the British they were the Ceylonese nation- the English educated intelligentsia - the sophisticated, thoroughly denationalized, rootless, floating element drawn from every part of the island and cutting across all ethnic and religious barriers. The English language not only united them, but also pervaded their whole culture. This is the class that Vittachi describes as the Brown Sahib.¹

No wonder then that the British found it easy to deal and negotiate with this class. Their political demands have always been moderate² and therefore there was no need to deviate from strictly constitutional means to achieve independence, whatever the word meant to the vast masses, who were either literate only in 'vernacular' or completely illiterate. They were effectively kept away from the 'national' independence movement. There was no Gandhi³ in Ceylon

1 "Take away the sing-song intonation...you will believe he is the product of one of the British public schools. His vocabulary is fairly extensive, his tastes are carefully cultivated, his values confirm to the British public school tradition and his manners are generally, as bad or as good as those of the average educated Briton. His home is run on western lines...speaks English at home. He daydreams in English. He scolds his children in English. If he were compelled by circumstances or choice to make love in any other language but English he would be tongue-tied." Vittachi, pp. 52-53.

2 Namasivayam, Legislatures of Ceylon. pp. 169-171.

3 The greatest contribution of Gandhi to the Indian Independence Movement was that he widened the basis of the national struggle against the British by bringing in the vast millions into the fold, which would otherwise have been only a movement of the Western-educated elite group.

and the Western-oriented political elite obviated the necessity, since they acted as the buffer between the rulers and the ruled, and the whole affair of transfer of power from the British to the Ceylonese sounded like a private deal - from Pukka Sahib to the Brown Sahib who were in league with each other. Any feelings of communalism were either temporarily forgotten or successfully compromised in the mirage of swaraj; and in the best Western tradition, Ceylon entered the family of independent nations, proclaiming itself to be a united, tight little peaceful island paradise. The facade was soon to be unveiled, in fact within the first decade of independence.

Chapter III

Swabhasha and the Language Movement

The movement to make Sinhalese and Tamil the official languages of the country was a slow process. None the less the necessity to replace English with indigenous languages or Swabhasha was recognized at an early age. The introduction of universal adult franchise in 1931 and the consequent popular, though limited, participation in the conduct of government contributed to this recognition. The rudimentary and subdued nature of the first attempt could be gauged from the resolution of Mr. G. K. W. Perera¹ on March 9, 1932, when he asked that the State Council Standing Orders be changed to allow for those who wished to speak in Swabhasha the privilege of doing so, with the permission of the council.²

His second move was only to ask that greater use of Swabhasha be introduced into the administrative machinery. His motion of July 5, 1932 read:

"This council resolves:

1. That no person shall in future be appointed into

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- 1 Member of the State Council for Matara, 1931-1936. Educated in Cambridge and admitted to the English Bar, he practised law on his return to Ceylon, while being an active politician. He was also Ceylon's Trade Commissioner in London for some time.
 - 2 His motion was "that Rule 105 of the Standing Orders be ~~amended~~ amended to read as follows: the business of the Council shall be conducted in English, but any member may, during a debate, move for leave of the Council to speak in Sinhalese or Tamil". Sessional Paper 22, 1946, (Colombo: Ceylon Government Press, 1946), p. 6.

the Civil or Clerical Service who fails to reach a high standard in Sinhalese or Tamil.

2. That no officer in the Civil or Clerical Service shall receive promotion until and unless he showed proficiency in Sinhalese or Tamil.
3. That no person shall be appointed as Police Magistrate or to preside in higher Criminal Courts unless he proved his ability to conduct and record proceedings in Sinhalese or Tamil."²

The first motion was not adopted owing to the lack of a two-thirds majority and the second lapsed since the Attorney-General had not sent in his report in time before the Council was dissolved in 1935.

However, the Government did not fail to take cognisance of the significance of those two motions though they were not adopted into legal enactments. For example, in the same year when these motions were tabled and debated, the British Government made it compulsory that all civil servants must have a proficiency in both Sinhalese and Tamil as a required qualification for promotion. Before this they were simply encouraged to acquire a knowledge of the language of the country; encouragement being the payment of rewards and sometimes offers of knighthoods. Sinhalese and Portuguese were the languages that were encouraged at the beginning and Tamil was not considered necessary until 1813. Portuguese was given up in 1824.²

1 Ibid.

2 J. R. Toussant, Annals of the Ceylon Civil Service, (The Colombo Apothecaries, 1935), p. 6.

Other attempts at introducing Swabhasha came from Mr. D. P. R. Gunawardana, father of the Marxist left in Ceylon and present minister of Industries. He asked the State Council that in view of the great hardships and injustices attending the loss of accuracy in interpretation and reinterpretation of questions and answers in Court proceedings that business in Municipal and Police courts be conducted in Swabhasha.

He followed this by another resolution to the effect that Police entries must be recorded in the language in which they were originally stated. It does not appear that the Tamil members of the State Council were enthusiastic about these moves.¹ Both Mr. G. K. W. Perera and D. P. R. Gunawardana in their proposals did not ask for a favoured treatment for either Sinhalese or Tamil; they simply wanted a greater use of the national languages. The only difference between the two gentlemen was that while the former wanted the Swabhasha to be started from the top, the other wanted it to begin from below the masses. This difference however is not important since both were united in seeking gradual measures in introducing Swabhasha in place of English.

1 Mr. G. G. Ponnambalam, the spokesman for the Tamils, has always been ambivalent about substitution of Swabhasha in place of English. Whenever he tended to pay lipservice for the Tamil language it was always with an eye for the next election. In the debate on the language motion of May 1944, he drew remarks "Member for Point Pedro (G.G. Ponnambalam) waxed eloquent about that (Tamil) literature; at least presumably he knows something about it by hearsay. Of course he may have read something about it in English." Close observers of his political career conclude that on the language question he would liked to have seen English remain the official language. His knowledge of Tamil is limited to household servants and demogogic speeches at the hustings..

What is important is that these small beginnings set the tone and the direction in which the language movement was to take shape in the coming years. Gradual introduction of Swabhasha, first in a narrow sphere of administration and then in other branches of government, formed the basis of language thought in the minds of the Ceylonese leaders. Even the Trotskyist Lanka Sama Samaja Party formed in 1935, the oldest of political parties in Ceylon had for its maximum language demand 'the use of Sinhalese and Tamil for proceedings in lower courts and for entries in police stations and the gradual extension of this to all government departments.'¹ The change over from English to Swabhasha was not construed in terms of one community wanting to dominate the other, but in terms of national revival on the basis of equality between the English educated and the Swabhasha educated. The word Swabhasha had a unifying force rather than a divisive force at this time. It meant for the Sinhalese as well as for the Tamils a return to their own national language as against the very few (less than 7 per cent) English-educated. Demand for Swabhasha was one aspect of their united opposition to the colonial rule. The only attempt to make Sinhalese alone the official language was in a resolution submitted by Mr. J. R. Jayawardena, the present Minister of State on June 22, 1943, but this resolution was ~~amended~~ amended to include Tamil also when it was finally passed in the State Council in 1944.²

1 Leslie Gunawardene, A Short History of the Lanka Sama Samaja Party, (Colombo: Gunaratne, 1960), p. 4.

2 Hansard, State Council Debates, May 24, 1944, p. 745.

The implementation of this policy - transition from English into Swabhasha was attended with great difficulties¹ and therefore the Government necessarily had to proceed with caution. Change-over in the administration had to be preceded by the introduction of Swabhasha in the educational institutions from which the administration staff is recruited every year. Facilities also had to be provided for those who still didn't have a working knowledge of the national languages. So that, during the decade from 1944 to 1954, while the issue remained well within the control of the Central Legislature, the language movement as such was shifted from the purely political field to the educational field. Achievement of Independence in 1948 did not change the main lines of policy, it only intensified the urgency for the transition as the popular demand gathered momentum.

In 1945 a Select Committee² of the State Council was appointed to inquire into and report on all steps necessary for a smooth switch-over to Swabhasha, without the least disorganization in the machinery of government.

1 Vide Sessional Paper 22, 1946, Sinhalese and Tamil as Official Languages.

2 The Committee consisted of three Sinhalese, J. R. Jayawardene, (Chairman), C. W. W. Kannangara and A. Ratnayake, one Tamil, S. Natesan, one Muslim, T. B. Jayah, and one European, J. H. B. Nihill (Legal Secretary). In some of the meetings, C. Nagalingam, a Tamil acted for the Legal Secretary.

Their assumption was that the use of the national languages as media of administration was closely related to their use as the media of instruction in educational institutions and therefore one could not be isolated from the other. While recognizing the equal status for the Tamil language, they were more concerned about the development of the Sinhalese language on the grounds that, whereas Tamil is spoken by over 30 million in South India, 'one of the best developed and most copious of Indian languages', Sinhalese has no home other than Lanka,¹ and that Sinhalese has suffered irreparable damage owing to centuries of neglect. In the words of the report:

"though (Sinhalese) had been a school subject it has never been treated as a living language in the secondary or higher schools. In the administration of the country, in matters legal and judicial, in commerce and industries, in planting and transport, and even in elected councils of the land, it performs no function of importance."²

They attached tremendous importance to the revival and resuscitation of the language under governmental initiative. They said 'from generation to generation the national languages have been nelegated further and further to the background - a subtle and sinister process that threatens to oust these languages, and reduce Sinhalese, once an elegant and forceful speech, to an insignificant patois.'³

1 Lanka is the Sinhalese word for Ceylon. Vide Sessional Paper 22, 1946, p. 11.

2 Ibid.

3 Ibid.

They made detailed recommendations for a gradual transition from English to indigenous languages and they envisaged a period of ten years for the change-over. They stated that 'no amount of national sentiment can prevent the inevitable result of extinction, unless proper measures are immediately adopted to resuscitate and enrich the language'. They also pointed out the difficulties involved - the vicious circle; 'national languages cannot be made the media of administration and instruction because they are not sufficiently developed. They cannot develop unless they are made the media of administration and thus, become of economic value to those who use them.'¹

The report of the Select Committee of the State Council was accepted by the Government and steps were taken to effect the transition. The Official Languages Commission² in five interim reports³ explained the difficulties, reported the progress so far made (which they considered satisfactory) and laid down the procedures and guide lines for the future. At the end of the financial

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- 1 Most of the arguments of the Report are based on an analysis by J. de Lanerolle. Vide University of Ceylon Review No. 4, (Nov. 1945) The Future Official Languages of Ceylon, pp. 35-43.
 - 2 Appointed on May 23, 1951, the Commission consisted of two Sinhalese and a Tamil. Sir Arthur Wijeyewardene, Q.C. (Chairman), P. C. Villavarayan, (Tamil Member), Julius de Lanerolle, (Sinhalese Member).
 - 3 First report, Sessional Paper 21, 1951.
Second report, Sessional Paper 3, 1952.
Third report, Sessional Paper 15, 1952.
Fourth report, Sessional Paper 8, 1953.
Fifth report, Sessional Paper 18, 1953.

year 1953, the Secretary of the Commission, Dr. N. D. Wijesekera, in an unbounded note of optimism and determination, reported that the progressive introduction of Swabhasha into the administration has been systematic and definite.¹

Meanwhile, in the education field, parallel steps were taken to introduce Swabhasha. In December 1951, a directive from the Ministry of Education ordered that even in English schools, Swabhasha must be progressively continued,² and at the same time a Committee appointed to examine the working of the change-over reported favourably and in addition urged that Swabhasha must go on into the higher grades too.³ This sparked an interminable controversy and protracted debate among educationists. In an attempt to contain the issue the Government appointed another Commission,⁴ this time to examine and report how and when Sinhalese and Tamil could be introduced as media of instruction without impairing the quality of education especially in technical subjects in institutions of higher learning; that is in the Senior Secondary Schools and in the University.⁵

1 Final Report of the Official Languages Commission, Sessional Paper 22, 1953, p. 45.

2 Sessional Paper 10, 1956.

3 Sessional Paper 1, 1954.

4 Commission of Higher Education in the National Languages.

5 Ceylon Government Gazette Extraordinary, No. 10608, Saturday October 31, 1953.

As the educationists and the language commissioners were arguing the pace and feasibility¹ of a complete change over the government attitude was one of go slow and with extreme caution. The position of the government, however, was not an easy one especially in the face of sharply divided reports by the Commission on Higher Education in the National Languages.² However, owing mainly to intense public pressure, the government had to continue the progressive change-over in the schools and, by 1954, Swabhasha had taken the place of English up to Standard VIII, equivalent to Grade VIII here.

In the Administration concession to popular pressure was made by increased recruitment of clerks and other help on the basis of their skill in Sinhalese and Tamil. Government documents and forms too were regularly printed in Swabhasha.³

1 During this period every school Principal had something to say on the medium of instruction in educational institutions. No prize-giving ceremony was complete unless the Principal made a strong plea either for return to English or for a change to national languages.

2 Vide Sessional Paper 10, 1956.

3 Interview with Government Officials. Also Hansard, 1954.

Swabhasha - Point of Conflict

With the progressive introduction of Swabhasha the language movement became nation wide. It was no longer possible to keep it within manageable dimensions. What was earlier a great debate between educationists and Language Commissioners now became a burning national issue. Students taught in Swabhasha in one grade could not easily be introduced into English in the next grade. It generated its own motive force and the progress of Swabhasha had to find its logical conclusion into the Senior Secondary Schools and the University. By 1955, it became clear, even for the Ministry of Education, that the process had to go on unbroken and that the General Certificate of Education Examination¹ must be held in Swabhasha in 1956.²

This is the point at which the Sinhalese and Tamil languages became pitted against each other. Education through Swabhasha meant education through Sinhalese and Tamil. When the language movement reached the General Certificate of Education level, it was clear that recruitment to clerical grades in the public service would have to be from those who had received their education in Sinhalese or

1 This is the equivalent of Senior Cambridge Examination. In Ceylon, this is an attainment test after ten years of primary-secondary education. This is also the minimum qualification to join government service at the clerical level.

2 Vide Ministry of Education Circular dated January 6, 1955, Ceylon Government Gazette (extraordinary) No. 10752 same date.

Tamil. Since seven out of nine provinces in Ceylon are Sinhalese-speaking, this would have had the effect of limiting Tamil employment to the predominantly Tamil-speaking areas of Northern and Eastern Provinces. On the other hand, with the Administration conducted in English, as it had been, Tamils could find employment all over the island. They had indeed secured a greater proportion of employment in the Public Service relative to their total population.¹ Their lawyers, their doctors and their teachers practised through the medium of English all over the island, not to mention their money lenders and business men who concentrated in Colombo and other cities.

Especially for the Tamil from Jaffna his dearest wish and greatest dream was to enter the Public Service which would give him a secure job for life with pension rights and other fringe benefits.² The land in Jaffna is not fertile and remains arid for most of the year and living by cultivation is an uncertain drudgery. There are no natural resources which could be developed nor any large-scale industry which could provide employment. Yet the area is one of the most densely populated and people are able to support themselves only because of the dispatch of money from relatives who work in other parts of the island and in the Straits Settlements.³

1 Vide University of Ceylon Review, XIII, Nos. 2 and 3, (April-July 1955) pp. 113-134.

2 The dowry system is still very strong in Jaffna and government servants fetch the highest in this alluring market.

3 S. F. de Silva, A Regional Geography of Ceylon, Colombo (Colombo Apothecaries, 1954) p. 257

As de Silva says "emigration of the educated and the ambitious persons from the (Jaffna) Penninsula is an illustration of what normally takes place in any land where natural resources are poor and opportunities of earning a livelihood few. In fact immigration from Jaffna to Straits Settlements started quite early around 1867 and in 1947 they numbered 16,783 in Malaya."¹ However, the demand for them in Malaya declined over the years and, consequently, the Jaffna Tamil had no choice but to move on to other areas of Ceylon for employment. In this predicament progressive implementation of Swabhasha posed a definite threat to him. In the words of Mr. C. Suntharalingam² "If the language of examinations for recruitment to the public services is either Sinhalese or Tamil only, the practical result of the policy could be...that for services in what are now said to be Sinhalese speaking areas in Ceylon, Sinhalese candidates will be recruited and for the so called Tamil-speaking areas Tamils or Muslims. This means that there will be discrimination on linguistic grounds for recruitment to the Public Services."³

In 1944, when it was decided to replace English with Swabhasha, there were two points on which there was no clarification. It is in the nature of politicians to be vague on controversial

1 Dr. N. K. Sarka, The Demography of Ceylon, (Colombo: Government Press, 1957), p. 187-188.

2 One of the Tamil politicians and M.P. for Vavuniya for a long time.

3 Ceylon Daily News, August 18, 1955.

issues and more so in an inflammatory issue like the language one where emotion usually prevails over reason. In the first place, there was no mention as to whether both Sinhalese and Tamil were to operate throughout the country or only in their respective ethnic areas, perpetuating and strengthening the communal barriers on a geographical basis, ie. Tamil in Northern and Eastern Provinces and Sinhalese in the rest of the seven provinces. In the second place, the word Swabhasha could mean either one or both national languages. At first however, it came to be applied for both languages and as the divergence between the two communities grew it came to mean, at least for the Sinhalese, one national language. For the Tamils it meant parity of status for both Sinhalese and Tamil as national languages.

