

SATYAGRAHA

**The
Freedom Movement
of the Tamils
in Ceylon**

BY

S. PONNIAH B.A. (Lond.)
(Advocate of the Supreme Court)



1963

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SATYAGRAHA . .

AND

The Freedom Movement

OF

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Dare to Do and Die



“Shoot if you must and I am ready to die” the young student tells the soldier who threatened him with death, if he did not move away.

CONTENTS

Chapter	Page
I A Glimpse of Ceylon History	1
II The Constitution and Tamils	12
III The Tamil Question How Arose	21
IV The Riots	27
V The Reasonable Use of Tamil	40
VI On the Eve of Satyagraha, 1961	46
VII The Satyagraha 1961	54
VIII Satyagraha Continues	65
IX Atlee Offers Solution	78
X Satyagraha Continues	86
XI The Premier's Broadcast—The Pros & Cons	95
XII Some Highlights of Satyagraha	107
XIII Government Anti-Satyagraha Moves	124
XIV The Premier Returns from the Commonwealth Conference	131
XV The Talks	135
XVI The People's Post Office	145
XVII Satyagraha Vs Violence	148
XVIII The "Iron Curtain—The Hardships"	157
XIX The Curfew, Military & People	165
XX The Tamil Question & The Ceylon Indian Tamils	180
XXI Why not the Federal System ?	182
XXII Ceylon Today	187
XXIII Conclusion	194

*This book is dedicated to the
memory of my late beloved mother.*

FOREWORD

I have had the pleasure of reading through the book entitled "Satyagraha and the Tamil Freedom Movement in Ceylon", written by the young Advocate of the Supreme Court of Ceylon, Mr S. Ponniah. He begins by giving a brief account of the political conditions that obtained in Ceylon before the grant of Independence in order that the subsequent events may be understood in their proper context. The Constitution that was imposed on the people of Ceylon by Great Britain was really so done under a misapprehension that the people of Ceylon had the capacity and training in democracy to understand how parliamentary democracy worked in Great Britain.

The unitary Constitution, modelled on the British Parliament, is something new and strange even to the educated people of Ceylon because the British Parliament functions not as a result of a written Constitution but guided by conventions which have been established over the long years parliamentary democracy has existed in Britain. The makers of the Constitution that was granted to Ceylon were under the impression that the rules and conventions that obtained in Britain would be followed also in the Island. But unfortunately the politicians who came into power since the grant of independence had either no knowledge or scant regard for those rules and conventions. As soon as the first Government was formed under the new Constitution, the majority of the politicians who happened to belong to the Sinhalese community utilised it to acquire greater power for themselves and their community at the expense of the minorities.

Shortly before the introduction of the new Constitution a resolution was passed by an overwhelming majority in the State Council declaring Sinhalese and Tamil as the

official and national languages of the Island. This was, probably, done to win the support of the minorities in their agitation for constitutional reforms. But after the Sinhalese politicians had achieved their object they sought ways and means of not only completely disregarding the solemn promise contained in that resolution but also of denying equality of opportunity and fair treatment to the Tamil speaking people of the Island. On the 5th of June, 1956, the very mover of the resolution that Sinhalese and Tamil should be the national and official languages introduced a Bill making Sinhalese as the only official language of the Island. The leaders of the Federal Party who were shocked by this colossal betrayal of trust gathered on the Galle Face Green to perform satyagraha as a protest against the imposition of Sinhala as the only official language of the country. They were jeered at, assaulted, manhandled and ill-treated by the ruffians who had come there, probably, at the instigation of some Sinhalese politicians.

The author of this book has dealt with these matters adequately and in greater detail. He has given a brief resume of the 1956 and 1958 communal riots in order to indicate to the public and to the world at large the root cause of those disturbances. But what is most interesting in this book is the day to day account of the satyagraha campaign which, although launched by the Federal Party under the leadership of Mr. S. J. V. Chelvanayakam, Q. C., became in fact a tremendous mass movement of the Tamil-speaking people of Ceylon for recovering their lost rights. The author who does not belong to any party has, as a close and impartial observer of the events that took place during and after the satyagraha campaign presented facts which deserve the consideration of all who are interested in the peace and good government of the Island. He had indicated in this book that there can be neither peace nor economic prosperity for the Island unless the majority community, the Sinhalese, win the willing co-operation of the minorities in their task of economic development.

As a means of solving the economic and political problems of the Island, the author had discussed the advantage of altering the unitary constitution to a federal form. He has presented the arguments clearly and cogently why a federal constitution is preferable to a unitary one in Ceylon. He has indicated how a unitary form of Government in the context of events that happened recently might lead to an oppressive kind of dictatorship from which the people would have very little chance of escape. He has also shown the real motive why the Sinhalese politicians are trying to mislead their people by making it appear that federation means division and separation.

The chief value of the book lies in its accurate and impartial descriptions of not only the events but also of the impact it has had on the political and the general public in Ceylon and the world at large.

In the chapter entitled "Ceylon To-day", the author has described how the discriminatory policies of the Government on grounds of race and religion and even caste led not only to the continued deterioration of the economic conditions of the Island but also to an attempt to pervert the proper, orderly administration of justice and even to a disregard of the rule of law. What the author has said in this matter deserves attention by all those who care for impartial administration of justice and the rule of law.

The concluding chapter is indeed very interesting. The author seeks to harmonise Plato's idea of rule by the philosophers with the modern ideals of democracy. According to him the government of a country should be in the hands of those who have the competence, knowledge and fairness to rule impartially all those whom they are called upon to govern. The mere fact that a person has been elected by popular vote can be a Minister of State would sometimes lead to such grave abuse of power on his part as to make democracy a mockery. In order to prevent such an eventuality taking place the author suggests that Ministers

of State should be men of experience, wisdom and impartiality capable of considering justly the pros and cons of any problem that confronts the people.

This, I am afraid is a counsel of perfection. It is certainly good if such wise and good men can be found to govern a country But how are they to be found is the question This is a difficulty that seems to me almost insuperable However, the author's view on this point deserves careful consideration by all those who are interested in safeguarding the rights and privileges of a people under whatever form of government.

The good intentions of author cannot be doubted. In the last paragraph of chapter I, he has appealed for Tamil-Sinhalese amity and thereby for a united Ceylon. He stands for a peaceful solution of the Tamil Question and has welcomed Lord Atlee's solution which he described in Chapter IX of his book.

The author has supported the views expressed by the five University Professors who had sincerely urged on the government the necessity for an early solution of the Tamil Question in the interest of justice and national solidarity (Chapter XI) The author, also, has pointed out that the Tamil Question is a fit subject matter for the United Nations as it is feared that "this question cannot be reasonably solved by the Communal governments of Ceylon whose fairness and competence are very much in doubt".

I commend this book to those who are interested in the political conditions in Ceylon and the general questions of Government that arise from a consideration of the events he has described in this book.

M. Balasundaram

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PREFACE

In this book I have outlined the struggle of the Tamil-speaking people to win their basic freedoms, particularly the freedom of language. The outline of the Ceylon History is given against the background of the relations that existed between the Sinhalese and Tamil-speaking peoples for many centuries. The chapter on Constitution, besides detailing the growth of the Constitution, deals with its defects in respect of minority rights and their protection and the suggestions to remedy them. The development of the Tamil question has been shown in chronological order. The short-sighted policies of successive communal governments had led to the riots of June 1956, and May, 1958, which have been briefly described. The Satyagraha Movement which started in February 1961 has been dealt with in greater detail as it involves the determined effort of all sections of the Tamil-speaking people to win their fundamental human rights.

Negotiations for a settlement of the language question having failed the Federal Party and the Tamil-speaking people adopted satyagraha as the only peaceful method to assert their basic rights. But the Government and Ministers in their greed for power and communal frenzy failed to see the justice of our fundamental cause. Instead by making the language issue a vote-catching issue, they have been pursuing a policy of discrimination, suppression and persecution without due regard for human rights or values.

The Satyagraha Movement paralysed the civil administration in the Northern and Eastern Provinces and it very much established the fact that the Tamil-speaking people were united in their struggle for language and other basic rights. But the Government, far from governing the Tamil-speaking people with their consent, was determined to suppress their rights by a military attack on the unarmed and peace-

ful satyagrahis and by clamping down on them a state of emergency and curfew.

The progress of the satyagraha and the consequent military atrocities on the Tamil-speaking people have been set out without exaggeration and with a keen desire to bring to light what actually happened in the interests of truth, justice and freedom. I have watched the events at Jaffna and elsewhere as an independent observer free from any party affiliations.

The last chapter deals with my own conclusions on the matter. The counsel given by the sages of all ages deserves careful and patient scrutiny. They maintained that it was a great risk and a danger to the peace and well being of the nation to entrust the Government of the people to individuals who lacked vision and a sense of responsibility. They further maintained that wise men should be called upon to shoulder the responsibility of governing the country. No doubt it is difficult to select and persuade wise men to accept the responsibility, but one cannot over emphasise the importance of this principle being accepted and acted upon by humanity as a whole for their own redemption and progress. We can, however be certain that the rule by wise men would at least offer a modicum of democracy in its widest sense and people may have the right to elect their representatives to represent their rights and interests. The function of the elected representatives should be only to represent to the government as best as they can the rights and interests of the people who have elected them. It is unsafe to recognise them as ministers or rulers as well.