In the educational field, the word Swabhasha gathered a definite meaning in the context of learning through mother tongue which of course had been the accepted policy of the government ever since the language movement commenced. In the political platforms it was not so; the ambiguity of the word was fully exploited depending on who was speaking to whom. The point, however, is that at the early stages of the language movement everyone was thinking in terms of English versus Swabhasha and not Sinhalese versus Tamil. "By including the two languages under one generalized term of reference, future contingencies were not discussed. It had the utility of

enlisting both Sinhalese and Tamil communities in the task of removing English from its position of high standing."¹

The United National Party, which dominated the politics of Ceylon from 1948 to 1956, unable or unwilling to face up to the mounting demand for Swabhasha in all spheres of administration and education, made several contradictory statements about the language policy in 1954. Its leader, Sir John Kotelawala in an address in his own electoral riding Dodangaslanda, stated quite definitely that Sinhalese alone will be the official language in Ceylon. But when he toured the Jaffna district in September of the same year, he said not only would he make Sinhalese and Tamil the official languages throughout the country but that he would consider amending the Constitution to effect the change.² If the policy of the government was to dodge the issue³ and avoid a culmination of communal clash in his party and in the island, the Prime Minister's inconsistencies contributed to an entirely opposite effect. His first statement on the language set ablaze the Tamils in the Northern Province; his second the Sinhalese in the South. Literally and metaphorically, language became a burning issue. A clever politician would have considered both statements unnecessary. He went beyond the hitherto accepted policy

1 Wriggins, p. 248.

2 S. W. R. D. Bandaranaike, Towards A New Era, (Colombo: Government Press, 1961), p. 390.

3 Ibid.

of the Government, which was that Sinhalese and Tamil shall be the official languages. When he added the words throughout the country it incensed the Sinhalese whose recognition of Tamil has never been on a par with theirs. Furthermore a change in the Constitution for this was superfluous. The Ceylon Constitution does not mention any language as the official language. English had grown through practice and conduct of governmental business to be the official language. There was no Constitutional provision making it the official language. The logical conclusion of an increased use of the national languages would have given official status for both Sinhalese and Tamil without the luxury of a Constitutional change and the consequent communal clashes and political demagoguery. This is exactly where the Government failed.

Chapter IV

Language in Politics

In the short history of Parliamentary Democracy in Ceylon, rarely has language been the primary issue. The General Election of 1956 is important for many reasons, but the reason for which it is most important is that it marked a new phase in the communal relations of the people of Ceylon with language as the invincible barrier. If the election resulted in a transfer of power from the Western educated, upper middle class United National Party, which had entrenched itself for eight years distributing patronage and pandering to wealth and vested interests, to a coalition led by Mr. S. W. R. D. Bandaranaike preaching socialism and democracy, Buddhism and language in familiar cadences, it also marked the greatest national resurgence in the island's contemporary history. To most people 1956 marked the real transfer of power, the dawn of independence, the age of the common man and the taste of freedom. To them Independence in 1948 was a fake. In strictly political terms, the election of 1956 also rendered the possibility of a social and economic revolution within a parliamentary framework by a government freely chosen under universal franchise. As Wriggins states, "it was not the elective confirmation of a coup d'etat, but a genuine change in leadership effected by the cumulated choice of hundreds of thousands of individual voters"¹

1 Wriggins, Dilemma of a New Nation, p. 327.

By far the most far reaching result of the General Election of 1956 was the widening gulf between the Sinhalese and the Tamils and the exacerbation of the language issue. The United National Party, had tried its best to contain the problem within manageable terms under three Prime Ministers; Stephen Senanayake, his son Dudley Senanayake and his nephew John Kotelawaka,¹ all of these had in their cabinets at least two Tamil Ministers in addition to an indefinite number of junior ministers and others from minority communities. The various contradictory public declarations of the third Prime Minister² on the language question may show his concern, though erratic, to keep the Party together, but not his political acumen. His declaration of intent to make constitutional provision to give parity of status for Sinhalese and Tamil all over the island shows his pomposity, if not his vanity. His cabinet colleagues as well as backbenchers in the Party considered his declaration most ill-considered and inopportune, though it might have been at the behest of some of his Tamil supporters.³ Sir John has never been known for subtlety in political manoeuvre and his party supporters knew it. They thought a declaration of parity for both languages unnecessary and that it should never have been made.

1 Their first names alone speak for their indebtedness to the English language. So does the name of their party, United National Party, (UNP). Even to politicians making speeches, in Sinhalese or Tamil it has always been the UNP (English). The blood relationship of the three men shows the scope of the Party and the basis of support.

2 see above, p. 47.

3 Conversations with Party supporters.

Popular reaction to these declarations¹ was intense and immediate. The Sinhala Jatika Sangamaya² called for a public petition to be signed by everyone, demanding that Sinhalese alone shall be the official language of the country.³ Peradiga Sahitya Sangamaya⁴ passed a resolution calling for 'Sinhalese only', on October 3, 1954. On the fourth of October, 1954, a meeting was held in the Colombo Town Hall to protest against Sir John's parity declaration.⁵ Similar meetings were held all over the Sinhalese-speaking areas to protest against equal status for both Sinhalese and Tamil and also to demand that the Swabhasha policy of the Government must go on uninterrupted. Leading members of the language movement criticized the Government for its heming heming⁶ policy in implementing the change over to the national languages. Mr. L. H. Mettananda,⁷ member of the commission on Higher Education described the Government policy on Swabhasha as a farce.⁸ Yet the surging demand for Swabhasha in educational institutions and in the administration filled the year 1955. The Government of Sir John Kotelawala was on the defensive more than ever. Opposition motions in Parliament in January 1955, though inconclusive, provided fertile ground to criticize the slow implementation of Swabhasha and to spread

1 He had also talked in terms of making both Sinhalese and Tamil regional languages when he went to Delhi in January 1954 to find a solution to the problem of Indians in Ceylon. Vide Towards a New Era. p. 390.

2 Sinhalese National Congress.

3 Lankadipa, 9/11/54.

4 Oriental Literary Congress.

5 Report in Ceylon Daily News, 10/5/54.

6 Heming means slow, when used twice it means slow and vacillating.

7 Former Principal of Ananda College, Colombo.

8 Ceylon Daily New, 1/20/55.

political propaganda on this tendentious issue making it emotionally dangerous and politically explosive. Meanwhile it was reported¹ that the Commission on Higher Education in the National Languages had advised the Government that education in the mother tongue should continue, with a rider from the chairman, that the task of change over would be much easier if it was one language,² meaning of course Sinhalese. Sir E. A. L. Wijeyewardene,³ a respected Ceylonese and retired Chief Justice who headed the Commission, had earlier advocated the same idea for the change over in Government Departments too.⁴ Still the Prime Minister remained reluctant to implement it. Instead he reiterated his support of the parity of status for both Sinhalese and Tamil all over the island and Constitutional change to declare his bona fides. In line with the general vagueness and laxity of terms and usage which characterized the entire language debate, Sir John, in answer to a question from a Tamil member (V. Veerasingam, M. P. for Vaddukoddai), stated in Parliament on September 22, 1955: "...the policy of the Government is the policy laid down by the State Council and followed

1 Ceylon Daily News, 8/29/55.

2 Commission on Higher Education, (Sessional Paper 10, 1956), p. 217.

3 Other members of the Commission were: Professor E. O. E. Pereira, Professor A. W. Mailvaganam, Professor G. P. Malala-sekera, R. S. de Saram, (Warden, St. Thomas' College) and L. J. de S. Seneriratne, (Civil Servant).

4 Final Report of the Official Languages Commission, (Sessional Paper 22, 1953), p. 26.

ever since, namely that Sinhalese and Tamil should be official languages throughout the country."¹ The point is that, in the original resolution, the words "throughout the country" did not appear. It simply said "with the object of making Sinhalese and Tamil the official languages of Ceylon."² The difference is small, but it is important and far reaching. If Tamil was going to be taught only in Tamil-speaking areas, the issue would not have unleashed so much poisonous venom.

Apart from the exclusively Tamil political parties the only other support for giving parity of status for Tamil, along with Sinhalese, throughout the country came from the Trotskyist Lanka Sama Samaja Party and from the Ceylon Communist Party. In an attempt to educate the masses to this end they held public meetings in areas in which they considered they had support. A Communist Party meeting in the Colombo Town Hall on October 12, was broken up and ended in chaos.³ A similar meeting on October 17 at the same place by the Trotskyist LSSP suffered an identical fate and the party leaders had to go home under police protection.⁴ Undaunted, the Trotskyist Leader Dr. N. M. Perera⁵ moved in the House of Representatives a resolution, only two days after the abortive Town Hall meeting, on October 19, to the effect "that in the opinion of the House of Ceylon (Constitution) Order-in-Council should

1 Towards a New Era p. 375, 391.

2 Ibid, also State Council Debates
May 24, 1944, p. 745.

3 Dinamina, 10/13/55.

4 Dinamina, 10/17/55.

5 One of the most respected of Trotskyists in Ceylon, he was first elected to the State Council in 1936. Ever since then he has been active in politics. Vide in passim A Short History of the Lanka Sama Samaja Party.

be amended forthwith to provide for the Sinhalese and Tamil languages to be the State Languages of Ceylon with parity of status throughout the island."¹ Everyone spoke in terms of national unity, but their solutions ranged from one end of the spectrum to the other. Consensus appeared that the issue was an inflammatory one that concerned the whole country and therefore it must be solved by hammering out a formula at a round table conference representing all shades of opinion.² Prime Minister Sir John Kotelawala in this debate made a gallant and reasoned plea for intercommunal co-operation. He said:

"I should however, like to add for the information of both the Sinhalese speaking people and the Tamil speaking people, whose co-operation we need to build a strong, unified and progressive nation in this country, that the party and the Government of which I am the head has reiterated quite recently that Sinhalese and Tamil should be the official languages throughout the country, and we are determined to find a satisfactory solution for any outstanding questions connected with the transition from English to Sinhalese and Tamil in keeping with the fundamentals of democracy. To the Sinhalese speaking people I would say that we lose nothing by being fair by the Tamil speaking people who wish to preserve their culture and their language quite as intensely as we want to preserve ours."³

His Government had the requisite two thirds majority for a Constitutional change to decide the issue one way or the other. Yet he was unwilling to press the motion to a decision.⁴ Perhaps he was not able to carry the party with him or did he lack conviction?

1 Towards A New Era, p. 372.

3. Ibid., Cols. 651 and 652.

2 Hansard 1955-56, Vol. 23, No. 6.

4 Motion lapsed with the end of the session and the dissolution of parliament on Feb. 18, 1956.

If the Prime Minister did not sense the growing opposition to the Government's language policy, members of his party clearly saw what was in store for them if Sinhalese was to be linked on the same footing as Tamil. Mounting dissatisfaction with the Government's economic policy and its inability to deliver the goods especially for the peasantry combined to give the language issue an accentuated importance. Over the eight years of United National Party stewardship, there had not been commensurate industrial or agricultural expansion to absorb the unemployed and maintain standards of living beyond the subsistence level. The Introduction of free education in 1944, and the subsequent developments in this field created a vast army of articulate young people who had no place to go; they found all avenues of employment or gainful occupation barred for them. To them, it had become clear that the Tamils had been deliberately and cunningly packing the Government departments with their own kind. They pointed to the Government clerical service, they pointed to the Ceylon Government Railway, to the medical services and every conceivable area of employment. They found one enemy, the same enemy everywhere - the Tamil. The strident emotionalism of the language issue had its economic base from the very beginning. Unable to provide employment for these people or create conditions necessary for an expanding economy, the UNP Government decided to ride back to power on the same emotional issue.

Meanwhile we find a new and powerful element entering into the language movement. Sinhalese education from time immemorial had been in the hands of the Buddhist monks¹ and the revival of language had its corollary in the revival of Buddhism. In fact the two chapters of Asgiriya and Malwatta,² the powerful seats of leadership in Ceylon among the Buddhist clergy, saw the Prime Minister to explain their point of view. But it was not Sir John who had time to listen to their requests.³ The end result was that the opposition to Government policy on language rose sky high.

In this predicament Sir John decided on a complete somersault, a volte-face on the hitherto accepted language policy. He declared that Sinhalese alone shall be the state language of Ceylon and that immediate action should be taken to implement this decision.⁴ Since this was a radical change from the previous policy a General Election should be held to decide the issue and so the Parliament was dissolved on February 18, 1956.⁵

1 See above, p. 20.

2 These two Chapters, the high priests or the Mahanayakas have generally kept away from politics and at least in the popular mind, have always led exemplary bikkhu lives according to Vinaya.

3 Vide Towards A New Era, p. 392, Sir John Kotelawala revelled in fun and parties. He made several globe trotting trips even for the slenderest excuse. At this time he told the deputation of monks he was on his way to Australia.

4 Silumina, February 19, 1956.

5 Ibid.

As the language movement was transformed from Swabhasha to parity, there were new affiliations and alignments in the political horizon. The nub of attraction for all the dissident elements opposed to the United National Party government centred around the Sri Lanka Freedom Party and its brilliant leader S. W. R. D. Bandaranaike¹ who as the leader of the Parliamentary Opposition, in no small measure helped to bring the language issue into the open. If the Government Party decided the election issue (language) and the timing of it, the opposition made the best capital out of the whole situation.

The Sri Lanka Freedom Party has been the only island-wide, non-marxist political party to oppose the UNP Government. Until its creation on September 2, 1951, the Parliamentary Opposition had been the Marxist left. In 1952 when for the first time, the SLFP contested in a General Election, although the Party was not able to gain many seats, it was able to explain its manifesto which was decidedly pro-Sinhalese in national sentiment.² Although an Oxford product, its leader Mr. S. W. R. D. Bandaranaike, walked and talked in native idiom and in terms of village values. He spoke of Buddhist resurgence, Sinhalese revival and widening the basis of democracy. His message found fertile root among the Buddhist monks, Sinhalese school teachers, Ayurvedic physicians³ and above all among the common folk especially the rural masses. He was too aristocratic to be a marxist and too intelligent to be a ' bourgeois ' capitalist.

1 A short and accurate political biography is found in Wriggins, Dilemma of a New Nation, pp. 119-124.

2 I. D. S. Weerawardana, "The General Elections in Ceylon, 1952."

3 These are doctors who claim to cure the sick by the use of herbs and decoctions. They are still the village doctors and are recognized as such by the Government.

On the eve of the dissolution of Parliament his feelers towards a united front against the UNP had encouraging signs. An All Ceylon Bhasha Peramuna¹ organized and led by W. Dahanayake and S. Chandrasiri, both experienced politicians and effective and eloquent public speakers in Sinhalese, threw their lot with the SLFP, bringing with them their grass root organizations which mushroomed all over the Sinhalese countryside, during the period 1955-56. Mr. Bandaranaike also opened negotiations with the other major opposition parties such as the Trotskyist LSSP, VLSSP² and the Communist Party. He also obtained the support of such independent stalwarts as R. G. Senanayake, (ex Minister of Commerce and Trade under the UNP), Maithripala Senanayake (ex M. P. under the UNP) and several others³ who had been in parliament at one time or another, and who had become disenchanted with their own original affiliations. The SLFP leader S. W. R. D. Bandaranaike, as well as the leader of other left parties had been in politics long enough to know that the UNP successes in the previous elections had been because of the inability of the left to put up a united front against the ruling party. Therefore they were all pre-

1 Bhasha Peramuna (The Language Front) came out directly as a result of the Sinhalese only agitation.

2 VLSSP is a break away from the LSSP, and was led by Phillip Gunawardena who later became a minister under the Bandaranaike Government until his resignation in early 1959.

3 Among others were I. M. R. A. Iriyagolle, T. B. Subasinshe, and Lakshman Rajapakse.

pared to agree to an electoral no contest pact.¹ Attempts at getting a common programme of action however, failed mainly owing to LSSP's position on the language and inner party difficulties centering on ideological differences. The same considerations dominated in the Communist Party leadership too. So that, when the Mahajana Eksath Peramuna (Peoples United Front) was formed on February 21, 1956, it did not include the LSSP and the Communist Party as coalition partners. They were partners only to the extent of avoiding contests between the SLFP candidates and their own.

The Mahajana Eksath Peramuna was forged mainly owing to the energies of S. W. R. D. Bandaranaike and naturally its undisputed leader therefore was himself. It was not exactly a political party. Its main constituent partners were the SLFP, VLSSP, Bhasha Peramuna and the Independents. It was a sort of alliance between these groups who agreed on a minimum programme, which for lack of a better word came to be known as the MEP election manifesto.

Several points in the manifesto are significant. On the language question it stated, "Immediate provision must be made in the Constitution...declaring Sinhalese to be the only Official Language of the country and immediately thereafter the necessary steps taken for the implementation of this provision. This will not involve the suppression of such a minority language as Tamil, whose reasonable use will receive due recognition."²

1 This meant for example a UNP candidate would be contested by one single candidate who had the biggest support among the left parties.

2 Joint Programme of Mahajana Eksath Peramuna, Colombo, March 10, 1956, p. 2.

On the connected question of Buddhism, it stated "while recognizing the position of Buddhism in this country as the faith of a large majority of people, we guarantee the fullest freedom of worship and conscience to all, and accept the position that there shall be no discrimination on religious grounds. We generally approve the recommendations of the Buddhist Committee of Inquiry."¹

Emphasising the priority for economic development, the manifesto explained the need to revise the Constitution, non-involvement in power blocs in foreign policy and re-organization of the island's educational system to meet "to the fullest, cultural and social and economic needs of the country."²

MEP made no bones about their programme being socialistic, nationalistic and radically democratic. It must be mentioned that the programme received a substantial measure of support from Tamil intellectuals, and Trade Unionists³, and other minority leaders. A Tamil-owned and directed newspaper, 'Tribune' came out in full support of the MEP, despite the Peramuna's pro-Sinhalese and pro-Buddhist overtones. Referring to the MEP programme, Tribune described it as a 'comprehensive document which provides a progressive and democratic lead on many burning issues of the day.'⁴

1 Ibid., paragraph 3, Buddhist Committee of Enquiry, see below

2 Vide Joint Programme of the MEP, Colombo, March 10, 1956.

3 They had sufficient faith in Bandaranaike's "reasonable use of Tamil" and intense faith in the need to bring down the UNP.