S. PONNIAH

Valvetty.

Valvettiturai (Ceylon), 15, April 1962.

CHAPTER I

A Glimpse of Ceylon History

Sinhalese:

The Mahavamsa mentions certain tribes in Ceylon that existed in early times. They were-Sinhala, Kulinga, Moriya, Taraccha Lambakarna and Balibhojaka. These tribes had as symbols signifying their respective clans heads of certain animals and birds viz lions, hyenas, peacocks, crows, etc. Some of these tribes are mentioned in South Indian history. But it is not certain if these tribes migrated to Ceylon.

Historians in Ceylon have given a good deal of attention to the term Sinhalese-what it means and how it was derived. The Mahavamsa explains that Sinhalese are the decendants of a lawless princess and a lion, the two having effected a union. This has no historical validity. Some historians put it that the Sinhala clan finally defeated the other clans and thereby derived its name Sinhala.

Gautama Buddha paid, according to Mahavamsa, three visits to Ceylon. After him Vijaya and his followers came to Ceylon about 500 B C. The arrival of both Gautama Buddha and Vijaya and his followers had done tremendous good to Ceylon. Besides the introduction of Buddhism in Ceylon, the primitive character of the Island had begun to change.

The Dravidians:

Most historians are of the view that Dravidians were in the Island even earlier than Vijaya. Dravidians are reputed to be the founders of the Indus Valley Civilization as evidenced by the excavations of Mohenjodaro and Harappa.

The more recent excavations, chiefly, the bronze images which have a bearing on Hindu religious worship tend to fix this ancient civilization with the Dravidian way of life and worship. It is now widely believed that the civilization flourished about 3,000 B. C. and that it was a very advanced civilization and even superior to the Nile, Tigris and Eurphrates Valley civilizations.

The cities with their numerous streets and lanes, two-storeyed buildings, and beautiful well-ventilated houses with courtyards, bathrooms and a drainage system reveal an exquisite pattern of urban life comparable to any modern, well-planned municipal life. One of the wonders of that civilization was the Great Bath. Open-air bathing seems to have been a delight to the Indus Valley people. The Great Bath was quadrangular in shape, 180 feet long and 108 feet wide. The four sides of this bath were phalanxed by a set of rooms. In its centre was a swimming pool 39 feet long and 23 feet wide and 8 feet deep. There were steps leading in and out of the pool. There was installed a mechanical device to feed this pool with fresh water from an adjoining well and for draining off its stale water through a drain.

The Dravidians are the people who speak the Tamil, Malayalam Telegu and Canarese languages and the dialects of Tulu Konkani and probably even Brahui and Gondi. Philologists are of the view that Tamil has the greatest affinity with the original Dravidian language and that Malayalam Telegu and Canarese languages are offshoots of this original language. These Dravidians originally lived in all parts of India as indicated by the fact that even at present Brahui, a Dravidian dialect, is spoken in West Pakistan and Gondi in Central India. With the coming of the Aryans into India, the Dravidians migrated to the southern parts of India. This, probably, led to the coming of the Dravidians into Ceylon which was part of India. As mentioned earlier, the Dravidians

were in Ceylon even before Vijaya and his followers. Vijaya and his followers obtained their wives from South India and settled in the Island. There is the tradition that Vijaya married Kuveni, a Yakka princess. The descendants of Vijaya and his followers appear to have mixed with the primitive people of this Island and multiplied their progeny who claim themselves as Sinhalese. The Dravidians who were in the Island and those who continued to come seem to have lived peacefully with the rest of the inhabitants.

Invasions:

Ceylon was not free from invasions. The South Indian rulers managed to establish their rule in the Island. The Tamil King Elara of the 2nd century B. C. had his seat of government in Anuradhapura and his reign was one of the most glorious in this country. The young Sinhalese King Dutugemunu of Mahagama was determined to wage war with Elara. But the good old King who had become philosophical and begun to detest bloodshed and loss of lives told the young King not to plunge the country in a war and consented to try his own personal strength in a single combat and that the victor should become King of Lanka. In the combat that ensued the old King was killed and young Dutugemunu became King of Lanka. Notwithstanding the passions which the war would have raised, the relations between the Tamil and Sinhalese inhabitants appear to have been cordial. This is also evidenced by the chivalrous treatment accorded to King Elara's corpse by this young king himself. He issued an order that no one, even if he be a king, should pass on horseback or be carried on a palanquin or playing music by the tomb of King Elara. This cordial relationship is confirmed by Mahavamsa. The influence wielded by Tamils at this time could be gathered by "the Anuradhapura house-holders' inscription" dated, probably, as of the 2nd Century B. C., which reveals that an influential trading guild of Tamils was in existence.

The Cholas:

Relations between Ceylon and South India became more strained leading to frequent invasions of Ceylon by South Indian Kings. The chola King Karikalan invaded Ceylon and carried away to India about 12 000 Sinhalese as slaves. During the time of Cheran Senguttuvan Tamil influence spread to Ceylon. The Tamil Sangham anthology, pathirrupattu, has it that Gaja Bahu of Ceylon was invited by Senguttuvan to the anointing ceremony of the Statue of Kannaki. Gaja Bahu made use of the opportunity to enlist the service of a few thousands of Tamil skilled workers who accompanied him to Ceylon. He also seems to have introduced the Pathini worship among the Sinhalese. They helped him to improve the sculpture and architecture of the Island. In the course of the Lambakarna-Moriya rivalry for the throne, which was spread over for the next few centuries, many Sinhalese pretenders to the throne sought the assistance of South Indian Tamil rulers. One notable example was the help rendered to Manavamma by Narasinghavarman Pallava. The next major invasion of Ceylon was by the Pandyan King Sri Mara Sri Vallabha in 835 A D. Towards the end of the 10th century A D the Chola supremacy had been established throughout South India.

In 993 A. D. the Chola King Raja Raja the Great invaded Ceylon and seized Rajarata. He made Polonnaruwa his capital and made attempts to conquer Ruhuna which was under Sinhalese rule. After the death of Raja Raja, his son Rajendra I, the next Chola King invaded and conquered Ceylon in 1017 A. D. Under the Tamil Kings of India, Polonnaruwa became a beautiful city teeming with splendid buildings adorned with Indian mosaic and with a magnificent palace at the centre with fresh lawns, arbours and swimming pools. Polonnaruwa also became a seat of learning and culture. The Chola Kings patronised Hinduism in Ceylon and dedicated temples to their Gods. The sculpture and paintings

in these temples and the recent excavations at Polonnaruwa such as the bronze images of Nataraja and other Gods go to prove that for quite a long period, Polonnaruwa had been a seat of Tamil and Hindu culture

In about 1070 A D civil war broke out in the Chola Kingdom in South India over the question of succession to the throne. The Pandians seized this opportunity to assert their independence. In Ceylon, too Vijayabahu availed of the opportunity to attack the Cholas. He sent armies to Polonnaruwa and Anuradhapura. The Cholas were too busy at home in India to send any reinforcements to Ceylon and Vijayabahu seized these two cities with ease and declared himself King of Ceylon, although he was not in the direct line of succession. He, too made Polonnaruwa his capital. Vijayabahu unified Ceylon and launched a number of economic development projects including an extensive irrigation system.

Pandyan Influence

Vijayabahu I was succeeded by his brother Jayabahu in 1114 A. D. Mitta, a sister of Vijayabahu, married a Pandyan prince. She had a son called Manabharana. Jayabahu allowed his nephew Manabharana in his Court and even admitted him to secret conferences of great importance. Thus Pandyan influence became predominant in his Court. Jayabahu eventually, made him the ruler of Mayarata and gave Ruhuna to Manabharana's brothers Sri Vallabha and Kit Sri Megha who divided it between themselves equally. Vickramabahu, son of Vijayabahu, however, became the ruler of Rajarata as Vickramabahu II. Thus Ceylon became divided again under several rulers.

Parakramabahu I

Manabharana's son Parakramabahu I became ruler of Mayarata when his uncle Kit Sri Megha died. Parakramabahu, who was ambitious, sought to bring Ruhuna, Rajarata

and Mayarata under his sole control. He built up a large army. Meanwhile Sri Vallabha died and he was succeeded as ruler of Ruhuna by his son Manabharana Gajabahu II. Vickramabahu's son, became ruler of Rajarata. With Gajabahu's death, war broke out between the Pandyan cousins Parakramabahu I and Manabharana for the kingdom of Rajarata. After a prolonged warfare Manabharana was forced to retreat to Ruhuna where he died after a few days. Parakramabahu became the ruler of Rajarata. He then intensified his campaign for the conquest of Ruhuna, but Sugala, Manabharana's mother offered resistance. But this resistance was of no avail against Parakramabahu's trained and powerful army. Hemmed in from both front and rear of his armies, Sugala's forces were crushed speedily and Parakramabahu became ruler of Ruhuna too. After a long period of internal intrigues and civil wars, the Island became unified for the first time under this Pandyan ruler of Ceylon. Although a Pandyan Hindu, he evinced great interest in Buddhism and did much to restore it to its pristine purity and glory.