4 Tribune, 3/15/56.

In contrast the UNP manifesto was designed to ride back to power on the Sinhalese Only nationalist wave. When the UNP did its famous somersault on the Language question, which drew the comment from one of its junior ministers "that no greater bit of chicanery could have been perpetrated in a hundred year",¹ the party lost its entire block of Tamil support. If the UNP was going to change the language policy to one of Sinhalese Only, the Tamil members of the party insisted on a Charter of Fundamental Rights which the UNP high command turned down. In Fact Mr. Natesau, a leading Tamil Minister in the UNP, drew up eleven points in a Bill of Rights mainly for the purpose of protecting the Tamil language and property rights, but again the bill was not accepted by the UNP. What the UNP really wanted was to dramatise their changed policy by just leaving a single resolution without conditions on language at the Eighth Annual Session of February 17 and 18, 1956. All the seven Tamil M. P.s in the Party had resigned before the Annual Sessions and the Sinhalese Only resolution was carried unanimously. It was widely believed that the UNP gave private and confidential assurances to the Tamil supporters of the Party that once they were returned they would go back to their previous Parity Policy on the language.²

1 Towards A New Era, p. 398.

2 Conversations with politicians and journalists in Colombo, 1964.

Clearly then if the foregoing is true, the UNP was simply trying to hoodwink the people. Sincerity among politicians is a rare virtue much sought after. In this case both the Sinhalese as well as the Tamils doubted the bona fides of the UNP.¹

In the UNP manifesto they urged the people to return them to power mainly because of their new language policy. They said the calling of an election prematurely, one year before its full term was precisely for the same reason. The UNP said, "Our party...registered an unanimous vote accepting Sinhalese Only as the State language of Ceylon. This substantial change in our policy must now be endorsed by the electorate. We also require a two thirds majority to alter our Constitution to this effect. In all other respects we shall preserve intact our present Constitution. We shall resist all efforts to divide the country. Even if we are unable to amend the Constitution our first act will be to pass legislation to make Sinhalese the State language."²

It is not a surprise why the UNP did not mention anything about the minority language when one considers their motive behind calling the election. They wanted the people to feel the fullest

1 One has only to read through the debates of the House of Representatives from 1948 to date to realize the epic story of broken promises and unfulfilled pledges. This is not entirely confined to the UNP.

2 Quoted from Times of Ceylon, March 21, 1956.

impact of their policy change and any mention of Tamil would have diluted its effect on the Sinhalese people, they thought. Of course the very tenor of the statement on language is sufficient evidence of their tortured minds. Some of the leading lights of the UNP tried to explain to the Tamil people that Sinhalese Only did not mean denial of language rights to the Tamils.¹ But its conspicuous absence from the Party manifesto only strengthened Tamil fears. On this point at least the MEP manifesto had specific mention that 'Sinhalese Only' will not involve suppression of "such a minority language as Tamil whose reasonable use will receive due recognition."²

The UNP also on several occasions tried to explain in the hustings, especially in Colombo that there was a difference between the State language and an Official language. They envisaged a position where Sinhalese would be the State language while Tamil and English together with Sinhalese would make three official languages. This is of course a matter of definition and making a fine distinction between an Official language and a State language. They pointed out J. R. Jayawardena's famous (then Leader of the House) Sinhalese speech of welcome to the Queen in 1954, when she visited Ceylon which caused so much furor and suprised his Cabinet

1 They cited Section 29, Subsection 2 of the Ceylon Constitution, see below. p. 134.

2 Joint Programme of the Mahajana Eksath Peramuna, p. 2.

colleagues. He then explained that Sinhalese is the State language while other languages are official languages and that his address of welcome to Royalty (Ceylon is still a Dominion) in Sinhalese was in perfect line with the Government's policy of transition from English to Swabhasha.

The UNP however had the most difficult task of explaining what ought to have been mentioned in their manifesto - their position in regard to Tamil. As the election campaign progressed they were at pains to explain this. Prime Minister Kotelawala in several speeches said, "once Sinhalese is made the official language there would still be a place for Tamil and English."¹ Other senior Ministers in his Cabinet went about explaining that minorities need not fear. For example, Mr. Shirley Corea said that substitution of Sinhalese in place of English would not harm the Tamil language. Tamil would still continue to be used as it was before.²

On the question of religion, the UNP was very much restrained, the reason being that the Party contained a large number of non Buddhist Sinhalese and to make a blanket pro-Buddhist declaration would have resulted in alienation of its own supporters. They considered "Sinhalese Only" enough of an emotional issue to swing back to power. They however recognized that Buddhism was the majority religion but, almost in an impersonal note, indicated that

1 Reports in Lankadipa of 2/27/56 and 3/7/56.

2 Times of Ceylon, 3/26/56.

'consistent however with the true principles of democracy' they would continue to uphold the policy of non discrimination on religious grounds. The popular image of the UNP was that it was anti-Buddhist¹ and pro-Catholic.

The LSSP had all along stood for Parity of Status between Sinhalese and Tamil at the height of the Swabhasha movement. During the election campaign they deliberately underplayed the language issue and urged that it should be approached with patience after other pressing problems had been solved, especially those problems arising from the need for economic development and increasing unemployment. They pointed out that they had been advocating Swabhasha from the very beginning unlike the UNP which had been perpetuating English. They said the UNP had no intention of implementing Sinhala Only because they were in secret alliance with Tamil Independents (mostly those who left the UNP when it accepted Sinhalese Only) and if the UNP came into power these Independents would rejoin the UNP and the continuation of English as the language² of the Administration would therefore be inevitable.

The Communist Party of Ceylon considered that Sinhalese should be the State language when it deals with other countries, but within Ceylon there must be parity of status for both languages. At

1 Vide Report of the Buddhist Committee of Inquiry.

2 Lankadipa, 3/26/56.

the same time it recognized the relatively important place Sinhalese¹ must be accorded vis-a-vis Tamil because of numbers. Unlike the² LSSP which did not expand on this parity stand on the language the Communist Party did not beat about the bush, it stated unequivocally³ that both Tamil and Sinhalese must be officially recognized.

- 1 Conversations with the General Secretary of the Communist Party.
- 2 LSSP election manifesto and the party newspapers did not elaborate on the parity principle.
- 3 Mawbima - Sinhalese Weekly of the Communist Party, 2/25/56.

Chapter V

Tamil Parties in the General Election of 1956

The United National Party Government's infamous decision to make 'Sinhalese Only' the State language of Ceylon had profound impact on the Sinhalese-Tamil relations. It was opportunistic and patently short-sighted. While some of the Tamils who had faith in the UNP and who were remote from politics gasped with incredulity, to most Tamil politicians the decision was anticipated. The history of the Tamil participation in building a United Ceylon has been one of the most difficult and tantalizing of political experiments in recent times. On every issue that even remotely touched them, Tamil opposition has been uncompromising and unyielding.¹ As a perpetual minority, traditionally confined to Northern and Eastern Provinces, representing eleven per cent of the total population, their deep and wide psychological fears have been increasing ever since the British were preparing to leave. In 1920 they broke away from the Ceylon National Congress because territorial representation was introduced in place of communal representation.² In 1931, they opposed universal adult sufferage because it would give weightage to the

1 Conversations with Professor F.R. Jayasuriya (University of Ceylon) and Members of Parliament, 1956-59.

2 Wriggins, p. 144

Sinhalese.¹ In 1948 they opposed independence because they were not sure what the future would hold for them.² As the saying goes, they even opposed Ceylon having a national flag.³ Only when the inevitability of Independence became imperative did the Tamils show indulgence and accept the hand of friendship, which had long been offered by Mr. Senanayake, the first Prime Minister, whose vision of a united Ceylon has never been in doubt. His remarks in the debate relating to the National flag on January 16, 1948 are illuminating:

"I would like to say here that if there is any feeling amongst any community, especially the Tamil community that we want to lord it over them, or that we want to get some symbol just to show the superiority of the Sinhalese, it is all wrong, because it was pointed out both in this House and outside that the Sinhalese do not have that intention at all...Even today I can assure you that Sinhalese, Tamils and all people in this country should form one people...There is no question of one community being inferior or superior to any other community. All people have equal rights and we all form one people in this island."

4

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- 1 Vide Donoughmore Report. p.p. 90-93.
 - 2 When the Soulbury Commissioners came to Ceylon (cmd. 6677) in 1945 every political party in the island boycotted them because they would not go far enough to meet Ceylonese demands for Independence. But Mr. G. G. Ponnambalam representing the Tamils made a dramatic appearance before them and asked that a British Commission should visit Ceylon every ten years to review how the natives were ruling themselves. Vide Hansard, Vol. 64, No. 7, Col. 1447.
 - 3 Tamil Members of Parliament were opposed to having the traditional Lion flag with the four Bo leaves. However when the Bo leaves were dropped and instead two stripes were added to placate minority sentiment the issue was settled with only three Tamils voting against it. Hansard, Vol. 9, No. 27, Cols. 1695-1696. (Bo leaves are sacred to Buddhists since Prince Siddhartha is said to have attained Enlightenment at the foot of a Bo tree while in deep meditation and concentration.)
 - 4 Hansard, Vol. 2, No. 8, Cols. 3497-3498.

There was relative peace between the two communities until the end of 1955.

Yet the most significant political development among the Tamils has been their incapacity to go beyond communal affiliations. The Tamil Congress founded in 1944, with the declared intention of resisting the Sinhalese and to promote Tamil cultural and economic interests, even under the benign UNP rule remained a Tamil Congress - a pure and unadulterated communal organization. Its founder G. G. Ponnambalam who continues to be its President, came to be known in the island when he put forward his notorious formula of balanced representation based on the theory of non-domination (fifty-fifty scheme) before the Soulbury Commissioners.¹ The Federal Party which emerged as a breakaway from the Tamil Congress in 1948² is the only other political party which claims to represent the Ceylon Tamils. Its founding father S. J. V. Chelvanayakam who runs the Federal Party even to this day has not explained what he means exactly by a Federal system of government for Ceylon. Polemics over Federalism has not resulted in any elucidation of the principle as applicable to an island of the size of Ceylon.³ Its vagueness, its imprecise form, its lack of detail,

1 See above p. 25 and cmd. 6677.

2 Mr. S. J. V. Chelvanayakam opposed the Ceylon Citizenship Act 1948 because it excluded the Indians in Ceylon while Mr. Ponnambalam, having become the Minister of Industries along with his supporters voted for it.

3 Howard Wriggins' comment is quite relevant here: "A marked characteristic of political debate in Ceylon is the intense feeling that can be mobilized around proposals that are essentially abstract and therefore ambiguous". Dilemma of a New Nation, p. 145.

all combined to limit its appeal as a Constitutional framework in which minority interests would be safeguarded. Its support at this early stage derived mainly from its opposition to the Tamil Congress, which had joined the Government on the invitation of the first two Prime Ministers. The Federal Party has no support from other minorities nor from the Sinhalese and it remains exclusively and essentially a Tamil Communal organization. As Professor Ludowyk says, "It was never clear whether its Federalism was born out of the wish to unite with the rest of the country or separate from it."¹ Mr. Chelvanayakam has always maintained that a unitary constitution would not meet the needs of a plural society with such distinct minorities as the Tamils. He has also embraced the cause of the Indian Tamils in Ceylon plantations and therefore has opposed the Ceylon citizenship Act No. 18 of 1948 which defined citizenship so restrictively, making it difficult for all the Indians in Ceylon to become citizens of Ceylon. He opposed the Ceylon Immigration and Emigration Act No. 3 of 1949 which was a logical corollary to the definition of Ceylon Citizenship and which governed the movement of non-nationals to and from Ceylon. He also opposed the Ceylon (Parliamentary Elections) Amendment Act No. 48 of 1949 which excluded substantial sections of the Indians in Tea Plantations from voting

1 E. F. C. Ludowyk, Story of Ceylon, (London: Faber & Faber, 1962), p. 286.

¹
rights. In his mind all these legislative enactments were directed against the Tamil speaking peoples of Ceylon and were the beginning of Sinhalese nationalism which would ultimately find its expression even in dominating the traditionally Tamil-speaking areas such as Northern and Eastern Province. There is no doubt these legislative enactments were directed against the Indians in Ceylon who happen to be mostly Tamil by ethnic origin. Under the Ceylon Immigration and Emigration Act No. 3 of 1949 as subsequently amended,² the determining feature of citizenship became descent and therefore a largely floating population like the Indians in Ceylon³ it became most difficult to acquire Ceylon citizenship rights. These measures were opposed by the Marxist Parties too, but for different reasons inter alia that in accord with the proletarian internationalism, discrimination against the plantation labour was intolerable. They however added that there should be strict measures to prevent further illegal immigration into the island.⁴ It must be stressed however that while the Federal Party opposed these enactments the rest of the Ceylon Tamils were in favour of them and the general cordiality between the two communities remained unstrained, and issues were not voted upon

1 Vide Nimalasiri Silva, The Problems of Indian Immigration to Ceylon, St. Anthonys Papers No. VIII, (London: Chatto & Windus, 1960), pp. 141-153. Also Wriggins, pp. 224-228.

2 Act No. 37 of 1950, Act No. 45 of 1952.

3 See above pp. 8-11.

4 Hansard, Vol. 5, No. 8, in passim.

exclusively on a communal basis. For example on the Citizenship Bill of 1948, three Ceylon Tamils voted together with thirty-eight Sinhalese and all the Muslim members present, while two Ceylon Tamils, twenty-four Sinhalese and all the Indian members voted against it.¹ Similarly on the Indian and Pakistani (Residents) Citizenship Bill of 1949, six Ceylon Tamils voted with thirty-six Sinhalese and five Muslims for the Bill, while three Ceylon Tamils, all the Indian Tamils and twenty-two Sinhalese voted against it.² The voting pattern on the Ceylon (Parliamentary Elections) Amendment Bill of 1949 was not different. This Bill which became Act No. 48 of 1949 was the logical consequence of the previous two enactments. The whole purpose of Act No. 48 of 1949 was to make Ceylon Citizenship the basic requirement for voting in elections. Previously any British subject who fulfilled certain residence qualifications and not subject to certain other disabilities had the right to vote. The General Election of 1947 which was conducted before Citizenship laws were enacted had the effect of returning seven Indian Tamils from the up country Sinhalese areas and influencing the outcome of fourteen other elections where the Indian Tamils voted for the Marxist candidates of their choice.³

1 Minutes of the House of Representatives, 1948 Session, No. 35, pp. 3 & 4.

2 Hansard, Vol. 5, No. 8, Cols. 591 and 592.

3 Sir Ivor Jennings, The Constitution of Ceylon, 3rd edition, (London: Oxford University Press, 1953), p. 61.

This of course meant the virtual disenfranchisement of the up country Sinhalese who have been driven and crowded out by the plantations.¹ So we see that none of these enactments is discriminatory against the Ceylon Tamil unless it is by affinity and proximity and in fact the Tamil Congress has supported them in and out of Parliament. The Federal Party on the other hand consider that it is their special responsibility to have the Indian Tamils stay in Ceylon and enjoy all the rights and privileges of full citizenship.²

The first time when the Tamil Congress and the Federal Party tried their strength among the Tamils was at the General Election of 1952.³ In this, four out of seven Tamil Congress candidates were returned and the Federal Party's victories numbered only two out of seven. Other Tamil Constituencies were gained either by Independents or UNP supporters. The 1952 Election however, cannot be considered a barometer of the Tamil political pulse owing to the peculiar nature of Tamil politics and the circumstances under which the election was called. In the first place, Tamil politics are well known 'for intensity and the public nature of the personal rivalries'⁴ among candidates and therefore election issues, as such, became less important for the ordinary voter. In any case this election was a consequence of the

1 See above, p. 10.

2 Conversations with Mr. K. M. P. Rajaratne, M.P. for Welimada.

3 In the 1947 General Election the Federal Party had not been formed and Mr. Chelvanayakam, then was a member of the Tamil Congress.

4 Wriggins, p. 144.

sudden death of the first Prime Minister and his son was seeking a mandate to carry on his father's policies, so that real issues of Federalism were not widely canvassed.

The Federal Party came into prominence only with the language issue and had been gaining ground with the UNP's 'Sinhalese Only' somersault, which completely undermined the position of the Tamils who were willing to co-operate with the Sinhalese.¹ As a matter of fact in the 1956 elections, there were no Tamil candidates, who were willing to run under the UNP ticket in contrast to the 1952 election when they were able to nominate eight candidates to run under the UNP banner. The only parties other than the Tamil Congress and the Federal Party that had candidates in the Northern and Eastern Provinces were the Communists and the Trotskyists. The 'Sinhalese Only' decision compelled the Tamils to rally round the Federal Party which had consistently refused to cooperate with the UNP and which had a clear record of personal integrity, though not a big following as yet.² Any party that had anything to do with the UNP or with the SLFP were shunned by the Tamils. There was an utter lack of confidence in the Sinhalese leadership and the Tamils turned to the only party that was unsullied by Sinhalese contamination, the Federal Party.