Magha of Kalinga-

After Parakramabahu, Kalinga princes namely Vijayabahu II and Nissanka Malla seized power. After Nissanka Malla, there was much insecurity and for sometime there was no stable government. This gave the opportunity to Magha of Kalinga to invade Ceylon. He occupied Ceylon without much difficulty with the help of Tamil soldiers and declared himself King. He took repressive measures against his opponents.

Arya Chakravarti-

When the Pandyan Empire flourished again under Jatavarman Sundara Pandya II (1253—1270), Virapandya invaded Ceylon and defeated the two kings. One of them was killed and the other was forced to pay tribute to the

Pandyan monarch. At Trincomalee he hoisted the Pandyan fish flag. When Maravarman Kulasekera ascended the throne, Arya Chakravarti invaded Ceylon in about 1284 A D and crushed all opposition. He occupied the town of Subhagiri, seized the treasures and the Tooth Relic and took them to the Pandyan Kingdom.

Two Kingdoms-

It is important to note that after the invasions of Ceylon by Magha of Kalinga and Arya Chakravarti, the Sinhalese population shifted more to the centre and South West of Ceylon. Kotte became the capital of the Sinhalese Kingdom. The Tamil inhabitants maintained their kingdom in the North. Thus the division of Ceylon into two distinct areas, one for the Tamils in the North and one the Sinhalese in the South became more emphasised. While the second Pandyan Empire was in its decline, Bhuwanekabahu II who ascended his father's throne, declared Ceylon independent of Pandyan overlordship. But the Tamil Kingdom remained intact.

Arya Chakravarti, King of the Tamil Kingdom in the North, sought territorial expansion. He advanced with his army towards the South West. By his victories, he enlarged the frontiers of the Kingdom of Jaffna and it became the biggest and most powerful in the Island. The Sinhalese Kings paid him tribute. It was with the Jaffna King's protection that Ibn Batuta was able to climb Adam's Peak. Vickramabahu III, who was a weak, Sinhalese King, could not resist the advance. But his Minister Nissanka Alagakkonar —, himself a Tamil, was equal to the occasion. He made Kotte his capital, fortified it with ramparts and battlements and got ready for war. Alagakkonar then, refused to pay tax to Arya Chakravarti. He resisted his advance and finally drove him back to the North. Parakramabahu VI, who ascended the throne in 1415 A D, sought the unification of the Is-

land. He sent his adopted son Sembahaperumal, son of a Tamil Naika, to the North to conquer the Tamil Kingdom. In about 1450 A. D. he conquered the Tamil Kingdom. He is also the reputed founder of the Nallur Kandaswamy temple.

The Portuguese, Dutch and British

The Portuguese came to Ceylon as traders. Seafaring had made them hardy men and indomitable fighters. They easily over-ran the coastal regions of Ceylon. They picked quarrels with the Tamil King of Jaffna over questions of trade and religion. There ensued a war between them and the Tamil King. The Portuguese by reason of their superiority in the art of war and the use of more advanced weapons, defeated the Tamil army and made the Tamil Kingdom a protectorate of the Portuguese Kingdom in 1591. Sankili was the last of the Tamil Kings of Jaffna. With his deposition, the Tamil Kingdom of Jaffna came to an end.

Originally, the Tamils came to Ceylon as sailors, fishermen and adventurers. Later they came as soldiers and conquerors and then as sculptors and painters who became the architects of the Polonnaruwa civilization. Their descendants to-day are called the Ceylon Tamils.

The Indian Tamils-

With the advent of the British agriculture and industry expanded in the hill country. The coffee, rubber and tea plantations required a large labour force which was not available in Ceylon. The planters with the assistance from the Government brought Indian Tamils to work their plantations. The influx of Indian Tamils continued to increase as more and more manual labour was required to man the working of the Ceylon Government Railways the Public Works Department, the Local Government Service and the Customs. Hardly anyone will deny that the prosperity and

progress of Ceylon was largely due to the toil and sweat of the Indian Tamils in Ceylon. The provisions made by the Government for their educational and cultural pursuits had been very niggardly and more recently they have been heartlessly deprived of their civic rights and made a stateless community by the operation of the Ceylon Citizenship Act of 1948, a most inhuman and iniquitous piece of legislation passed by the late Mr. D. S. Senanayake's United National Party Government. This law has no parallel in any country in the world!

The Ceylon Tamils are, as pointed out earlier the descendants of the early Dravidian inhabitants of the Island. Their traditional homelands are the Northern and Eastern Provinces. They represent the most ancient civilization and culture in this Island and their language, Tamil, is one of the richest and oldest living languages of the world. Hinduism became well established in several parts of the country. The Kataragama Temple, Thiruketheeswaram and Thiruko-esar Sivan Temples are standing monuments of their highly developed Hindu way of life and culture. In the light of such facts, it is an ignorant or malicious propaganda carried out by the Ceylon "Sinhala Only" Government in foreign countries through its legations that Tamils were a people who came here as settlers about 600 or 800 years ago. Recent happenings in Ceylon have shown beyond doubt that they are not prepared to desert their hereditary culture. Given their basic rights they are, however, willing to live in amity with their Sinhalese brethren. The peaceful nature and the high degree of tolerance of the Tamil people are well known to the world.

Under the Portuguese and Dutch administrators the Sinhalese and Tamils were equal sufferers. But under the British educated Tamils were entrusted with high offices of responsibility on account of their talents, probity and industry.

Although the British Government had done this without partiality or malice against the Sinhalese people and purely on the consideration of merit, this had naturally driven a deep wedge between the Sinhalese and Tamils. The right-thinking Sinhalese people themselves would admit that it was no fault of the Tamil people. This happy position, however did not deter the Tamils from fighting shoulder to shoulder with the Sinhalese for their political independence. Sir Ponnambalam Arunachalam, a distinguished scholar and administrator, by founding the Ceylon National Congress, inaugurated an era which marked the beginning of the freedom struggle which did not stop till the goal was reached in 1947. His brother, Sir Ponnambalam Ramanathan, too, played a big part in intensifying the freedom movement. Mention also should be made of the leading part played by the Jaffna Association in this struggle. The efforts of both the Sinhalese and Tamils resulted in the Donoughmore and later the Soulbury Commissions being sent to Ceylon by the British Government to investigate the possibility of effecting constitutional reforms.

The fundamental error committed by the Tamil politicians at the time was that they did not pay attention to the basic rights of the Tamil minority. They had, presumably, entertained the hope that after self-governing status was achieved, the fruits of independence would be shared equally by the Sinhalese and Tamil peoples. Owing to this misplaced optimism and want of political foresight the question of preserving the fundamental rights of the Tamil-speaking people did not arise.

From the years of independence, the pent-up feelings and passions of the Sinhalese politicians against the Tamil community began to break out and they set out on a mission of devising ways and means of starving out the Tamils politically, economically and culturally. The "Sinhala Only" Act is the product of such machinations. Selfish Sinhalese politicians, to-day, go about pointing the Tamils as the

"traditional enemies" of the Sinhalese people. What is prevailing here to-day is racialism of the worst type. It is rather a sorry sight in this country that both the Government and the extreme Sinhalese elements are united in undermining the Tamil-speaking community. The minorities are beginning to doubt whether they have a future here; the door to public service is now almost closed to them; the traditional homelands of the Tamil-speaking people are eaten away by government sponsored colonisation; their language and other basic rights are denied and in the economic sphere they are merely left with an arid zone with little rainfall and little of government aid. Despite hard work that wears away their vitality and health, they find it difficult even to lead a hand-to-mouth existence.

The Sinhalese and Tamils have a religious and cultural affinity. Their food, dress and modes of life are almost the same. During the last five or six centuries, they had lived and worked together without any noticeable friction. Despite discrimination in recent years by successive communal Governments of Ceylon against the Tamil community, it is yet both possible and desirable that the two communities should and can continue to live in a fraternal and friendly manner preserving their distinct languages and culture.

CHAPTER II

The Constitution and Tamils

Declaration of 1943

When His Majesty's Government in the United Kingdom considered constitutional reforms for Ceylon they were gracious enough to consider the rights of the minorities as well. By the Declaration of 1943 besides suggesting constitutional reforms the British Government made it a condition for presenting a draft constitution by the Board of Ministers that a three-quarters majority of members of the State Council should agree on that draft. This condition implied that the Board of Ministers should give due consideration to the rights and interests of the minorities and get their consent for the draft.

The Soulbury Commission

The Ministers however, disregarded this requirement and presented their draft scheme to the Governor in February 1944. It is then, some of the minority members of the Council protested against this scheme to the Secretary of State for the Colonies pointing out to him that the minorities had not been consulted in respect of the contents of the draft constitution.

It was, then, that the British Government resolved to appoint a Commission to provide full opportunity for consultation including minority communities concerned with the subject of constitutional reform and with proposals which the Ministers have formulated" (Reform of the Constitution: Further correspondence, p 3—S. P. XII of 1944).

The Commission consisted of Lord Soulbury a Conservative Cabinet Minister of the British Government (Chairman) Sir Frederick Rees, Vice-Chancellor of the University of Wales, and Mr. (later Sir) Frederic Burrows President of the National Union of Railwaymen and afterwards Governor of Bengal. The Commission sat and received evidence in Ceylon on various occasions between 2nd December, 1944 and 8th April, 1945.

Only a few members of the State Council gave evidence before the Commission. The Ministers chose not to give evidence as they felt aggrieved by the appointment of the Soulbury Commission. Of course, evidence was given on behalf of the Tamil people by their representatives. But the question was: What effect did it produce on the mind of the Commission. Already the damage had been done! The Ministers did not hesitate a bit to exploit their Tamil favourites (or stooges most of whom had been defeated at elections by their rival candidates who were now giving evidence as representatives of the Tamil people. At the insinuation of the Ministers these despicable opportunists went about saying that there was no minority problem in the country. In consequence, the evidence of the representatives of the Tamil people was pooh-poohed by the Ministers and their supporters. The Commissioners, naturally, could not give serious attention to the evidence of the Tamil representatives. Tamil voters must realise that a few elected Tamil members, too joined hands with the Ministers in exposing to ridicule those who spoke of the minority problem. They would have played a different tune had they but known that the sword of Damocles would soon be over their heads.

A Stitch in Time

There is much truth in the saying that a stitch in time saves nine. People must learn to use the vote to their advantage and not against themselves. If only the Tamil

members had stood up together and spoken with one voice at that time, to-day the Tamil community will not be wasting time in untying the Gordian knot they had made! Alas! even those who once talked glibly of minority rights are content being stooges of Government to-day!!

Ceylon (Constitution) Order in Council

The Commissioners made their Report with the Minister's draft as its basis. Later Mr. D. S. Senanayake was called by His Majesty's Government for further discussions and he was allowed to frame new proposals which included a demand for Dominion Status. This demand was rejected. With certain modifications, the Soulbury proposals were approved. The White Paper proposals were published in October, 1945, and they were accepted by the State Council by 51 votes to 3. The voting took place as follows: Two Indian Members and one Sinhalese (Mr W. Dahanayake) voted against it; two Ceylon Tamil Members and one Indian Member absent; the rest voted for the motion. The Ceylon (Constitution) Order in Council was passed on 15th May, 1946.

Dominion Status

In February, 1947, Mr. D. S. Senanayake made another bid for Dominion Status. Sir Oliver Goonetilleke, who was then in London, discussed the matter with the Secretary of State on behalf of the Ministers. Following this discussion an announcement was made by His Majesty's Government that when the Government of Ceylon had assumed office under the new Constitution, agreements would be made by which "fully self-governing status" could be conferred on Ceylon. This, eventually led to the passing of the Ceylon Independence Act 1947, by which Ceylon became a Dominion under the Statute of Westminster.

Minority Safeguards

The Commissioners sought to protect the minority interests by imposing a check on the power of the legislature. Thus section 29 of the Ceylon (Constitution) Order in Council, 1946, came to be enacted. This section reads as follows:-

29 (1) Subject to the provisions of this Order, Parliament shall have power to make laws for the peace, order and good government of the Island.

(2) No such law shall-

(a) prohibit or restrict the free exercise of any religion; or

(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 alteration shall be made except at the request of the governing authority of that body.

(3) Any law made in contravention of subsection (2) of this section shall; to the extent of such contravention, be void.

- (4) In the exercise of its powers under this section, Parliament may amend or repeal any of the provisions of this Order, or of any other Order of His Majesty in Council in its application to the Island:

Provided that no Bill for the amendment or repeal of any of the provisions of this Order shall be presented for the Royal Assent unless it has endorsed on it a certificate under the hand of the Speaker that the number of votes cast in favour thereof in the House of Representatives amounted to not less than two-thirds of the whole number of members of the House (including those not present)

Every certificate of the Speaker under this subsection shall be conclusive for all purposes and shall not be questioned in any Court of law.

The limitation in legislative power is contained in sub-section 2 and 3 of this section. Sub-section 4, however, takes away the effect of sub-sections 2 and 3, but by an onerous procedure. In other words, the protection accorded to minority interests under sub-sections 2 and 3 could be withdrawn at any time by the legislature by a two-thirds of all its members.

It may be argued that any law passed in contravention of sub-section 2 of this section may be challenged in a Court of law. Legally this may be correct. But in practice it would be found that the effect of even such a legal decision is of little or no consequence in a country like Ceylon where there is a predominant Communal majority. In the House of Representatives there are 151 members. Of these, only twenty are Tamil-speaking representatives (including Muslim members) Even on vital issues viz. language, religion etc., affecting the minorities, the nominated members

of the House of Representatives vote, invariably, with the majority group. For example, the Official Language Act of 1956 could be challenged in a Court of law. Even if the Court holds that the Official Language Act making Sinhalese as the only official language to the prejudice of Tamil is a contravention of sub-section 2 of section 29, there is still the danger of the protective section being repealed by a two-thirds majority which is quite possible in the House of Representatives where there are about 130 non-Tamil members. This is one of the reasons why the Tamil-speaking people did not seek to contest this issue in any Court of law.

A still better reason is that fundamental human rights are inalienable rights and therefore cannot be made alterable or repealable as contemplated by sub-section 4 of section 29. Minority rights cannot be exposed to the risk of frequent tampering by changing governments. Moreover, the check placed on the Ceylon legislature by sub-sections 2 and 3 of section 29 of the Constitution Order in Council has been swept away by the First Schedule to the Ceylon Independence Act of 1947. The relevant section in that Schedule reads as follows:-

- 1 (2) No law and no provision of any law made after the appointed day by the Parliament of Ceylon shall be void or inoperative on the ground that it is repugnant to the law of England or any existing or future Act of Parliament of the United Kingdom or to any order, rule or regulation made under any such Act and powers of the Parliament of Ceylon shall include the power to repeal or amend any such Act, order, rule or regulation in so far as the same is part of the law of Ceylon.

In the face of these legislative powers section 29 of the Constitution cannot be accepted as a constitutional gua-

- rantee of the fundamental rights of the Tamil-speaking people.
- That is why they are seeking through their leaders an amendment of the Constitution by incorporating a "Fundamental Rights" clause in it. It should be an entrenched provision of the Constitution free from tampering of any kind. The Constitution, also, must provide special powers for the Supreme Court as the custodian of the Constitution. The Supreme Court must have power to declare tampering of any kind by the legislature or any other institution ultra vires and of no effect. Unless this is ensured, discriminatory legislation may, again, become possible and destroy the unity of the nation. The danger is still greater in a country like Ceylon where the legislature could be dominated by a single racial group. It is noteworthy that sub-section 4 of section 29 of the Constitution enabling the legislature to repeal all limitations imposed on it had originated from the Sinhalese Ministers themselves and was embodied in the Ministers' draft scheme (See section 10 of Ministers' draft). This provision was never conceived by Her Majesty's Government.

Considering the concentration of minority groups in certain areas, the Delimitation Commission made provision to increase the number of seats for certain electoral areas with the object of giving weightage to the minorities. But the Communal governments availed of this provision to give more weightage to the majority race!

Fundamental Rights-

India has done very well to avoid racial conflicts by preserving language and religious rights of minorities by the insertion of a fundamental rights clause into her Constitution. India appears to have followed the Constitutional pattern of the United States of America, which had worked its Constitution so successfully and beneficially. The "Fundamental Rights" clause of the Indian Constitution is similar to the Bill of Rights incorporated in the American Constitution.

Constitutional experts are of the view that the source from which these protective measures flowed is the Government of Ireland Act of 1920, which was aimed at protecting the Protestants from discriminatory legislation in Southern Ireland and the Roman Catholics from discriminatory legislation in Northern Ireland. Incorporation of fundamental rights in a constitution is very necessary and an expediency to satisfy the various linguistic and religious groups in the country and thereby preserve the unity and peace of the nation. When more advanced countries placed in similar situations have had recourse to incorporating fundamental rights in their constitutions, it is rather strange and inexplicable why the Ceylon Sinhalese politicians have been reluctant to follow this precedent.

The late Mr S. W. R. D. Bandaranaike when he was Prime Minister, attempted a revision of the Constitution. For this purpose a Select Committee was appointed. Mr. S. J. V. Chelvanayakam was one of the members of this Committee. He suggested to this Committee and the Government to follow the American and Indian precedents and provide for the fundamental rights of the minorities in the Constitution. But his words fell on deaf ears.

Communal Vote - a danger

The basic rights of the Tamil-speaking people have been treated with contempt by successive governments thriving on a Sinhalese majority vote. The constant danger is the permanent Sinhalese majority in the legislature as against the permanent Tamil minority. Sinhalese political parties in their passions for political power are making the Tamil issue a vote-catching issue and therefore are unable to see the justice of the Tamil cause. The policy begotten of shallow and unenlightened communalism has made politics for over a decade static without any changes in opinions. This is the real reason why democracy has signally failed in Ceylon

during these years. Unless communal political parties in the South change their basic outlook, the prospect for the whole of Ceylon will continue to be gloomy. Will there ever be a time when the average Sinhalese voter will vote for someone else other than a militant Sinhala communalist!