1 Ibid. p. 145.

2 Weerawardana, I. D. S., General Elections in Ceylon, 1952, The Ceylon Historical Journal, (October 1952), pp. 111-178.

The Election Issue for the Tamils

By the time the 1956 Election was called the gulf between the Tamil Congress, the Federal Party and the Independents had become so wide that the attempts at a United Front among themselves to resist the Sinhalese ended in failure. The propaganda value of these attempts, however, was in the Federal Party's favour which had adopted an extreme anti-Sinhalese position. It declared that if 'Sinhalese Only' were made the official language it would mean that the Sinhalese would be a master race with the Tamils relegated into a position of subject race and that economic exploitation of the Tamils by the Sinhalese then would be complete.¹ The Federal Party has always objected to the Government's agriculture and land policy. The North Central Province of the island had been the granary of the ancient Sinhalese with its spectacular system of irrigation that helped successful paddy cultivation. With the successive waves of invasions from the South India Kingdoms of Chola and Pandya, these areas were abandoned and the population drifted to the South West of the island leaving the once fertile land to the mosquito and the invading Tamil.² Tamils however concentrated on the Jaffna Peninsula and the entire area which is now the North Central Province became a vast area of uncultivated scrub land; a sort of no

1 Times of Ceylon, 2/18/56.

2 See above chapter I.

man's territory which effectively kept the Tamils of the North away from the Sinhalese of the South. Similarly in the Eastern Province broad acres of uncultivated arable land belonged to the crown. The first two Prime Ministers, the father and the son, before they were elevated to 'primus inter pares', had both been Ministers of Agriculture and Land and they launched a massive scheme of bringing these areas under cultivation and settlement, popularly known as colonization projects, which are being continued to the present day. The Tamils did not object to the colonization as such, but they objected to the Sinhalese being re-settled in these projects. It must be mentioned that the Government did not adopt a policy of discrimination according to ethnic origin in the selection of settlers. It happened that the Sinhalese formed a majority of colonists numerically (as in total population of the island) and the Tamil fears of Sinhalese expansion began to grow, especially in the Eastern Province which had been traditionally considered a Tamil-speaking area. Since these 'colonization projects' were naturally sponsored with much cost to the taxpayer, the Government did not think in terms of linguistic areas. Land hunger being a common problem in Ceylon,¹ pressure from members of Parliament to re-settle the landless from their respective electorates in the colonization projects loomed high. Especially in the

1 Vide in passim, Administrative Reports of the Department of Land and Land Development, (Colombo: Government Press) 1948 to 1956.

case of the Gal Oya Valley re-habilitation scheme,¹ which was the showpiece of the UNP land policy, there was much objection to the introduction of colonists from the Sinhalese speaking areas. As the number of colonists increased, so did the opposition from the Federal Party. It could not countenance a policy that would erode Tamil majorities in these areas. If the Federal Party had in mind a Federal Constitution based on a linguistic basis, it was quite likely these areas would consequently become Sinhalese-dominated and opt out from a possible Tamil Linguistic State in a Federal set up. Therefore the Federal Party branded the Government's land policy as a state-sponsored infiltration of the traditional Tamil homelands by the Sinhalese. Federalists also argued that, since Independence, the Public Service had been closed to the Tamils and in employment there was general discrimination against the Tamilians.² This charge, of course, has been refuted by S. Namasivayam, himself a Tamil, when he writes, "The composition of the Public Service Commission in the same period (1948-55) was non-communal and, although there have been suggestions that attempts have been made by responsible politicians to influence its members, public service recruitment by this body has been generally equitable."³

1 Run by an independent Board called the Gal Oya Development Board, Within the first five years of its operation, it brought under resettlement 65,000 acres of land with over 5,000 families. Annual Reports, Gal Oya Development Board, 1954-55, (Colombo: Ceylon Government Press, 1956), pp. 4, 11.

2 Conversations with Dr. E. M. V. Naganathan of the Federal Party. Also see I. D. S. Weerawardana, Ceylon General Election, 1956, (Colombo, Gunasena, 1960), p. 183.

3 S. Namasivayam, Parliamentary Government in Ceylon, 1948-1958, (Colombo, K.V.G. De Silva, 1959), p. 96.

If exaggeration is a literary form, its application to describe Sinhalese-Tamil relations only helped to increase mutual mistrust and suspicion. Federalists put forward such incredible stories that marks in competitive examinations were surreptitiously distorted to take in more Sinhalese to the Public Service.¹ Each community saw the same facts in a different way. As Dr. Weerawardana says, "The Sinhalese thought that the proportion of Tamils in the Public Service was six times the number its population warranted although in actual fact it was about three times."² and this was due to unfair advantages the Tamils enjoyed and the communalism of their senior officers. There was no getting away from the canker of communalism.

As the election campaign progressed, ideas on Federalism became no clearer than before and the vagueness of the term still remained, with the result that Federalism came to be explained in terms of candidates' personal understanding of it rather than as a Constitutional formula worked out by the Party. Its official name is Ilankai Tamil Arasu Kadchi (ITAK). The word Arasu was used in an ambiguous sense and gave rise to much confusion as to what exactly the Federal Party meant by it. They explained that Arasu

1 Weerawardana, p. 183.

2 Ibid.

meant Federal Government, but the direct meaning of Arasu is kingdom.¹ So that when translated into Sinhalese or any other language it meant Tamil Kingdom of Ceylon Party. The Tamil word for Federal is Samashdi and this was not used in the Party's official statements.² Federal Party leader Chelvanayakam, however explained that ITAK was not conceived as one striving towards a separate Tamil kingdom, but only as an autonomous Tamil state within a federated Ceylon.³ But the statements of other top men in the Party had different connotations. For example Mr. Rajavarothiam is reported to have said that he hoped Ceylon would follow Pakistan's lead in arriving at a final solution to the problem.⁴ Mr. Vanniasingham, another senior politician in his party, is reported to have explained that Tamil Arasu meant the creation of a separate state like the Tamil-speaking state of Madras in India, applied to Ceylon conditions, which would either be independent or form a federal unit.⁵

The Tamil Congress has been from the very beginning opposed to a Federal System of Government for Ceylon, and much of the election campaign in the Northern Province and in the Eastern Province,

1 Conversations with the officials of the Ceylon High Commission in Ottawa.

2 Tribune, 2/26/56.

3 Morning Times, 2/28/56.

4 Times of Ceylon, 3/27/56.

5 Morning Times, 3/26/56.

while demanding parity of status for both languages throughout the country, centred round the merits and demerits of a Federal formula for Ceylon. Those Tamils opposed to the Federal Party, including the members of the Tamil Congress, stated that a solution to the language problem, as well as to other problems arising from colonization schemes, must be solved with the support and good will of the majority community. The Federal Party on the other hand pledged non-cooperation with any government that did not grant parity of status for the two languages and put an end to the preponderance of Sinhalese in the colonization schemes of the Northern and Eastern provinces.

The philosophical foundations, if any, in the political thinking of the Federal Party were based on the archaic if limited and misinformed theory that a people speaking one language or closely related dialects form one nation. Therefore the Sinhalese and the Tamils are two nations and are necessarily antagonistic to each other. Unless they are kept separate, according to them, the Tamils will be driven to oppression and exploitation by the majority 'nation'. A pamphlet put out by the Federalists called the "Tamilians in Ceylon and a Federal Constitution"¹ containing this argument is reported to have

1 Weerawardena, p. 183.

found wide circulation among the Tamils in Jaffna,¹ during the election campaign. In any case the assumption that the Tamils in Ceylon form one nation has to be construed, at best, as an aspiration, since at no time in the long history of Ceylon have they been regarded as a separate nation² in this limited sense or in any other sense.

It is no doubt legitimate for those who cherish common historical traditions and who constitute or think they constitute a distinct cultural entity to regard themselves as a nation without an organized sovereign state of its own, but its realization through a political unity manifest in the machinery of the state is quite another thing. The aspirations of the Federalists were in this case directed towards both, the achievement of a separate nationhood as well as political power to back it up.

Muslims³ in the Eastern Province did not look kindly on this idea at all. While some of them supported 'parity' on the language issue most of them opted for 'Sinhalese Only' and none of the Muslim leaders were willing to accept a Federal Constitution to win language rights. As Senator A. M. A. Azeez, one of the Muslim leaders who spoke for 'parity' stated, "This theory of a Tamil-speaking nation is historically inaccurate and politically mischievous..."

1 Ibid.

2 See above pp. 1-4, 19-20.

3 They speak the language of the area and in Eastern Province there are a little over 25,000 Muslims. See above p. 5.

"...There are at least two distinct communities (in the Eastern Province) whose language is Tamil and they are the Tamils and the Muslims. While language and citizenship unite these two communities ...religion and culture separate them."¹

Even the Indian Tamils, whose cause the Federal Party had been only too willing to espouse from the very beginning, were hesitant in supporting them. Indians in Ceylon have been suspected by some Ceylonese politicians of being a potential South Indian fifth column,² should the Tamil speaking Dravidian states break away from the Indian Union. Therefore the Indian Tamils in Ceylon plantations exercised great care and caution in committing themselves to any sectarian party. The Federal Party however was accused of collecting money from the Indian businessmen on the pretext of championing their cause.³ The Indian Tamils were not willing to be a party to a Federal system which would still leave them in the Sinhalese areas with neither their support nor sympathy.⁴

1 Tribune, 6/16/56.

2 Wriggins, p. 228.

3 Weerawardana, p. 199.

4 "The agitation regarding this question is sponsored by the Tamils of Jaffna and Batticaloa. The Tamils with an Indian ancestry are not taking part...Many of them speak Sinhalese well and their Tamil has deteriorated...A separate Tamil Nad (state) makes no appeal to them." Tribune, 2/9/56.

Even after six weeks of campaigning the Federal formula remained an amorphous and formless thing. So much so the Tamil Congress leader Ponnambalam was constrained to say that Federal Party merely stood for Federation.

"It has not been placed before others of my way of thinking, or for that matter of the Sinhalese precisely what this Federal State is...But let it be clearly understood that you cannot hope to have the intellectual support of any right thinking Tamil unless you have the guts to go out in the open and put down in detail what your federal constitution is."

1

Emotional appeal to communalism alone sustained its growth.

1 Hansard, Vol. 24, No. 4, Col. 235.

Results and Significance

The language agitation of the two communities aroused
 * deep communalism and the results of the General Election showed its latent appeal to the voter. Both the major parties, that is the UNP and the SLFP had promised 'Sinhalese Only' and the task of the voter was to decide who was more genuine. In this regard the record of the UNP had not been all that spectacular and the need for a change of government was felt by every section of the people. Since Mr. Bandaranaike, the leader of the SLFP who headed the MEP coalition had been an advocate of Sinhala with ~~reasonable~~ use of Tamil for a long time and the revival of Buddhism, he rode into power with a landslide victory. He had the most powerful support of the Bhikkus who had organized themselves into a Eksath Bhikku Peramuna¹ and who went from door to door canvassing against the UNP.² The results of the election were not ambiguous as they gave an overwhelming vote of confidence for Mr. Bandarahaike and a clear majority for the MEP coalition which he led.

1 The United Bhikku Front was formed to urge the Government to implement the recommendations of the Buddhist Committee of Inquiry, which the MEP approved and promised its implementation once it was returned to power.

2 Vide Wriggins, pp. 342-348.

* The word communalism in Ceylon means communal antagonism and the word is used here in that sense.

The Results of the Election

Party	Candidates	Seats Obtained	Seats Gained	Votes
M.E.P.	60	51	40	1,046,277
U.N.P.	76	8	0	738,810
L.S.S.P.	21	14	9	274,204
Federal Party	14	10	8	142,758
Communist Party	9	3	1	119,715
Ceylon Labor Party	4	0	0	18,033
Tamil Congress	1	1	0	8,914
Independent	64	8	7	298,536
				<hr/> 2,647,247

Other factors that emerge from the election are that the UNP suffered a crushing defeat, only gaining eight seats, and that the Federal Party emerged as the effective spokesman for the Tamils in Parliament. The two Marxist parties increased their number of seats, but what is significant is that only one candidate from the Communist Party was able to win a seat in the predominantly Tamil speaking areas of Northern and Eastern Province. The LSSP, by far the most influential of the Marxists in Ceylon and a Party that had consistently advocated 'Parity of Status' for both Sinhalese and Tamil throughout the island, failed to gain any seats in the Tamil speaking areas. Even the solitary victory of the Communist candidate in Jaffna¹ is attributed to his personal standing rather than his political affiliations.

¹ Conversations with Party leaders; see also Hansard (Senate) 1965-66 Session Vol. 22, No. 35, Col. 3761.

Neither the MEP nor the UNP fielded candidates in the Tamil-speaking areas. This marked a reversal of the trends manifested in the 1947 and 1952 elections when major political parties attempted to absorb Tamil political interests and thus claim to be truly national in scope and basis of support. As it happened, it was only the Marxist parties that were able to go beyond the purely ethnic demarcation and claim to being truly national.. Since the public mood became focused on the language issue, political parties competing for control of Government machinery increasingly depended on success in Sinhalese areas, with the result that the party organizational links, (except in the two Marxist parties) which had been forged since Independence in 1948 with the Tamil speaking North and East, snapped. Tamil parties became divorced from national parties quite in contrast to previous General Elections, when issues of national or island wide importance appeared to transcend ethnic or linguistic barriers.

The Federal Party's victories were due mainly to Tamil suspicions of Sinhalese intentions. Though the Federal Party became the Party with the largest number of Tamil seats in the House of Representatives it did not gain a majority of Tamil votes either in the Eastern Province or in the Northern Province.¹ Its ten seats were gained by a total of 141, 936 votes while the anti-Federal

1 Weerawardana, P. 240.

opposition polled 146,541 votes to gain only six seats.¹ This is more significant considered in the light of the resignations of two Muslim MPs from the Federal Party in the Eastern Province almost immediately after the election.² For some of the Muslim candidates it was necessary at the election time to join the Federal Party since their electorates were peopled partly by the Tamils and partly by the Muslims. A case in point is that of Kalmunai. Gate Mudaliyar Kariapper won that electorate with the help of the Tamil and especially Federal Party support although he had been lukewarm in his acceptance of Federalism.³ He later joined the Government and accepted the language policy of the MEP.⁴ So it is not possible to conclude that every vote cast for the Federal Party was a vote in favour of a Federal system for the island. The votes for the Federal Party were more a vote of non-confidence in the former representatives of the Tamil people, than a mandate for Federalism. "The Federal Party made a virtue of its non co-operation with the UNP which had been discredited when it changed its language policy."⁵ At the conclusion of the

1 Ibid., p. 221.

2 Ibid., p. 222.

3 Ibid., p. 198.

4 Ceylon Newsletter, Embassy of Washington, D.C., October 1, 1956.

5 Weerawardana, pp. 240-241.

General Election when the results were announced there was no statement from the Federal Party on its future cause of action. However the MEP leader, S. W. R. D. Bandaranaike, even before the results of all the electorates were announced, implied a guarded invitation¹ to the Tamils to join him when he said, "While naturally carrying out the policies and programmes for which we have received a mandate from the people, I take this opportunity of assuring all minorities, religious and otherwise, of justice and fair play, and the people of the country, whether political opponents or not, of equal treatment without any petty spite or attempt at vengeance."²

1 Conversations with SLFP leaders.

2 Bandaranaike, statement to the Press. Quoted from the Ceylon News Letter, Embassy of Washington, D.C., April 9, 1956.

Chapter VI

Language Legislation and the Federal Party
non-violent, non-co-operation, (Satyagraha)

There were no members of the Tamil Community willing to accept office under the Bandaranaike Government. Any attempts by individual Tamils to join his Cabinet were effectively kept away by the Federal Party extremists.¹ Sinhalese extremists on the other hand demanded that the Government should follow the legitimate democratic practice of implementing the election pledge of making Sinhalese the official language. They also pointed to the fact, and the Prime Minister concurred, that any member whether Tamil, Muslim or Burgher joining the Cabinet must accept the Government policy on all matters, not excepting 'Sinhalese Only'.

Mr. Bandaranaike, having failed to get any of the Tamil members to join his Cabinet, however was willing to consider their demands though only on the basis of one official language. He referred to the "reasonable use of Tamil", details of which would be worked out later, as meeting their legitimate language rights. On every occasion he addressed the nation, his theme was one of assuaging the fears of the minorities. As a matter of fact the very day he formed

1 Mr. Nagalingam a Tamil and former acting chief Justice of Ceylon appeared with the Prime Minister at several of the State functions, but at the last moment he dropped out because a condition of acceptance was that he should accept Government policy of Sinhala Only.

the Government, April 11, 1956, he told the nation:

"I once again wish to assure all sections of the people including racial, religious and other minorities as well as political opponents that in giving effect to the policies and programmes for which we have received a mandate from the people, we shall extend justice and fair play to all and observe the best traditions of democracy in the letter as well as the spirit."¹

Again at his first Press Conference held on April 23rd, which became a weekly feature for a long time, he came back to the same theme.² He said that legislation to make Sinhalese the official language would soon be introduced and it would contain references to the use of such languages as Tamil. On the question of a Tamil being appointed to his Cabinet he said that once the language question was out of the way there would be much amity and co-operation between the various communities.³ None of these predictions came true, but he hoped and tried his best.

The language policy of the Government was given statutory expression in the Official Language Act No. 33 of 1956 and the Tamil Language (Special Provisions) Act No. 28 of 1958. The first Act, "an act to prescribe the Sinhala Language as the One Official Language of Ceylon and to enable certain transitory provisions to be made" received its assent on July 7, 1956. It was brief and straightforward. It read

1 Ceylon News Letter, April 23rd through May 7, 1956, p. 7.

2 Ibid., p. 11.

3 Ibid., p. 12.

in extenso:

"Be it enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Senate and the House of Representatives of Ceylon in this present Parliament assembled, and by the authority of the same, as follows:--

Short Title

1. This Act may be cited as the Official Language Act, No. 33 of 1956.

Sinhala language to be the one official language

2. The Sinhala language shall be the one official language of Ceylon:

Provided that where the Minister considers it impracticable to commence the use of only the Sinhala language for any official purpose immediately on the coming into force of this Act, the language or languages hitherto used for that purpose may be continued to be so used until the necessary change is effected as early as possible before the expiry of the thirty-first day of December, 1960, and, if such change cannot be effected by administrative order, regulations may be made under this Act to effect such change.

Regulations

3. (1) The Minister may make regulations in respect of all matters for which regulations are authorised by this Act to be made and generally for the purpose of giving effect to the principles and provisions of this Act.

"(2) No regulation made under sub-section (1) shall have effect until it is approved by the Senate and the House of Representatives and notification of such approval is published in the Gazette."

The second Act, "an act to make provision for the use of the Tamil language and to provide for matters connected therewith or incidental thereto" received its Assent on September 4, 1958. In contrast to the brevity of the Sinhalese Only Act, this one accords a special legal position for the Tamil language and is set out in detail. The Act reads:

"Whereas the Sinhala language has been declared by the Official Language Act, No. 33 of 1956, to be the one official language of Ceylon:

And whereas it is expedient to make provision for the use of the Tamil language without conflicting with the provisions of the aforesaid Act:

Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Representatives of Ceylon in this present Parliament assembled, and by the authority of the same, as follows:--

Short Title

1. This Act may be cited as the Tamil Language (Special Provisions) Act, No. 28 of 1958.

Tamil Language as a medium of instruction

2. (1) A Tamil pupil in a Government school or an Assisted school shall be entitled to be instructed through the medium of the Tamil language in accordance with such regulations under the Education Ordinance, No. 31 of 1939, relating to the medium of instruction as are in force or may hereafter be brought into force.