This is what Sir Ivor Jennings says on political parties that are not founded on matters of opinion:

"Political parties founded on factors which are not matters of opinion are a danger. I can be Conservative to-day and Socialist tomorrow. Both parties angle for my support and therefore are careful of my interests. Apart from the fact that toleration extends to Jews as to Gentiles, a government will not oppress Jews so long as Jewish voters support both parties. Similarly, there will be no "injustice to Scotland" so long as Scots vote for Conservative, Liberal and Labour and not Scottish Nationalist. If, however, Englishmen vote for an English party and Scots for a Scottish party, either Scotland will be oppressed or the Union will be destroyed. To say this is not necessarily to blame the Irish; the Irish Government arose while there was discrimination on the ground of religion; and it does not necessarily follow that the Union ought to have been preserved either in respect of Ireland or in respect of Scotland. All that is implied in the present argument is that the party system will not work unless it is based on factors of opinion which can change. A Conservative Government might persuade me to become a Conservative overnight. It cannot change my ancestry, my language, my caste (if I had one), my religion or even my economic status".- Jennings on the British Constitution.

CHAPTER III

The Tamil Question. How Arose

The newly-won independence was not made good use of. In local hands, it was like a fresh and beautiful garland in the hands of a mischievous monkey. Within a year of its birth communal problems cropped up; communal policies of the Government led to communal and discriminatory legislation

Disfranchisement

The first discriminatory legislation was the Ceylon (Citizenship) Act, 1948. By this act a whole community of people of Indian origin in this country, not less than ten lakhs, had become completely disfranchised. Under the British rule, the Indian community was allowed to elect their representatives to the State Council on democratic considerations. This enabled them to represent their interests and obtain relief. Under the Ceylon (Citizenship) Act, 1948, this is no longer possible. To-day the Indian community here is a helpless and neglected community. The disfranchisement of the Indians who form part of the Ceylon population is a retrograde step, inhuman and barbarous

Thoughtless Support

The tragedy of the occasion was that a few Tamil Members of Parliament who hailed from the Tamil Congress supported the Citizenship Act of 1948, to deprive ten lakhs of their civic rights in this country! These men, who ought to have thought better, easily yielded to the pressure of the late Mr. D. S. Senanayake. He simply patted them into servile obedience! This is one of the major issues on which Messrs S. J. V. Chelvanayagam, C. Vanniasingam and

E. M. V. Naganathan broke away from the membership of the Tamil Congress. Mr. Chelvanayagam was understood to have remarked that it was ironical that Tamils should support a Bill to deprive fellow-Tamils of their basic and inalienable rights, viz. the right to vote, etc. He was the first great politician of Ceylon who had the vision to predict then that the Ceylon Tamils will be the next victims of communal legislation. To-day, as he predicted, the Tamil question is staring us in our face with a bloody countenance!

The Change-over

In the State Council, a resolution was brought to switch over from English to Swabasha (national languages) in keeping with the newly-won independence. But that resolution, purporting to effect a change over to Swabasha, provided only for Sinhalese and left out Tamil completely. Later, however, it was amended to include Tamil and thereafter the amended resolution was passed.

The change-over was found to be a difficult job. It needed patience and keen study of administrative details. A Select Committee was appointed to report on the ways and means of effecting the change over. This Select Committee reported that a change-over could be effected in a period of seven years. Although the Report contained several important matters, the Government did not accept the seven-year period as a finality. The Government, therefore, did not fix the target date.

When the first Parliament under the Soulbury Constitution met, a Commission was appointed to find ways and means of effecting the change-over. The Commission was headed by Sir Arthur Wijewardene. The Commission, after a study of the administrative details, submitted its recommendations to the Cabinet. Consequent on these recommendations, the Official Languages Department was created.

to give effect to these recommendations. The Commission, however, did not decide on a target date for the change-over.

Equal Status

At the annual conference of the United National Party in 1953, Senator A. M. A. Azeez moved a resolution that Sinhalese and Tamil be given equal status as the two official languages of the country. In keeping with this resolution, Sir John Kotalawala, a Sinhalese leader, when he visited Jaffna in 1954, declared at the Kokkuvil Hindu College function held in his honour that the United National Party would give parity of status to Tamil and make it one of the two official languages of the country. The Sinhalese people were not against giving official status to Tamil. Some of the educated Sinhalese went so far as to acclaim Sir John's statement as a forthright and courageous statement of policy. The United National Party could have, honourably, adhered to this policy and succeeded in fighting shy of communal problems paving the way for national unity and harmony.

Counter blast

Of course, Sir John's statement at Kokkuvil did produce a repercussion among the political opponents of the United National Party, notably, the late Mr. S. W. R. D. Bandaranaike, the Opposition leader, who having crossed over to the Opposition after he fell out with the late Mr. D. S. Senanayake, was awaiting an opportunity to undermine the United National Party. He fully exploited Sir John's statement to intensify his communal campaign which he had already begun in 1953. In this year, Sri Lanka Freedom Party, under the presidentship of Mr. S. W. R. D. Bandaranaike, had decided at its annual session to make Sinhalese alone as the one official language of the country. Sir John's statement was a god-send to Mr. Bandaranaike to develop

his communal plans. At once he fell into organising a series of mass meetings in the South and fortified with his power of oratory with an Oxford accent, set out on a mission of loud harangues condemning Sir John Kotelawala and the United National Party for their policy of parity. His passionate speeches brought him large crowds to whom his oratory was an additional treat.

United National Party changes its policy

While the United National Party Government was busy with its economic development projects, Mr. Bandaranaike continued to keep up the flames of communalism that was beginning to consume the amity that had existed between the Sinhalese and Tamils for centuries. As time went by, it became clear that Mr. Bandaranaike was making headway in the race for Sinhalese support. The United National Party found itself left far behind in the race. Election time also was approaching. To keep pace with Mr. Bandaranaike and the Sri Lanka Freedom Party and to meet their challenge, the United National Party leaders now felt that they had to alter their basic stand on the language question. Shortly before the election, at the United National Party session at Kelaniya, it was resolved that Sinhalese alone should be the official language. The resolution did not speak of any rights to the Tamil-Speaking people.

Reactions

• With language as the basic issue, the hot race for power had begun between the United National Party and Sri Lanka Freedom Party. At this crucial moment, however, Dr. N. M. Perera, M. P. and President of the Lanka Sama Samaja Party interposed and warned the two communal parties that unless they mended their approach to the language question, they would be throwing the whole nation into utter chaos. He emphasised that the language of a people was a cultural issue, that every race of people must be

given the freedom to use its language in the manner it wanted without trammels of any kind. As a fundamental question the language issue should be taken out of the ambit of party politics and settled at a roundtable conference, Dr. Perera suggested. It is a danger to the well-being of the nation when a racial majority is called upon to determine the manner in which a racial minority in the country should use its language. If such a situation is ever created, both that majority and the Government that is formed on that majority become an instrument of oppression against the helpless minority

Similar views were expressed by Dr. Colvin R. de Silva, another leading Sinhalese M. P. Dr. de Silva pointed out that the Ceylon Tamils were in great measure responsible for the independence of Ceylon and that such independence should be shared alike by the Tamils and Sinhalese. Denial of this right would mean discrimination against them and would be both unfair and undemocratic. He maintained that a racial policy would be detrimental to the interests of the nation as a whole and would, probably, result in a division of the country.

University professors and lecturers, leading Christians and Buddhists and public spirited men like Mr. Wilmot Perera, Rev. Lakshman Wickremasinghe and Heenatiyana Thammaloka Thero, had made a strong plea for sanity in the solution of the language issue. Even the Press, particularly the "Times of Ceylon" had urged on the Government to abandon the policy of racialism and find an early and reasonable solution of the language problem. Their appeals went unheeded and the ugly monster of communalism raised its head. Election days had come. Mr. Bandaranaike trotted from platform to platform justifying his Sinhala only stand amidst exuberant oratory accompanied by his characteristic gesticulations. The United National Party did not

have his equal in this art. At the 1956 elections Sri Lanka Freedom Party got a landslide-victory and Mr. S. W. R. D. Bandaranaike, who became Prime Minister, formed his government. Astute observers, however, expressed the view that the Sinhalese people voted for the Sri Lanka Freedom Party not so much for its language policy as for a change of government in the country, the people having become tired of the administration of the United National Party rife with corruption, bribery and nepotism.

Mr. Bandaranaike felt convinced that he and his party had been voted into Parliament chiefly to introduce Sinhalese as the one official language of the country. Moving the Second Reading of the Sinhala Only Bill in the House of Representatives on 5th June, 1956, he said:-

"Now you will realize, therefore, that when we were elected with this language issue as one of the main planks of our Party, combined of course with a number of other issues we really did feel that it was our duty to introduce legislation on the subject early. My answer to those who would urge, 'why not hold a round-table conference? Why not carry out investigations?' and so on is that early legislation was needed. The question of Sinhalese alone being the official language really had gone beyond a point when it was a matter that we could not further reconsider."

Thus it became clear that neither reason nor justice could prevail on the Prime Minister and it was useless to plead with him for reconsideration of making Tamil a second official language.