(2) When the Sinhala language is made a medium of instruction in the University of Ceylon, the Tamil language shall, in accordance with the provisions of the Ceylon University Ordinance, No. 20 of 1942, and of the Statutes, Acts and Regulations made thereafter, be made a medium of instruction for students who, prior to their admission to such University, have been educated through the medium of the Tamil language.

Tamil language as a medium of examination for admission to the Public Service

3. A person educated through the medium of the Tamil language shall be entitled to be examined through such medium at any examination for the admission of persons to the Public Service, subject to the condition that he shall, according as regulations made under this Act in that behalf may require,--

- (a) have a sufficient knowledge of the official language of Ceylon, or
- (b) acquire such knowledge within a specified time after admission to the Public Service:

Provided that, when the Government is satisfied that there are sufficient facilities for the teaching of the Sinhala language in

schools in which the Tamil language is a medium of instruction and that the annulment of clause (b) of the preceding provisions of this section will not cause undue hardship, provision may be made by regulation made under this Act that such clause shall cease to be in force.

Use of the Tamil language for correspondence

4. Correspondence between persons, other than officials in their official capacity, educated through the medium of the Tamil language and any official in his official capacity or between any local authority in the Northern or Eastern Province and any official in his official capacity may, as prescribed, be in the Tamil language.

Use of the Tamil language for prescribed administrative purposes in the Northern and Eastern Provinces.

5. In the Northern and Eastern Provinces the Tamil language may be used for prescribed administrative purposes, in addition to the purposes for which that language may be used in accordance with the other provisions of this Act, without prejudice to the use of the official language of Ceylon in respect of those prescribed administrative purposes.

Regulations

6. (1) The Minister may make regulations to give effect to the principles and provisions of this Act.

(2) No regulation made under sub-section (1) shall have effect until it is approved by the Senate and the House of Representatives and

notification of such approval is published in the Gazette.

This Act to be subject to measures adopted or to be adopted under the proviso to section 2 of Act No. 33 of 1956.

7. This Act shall have effect subject to such measures as may have been or may be adopted under the proviso to section 2 of the Official Language Act, No. 33 of 1956, during the period ending on the thirty-first day of December, 1960.

Interpretation

8. In this Act unless the context otherwise requires--

"Assisted school" and "Government school" shall have the same meaning as in the Education Ordinance, No. 31 of 1939;

"local authority" means any Municipal Council, Urban Council, Town Council or Village Committee;

"official" means the Governor-General, or any Minister, Parliamentary Secretary or officer of the Public Service; and

"prescribed" means prescribed by regulation made under this Act."

Had the two bills been introduced together, there was a great possibility that much of the bitterness between the Sinhalese and the Tamils, which characterized the entire Bandaranaike rule could have been avoided. This however is to over-simplify the case. The nationalist forces that swept Mr. Bandaranaike to power then would have to be written off. The year 1956 coincided with the 2500th

anniversary of Buddha's death (Parinibbana) and the Government's policy even under the UNP had been to celebrate it fittingly. For this purpose, as the Buddha Jayanthi¹ approached, the UNP set about for a grand and impressive action and created the Bonddha Mandalaya² which was to dispense money and support for the Buddhist revival.³

Since the Sinhalese language has been interwoven with Buddhism through the ages⁴, religious revival merely accelerated the language movement, resulting in a Sinhalese-Buddhist nationalism which effectively checked any reasonable concessions to the Tamils. This also accounts for the failure of the agreement between the Prime Minister and the Federal Party, popularly known as the Bandaranaike-Chelvanayam Pact, which was designed to grant regional autonomy for the Tamils by a system of administrative decentralization.⁵ The Federalists who alone could have taken decisive action to allay the fears of the Tamils remained ambivalent. The total effect was one of communal rioting and expressions of uncontrolled passion on both sides which the island had never experienced before. In fact both pieces of language legislation were pushed through under emergency conditions.

1 2500th Anniversary Celebrations of the Buddha's death.

2 Buddhist Council: in this context it means a sort of Government ad hoc organization with semi-autonomous powers.

3 Wriggin, p. 194.

4 Dr. G. C. Mendis, Ceylon Today and Yesterday (Lake House, Colombo, 1963) p. 160.

5 Ceylon News Letter, How the Language Pact came to be Abrogated, July 10, 1958, p. 2.

Sinhalese-Tamil relations remained completely strained during the eight years of the Bandaranaike regime.¹ The Federal Party never ceased its agitation for an autonomous Tamil Linguistic State within a Federal Union of Ceylon. They also kept urging Tamils to neither learn nor speak Sinhalese and to transact their business in Tamil, and if necessary in English.² The Sinhalese on the other hand led by the Eksath Bhikkhu Peramuna opposed the Tamil language being recognized even on a regional basis.

Despite it all, Prime Minister Bandaranaike was not insensitive to the Tamil language rights. In fact the sub-committee appointed to draft the first language bill had within its fold a Tamil, J. N. Arumugam, a Muslim, Badurdeen Mohamed and a Burgher, R. S. V. Poulier.³ Their draft contained specific provisions for the use of the Tamil language and its future role.⁴

However the Prime Minister failed to convince his parliamentary following and a substantial section of the supporters in the country. Among the latter, the Jatika Vimukthi Peramuna (National Liberation Front) led by K. M. P. Rajaratne, M. P. for Welimada, and a prominent university professor, F.R.Jayasuriya, Head of the Department of Economics, University of Ceylon, spoke bitterly

1 April 1956 to December 1964.

2 Times of Ceylon, June 26, 1956.

3 Ceylon News Letter, May 7, 1956.

4 Wriggins, p. 260.

against such provisions. They were opposed to allowing persons educated in Tamil or English being taken into the Public Service through examinations conducted in these languages; they were against local bodies being given the right to conduct their business in the language of their choice.¹ The Bhikkhus, most of them from the Eksath Bhikkhu Peramuna, were only too willing to support the forces led by K. M. P. Rajaratne and F. R. Jayasuriya. The Prime Minister, unwilling to displease his supporters in the country and to avoid defections in his parliamentary group, abandoned the specific provisions contained in the sub-committee's draft and simply introduced the Sinhalese Only Bill on his own assurance to the Tamils and other minorities that in its implementation no hardship would be caused to anyone since it would be a subject allocated to his own ministry.²

The Prime Minister was also aware that the change-over from English to Sinhalese would take, although stated as such in the bill, more than four years. At the second reading of the bill he made this point quite clear:

"that is our intention, as far as possible, to make that change whenever possible but if, in the course of our proceedings in implementation, we find on sufficient grounds and data that the change over just cannot reasonably be made during that time we will not hesitate to come before the House and the country for passing the necessary amendments to the Bill with the facts before us. We are not establishing any law of the Medes and the Persians in this matter."³

1 Writer's correspondence with Jathika Vimukthi Peramuna.

2 Towards A New Era, p. 421

3 Ibid. p. 420.

Meanwhile every attempt of the Prime Minister to translate his assurances to the Tamils into precise legislative provisions were effectively balked by his opponents in the House as well as by the ardent spokesmen of the Sinhalese cause such as the Eksath Bhikkhu Peramuna and the Sri Lanka Sansha Sabha.¹ The Jatika Vimukthi Peramuna and Professor F.R.Jayasuriya were only too willing to provide the leadership.

For the Tamils, the Federal Party was unyielding in its demand for a Federal Constitution, parity of status for Tamil along with Sinhalese all over the island, simple residence requirements for citizenship for Indian Tamils and the cessation of all Sinhalese colonization in the traditionally Tamil-speaking areas of the North and Eastern Provinces.

A speech made by a Federal Party M.P.² at Chenkaladi was clearly incendiary. As reported in the Sunday Observer of April 13, 1958, he was giving the signal for a civil disobedience movement of the Gandhian type when he declared:

"that the Tamils in India, Africa, Malaya, and Ceylon are struggling for freedom, but in a few years I can boldly say that a birth of a Tamil nad will take place, and all Tamils will live peacefully under one flag. In a separate Nad only we could preserve and develop our language, culture and religion."³

1 Times of Ceylon, July 27, 1957.

2 Mr. Rajadurai.

3 Quoted in Ceylon News Letter, April 23, 1958, p. 3.

If these were the objectives the Federal Party was fighting for, the country was indeed being plunged into a grave situation. Sinhalese reaction to it was only matched by Tamil insurgency in the form of civil disobedience. Communal rioting spread and it cost the lives of 157 people, both Sinhalese and Tamil.¹

The twenty-six months that lapsed between the first language act (The Official Language Act: No. 33 of 1956) and the second (The Tamil Language (Special Provisions) Act: No. 28 of 1958) were largely taken by negotiations between the Federal Party and the Government. The only result of these protracted negotiations was the abortive Bandaranaike-Chelvanayakam Pact of April 1957. Both sides accused the other of bad faith and the Bandaranaike-Chelvanayakam Pact (agreement between the Federal Party and the Government) was abrogated even before its detailed provisions were worked out. It however helped in some ways to crystallize the more basic issues between the Sinhalese and the Tamils and these were later incorporated in the Tamil Language Special Provisions Act No. 28 of 1958. The federal system of government for Ceylon was totally rejected and Tamil as the language of a national minority was legally accepted.

1 A detailed account of the communal disturbances of 1958 is found in the short if opinionated book written by Tarzie Vittachi, Emergency '58, (London, Andre Deutsch, 1958).

Chapter VII

Implementation of the Language Policy

During the eight years of Bandaranaike rule (April 1956 to December 1964), there was a steady introduction of Sinhalese in place of English. A new Department of Government called the Official Language Affairs under the Prime Minister was created in early 1956. It was to plan and direct the change over from English to the Official language and oversee the production of text books, glossaries and the translation of documents and to conduct training classes in the Official Language for Government Officers not conversant in Sinhalese or Tamil.

The change over was calculated to be smooth and the first Administrative Order published in Gazette notification July 7, 1956 set the tone. The effective part of it read "where any language or languages has or have hitherto been used for any official purpose, such language or languages may be continued to be used until the necessary change is effected."¹ The position was further elucidated by a communique issued by the Official Language Department in November. It said that an officer recruited before the passing of the official Language Act should not be forced to adopt Sinhalese as the language in which he was to carry out his duties. These officers should not be allowed to retire without compensation for loss of career. They would be found employment in the Public Service through the medium of English

1 Government of Ceylon Gazette, Notification No. 10949 of July 7, 1956.

until their period of retirement was reached. According to this
communique:

"Every such officer should, however, be allowed to apply
for retirement and, if permission was given, it should be on pension
for the period during which he has served but without compensation
for the loss of career. Permission should not be given if the
Officer's services were needed by the Government.

The requisite number of additional officers familiar with
Sinhalese should be recruited into the Public Service to assist the
old-entrants in translation, etc."¹ A cash bonus (three additional
increments for those over 45 and two for those below that age) should
be provided on their passing a prescribed test before July 1960.
Acquiring the proficiency was a matter for the officers themselves.
That rule should not be available for those who had been recruited,
for their proficiency in Sinhalese, e.g. Translators, Interpreters, etc.
The test should be worked out by the Department of Official Language
Affairs in collaboration with the Ministry of Finance.

The communique explained that all future entrants must
subscribe to the provisions of the Official Language Act and any rules
that now existed or might be introduced in the future for giving effect
to the language policy of the Government.

1 Ceylon News Letter, November 19, 1956.

The medium of examination for recruitment into the Public Service should be linked to the educational policy of the Government and to the various stages reached with regard to the languages in the process of putting that policy into operation.

A candidate should be allowed to take up the competitive test for entrance into any grade of the Public Service in the language through which he passed the qualifying examination.

English should serve as a useful way out during the period of transition if unforeseen difficulties were to arise. All new entrants who qualified through English or Tamil should learn Sinhalese and the Government should provide them with facilities for study.

New recruits should reach the prescribed standard of efficiency within three years of appointment. Confirmation would depend on that. Those recruits who failed to reach the prescribed standard in three years should not be discontinued if there were indications that a genuine attempt had been made to study the Official Language. Loss of seniority should be waived if the probationer passed the test within a reasonable time thereafter. The probationary period should thereafter be three years for all recruits.

All these provisions were only generally applicable. The Prime Minister reserved to himself the right to deviate from them with regard to the conditions of service in special cases in such manner as needs of the Public Service might demand.

So that in the implementation of the Official Language Act, there was much leeway and flexibility to minimise hardships and inconvenience. No doubt proponents of the Government's language policy and others with a good knowledge of Sinhala were quickly promoted and rapidly advanced in the various departments and Government undertakings.¹ But the change over was exclusively by Administrative Orders² and therefore the pace of the change was determined largely by the heads of particular departments and by the Commissioner of Official Language Affairs. These Administrative Orders by their very nature are varied. In some cases these have been given orally.³ Therefore, to what extent the change over has taken place over the years remains somewhat nebulous. In fact, the Junior Minister of Finance, even as late as December 1965 was unable to provide statistics as to the number proficient in the national language.⁴

The Department of Official Language Affairs has been conducting training classes for officers in the Public Service in Sinhala to facilitate the change over. However, the attendance in these classes has not been quite satisfactory.⁵ In the year 1961-62

1 Wriggins, p. 262.

2 Hansard, (Senate) Vol. 22, No. 35, Col. 3711.

3 Ibid.

4 Hansard, House of Representatives, Vol. 63, No. 24, Cols. 4243-4244.

5 Writer's correspondence with Officials of the Ministry of Finance and the Dept. of Official Language Affairs revealed that no statistics are kept of those bilingual or trilingual.

as many as twenty-two classes had to be abandoned owing to poor attendance.¹ This cannot be regarded as lack of interest since some officers have been learning the official language under their own arrangements, after having attended one or two of these classes at first.²

Other ways to encourage them to learn Sinhala have been by radio lessons and postal tuition. Training in Sinhala short-hand and stenography continues unbroken. The Central Proficiency Examination has also been conducted twice every year at two levels to test the knowledge of Sinhala among the public servants. During the period May 1955 to December 1961 a total of 47,498 sat for this examination at the Advanced level and 13,386 at the Ordinary level. The results of these examinations are not altogether satisfactory. Statistics given by the Commissioner for Official Language Affairs show little less than a quarter of the total number having been successful.³ It is obvious that better methods of teaching and bigger bonuses would yield more satisfactory results.

In the educational sphere too, substantial changes were effected. Two universities were set up in 1958 with Sinhalese as their medium of instruction. In the University of Ceylon, regulations were

1 Administrative Reports, Commissioner of Official Language Affairs, August 1962, 36.

2 Ibid.

3 Ibid.

amended to make it possible for a student to receive his education in his mother tongue, except in science and technical subjects which are still being taught in English. In the Teacher Training Colleges, wider use of Sinhalese was introduced. Appropriate text books and auxiliary reading material have been translated and published by the Department of Official Language Affairs. These have been in both Sinhala and Tamil¹ keeping in line with the educational policy that a child must receive his instruction through his mother tongue.

Tamil reaction to these measures has been one of resistance and intensification of the demand for Federalism. Attempts to send Sinhalese teachers to schools in the Northern and Eastern Provinces have been violently opposed by the Federal Party. Under their injunctions most of the Tamil Government Servants have resolutely refused to learn the Sinhala language. Even as the deadline set for the necessary change-over under the Official Language Act No. 33 of 1956, that is December 31, 1960 expired, not all the Departments of Government were able to conduct business in Sinhala. In point of fact the Government could not compel officers who had joined the Public Service before the Official Language Act came into operation in 1956 to work in Sinhala. They were entitled to work in the English language under the Public Service Regulations then in force. Most of the permanent secretaries, heads of departments, chief-clerks, etc., were old entrants² and they were not merely able to

1 Vide in passim: Administrative Reports of the Commissioner of Official Language Affairs, 1956-61.

2 Those who had joined the Public Service before 1956.

work in English but actually preferred to work in English. So much so that subordinate officers who tried to carry out the Official Language Act ended up by displeasing their superiors.¹

Mrs. Sirimavo Bandaranaike, who was overwhelmingly returned to power in July 1960 on the same election manifesto as her husband's in 1956, and with a definite commitment to carry out the implementation of the Official Language Act, was more determined. By a Cabinet conclusion of December 20, 1960 she directed that all public servants must acquire proficiency in the Official Language within three years.² They were to pass three graded proficiency examinations in Sinhala. Old entrants were given the option to retire with compensation for loss of career in case they did not wish to acquire proficiency in Sinhala. The deadline for these provisions was subsequently extended till January 1, 1966.³ New entrants into the Public Service were still being recruited in the language in which they had acquired their education, but were required to be proficient in Sinhala within three years.⁴

The Language of the Courts Bill was passed on December 31,

1 Hansard, House of Representatives, Vol. 64, No. 4, Col. 679.

2 Administration Report of the Commissioner of Official Language Affairs, for 1961, p. 32.

3 Asian Recorder, Vol. IX, No. 43, p. 4009.

4 Keesings Contemporary Archives, May 6-13, 1961, p. 18785.

1961 after a twenty-two hour session of Parliament. This empowered the Minister of Justice to order that the proceedings of any court be conducted and recorded in Sinhala when he was satisfied that it was practicable.¹ This power has never been used and the Language of the Courts continues to be English. No Minister of Justice, to this day, has directed that the proceedings of even a magistrate's court be conducted in Sinhala.²

Implementation of the Tamil Language (Special Provisions) Act. No. 28

The Government's implementation of the Tamil Language Act has been on the recognition that it is the language of a national minority. There has not been a denial of this; what has been denied is that Tamil is given the same official standing as that accorded to Sinhala. This point was eloquently made by the Federal Party leader Mr. S. J. V. Chelvanayakam when he said during the second reading of the Official Language Bill of 1956:

"we are opposed to the Sinhalese Only principle because it means not merely the degradation of the Tamil Language. What is more important is that it means the reduction of people whose mother tongue is Tamil to an inferior status in this country..."³

The Tamil Language (Special Provisions) Act has not changed this position in any way. What the Act has done is to give official recognition to

1 Keesings Contemporary Archives, May 6-13, 1961, p. 18785.

2 Hansard, (Senate) Vol. 22, No. 35, Cols. 3718.

3 Hansard, (1956-57 Session) Vol. 24, No. 4, Col. 235.

the "reasonable use of Tamil" without infringing on the Official Language Act which declared that "The Sinhala language shall be the one official Language of Ceylon."¹ In fact the preamble to the Tamil Language Act protects the primacy of the Sinhala Language when it says:

"whereas the Sinhala Language has been declared by Official Language Act, No. 33 of 1956, to be the one official language of Ceylon:

And ~~whereas~~ it is expedient to make provision for the use of the Tamil language without conflicting with the provisions of the aforesaid Act.