CHAPTER IV

The Riots

Satyagraha - June, 1956

The Federal Party, on behalf of the Tamil-speaking people, had put forward the demand for official status to Tamil and had indicated the desire of the Tamil-speaking people to live in amity with the Sinhalese people and tried to persuade the Government to solve the language question in an atmosphere of friendliness and peace. It was only when Mr. Bandaranaike and his Government stood adamant by their Sinhala Only policy and decided to introduce a Bill in Parliament to make it the only official language that the Federal Party decided to launch the Satyagraha Movement in June, 1956. On the occasion of deciding in favour of the movement, Mr. Chelvanayakam the leader of the Federal Party, said that satyagraha was the only legitimate and non-violent method available to the Tamil-speaking people to win their rights. Violence was just the opposite of human culture and the aggrieved people should make their opponents realise their just grievances by suffering hardships in their own persons.

On 5th June, 1956, the House of Representatives assembled at 10-00 a.m. for debating the "Sinhala Only" Bill to be introduced by the Prime Minister, Mr. Bandaranaike. At 8-00 a.m. on that day, the Federal Party Members of Parliament and their supporters and sympathisers sat on the Galle Face Green just opposite the House of Representatives and performed satyagraha, headed by Mr. Chelvanayakam. For one hour everything was quiet. It was 9-00 a.m. when

crowds collected around the satyagrahis. In the crowd it was learnt there was a large number of island reconvicted criminals. There were talks of a counter satyagraha to be launched by Sinhalese extreme elements. A member of the Cabinet and a few Members of Parliament were also seen moving towards the crowds and saying something to them. In a couple of minutes the attack on the satyagrahis started.

The hooligans stoned them and attacked them with clubs as they sat with folded arms. There were thousands of hooligans as against just a couple of hundred satyagrahis. To each of the satyagrahis there were about twenty hooligans some of whom pulled his legs, some pulled his arms some others pulled his dress exposing him to ridicule while the rest pounced upon him, assaulted him, and sat on his belly and chest which choked him. Most of the satyagrahis were bodily carried or dragged away from that venue of satyagraha by the hooligans. Some of the satyagrahis in their determined effort not to leave the place received severe club blows and other tortures. The Federal Party Members of Parliament and the other satyagrahis, however, remained in spite of the extraordinary and calamitous situation; not one left the place. The Member for Vavuniya, Mr. C. Suntharalingam at this stage, joined the satyagrahis; Mr. G. G. Ponnambalam M. P. for Jaffna also identified himself with the Satyagrahis. Messrs Chelvanayakam, Suntharalingam and Ponnambalam excepted, the others were brutally attacked. They bled profusely on account of the club injuries inflicted on them. Mr. C. Vanniasingam, Dr. E. M. V. Naganathan and Messrs A. Amirthalingam, N. R. Rajavarthiam, V. N. Navaratnam, S. Rajadurai and V. A. Kandiah sustained injuries. The satyagrahis did not retaliate, but remained calm and sat with folded arms.

It was between 9-30 and 10-00 a.m. when Mr. Bandaranaike arrived on the scene on his way to the House of Representatives to introduce the "Sinhala Only" Bill. He

looked at the crowds and satyagrahis. let out a hearty laugh and unconcernedly and without a word he proceeded on his way. It was learnt that as he was proceeding there, a high police official accosted him and asked him whether any police action should be taken against the hooligans; but Mr. Bandaranaike, it appears, had asked him not to interfere adding at the same time "let them (Tamils) have a taste of it."

Although the situation developed and was becoming somewhat uncontrollable the Police were still quiet like non-chalant spectators. The satyagrahis still continued to remain seated on the Green. Stones and missiles were thrown at them. The police then advised Mr. Chelvanayakam to call off the satyagraha as the situation was getting out of hand. At noon Mr Chelvanayakam called it off. The Federal Members of Parliament, then, went into the House of Representatives with bleeding head injuries and participated in the debate which was in progress. "What an awful and bloody sight in Parliament," somebody from the Opposition remarked as these members walked into the House

The riots did not stop with the maltreatment of the group of satyagrahis. The rioters began attacking innocent Tamil members of the public. It was enough if a man looked a Tamil or was dressed in the Tamil dress. In the process, a number of Sinhalese people who were similarly dressed were also assaulted. Even Tamil visitors from abroad dressed in plain clothes and who were moving about the streets of Colombo got the shock of their lives when they were brutally attacked by thugs in this foreign country!

Tamil public servants on their way to their offices were exposed to manifold indignities and assaults. Tamil shop and boutique keepers, besides being assaulted severely, were robbed of their goods. Their business establishments were damaged, looted and burnt. The hardest hit section of the

Tamils was the Indian Tamils whose enterprises and labour were confined to the streets and pavements. No Tamil was safe on the roads. When any one said "Onna Tamila (There is a Tamil), there would be a mad race by the hooligans to catch the Tamil victim. There were several such incidents. Even respectable Tamils belonging to the legal, medical and other important professions were brutally attacked. Two Tamil advocates Messrs A. C. Nadarajah and S Sharvananda were going in a car in the direction of Slave Island, not knowing that riots had broken out. A throng about fifty thugs stood on the middle of the road and stopped their car. They then, pulled out these lawyers from the car and mercilessly assaulted them causing them serious injuries and tearing to rags the suits they wore.

At Amparai-

The riot-fever spread to other parts of the country. Of all places, Amparai had a tale of woe to tell. Around Amparai town there are a few villages sparsely populated by Muslims and Tamils. The Tamil population consisted of a few hundreds only, who were, chiefly, farmers leading a simple life without expecting any trouble from anybody. The workshops at Amparai, its plantations and irrigation schemes were fully manned by Sinhalese labourers who were more than ten thousand strong. These labourers ran amok, rushed into the villages armed with deadly weapons like swords and long-bladed knives and cruelly attacked and hacked to pieces the poor Tamil villagers. More than a hundred of them were thus massacred to death. The rest of the villagers fled for their lives. Those who were butchered to death included innocent babes and pregnant women. Even in the heart of Amparai, some Tamils including women and children were done to death. Some women were raped and then killed. A number of Tamil families sought asylum at the Police station, while the others took refuge in the Residency of the Gal Oya Board. The rioters were determined to besiege the Residency and attack the Tamils who were there. The Chairman

of the Gal Oya Board, Mr. Kanagasunderam who occupied the Residency then appealed to the police for protection. A police party arrived and took charge of the Residency under the command of the Deputy Inspector General Mr. Sidney de Soysa assisted by Assistant Superintendent of Police Mr Ramanathan. The hooligans trifled with the Police and even despised their orders. One of the leaders of the gang in spite of Police protest, went close to the women and conducted himself in an indecent manner. He even challenged the authority and competence of the police to maintain law and order. He and his gang created a situation which provoked the Police to open fire. One of the shots pierced through the body of the gang leader and he succumbed in a matter of minutes.

Meanwhile stories of these horrid incidents spread to far-off villages which were predominantly inhabited by Tamils. At once this led to an influx of Tamils into Amparai, swearing reprisals. Fresh troubles started; it took a violent turn. For two days a battle was raging. This time, reportedly, a good number of Sinhalese workers were killed. Their ten thousand strong got disorganised and were compelled to retreat into the jungles of Mooneragala. Normalcy was, gradually, restored. One should not fail to mention here the meritorious part played by Messrs. Sidney de Soysa and Ramanathan who were directing police operations in subduing the riots and restoring normalcy there.

Communal Heights

The Government would not take any lessons from these incidents. Mr. Bandaranaike and his collaborators were just following a steam-roller policy that flowed from a deliberate plan to crush the rights and initiative of a national minority, rather than a flexible policy of equality and justice canalizing to the aspirations of a people. Their excuse, their motives in refusing to accede due recognition to Tamil and the nature of their approach to the language question as a whole and the communal heights of the Government could be seen

clearly in the speech made by Mr. Bandaranaike on 6th June, 1956, when he was moving the Second Reading of the Sinhala only Bill. The relevant portions of his speech are as follows.

"People in the South saw this thing staring them in the face- parity of official languages-and felt that it would be gravely detrimental to the continuance and progress of the Sinhalese language; that it would almost imply the extinction of the Sinhalese language. That is what a very large majority of the people the Sinhalese people felt. They felt that as the Tamil language was spoken by so many millions in other countries and possessed a much wider literature and as the Tamil-speaking people had every means of propagating literature and culture it would have an advantage over Sinhalese which was spoken only by a few million people in this country. They felt that not only in the Northern and Eastern Provinces was there a majority of Tamils, but that there was a large number of Tamil people in the Sinhalese provinces-Indians who are also Tamil-speaking people-and that taking into account that business was in the hands of Tamil speaking people even to some extent-a fairly large extent-in our large towns, all this would create a situation when the natural tendency would be for the use of Sinhalese to shrink and probably, in course of time almost to reach the point of elimination. Further than that they also felt that there were other reasons that militated against the advisability of giving parity of status to both languages as official languages namely, the fact that the large majority of the people of this country are in fact Sinhalese. These were all factors that created the feeling that whereas the Tamil language did not run any real risk of disappearance, although given a position of parity, the Sinhalese language in fact did. People may or may not agree with that point of view, but at least take this as

a fact. that the vast majority of the Sinhalese felt that way very strongly. That at least is fact whether you consider them to have been absolutely justified is another question..."