Be it enacted..."

So that, even if the second act is considered an amendment of the first act, the spirit of the first act still remains inviolate. This is clear also in the enacting part of the Act. Section 5 of the Tamil Language Special Provisions Act reads:

"In the Northern and Eastern Provinces the Tamil language may be used for prescribed administrative purposes, in addition to the purposes for which that language may be used in accordance with the other provisions of this Act, without prejudice to the ~~use~~ use of the Official language of Ceylon in respect of those prescribed administrative purposes."

Other provisions in this Act are that a Tamil has the right to be educated in his own tongue, to be examined for purposes of entrance into Public Service in Tamil and to correspondence between private individuals and officials and between local authorities in the Northern and Eastern Provinces in Tamil.² These rights are again subject to

1 Act. No. 33 of 1956, Sec. 2.

2 Tamil Language Special Provisions Act No. 28, of 1958, Sections 2, 3, and 4.

"such measures as may have been or may be adopted under the proviso to Section 2 of the Official Language Act, No. 33 of 1956..."¹ Here again the secondary position of Tamil vis-a-vis Sinhala is given legal foundation.

Taking the two Acts together and despite their apparent contradictory nature much seems to have been done in the reasonable use of Tamil. This has been mainly in the field of education and cultural affairs. The Official Language Affairs Department set up a special Tamil section for the translation of text books into Tamil. Practically all the books that have been translated into Sinhala also have been translated into Tamil. Classes for the teaching of Tamil are also conducted by the Department. A Central Proficiency Examination in Tamil has also been held every half year, although the number that have taken the examination is much smaller.² Provision has been made in the Kala Mandalaya³ for the preservation and development of the traditional forms of Tamil drama, music and dancing. Financial assistance is being given by the Government to the Hindu Cultural University in the North.⁴

1 Tamil Language Special Provisions Act No. 28 of 1958, Section 2, 3 and 4.

2 Administrative Reports of the Commissioner for Language Affairs, Vide in passim 1956-62.

3 Cultural Organization sponsored by the Government.

4 Ceylon Observer, March 25, 1961.

Name boards in all post offices, railway stations, main roads, public transport vehicles in all parts of the island are in all three languages. Radio Ceylon operates in Sinhalese, Tamil and English. So do the proceedings of the House of Representatives and the Senate. There is also simultaneous translation into English of the speeches made in Sinhala and Tamil. Speeches made are recorded in the Hansard in the language in which they are spoken. Of course there has been greater use of Sinhala during the past ten years both in the House of Representatives as well as in the Senate. Currency notes, railway and bus tickets, postage stamps and the like all bear the three languages. The only change after the coming into operation of the two Acts is that the predominant position held by the English is now given to Sinhala with Tamil as the second and English relegated to the third place.

In actual fact none of these measures were taken under the Tamil Language (Special Provisions) Act. They were by Administrative Orders, Treasury Circulars and Cabinet decisions just as in the implementation of the Official Language Act. The Tamil Language (Special Provisions) Act, specifically states in Section 6 that:

- "(1) The Minister may make regulations to give effect to the principles and provisions of this Act.
 - (2) No regulation made under sub-section (1) shall have
-

"effect until it is approved by the Senate and the House of Representatives and notification of such approval is published in the Gazette."

But no regulations were passed in parliament¹ throughout this period. The mere fact of the Act being in the Statute Book by itself had no force, particularly in regard to Section 4 and 5 of the Act.² Furthermore some of the measures have been in force before language legislation came into operation. By the very nature of the Official Language Act No. 33 of 1956 it was possible to continue in the languages that had been in use before. When the Act declared that Sinhala shall be the official language of Ceylon it was governed by a proviso which said:

"Provided that where the Minister considers it impracticable to commence the use of only the Sinhala language for any official Purpose immediately on the coming into force of this Act, the language or languages hitherto used for that purpose may be continued to be so used until the necessary change is effected as early as possible before the expiry of the thirty-first day of December, 1960, and, if such change cannot be effected by administrative order, regulations may be made under this Act to effect such a change."

It is clear from this that any official act done in either Tamil or English - language or languages hitherto used - is perfectly in order if the Minister considered it impracticable to use Sinhala. In the case of the Northern and Eastern Provinces this has been eminently so. The Federal Party has resisted every move to introduce Sinhala into these areas and as a consequence the Minister has considered it

1 The new Government that came into power in March 1965 did pass regulations under the Act. See below. p 131

2 See below p. 131

impracticable to use only the Sinhala language and therefore Governmental work in the Northern and Eastern Provinces is still carried on in English and Tamil.¹ It has been said that since the deadline for the necessary change has now expired this proviso does not hold good any longer and only the declaration remains valid. Ceylon's Attorney-General, however has argued that the phrase "as early as possible before the expiry of the thirty-first of December, 1960" was a council of perfection and that the proviso still is in full effect.² If this were so, and the Minister thinks it advisable, the use of all the three languages simultaneously or separately "until the necessary change is effected" is in complete agreement with the two language Acts. Taking this in the context of the Prime Minister's³ Gazette notification⁴ which said "where any language or languages has or have hitherto been used for any official purpose, such language or languages may be continued to be so used until the necessary change is effected" could be construed as having given legal and official status to all the three languages Sinhalese, Tamil and English.

In fact this has been and continues to be the position in the implementation of the language policy in the island and especially in the Northern and Eastern Provinces. With regard to the use of Sinhala in these

1 Hansard (Senate) 1965-66 Session, Vol. 22, No. 35, Col. 3714.

2 Ibid.

3 Prime Minister is the one in charge of implementation of the Act.

4 Ceylon Government Gazette, July 7, 1956, Notification No. 10,949.

Provinces the Language Commissioner was constrained to say in June 1962:

"The difficulties experienced by Departments in the Change-Over from English to the Official language are being overcome as effectively as possible, and satisfactory progress is being maintained. Nevertheless, certain difficulties still persist, some of which relate to the non-availability in certain departments of an adequate number of officers proficient in the Official Language. The five Kachcheries at Jaffna, Vavuniya, Mannar, Trincomalee and Batticaloa still continue to work as before..."¹

The position was no better in the following year. English was still being used and the status quo remained despite the determination of the Governmentⁿ to use the Official Language more extensively. The Language Commissioner's report for this year is again self-explanatory.

"Difficulties are yet experienced by Departments in the wider use of Sinhala in Official business. It must be noted in this connection that whatever the efforts in furthering the use of Sinhala made at the Headquarters level, much depends on the responsible officers in the various departments in making the transition from English to Sinhala a success.

Amongst the many obstacles encountered in this sphere, the absence, in certain departments, of an adequate number of officers proficient in the Official Language is outstanding."²

He also draws attention in the same Report to the unwillingness of Government Officials to work in the Official Language.

"Yet another factor adding to these difficulties is that certain Head Offices of Departments have so far not made arrangements to supply the forms necessary for use in their sub-offices in Sinhala. If in some instances they are

1 Administration Report of the Commissioner of Official Language Affairs, August 1962, p. 31.

2 Administration Report of the Commissioner of Official Language Affairs, May 1963, pp. 33-34.

available in Sinhala, action has not been taken to distribute them to the station offices to make their own translations of these forms for the benefit of the officers using them. It must also be stated here that some Head Offices in Colombo are still in the habit of sending out letters in English. It is not understood why at least a certain proportion of these cannot be written in the official language. As some of this correspondence is not of a scientific or technical nature, the persistence in the practice of using English tends to throw the work of the provincial offices out of gear."¹

In the Northern and Eastern Provinces the resistance of the Tamils to work in the Official Language has been persistent. There were, of course, a few Tamil Officers who learnt Sinhala² and were willing to work in the Official Language. But the appeal of the Tamil leadership was stronger.

"The day is not far off when even these few misguided Tamil speaking officers will realize that they will not stay long in service in spite of their having studied the Sinhala language for the sake of a few rupees. Though some concessions are being doled out to some of those who have studied Sinhala with a view to breaking the spirit of resistance, it is certain that except for the Sinhala Buddhists, there is no permanent future for the others in the public service. Many public servants are aware of the true position and are standing resolute in their determination not to study Sinhala. I appeal to the others not to allow themselves to be misguided but help us in the struggle for the winning of rights of our nation..."³

The Government was clearly unable to get the Northern and Eastern Provinces to work in the Official Language. The mood was a combination of frustration and lingering hope. The Commissioner of Official Language Affairs reports:

1 Administration Report of the Commissioner for Official Language Affairs, p. 34.

2 Ibid, p. 36.

This figure varies according to various sources. Statistics given by the Commissioner of Official Language Affairs put it down to 14,035 during the period 1955-61, but he does not say how many of this number are Tamils. See above p.

3 S. M. Rasamanickam, M.P. for Paddiruppu, Presidential Address delivered at the Eighth National Convention of the Ilankai Thamil Arasu Kadchi, (Federal Party) September 1, 1962 in Mannar. Quoted in Hansard (1965-66 Session) Vol. 64, No. 4, Col. 647.

"The staff of the five Kachcheries, Jaffna, Vayuniya, Mannar, Trincomalee and Batticaloa are being groomed to work in Sinhala. If any worthwhile results are to be gained from this undertaking, it will be necessary to exercise continued vigilance and special attention in the matter. While the majority of offices do send in their progress reports in time, there are some which do not show any enthusiasm to fall in line. Action has been taken to apprise of the situation and to obtain their co-operation. In addition to the implementation of the language policy, this Department takes action to ascertain difficulties experienced by various Departments and offices in official language matters and, as its own resources of staff permit, to take necessary steps towards the meeting such difficulties."¹

In all these five Kachcheries the majority of officers of the executive grade have always been Tamils. This has made the task more difficult. The following table shows the proportion according to community.²

	Batticaloa	Jaffna	Mannar	Trincomalee	Vavuniya
Sinhalese	3	1	1	5	5
Tamils	15	24	11	10	9
Burgher	1	-	-	-	-

Despite the vigilance and special attention which the Language Commissioner called for, the situation has not changed over the last three years either.³

1 Administration Report of the Commissioner for Official Language Affairs, May 1963, p. 34.

2 These figures were disclosed by the Home Minister, Dr. W. Dahanayake in answer to a question in the House of Representatives. They relate to the period before November 1, 1965. Vide Hansard, 1965-66 Session, Vol. 64, No. 6, Cols. 1391-1396.

3 Correspondence with Officials of the Language Department.

Chapter VIII

The Search for a Solution to the Language Problem

Every successive Government since the General Election of 1956 has been concerned about a solution to the language problem. They have been made painfully aware that no legislation on language could be satisfactory unless it carried the support of a majority of Tamils. Negotiations towards finding a solution have centred around the Federal Party demands which were put forward for the first time at their National Convention held in Trincomalee in August 1956. They are:

1) The replacement of the present pernicious constitution by a national and democratic constitution based on the Federal Principle and the establishment of one or more Tamil Linguistic state or states in which the Tamil-speaking people are numerically in a majority as federating unit or units enjoying the widest autonomous and residuary powers consistent with the unity and external security of Ceylon;

2) The restoration of the Tamil language to its rightful place enjoying absolute parity of status with Sinhalese as an official language of the country;

3) The repeal of the present citizenship laws and enactment in their place of laws recognizing the right to full citizenship on the basis of a simple residential test of all persons who have made this country their home; and

4) The immediate cessation of colonizing the traditionally Tamil-speaking areas with Sinhalese people."¹

These demands form the basis for a Federal system and are not acceptable to a majority of the people in Ceylon.² This fact alone makes the granting

1 Federal Party of Ceylon, Ceylon Faces Crisis, (Sutantiram Press, Colombo, September 1957), pp. 31, 32.

2 "Not only the majority of the Sinhalese, but a large section of the Tamil Community itself in this country deprecate this idea of federalism." Towards A New Era, p. 430.

of a Federal Constitution impossible for any Government that has to depend on overwhelming Sinhalese support to stay in power. This is also the fundamental flaw in the Federal Party's case. Their political thinking appears to be that the fight for the Tamil-speaking people is the responsibility solely of the Tamil-speaking people themselves and that they should do so as Tamils. There is not a single political party with a predominantly Sinhalese composition willing to grant Federalism as a solution to the problem. This is understandable considering the size of the country and the expenses involved in the duplication of institutions and personnel involved in working a Federal constitution.

Neither is any government willing to accede to the second demand of the Federalists. After all, the 1956 General Election was fought mainly on this issue and the maximum language rights that the Tamils could exercise were limited by the provisions of the Tamil Language (Special Provisions) Act No. 28 of 1958.

Regarding the question of citizenship laws and Indians in Ceylon, it is a matter to be dealt with by the Government of India and the Government of Ceylon. In any case, the Bandaranaike-Shastri agreement seems to have settled the issue to the mutual satisfaction of Ceylon and India.¹

The fourth demand has been one of the most difficult to deal with since most Sinhalese politicians question the validity of "traditionally Tamil-speaking areas". These are, for practical purposes, regarded as

1 See above p. 11.

the Northern and Eastern Provinces. But the question in their minds is are they really traditionally Tamil-speaking areas? They go back to the historical period when the whole of Ceylon was under the sovereignty of the Sinhalese kings.¹ An example of this kind of thinking is illustrated by the contribution of Senator D. E. V. Dissanayake during the most recent language debate.

"when you mention the Northern and Eastern Provinces in any piece of legislation we feel that the Eastern Province at no stage belonged to the Tamil-speaking people. The Eastern Province was a part of the ancient Ruhunu Rata²; so that this noxious bit of legislation, which characterizes the various provinces is historically untrue."³

But in the Tamil Language (Special Provisions) Act, by implication under Sections 4 and 5, the Northern and Eastern Provinces have been recognized as traditionally Tamil-speaking. The settling of Sinhalese people in Agricultural projects in these areas has long been objected to by the Tamils.⁴ These areas are precious to the Tamils. The Federal Party manifesto in March 1965 put it thus:

To Live-A Homeland: The first need of a people is a home to live in. The only march of a people without a home or a homeland is towards extinction. The Northern and Eastern Provinces are our traditional homeland. They are the basis of our life as a community in this island.

-And they are the only guarantee of our security and safety. It is these provinces that provided us safety during the blood bath of 1958. What would have been our fate, if we did not have this sanctuary when we had to flee as refugees in our own motherland? We will never allow others to dislodge us from our soil, grab our land and render us destitute.

1 See above p. 19

2 Ancient Sinhalese Kingdom.

3 Debate on the Tamil Language (Special Provisions) Regulation, Hansard (Senate) 1965-66 Session, Vol. 22, No. 35, Cols. 3865-3866.

4 See above p. 76

Tamil - Our Language: State-sponsored Sinhalese colonisation means the destruction of our homeland. And, in addition, it also means the atrocious destruction of our representative strength in the legislature of the land-a destruction that has already facilitated the passage of such a monstrous "Sinhala Only" Bill. Hence it is our primary duty to stem the tide of Sinhalese colonisation of our areas, and thus to preserve for us and for our posterity, our homeland intact.¹

In fact the compelling reason for the abandonment of the negotiations which had culminated in the Bandaranaike-Chelvanayakam agreements of July 26, 1957 was the Government's refusal to allow Regional Councils to determine who should settle in these colonization schemes.² No durable agreement has been possible during the entire Bandaranaike period. The issues have been so tied up with politics that both sides have shown a marked unwillingness to change their basic positions. This has been clear from the very start. From the point of view of the Government, setting up of a Federal Constitution or regional autonomy or taking any steps that may abrogate the Official Language Act would be unthinkable. For the Federal Party any deviation from the above four demands would be certain defeat at the next election. They have explained that any agreement or understanding has to be without the "Federal Party abandoning or surrendering any of its fundamental principles or objectives".³ Even after the Tamil Language (Special Provisions) Act was passed in 1958 this position did not change. In point of fact in the Presidential address at the National Convention of the Federal Party in September 1962, they reiterated their demands in stronger language:

1 Ceylon Daily News, March 6, 1965.

2 Namasivayam, p. 101.

3 Federal Party of Ceylon, p. 33.

"The above demands of ours formed the basis for all our campaigns since 1956, all negotiations we had and the pacts entered into by us. We had, for the purpose of arriving at some settlement, temporarily relaxed our stand on some points. But there is no gainsaying the fact that if the Tamil-speaking people are to live in terms of equality in this country the four demands must be conceded in toto."¹

Any solution to the Sinhalese-Tamil problem has been bedevilled by this inflexible attitude of the parties concerned. This deadlock remained unbroken until the General Election of 1965. By this time, of course, a few bitter lessons had been learned and both sides had come to realize the impracticability of their respective positions. The Government had not been able to implement the Language Acts fully and the Federal Party had not been able to show any gains to the Tamils.