Expressing his own feelings, sentiments and convictions on the subject, Mr. Bandarnaike pretended as if the sentiments and convictions were those of the Sinhalese people themselves! He moved the Second Reading of the Bill and it was passed. While there was tension throughout the country, bloodshed and mass murder, the official language Act was given birth to! The voting indicated that Sinhalese extreme and communal elements had voted together in favour of the Bill, while the liberal section of the Sinhalese Members and the non-Sinhalese Members had voted against it.

The Official Language act.

Readers may be interested to know the main provisions of the Official Language act

Official Language Act. No 33 of 1956

Section 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 changes cannot be effected by administrative order, regulations may be made under this Act to effect such change

Section 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 notifications of such approvals published in the Gazette.

This act did nothing more than declare Sinhalese as the official language of Ceylon. Tamil was completely ignored. At once there came upon the Tamil-speaking people a feeling that they had already become a neglected community and that their future lay in their hands. The passing the Sinhalese Only Act led to resistance activities by the Tamil-speaking people, which started with the anti-Sri or "Tar-Brush" campaign.

Riots again, May, 1958-

In May, 1958, the Trade Union Federation had called out a strike. The strikers and Union leaders gathered in the Lipton's Circus in Colombo and held a series of meetings there. At this time the Federal Party held its annual Convention in Vavuniya and decided on passive resistance to the Government in its implementation of the Sinhala Only Act and for winning Tamil rights. To attend the convention, some Tamils from Batticaloa were travelling by train. When the train reached Polonnaruwa, a huge gang of Sinhalese thugs got into it and suddenly attacked with deadly weapons, viz. swords, long and heavy bladed knives the Tamil passengers who were asleep. Many of them were hacked to death. News of this massacre spread to Colombo and other areas. Tension arose and with every minute it gathered momentum. Lipton's Circus that was once the

centre of trade union activity suddenly turned out to be a hot-bed of communal conflagration. Without any provocation the Sinhalese strikers who were there, started assaulting the Tamils who were going about in the streets. Thugs, hooligans and looters seized the opportunity. In about an hour riots broke out and the Tamil people in Colombo were being attacked wherever they were found. Every moment, there was danger to life and limb. Tamils' shops and business establishments were looted and burnt. The rioters forcibly entered the houses of Tamils, attacked innocent children, women and men killing and maiming a good number of them.

No Protection from Government-

As the rioters were proceeding with their onslaught, killing and breaking the limbs of the Tamils members of the public, looting and burning their shops and business establishments and as the Tamils, including children and women, were running from house to house for safety, the Prime Minister Mr. Bandaranaike and his Government did not want to extend the hand of protection to them! Alas! on the contrary, it was learnt, the Prime Minister ordered an Inspector of Police in a Colombo Police Station, who happened to be a Tamil, not to interfere or do any harm to the rioters! The rioters indeed had a free hand!! This was not all. Mr. Bandaranaike's radio speeches were highly inflammatory. The shooting of Mr. Seneviratne, a Sinhalese Mayor of Nuwara Eliya, was not at all connected with the Tamil movement. Later it transpired that no Tamil was responsible for the shooting. The Prime Minister's reference over the radio that Tamils were responsible for it, had rendered the situation more serious.

Wild rumours too went round the country when it was already seething with communal tension. The story went round that at Batticaloa a Sinhalese woman teacher

had been raped and her breasts cut. Although it was later found to be completely false and deliberately concocted by inciters, it formed the basis of deadly riots at Panadura, Kalutara, Kuliapitiya, Polonnaruwa and several other Sinhalese areas. At Panadura a gang of Sinhalese hooligans dragged a Hindu priest to the centre of the Galle Road, poured petrol over him and set fire to him alive. He was burnt to ashes. They slashed to death a number of Tamil residents in Panadura. They also made an attempt to murder the District Judge of Panadura who was a Tamil. The timely intervention of the Police force saved his life.

At Kalutara, three Tamils not knowing where to go, jumped into a well and hid themselves in water. But the hooligans on finding them in the well, poured gallons of petrol over them. As they poured petrol over them the victims screamed aloud and begged for mercy. But that did not soften the hooligans who, without hesitation, set fire to them and with clap of hands watched them as they were consumed by huge flames. At Kalutara, Mr. Viswalingam, fiscal Marshal of the Magistrate's Court, was worshipping in a Hindu Temple. Thugs entered the temple and assaulted him fracturing his arms. Then they placed over him a heavy article under which he was crushed to death. It was learnt that at Kiribathgoda some Sinhalese hooligans entered the house of a Tamil man, tied him to a pillar and then raped his wife. A young man from Batticaloa who met the author within a week of the riots told the author how he escaped death at the hands of a few thugs. He ran for his life and was hiding for four days without water and food. He looked pale, scared and horror-stricken.

The worst happened at Polonnaruwa where there was organised hooliganism and robbery. It was understood that a politician had taken deep interest in the matter and had sought to be the hero of the occasion. Mr. C. Vanniasingham speaking in the House of Representatives on 5th June

1958 said: "On the 22nd on further enquiries, we had information of the preparations that were made. Large crowds of labourers belonging to the Land Development and Irrigation Departments had gathered there with guns, swords, clubs and all sorts of lethal weapons ready to attack these people. The Police did nothing to disperse them they merely looked on". When the train from Batticaloa arrived at Polonnaruwa, the hooligans suddenly attacked the passengers with these weapons they had. Several died and many others sustained grievous injuries. The Assistant Superintendent of Police, Mr. Johnpillai was stabbed as he went to fetch his wife and children who were at Batticaloa. On 24th May three proctors as they were going to attend the Polonnaruwa Courts, were assaulted and robbed of their belongings. The Magistrate of Kuliapitiya, who was a Tamil escaped from an attack by hooligans and had to go to the Courts under Police protection. Even at Padaviya it was the Land Department labourers who were let loose.

A railway guard a Tamil was set upon, as he was on duty by a gang of thugs. They battered his head with clubs and he died on the spot. At Ratmalana, Mr. Sam Thambyah of Hume Pipe Co was clubbed and his stomach ripped open. He died leaving a big family of eight children and his widow. At Dehiwala Mr. Arumairatnam, an Assistant Postmaster, was cruelly stabbed and he died on the spot.

Cases like these were numerous and from 22nd to 27th of May no Tamil was safe on the road. The Tamil people had to live in mortal fear.

Tamil people in Colombo were compelled to leave their homes and take refuge in Police Stations. As the number of refugees was mounting further accommodation at Police Stations became impossible. The Colombo Royal College was converted into a refugee camp. The halls and

class-rooms were packed with refugees. As the refugees counted more than ten thousand additional accommodation had to be found. These Tamils had not merely suffered bodily injuries but had lost their properties their monies and personal belongings. Besides these hardship they did not have a wink of sleep for four to five days until they were shipped and sent to their homes in the Northern and Eastern Provinces

Emergency 1958

Although these atrocities were perpetrated on innocent Tamil people, the Prime Minister and the Government did not think it their responsibility to give them protection. While the Tamils were exposed to fear and starvation and were being killed in large numbers, the Prime Minister Mr. S. W. R. D. Bandaranaike sat unconcernedly dismissing the whole situation with an attitude of 'let them (Tamils) have a taste of it'. Even though advised, he did not make up his mind to declare a state of emergency even at this crisis. The declaration of emergency was delayed by twenty-four hours every minute of which was packed with mortal fear, torture and death of the Tamil people. At last, a foreign diplomat was compelled to remind the Governor-General and the Government of their responsibility to maintain law and order and the serious consequences that would follow on their failure to declare a state of emergency. Thereupon, the Governor-General Sir Oliver Goonetilleke, an independent and courageous personality, prevailed on the Prime Minister and he declared a state of emergency throughout the country.

Consequent on this declaration, the army and navy were out in full force with powers to shoot or otherwise bring the situation under control. There were gun-shots of course. In a few hours the rioters of Colombo disappeared and the situation improved. In the distant areas, too, normalcy was restored gradually.

The Prime Minister and his men, however, sought to make use of the emergency to further disarm the already helpless Tamil community. Legislation was hurried through requiring every Tamil possessed of fire-arms in the Northern and Eastern provinces to surrender them to the Police. The Sinhalese thugs and hooligans, who had used their firearms against Tamils, were, however, allowed to continue their use! What a justice in this country !!

Silver lining

There may be thousands of Sinhalese thugs and hooligans, opportunists and communalists, mischief makers and extremists. It is not fair to judge the whole Sinhalese people by this wicked lot. When the helpless Tamils were being chased and massacred by the rioters, hundreds of Sinhalese families gave them refuge and protected their lives. In the black moments of their torture and suffering these Sinhalese people were a light unto them. Every cloud has a silver lining. Several respectable Sinhalese persons received cruel treatment at the hands of the rioters for having sheltered Tamils. The Tamil refugees themselves would bear testimony to this. The Tamil community as a whole should be grateful to them.

Dangers of Unitary Constitution

The outcome of these terrible incidents was that the confidence of the Tamil people in the Government became considerably shaken and that they could no longer look to Government for their protection. The dangers of a unitary government had been made clear to the Tamil-speaking people.