Furthermore the Federal Party's role inside and outside Parliament over the years had become ineffectual. Extra-parliamentary agitation in the form of satyagraha or non-violent direct action to achieve Federal Party objectives have proved fruitless. Satyagraha in 1956 did not prevent the Government passing the Sinhala Only Act. Satyagraha in 1958 did not stop the implementation of it, such as it was possible at the time. Neither was Satyagraha non-violent. On the contrary, the country was plunged into a bloodbath without the Federal Party gaining anything more than what the Government has promised in the form of "reasonable use of Tamil". Satyagraha in 1961 was simply crushed by the armed forces of the Government although it was confined only to the Northern and Eastern Provinces.²

1 The Presidential Address delivered at the Eighth National Convention of the Ilankai Tamil Arasu Kadchi in Mannar on September 1, 1962. Quoted in Hansard 1965-66 Session Vol. 64, No. 3, Col. 537. The Pact referred to is the Bandaranaike-Chelvanayakam Pact which was abrogated even before its details were worked out.

2 Asian Recorder, 1961-62, p. 4007-4009.

These events have compelled the Federal Party to realize how fallacious it is to launch on satyagraha to achieve their objectives, especially against a Government that enjoys mass support. In this last satyagraha Federal leaders sought the support of the Indian Tamils in the plantations, but what support they got was merely token.¹ The Federal Party however set up its own Post Office in Jaffna and promised to launch its own police force.² These actions by the Federal Party only helped to cement the Sinhalese opposition and to wean away such sympathy as there was for the Tamil cause. The Government made out that the real objective of the Federalists was to set up their own state and the satyagraha was suppressed with a strong hand.³ They were denounced as traitors whenever the Prime Minister, Mrs. Bandaranaike, addressed the nation. In a broadcast on March 4, 1961, she told the Tamil people that they themselves would be the sufferers in the satyagraha campaign which bore signs of a movement directed against the state by people antagonistic to the progressive policies of the Government.⁴ In a broadcast on April 26, she said that she had no doubt that the movement started by the Federal Party was inspired by various organizations in different parts of the island who had been planning secretly to overthrow the lawfully established Government of the country.⁵

The satyagraha of January-April, 1961 was the last desperate attempt to compel the Government to meet Federal demands. It was also

1 V. Karalasingham, The Way Out For the Tamil Speaking People, (Wesley Press, Colombo, 1963), p. 11.

2 Asian Recorder, p. 4008.

3 Ibid.

4 Ibid, p. 4007

5 Ibid, p. 4008

the longest satyagraha and from the point of view of the Government, the least obstructionist for the normal working of the administration in the rest of the seven provinces. As Mr. V. Karalasingham, himself, a Tamil states:

"However offensive it may be to the amour-propre the no less simple economic fact is that the Northern and Eastern Provinces of Ceylon are economically the most backward and peripheral areas, receiving rather than contributing to the national exchequer and totally dependent on the country's general prosperity to soften the rigours of Nature herself. In this situation not even the most intense localized pressure from these Provinces can move a Government to making any concession. Although they answered a call of duty in participating in the Satyagraha movement of January-April 1961, instinctively the masses too have realised the hopelessness of their plight. That is why unlike in India where the first repression was but the prelude to greater effort on the part of the masses, the repressive intervention of the state also immediately brought to an end the Satyagraha movement itself."¹

Tamil Politics in Parliament

The Federal Party's role within Parliament had been somewhat of a dilemma. Under both the Bandaranaike Governments the Federal Party votes were dispensable. They were able to command a majority in the House without depending on a single vote from the Tamils. In the General Election of April 1956 and that of July 1960, Federal Party representatives were returned in large numbers but they could do nothing to redress the grievances of the people whom they represented. They were simply powerless. It is only when a Government has to depend on Federal Party votes to sustain its majority in the House that the Federal Party could play an important role.

¹ Karalasingham, p. 22.

The General Election of March 1960 offered the most glittering prospects for the Federal Party in this regard. The results of this election were as follows: ¹

United National Party (UNP)	50
Sri Lanka Freedom Party (SLFP)	46
Federal Party (FP)	15
Lanka Sama Samaja Party (LSSP)	10
Mahajana Eksath Peramuna (MEP)	10
Communist Party (CP)	3

Both the UNP and the SLFP wanted Federal Party support but neither was willing to make any real commitment. The UNP which eventually formed the minority Government had the support of the MEP and desperately needed Federal Party votes to continue in office; but was unwilling to accept blanket commitments to Federal Party demands lest it would cause defections in the rank and file of the UNP itself.² In the July General Elections of the same year, the UNP which had canvassed Federal Party support openly, got only 30 seats. The SLFP got 75 seats and was able to form its own Government without the support of any other party. The Federal Party was again consigned to the wilderness within Parliament for the next four years.

The General Election of March 22, 1965 was fought under conditions of increasing economic difficulties, questions of Press nationalization and national unity. No major party was speaking of Sinhala Only.

1 Karalasingham, p. 24.

2 Conversations with party leaders. See also Karalasingham, p. 25. One reason given for the failure is that the Federal Party wanted all its four demands met in return for support.

Every party was for continued implementation of the Language Acts without hardship to any segment of the population; national unity to be forged within the ambit of the two Language Acts.¹ Understandably, it was only the Tamil Parties who spoke of parity of status for Tamil along with Sinhala. None of the Marxist Parties now spoke of it. The LSSP by this time had coalesced with the SLFP and their position on language was that:

"The necessary regulations will be formulated to enforce the Sinhala Only Act and the Reasonable Use of Tamil Act in a manner acceptable to both the Sinhalese and the Tamils."²

The manifesto of the Communist Party said:

"National unity should be restored on the following basis: Ceylon shall be a unitary State. Sinhala shall be the State language. Provisions shall be made by the law to guarantee to the Tamil speaking people the right to have relations with the State in their own language, to be educated and examined in their own language and to administer their own affairs in their traditional homeland in the north and east of Ceylon in their own language."³

The United National Party said in its programme that:

"The language issue has become so much tied up with politics that it is difficult to put forward a reasonable view, acceptable to all communities, which seeks to make Sinhalese the Official Language, while meeting the requirements of those who do not know that language. There are those who wish to make Sinhalese the only Official Language, and wish to force that language down the throats of those who do not know it, compelling members of minority groups to learn Sinhalese, conduct their business in Sinhalese or be treated as non-citizens. On the other hand, there are those who want parity of status for both Sinhalese and Tamil. Between these two, there is the path which permits Sinhalese to be the official

1 Correspondence with Journalists in Colombo.

2 Quoted in Hansard, 1965-66 Session, Vol. 64, No. 1, Col. 71.

3 Ibid, Col. 74.

Language without doing harm to the legitimate rights of those speaking languages other than Sinhalese.

The course we suggest, we trust, will be acceptable to the large body of citizens in our country who wish to see unity and justice prevail among all the permanent citizens of Ceylon, while achieving the goal of making Sinhalese the Official language. While we have proposed that the Tamil language should be used as stated above, our position is that this should not be done regionally, but on an all-Island scale, without infringing on the principle that Sinhalese should be the only Official Language throughout the Island."¹

The election results showed that no Party has a requisite majority to form a Government. The final line-up of important parties was:²

UNP	66	FP	14
SLFP-LSSP	51	TC	3

For the Federal Party it could not have been better. They were not going to miss out this time as in the March 1960 election. Immediately after the results of the election were made known, the Federal Party initiated discussions with the UNP as well as with the SLFP-LSSP coalition. These discussions were held in complete secrecy³ and no one knew about their content or implication at the time. Still the mood was one of national unity and these secret conversations were overshadowed by the suspense created by Prime Minister Mrs. S. Bandaranaike staying in Office even after her party's electoral defeat.⁴ The reason for this was that she was waiting for the outcome of the talks between the Federal Party and the SLFP-LSSP coalition and consultations with her own cabinet before tendering her resignation to the Governor General on March 25.⁵

1 Hansard, 1965-66 Session, Vol. 64, No. 1, Col. 126.

2 Keesing's Contemporary Archives, 1965-66, p. 20697.

3 Hansard (Senate) 1965-66 Session, Vol. 22, No. 35, Cols. 3767, 3850-3854.

4 Keesing's Contemporary Archives 1964-65, p. 20697.

5 It could have been possible that she might have been dismissed if she delayed her decision any longer. Since no single party had an overall majority she was justified in exploring the possibility of her own party forming a Government.

On the same day the Federal Party announced its support for a UNP Government and its leader Mr. Dudley Senanayake¹ formed what popularly come to be known as the "National Government" since he also had the support of a few splinter parties including the Tamil Congress.² One member of the Federal Party Mr. M. Tiruchelvam³ was given a Cabinet position as Minister of Local Government.

What were the conditions under which the Federal Party agreed to support the National Government? Was the Federal Party able to strike a hard bargain? After all, this was their finest hour. The answer to these questions remains rather obscure since the content of these discussions or agreements has not all been disclosed by the Government.⁴ The only agreement⁵ that the Opposition has been able to unearth dealt with four points and there is no mention of Federalism in it at all.

1. Action will be taken early under the Tamil Language (Special Provisions) Act to make provision for the Tamil language of administration and of record in the Northern and Eastern Provinces.

Mr. Senanayake also explained that it was the policy of his Party that a Tamil-speaking person should be entitled to transact business in Tamil throughout the Island.

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- 1 Son of the first Prime Minister of Ceylon. Minister of Agriculture and Lands 1947-52, Prime Minister after his father's death in 1952, but resigned after a year owing to health reasons. Caretaker Prime Minister March to July 1960. Leader of the opposition, July 1960 to December 1964.
 - 2 Keessing's Contemporary Archives, 1965-66, p. 20697, 20698.
 - 3 Lawyer and a former Solicitor-General of Ceylon.
 - 4 Hansard 1965-66 Session, Vol. 64, No. 3, Cols. 525-532.
 - 5 This agreement was produced in the Senate by Professor A.T.A. de Souza and was not denied by the Government nor by the Federal Party. Vide Hansard, 1965-66 Session, Vol. 64, No. 3, Col. 526, also Hansard (Senate), 1965-66 Session, Vol. 22, No. 35, Col. 3768.

- 2 Mr. Senanayake stated that it was the Policy of his Party to amend the Language of the Courts Act to provide for legal proceedings in the Northern and Eastern Provinces to be conducted in Tamil.
- 3 Action will be taken to establish District Councils in Ceylon, vested with powers over subjects to be mutually agreed upon between the two Tamil leaders. It was agreed, however, that the Government should have power under the law to give directions to such Councils in the national interest.
- 4 The Land Development Ordinance will be amended to provide that citizens of Ceylon be entitled to the allotment of land under the Ordinance. Mr. Senanayake further agreed that in the granting of land under colonization schemes the following priorities be observed in the Northern and Eastern Provinces:
 - (a) Land in the Northern and Eastern Provinces should in the first instance be granted to landless persons in the District;
 - (b) Secondly, to Tamil-speaking persons resident in the Northern and Eastern Provinces, and
 - (c) Thirdly, to other citizens in Ceylon, preference being given to Tamil citizens in the rest of the Island."

This agreement seems flexible and moderate relative to the Federal Party's original demands. It also appears that there has been a slight change of attitude on the part of the Tamils in regard to the "Sinhalese Only" Act and generally towards the Sinhalese. It is also the spirit in which it was signed that has tended towards a conciliation between the two communities. Tamil leaders trust the UNP leaders more than they do the leaders of SLFP-LSSP coalition.¹ Furthermore the latter's tactics had discredited the

1 In 1956 when the UNP changed its language policy to "Sinhala Only", Mr. Senanayake was not in the Government. He is considered honest and reliable and among the best one could find in the present set of politicians in Ceylon.

Federal Party and when the election came the Tamils were generally becoming disenchanted with Federal Party leadership and were quietly veering away to the Tamil Congress for succour. This was seen in the election results. They lost two seats to the Tamil Congress and their share of total votes fell from 7.1 percent in 1960 to 5.4 percent in 1965.¹ Previously with every election the Federal Party had been increasing its parliamentary representation. The time had come for the Federal Party to show some tangible results to its electors.

1 Keesing's Contemporary Archives, 1965-66, p. 20697.

Chapter IX

National Unity and Minorities

As has been seen in the first chapter, Ceylon's population is a polyglot of various communities of different ethnic origins. Linguistic distinctions between the Sinhalese and Tamils have persisted over the years. Neither community has been able to assimilate or eliminate the other. The unifying role of English under the British rule had been dissipated with the onrush of national consciousness and the concomitant desire of the Ceylonese to revive their own language as a distinctive cultural symbol. The movement to replace English with Swabhasha, in the intricacy of politics has been subverted to mean for most people the enthronement of Sinhala and the denial of language rights to others.

Contrasting memories of history, religious and other differences, in addition to language have made the two communities stress their own separate ethnic origins rather than to work towards a common goal. Even for the politicians the vision of an independent, happy, prosperous nation cannot escape the prerequisite of amicable relations among its diverse communal groups. Nearly a decade of bitter linguistic battle has provided the present Ceylonese leadership with no alternative, but to find a basis for mutual understanding on the communal issue.

One of the first tasks of the National Government has been to create an atmosphere of confidence among the communal components. By a series of Treasury Circulars, Administrative Orders and Cabinet decisions progressive use of Sinhala has been slowed down;¹ and proficiency requirements in Sinhala for old entrants to Public Service has been waived.² Salary increments have been paid retroactively for those officers, who for lack of proficiency in Sinhala failed to qualify for automatic promotion. New entrants to the Public Service, (that is those who joined the Service after 1956) have been given time till July 1968 to acquire proficiency in Sinhala.³

These measures were followed by legislative action to guarantee for the Tamils the use of their language. After an acrimonious debate lasting for four days Regulations⁴ were passed under the Tamil language (Special Provisions) Act No. 28 of 1958.

"1. These regulations may be cited as the Tamil Language (Special Provisions) Regulation, 1966.

2. Without prejudice to the operation of the Official Language Act No. 33 of 1956, which declared the Sinhala Language to be the one official language of Ceylon, the Tamil language shall also be used -

(a) in the Northern and Eastern Provinces for the transaction of all Government and public business and the maintenance of public records, whether

1 Treasury Circular No. G(73), June 5, 1965.

2 Treasury Circular No. G(103), December 29, 1965.

3 Cabinet decision dated June 5, 1965.

Also see Hansard 1965-66 Session, Vol. 64, No. 4, Col. 681.

4 During Mrs. Bandaranaike's time no regulations were passed under the Tamil Language Act. However, regulations were tabled on December 14, 1960, but were not acceptable to the Opposition including the Federal Party. Vide Hansard (1965-66 Session), Vol. 64, No. 4, Col. 686-690.

such business is conducted in or by a department or institution of the Government, a public corporation or a statutory institution; and

- (b) for all correspondence between persons, other than officials in their official capacity, educated through the medium of the Tamil language and any official in his official capacity, or between any local authority in the Northern and Eastern Provinces which conducts its business in the Tamil language and any official in his official capacity.

3. For the purpose of giving full force and effect to the principles and provisions of the Tamil Language (Special Provisions) Act, No. 28 of 1958, and these regulations, all Ordinances and Acts, and all Orders, Proclamations, rules, by laws, regulations and notifications made or issued under any written law, the Government Gazette, and all other official publications, circulars and forms issued or used by the Government, public corporations or statutory institutions, shall be translated and published in the Tamil language also."¹

The Regulations are deliberate and determined. They have been designed to meet the maximum Tamil support, without abrogating or violating any of the provisions of the Sinhalese Only Act of 1956.² They also reflect the desire of the Government, as Prime Minister Senanayake said, to solve the Language problem once and for all.³ These regulations have been hailed by the Tamil leaders as a step in the right direction. Mr. S. J. V.

Chelvanayakam, leader of the Federal Party stated in the House:

"...Sinhala Only Act deprived the Tamil-speaking people of their self-respect in this country. By passing these Regulations and thereby implementing the Tamil Language (Special Provisions) Act, this lost self-respect is restored in some measure."⁴

1 Hansard (1965-66 Session), Vol. 64, No. 1, Cols. 41-44.

2 News Bulletin, No. 7/66, Ministry of Defence and External Affairs, January 12, 1966.

3 Hansard, (1965-66 Session), Vol. 64, No. 4, Col. 754.

4 Hansard, (1965-66 Session), Vol. 64, No. 1, Col. 132.

The changed attitude of the Federal Party towards the new Government is also reflected in his other comments:

"Compromise is necessary in the working of Government. It is in that spirit of compromise that we welcome these Regulations as a progressive measure which will restore the shattered unity between the two linguistic peoples of this country."¹

Another Federal Party leader and Minister of Local Government, Senator Tiruchelvam was more eloquent.

"The National Government, which is predominantly Sinhalese in character, voluntarily, with good will, under no coercion, realizing that it should be fair to its fellow citizens, has by these regulations sought to restore to the Tamil-speaking people of this country the right, in some measure, to administer their own affairs in the Tamil Language. This I say is a historic occasion and I must not fail to have it recorded in the annals of this House."²

It is believed that these regulations have marked the beginning of a period of co-operation between the Sinhalese and the Tamils.³ What the Regulations purport to grant to the Tamils, had already been in practice and usage.⁴ Its significance is that these have now been given statutory form; legal protection has been accorded to the use of Tamil which had previously been by administrative action.

Constitutional Safeguards

In view of the Sinhalese-Tamil relations, the most important part of the Constitution of Ceylon is Section 29, dealing with the protection of minority rights. It is a legislative limitation on the

1 Hansard, (1965-66 Session), Vol. 64, No. 1, Col. 132.

2 Hansard, (Senate) 1965-66 Session, Vol. 22, No. 35, Col. 3794.

3 Christian Science Monitor, March 15, 1966, see footnote on p. 134.

4 Ibid.

sovereignty of Parliament against discriminatory enactments. The provisions in Section 29 (2) state that no law made by Parliament shall:

- "(a) prohibit or restrict the free exercise of any religion;
- (b) make persons of any community or religion liable to disabilities or restrictions to which persons of other communities or religions are not made liable; or
- (c) confer on persons of any community or religion any privilege or advantage which is not conferred on persons of other communities or religions; or
- (d) alter the constitution of any religious body except with the consent of the governing authority of that body.

Provided that, in any case where a religious body is incorporated by law, no such alternations shall be made except at the request of the governing authority of that body."¹

Section 29 (3) states that any law made in contravention of 29 (2) to the extent of such contravention be void. This however is not an absolute limitation on the legislative power of Parliament since Section 29 (4) states that Parliament may amend or repeal any of these limitations, or any provisions of the Constitution by a two-thirds majority of the entire House.²

This section of the Constitution came under judicial scrutiny in the case "Kodakah Pillai vs. Mudanayake".³ The subject matter under dispute was whether the Ceylon Citizenship Act. No. 18 of 1948, and the Parliamentary Elections (Amendment) Act. No. 48 of 1949 were ultra vires on the grounds of repugnancy to the provisions of Section 29 (2) of the Constitution. Both the Supreme Court of Ceylon as well as the Judicial

1 "Ceylon's Language war is over. Political observers forecast that Government concessions granted total Tamil speaking people will become the cornerstone of a United Country." The Christian Science Monitor March 15, 1966, p.4.

2 Hansard, 1965-66, Session Vol. 64, No. 1, Cols. 91-111.

3 Namasivayam, p. 90.

Committee of the Privy Council held that they were intra vires.¹

As yet the Official Language Act No. 33 of 1956 has not been disputed in the Courts. At the time of its presentation in the House, its Constitutional propriety was raised by Mr. G. G. Ponnambalam. It was explained then that the Language Bill which only declared Sinhala to be the Official Language made no reference to any religion or community and therefore was not in contravention of Article 29 of the Constitution.² If and when the Official Language Act 33 of 1956 is challenged in the Courts, it follows that the Tamil Language (Special Provisions) Act No. 28 of 1958 and the Regulations made thereunder would also be challenged for the reason that the first Act is fundamental to all subsequent language legislation passed in the Ceylon Parliament. In this regard it is relevant to refer to the legal principles laid down by the Ceylon Supreme Court and the Judicial Committee of the Privy Council in the Citizenship case and the Franchise case.³ These principles are that the scope and effect of a legislative measure should be ascertained from its actual provisions; and the validity or otherwise of such legislative enactment should be based on:

- "(a) whether a community has been discriminated against, and
- (b) whether such discrimination affects in like manner other communities as well."⁴

1 Ibid, also see Sir Ivor Jennings, The Constitution of Ceylon, (Oxford University Press, Bombay, 1953), pp. 282-283.

2 Ceylon News Letter, June 11, 1956, p. 1.

3 Act No. 18 of 1948 and Act No. 48 of 1949, and Jennings p. 283, for a detailed account see Ceylon New Law Reports, Vol. 54, p. 434.

4 Namasivayam, p. 90.

It appears that the language legislation has been so framed to avoid contravention of Section 29 of the Constitution.¹ This may account for the refusal of the Tamil leadership to contest these enactments before the Courts.² In any case these legislative measures do not discriminate against the Tamils alone. They are discriminatory against the Muslims, the Burghers, and everyone else who had given up Sinhalese and Tamil in preference to English. It could therefore be argued that these enactments are on the matter of language per se and not discriminatory legislation "intended to make or making Ceylon Tamils liable to disabilities to which other communities are not liable."³

The fact of the situation, however, is that the existence of Section 29 of the Constitution has not prevented the passage of controversial legislation which may or may not be construed as placing disability on the Tamil and English speaking people. The task therefore for leaders in Ceylon interested in national unity and contentment of the minorities would be to devise methods to strengthen the Constitution in the area of minority rights.

Some of the measures that have been widely discussed are the inclusion of a Bill of Rights and the establishment of Regional or District Councils with a view to granting greater autonomy to local administration.⁴

1 Conversations with officials of the Legal Department.

2 Ibid.

3 Namasivayam, p. 91.

4 Hansard, 1965-66 Session, Vol. 64, No. 7, Col. 1439.

There is however a school of thought which holds that Section 29 of the Constitution in fact is a Bill of Rights¹ and what is required² is continual vigilance to guard it against weakening or erosion.³ This view has gained greater currency after a recent judgement in the Privy Council. Here it was pointed out that Section 29 (2) "represents the solemn balance of rights between the citizens of Ceylon, the fundamental conditions on which inter se they accepted the Constitution; and these are therefore unalterable under the Constitution."⁴ If this position is⁵ accepted, then Section 29 (4) would have to be interpreted differently; this part of the constitution becomes unalterable even after a majority of two-thirds as provided in 29 (4). In such an eventuality Section 29 (2) of the Constitution becomes truly a charter of minority rights, inviolable and unalterable by the Parliament of Ceylon. However the difficulty in the Ceylon context is that language used in Section 29 (2) is too general and the validity of legislation touching on these matters would have to be⁶ ascertained only after litigation.

This is where the necessity for a comprehensive Bill of Rights guaranteeing all fundamental rights to minorities, couched in simple language and precise terms becomes all the more important. Minorities

1 Hansard, 1965-66 Session, Vol. 64, No. 7, Col. 1450.

2 Ceylon Daily News, February 28, 1966.

3 Privy Council Appeal, No. 20 of 1963, (Bribery Commissioner vs. Ranasinghe), Quoted in Hansard, 1965-66 Session, Vol. 64, No. 7, Col. 449.

4 Ceylon New Law Reports, Vol. 66, p. 73.

5 See above p. 134, and Appendix I.

6 Jennings, p. 77.

generally are not satisfied with assurances, nor would they depend exclusively on the good will of the majority to safeguard their just rights. As in the case of the Tamil Language (Special Provisions) Act. No. 28 of 1958 and the Regulations made thereunder, they would only be satisfied with statutory safeguards to protect their rights. Therefore the incorporation of a Chapter of a Bill of Rights in the Constitution, entrenched and inviolable, would be a constant reminder for the politicians as well as for various communities not to encroach upon or put forward demands on fundamental freedoms and the rights of others.

The establishment of Regional Councils or District Councils is a bit more complicated but no less important. One of the Federal Party demands has been for Regional autonomy in a Federal system. The predominantly Tamil areas of the Northern and Eastern Provinces could be divided into two or more Regional Councils. They could have control over such matters as education, health, housing, etc. with considerable powers of local self-government. This would be aimed towards a decentralization of governmental activity rather than a separation of it from the centre, and would have to be carefully worked out having regard to the ethnic and linguistic distribution in the area. This plan could very well apply to the whole island.

As for the Indian Tamils in the plantations in the central highlands it is expected that the Bandaranaike-Shastri agreement will

work out satisfactorily, and that more Ceylonese labour will fill in the vacancies in the future. The Federal Party has not expressed an opinion on the Bandaranaike-Shastri agreement of October 30, 1964.¹ Neither has it talked of Federalism, nor of Indians in Ceylon after the new Government was formed in March 1965. It could be assumed therefore that the Federal Party, at least for the time being, has relegated the demand for Federalism and citizenship for Indians in Ceylon to the bottom of the list. The fears the Sinhalese politicians entertained about the Federal Party establishing links with the Dravida Munnetra Kazagham (DMK) of South India whose declared goal had been the "secession of Tamil land from the Indian Union and the creation of an independent and sovereign Dravidastan"² receded with the Anti-secessionist Amendment to the Indian Constitution in March 1963. This particular amendment sought "to prevent the fissiparous, secessionist tendency in the country engendered by regional and linguistic loyalties and to preserve the unity, sovereignty and territorial integrity" of the Indian Union.³ So long as the Government in Delhi is able to control the Tamil separatist movement in South India (DMK), Sinhalese politicians do not have to concern themselves too much with the possibility of the Federal Party joining up with "an independent and sovereign Dravidian Socialist Federation,"⁴ taking with them the Northern

1 See above p. 10-11.

2 Pacific Affairs, Winter 1964-65, p. 396.

3 Ibid, p. 397.

4 Ibid, p. 407, DMK election manifesto 1962.

and Eastern Provinces of Ceylon and in addition perhaps the plantation labourers in the up-country tea estates. The fear of such a possibility was very real in 1962 when the DMK, vanguard of the "Dravidian movement emerged as the strongest opposition ever to challenge the entrenched Congress Party in Madras."¹

The DMK had been working for sometime among the up-country Indian Tamils in Ceylon and in July 1962 it was proscribed by the Ceylon Government for a short period. The Federal Party then criticized the Government of being undemocratic in banning "an organization (DMK) engaged in peaceable political activity and working for the liberation of the Up-country Tamils politically and economically".² This situation has changed under the present dispensation. One of the South Indian DMK leaders, Sada Gopan, deputy mayor of Madras, on a visit to Ceylon in June 1966, is reported to have told the Indians in Ceylon "to be faithful to Ceylon" and that "DMK in India has no political connections with any DMK organizations in Ceylon". The rest of his remarks are significant at least as evidence of the changed situation:

"A paper ghost was created during the last regime about some South Indian organization which brought much misunderstanding between many communities here. But the present government has proved a blessing to this country. This government has permitted me to come to Ceylon, and I have done no damage to this country. I Praise the courage of the State."³

1 Pacific Affairs, Winter 1964-65, p. 396.

2 Ibid.

3 Reported in the Ceylon Daily News, 6/30/66.

In these circumstances, the creation of District Councils among the Indian Population in u-country could also be undertaken in a co-ordinated plan to decentralize the administrative machinery. Indians in Ceylon have been voteless and therefore voiceless for too long. It is time that the Government adopted a more humanitarian and liberal policy towards them so long as they showed an abiding interest in the country and their allegiances were to Ceylon and not to India.

Administrative decentralization has been a subject of active discussion ever since the general election of 1956. Every Prime Minister has approved of the idea, but the difficulties have always centred round the degree of power to be delegated to these Councils. The position of the present Government in this regard is to "set up District Councils under the control of the government".¹ Considering the climate of amicability between the Tamils and the Government now prevailing, an acceptable scheme may be worked out within the existing constitutional framework.

Relations between the Sinhalese and the Tamils have not been characterized by any social disabilities and despite their Ariyan and Dravidian origins, for the most part they look alike. The Tamils are dark, sometimes as swarthy as negroes; but the Ceylonese do not consider complexion as important as purity of profile. It is true that the Sinhalese and the Tamils "see each other as different peoples and tend

1 Hansard, 1965-66 Session, Vol. 64, No. 4, Col. 766.

to be mutually critical".¹ This may be due to the lack of social mobility and years and years of separate existence fed by their own prejudices and self images. With the developments in communication and greater intergration of the communities this may fade away. In this regard the mass media could do a great deal toward mutual understanding. Radio Ceylon² operates transmissions in English, Sinhalese and Tamil. The only programme that is pooled is the news. Attempts must be made to provide common programmes in the three languages in other fields too. The role of the newspapers has not been altogether satisfactory either. For example during the language crisis of 1956, all English-Language newspapers opposed the 'Sinhala Only' bill, all Sinhalese newspapers supported it and the Tamil language newspapers called for "parity" between Sinhalese and Tamil.³

Mr. Dudley Senanayake enjoys the support of all the newspapers and therefore necessary correctives could be applied without coercion in the interest of national unity.⁴

Much could be done in the field of education. Up to now getting the Tamil children to learn Sinhala has been a failure. There has not been any governmental action to get the Sinhalese children to learn Tamil. The Federal Party has repeatedly said that the sending of teachers to teach Sinhala in the Northern and Eastern Provinces would be regarded as an infringement of the rights of the Tamils and would

1 Wriggins, p. 233.

2 There are no private stations in Ceylon.

3 Marshall R. Singer, The Emerging Elite, (The M.I.T. Press, Cambridge, Mass., 1964), p. 112.

4 None of the Bandaranaiques has the support of the Press.

be resisted by them; they would only consent if the Sinhalese agreed to learn Tamil.¹ At the present time it is only English that is being taught in all schools, as a non-compulsory second language. If steps were taken to teach both Sinhala and Tamil in all schools closer relations will be possible at least for the future generations. English will continue to be taught as the only means of providing a window to the rest of the world as it is done now. As far as the content of text books is concerned, there is no difficulty at all, since both Sinhala and Tamil text books are translated and published by the Department of Official Language Affairs.

In this connection recent efforts to translate Sinhala works into Tamil and Tamil works into Sinhala are steps in the right direction.² In the matter of providing teachers able to teach Sinhala to the Tamil children and Tamil to the Sinhalese children, the Government would have to undertake such a teacher-training project without delay. Lack of statistics in this regard make any accurate prognostications difficult or any evaluation incomplete. But these matters must engage the attention of the educationalists in Ceylon.

Most important, the measures outlined above would not cater towards greater unity unless they are combined with an aggressive

1 Hansard, 1965-66 Session, Vol. 67, No. 2, Col. 147.

2 Reported in Dawasa, 5/7/66.

plan of economic development and expansion of employment opportunities for all, without which no amount of legal or institutional safeguards would keep anyone contented. — As the Prime Minister, Dudley Senanayake, exhorted the Opposition, "if you are sincere about national unity let us fight it out in the economic plane".¹ The task of cementing Sinhalese-Tamil co-operation will have to be approached from all fronts.

1 Hansard, 1965-66 Session, Vol. 67, No. 2, Col. 770.

Chapter X

Conclusion

The language movement has been the beginning of a second wave of nationalism in Ceylon. Independence in 1948 did not arouse much enthusiasm beyond the pale of the Western oriented political elite who became the inheritors of power from the British. Language was effectively exploited to overthrow this class in 1956; it was the first assault on the power, privilege and exclusiveness of the English-educated class. A movement which initially had focussed on the need to replace English with Sinhalese and Tamil, later became Sinhalese only, as the issue began to be canvassed in the hustings. Consequent growth of political awareness among the ordinary villages set off a Buddhist-Sinhalese resurgence, which was continually fed by politicians who had come to power on the same issue.

Language legislation marked an intensification of the Sinhalese-Tamil conflict. The existence of nearly a million Indian Tamils in the heart of the island, commanding an economic stranglehold on its major export industry added to the Sinhalese fears and suspicions of the Tamils in the face of their demands for Federalism. The island's history which is crammed with Indian invasions, due to its geographical location, coloured the Sinhalese attitudes and

approaches to the Tamil minority problem. The Federal Party's demand for giving the Indian Tamils citizenship status and recognition of the Tamil Language on a par with Sinhala hardened the Sinhalese resolve to implement the Official Language Act in the teeth of bitter and relentless opposition of the Tamils. While the Tamils feared the Sinhalese majority domination on the island, the Sinhalese in turn feared the Tamil connections with over thirty million Tamil-speaking people of South India. Each community suffers from its own complex.

The handling of the issue by politicians has been far from satisfactory. Excepting the Marxist parties, every major political party had exploited the 'Sinhalese Only' slogan to ride to power. Democratic imperatives of fulfilling election pledges have been perverted to serve sectional advancement to the detriment of minority interests and national unity. Neither the UNP nor the SLFP had been able to rise above party politics to solve a problem that concerns the whole country. On the contrary politicians seem to have postponed a final solution, with an eye to ^{the} next election, to come back to power on the same issue. Unable to solve the major economic problems facing the country and hoping to divert the attention of the electorate from these, they have made it a normal practice to appeal to communal and religious sentiments during elections.

Despite the popular passions aroused by the language movement and despite the legislative enactments, work in the administration continues to be carried on in all the three languages. Implementation of the Sinhala Only Act has not been completely successful; by and large the Tamils have refused to learn to work in Sinhala at the dictates of the Sinhalese majority.

Recent attempts by the new National Government of Prime Minister Dudley Senanayake to bridge the gulf that had been widening since 1956 show signs of promise. The measure of their success will depend upon the extent to which the Sinhalese and the Tamils are willing to compromise in building a united Ceylonese nation.

Appendix I

There is a difference of opinion in regard to the interpretation of section 29 of the Ceylon Constitution. It appears that the Privy Councillors' remarks are relevant only if one assumes that the Ceylon Parliament is limited in its sovereignty and that section 29 of the Constitution is a built-in entrenched clause that cannot be changed without going before the British House of Commons. They argue that the Ceylon Constitution was imposed by the British Parliament and that Ceylon had no opportunity to frame its own Constitution by a Constituent Assembly. This point was given utterance by Mr. P. G. B. Keuneman, M.P. for Colombo Central, thus

"it is not unheard of that constitutions can limit sovereignty of parliaments. That would not be objectionable if the constitution and the parliament both derived their authority from the same source, namely, the people. If the people create a constitution, they can through that constitution create limitations on another organ of power which they create, namely, parliament. But is that the case in Ceylon? Here we have authorities deriving their powers from two different sources. We have a Constitution imposed on us on the basis of the authority of Her Majesty the Queen and we have a Parliament elected on the authority of the people."¹

The contrary view is that the Ceylon Independence Act 1947 passed by the British Parliament was intended and did have the result of giving to the Ceylon Parliament the full legislative powers of a sovereign independent state. Sir Ivor Jennings explains:

"The legislative power of the Ceylon Parliament as contained in section 29 of the Ceylon (Constitution) Order in Council,

¹ Hansard 1965-66 Session, Vol. 64, No. 7, Col. 1451.

"1947, is not that of a sovereign legislature because it was thought wise to limit its powers in the interest of religious and communal minorities. This limitation, though peculiar in form and substance because it relates to the social conditions of the Island, is similar in principle to that imposed by most written Constitutions. It is indeed rare to confer upon a legislature the full unrestricted or sovereign power which is possessed, by an accident of history, by the Parliament of the United Kingdom. Absolute power unrestrained by constitutional law is generally considered to be dangerous because it is in fact exercised by transient majorities which may use it to suit themselves. The limitation can, however, be altered or even abolished by the Ceylon Parliament itself by means of a constitutional amendment which satisfies section 29(4) of the Constitution. It is in fact a limitation which Ceylon chooses to impose on his legislature in the interest of her own people."¹

1 Jennings, The Constitution of Ceylon, p. 23.

POLITICAL DIVISIONS OF CEYLON

TRADITIONAL TAMIL AREA AND INDIAN TAMIL AREA

KEY

TRADITIONAL TAMIL AREA

INDIAN TAMIL AREA

COMMUNAL COMPOSITION OF POPULATION

KEY

ADAPTED FROM FARMER, p. 60.

GEOGRAPHICAL SITUATION OF CEYLON

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