CHAPTER V

The Reasonable use of Tamil

Tamil Language (Special Provisions) Act-

The Government now thought of finding an antidote to subdue the feelings of the Tamil speaking people, aroused by the recent communal clashes. The antidote was the Tamil Language (Special Provisions) Act. No 28 of 1958. On 19th June, 1957, Mr. Bandaranaike made a speech in the House of Representatives indicating his policy and the steps he proposed to take to give due recognition to the reasonable use of Tamil. This policy speech formed the basis of the Tamil Language (Special Provisions) Act. These are its main provisions :-

Tamil Language (Special Provisions)

Act No 28 of 1958.

Section 2 (1) 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 thereunder,

be made a medium of instruction in such University for students, who prior to their admission to such University, have been educated through the medium of the Tamil language.

Section 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 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 action will not cause undue hardship, provision may be made by regulation made under this Act that such clause shall cease to be in force.

Section 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 Provinces and any official in his official capacity may, as prescribed, be in the Tamil language.

Section 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 these prescribed administrative purposes.

Section 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.

Section 7 This Act shall have effect subject to such measures as may have been or may be adopted under the provision to section 2 of the Official Languages Act, No. 33 of 1956, during the period ending on the thirty-first day of December, 1950.

Section 5 of this Act provides that Tamil shall be the Language of administration in the Northern and Eastern provinces. It is rather inexplicable why the present Government which purports to follow the policy of the late Mr. S. W. R. D. Bandaranaike is reluctant to declare Tamil as the Language of administration in North and East. It is very important to know the special significance of the words:

"In Northern and Eastern Provinces the Tamil Language may be used for prescribed purposes in addition to the purposes for which that Language may be used in accordance with the other provisions of this Act."

This section contemplates the use of Tamil in these provinces for the convenience of the Tamils who are in the majority. For example Tamil should be the language of the judicial records in these Provinces, for this would afford easy and quick access to the litigant public. If, on the other hand, Sinhalese is made the language of the judicial

records in these two Provinces, then the convenience of the Tamil public, which is of paramount importance, will suffer causing at the same time immense and unnecessary expense, time and trouble. As the section indicates, the use of Tamil, for example, as the language of judicial records of these two Provinces shall not prejudice the use of the official language Sinhalese as the language of the judicial records in the Sinhalese areas.

Again Section 3 of this Act does not make a knowledge of Sinhalese a condition precedent for the confirmation of appointment in Government Service. On the other hand this section lays down imperatively that a student educated through the medium, of Tamil has the right to be admitted to the Public Services through public examinations conducted in Tamil. The Government cannot compel the Tamil candidate to sit for any public examinations conducted in Sinhalese for the admission to the Public Service. What the section implies is that a Public Officer having entered the Public Service, shall acquire a knowledge of Sinhalese by a certain date. The Tamil Public servants and the Tamil-speaking people, however, feel that no law shall compel them to study the Sinhalese language. The stand point of the Tamil public servants and the Tamil-speaking people on this matter is three-fold :-

- (1) They feel that to make a knowledge of Sinhalese a condition precedent for confirmation of appointment is contrary to the spirit of the accepted principle that a Tamil person educated through the medium of the Tamil Language is "entitled to be examined through such medium at any examination for the admission of persons to the Public service"
- (2) A knowledge of Sinhalese may be compensated by a special allowance.

- (3) A knowledge of Sinhalese shall not be a condition precedent for confirmation of appointment.

The Tamil-speaking people are unable to accept the Tamil Language (Special provisions) Act as a finality in respect of their Language rights. For example, they say that this Act is silent with regard to the use of Tamil in the administration of justice. Their real grievance is that the Government, while taking steps to introduce Sinhalese in Courts proceedings in Sinhalese areas, has neglected to take such steps with regard to Tamil in the Northern and Eastern Provinces. It is now very clear to all in this country that the Tamil-speaking people would not be satisfied with anything short of making Tamil as the Language of the judicial records and other public departmental records in the Northern and Eastern Provinces.

Their position with regard to Tamil in Courts proceedings was reflected in an article written to the local newspapers by the author in December, 1956, which contained the following:-

"It may be pointed out that convenience to the litigating public is the essence of the introduction of Swabasha in Courts proceedings.

"In practice, it would be found that the introduction of Tamil in Courts proceedings and keeping in the Tamil language records of Law Courts and judicial tribunals will help to avoid colossal expense, time and trouble both to the Government and the Tamil litigating public. It is the convenience of people and not of the administrators that must be reckoned with in introducing the Swabasha in the judicial and public administration of the country.

"It would not be in keeping with the political freedom, if the Tamil community were not permitted to use its own language in transacting its legal and other affairs."

When the question of the take over of the estate schools by the Government arose the National Education Commission suggested to the present Government that the children of the estate workers, who are Tamils of Indian origin be educated through the medium of Sinhala, although the Commission was aware that its suggestion was contrary to the accepted principle that a child should be educated through its mother tongue a principle that was even embodied in the "Reasonable use of Tamil Act" by the late Prime Minister, Mr. S. W. R. D. Bandaranaike whose policies the present Government professes to follow. The reason the commission advanced for doing so was that the Sinhalese people inhabited the villages around the estates and that it was necessary for the estate population to converse with them fluently in Sinhala! This approach is as unjust as it is astounding. Nowhere else in the world in human history had such an unkind proposition ever been made! That was not all. The National Education Commission also observed that the citizenship question of the estate population could be settled early and satisfactorily if the estate Tamil population adopted Sinhala as their medium of instruction, thus bringing in a political question that was not within the scope and purview of the Commission. If the estate population did not decide on Sinhala as their medium, the state should not be burdened with the education of the children of the stateless people, the Commission further observed. At once the estate people however were able to see that the Commission was trying to bait them to secure their assimilation and denationalisation. They took no time to indicate, by their spokesmen, that they would stand by their fundamental right of being educated in their mother tongue i. e. Tamil. Condemning this move by the National Education Commission, the majority view of the educationists appears to be that the Commission should shake itself out of its vicious and crude ways and strive to improve the standards of education and culture of the Island.

CHAPTER VI

On the eve of Satyagraha, 1961.

By the end of 1956, the Federal Party had become the only great party of the Tamil-speaking people. In the 1956 elections, this party represented the entire Tamil electorate except 3 seats and it became clear to the Party that it had a mandate to fulfil. Its election manifesto contained, among others, the following:-

- (1) Equality of status to Tamil in the public and judicial administration;
- (2) Demand for a Federal Constitution;
- (3) Colonisation in Tamil areas to be stopped;
- (4) An early settlement of the Indian question.

After the 1956 Elections the Federal Party decided on a Satyagraha campaign. Mr. S. W. R. D. Bandaranaike however attempted a settlement of these questions and he invited Mr. Chelvanayakam for talks. With regard to item No. 4 of the manifesto although the Indians in the Island had welcomed the Federal Party move certain of the Ceylon Indian leaders did not appreciate it for reasons of their own. Besides, there was a good deal of pressure from the Ceylon Government that the Indian question should be left alone for the Indians here to solve it. On account of these reasons, Mr. Chelvanayakam the Federal Party leader, had to change his stand on this question, although he did not altogether abandon it.

With regard to item No 2, Mr S. W. R. D. Bandaranaike made a personal appeal to Mr Chelvanayakam to postpone the federal issue and assured him that he would, instead,

make provision for the creation of Regional Councils for all the nine provinces on the basis of regional autonomy. Mr. Chelvanayakam, however, indicated that the Tamil-speaking people could accept it only as an interim measure and that the substantive demands would have to be considered at an early date by the Government; Mr. Bandaranaike agreed to this.

With regard to item No. 1, Mr. Bandaranaike said that the Government would not recognise equality of status to Tamil, but would give recognition to Tamil as the language of administration in the Northern and Eastern Provinces, i e, his Government would make Tamil the language of the administration and judicial records of the two provinces. Mr. Bandaranaike described this as the reasonable use of Tamil and is evidently, borne out by section 5 of the Tamil Language (Special Provisions) Act, 1958.

The method devised by the Act to give effect to the principles and provision of the Act is thoroughly unsatisfactory and therefore unacceptable to the Tamil-speaking people. Section 6 makes provision only for regulations by Minister. Already it has been made clear by the intransigence of the present Minister of justice that the entire Tamil-speaking community will have to be at the mercy of a single, capricious Minister. Mr. Chelvanayakam, however, told Mr. Bandaranaike that the provisions of the Act could be accepted only as an interim measure and that, eventually, the Government would have to recognise the full and substantive rights. Consequent on the talks between the two leaders, the Bandaranaike-Chelvanayakam Pact was signed in 1957. At the time of entering into the Pact, Mr. Bandaranaike was understood to have remarked that the Sinhalese man must realize that it was always better to have a united Ceylon rather than have it in fragments and eventually lose it. It was, indeed curious that a Prime Minister who had followed a policy of pure racialism and exclusion, had come to such enlightenment! But

the present Cabinet which purports to follow the late Premier's policy has failed to fathom the implications of his ultimate conviction.

The main provisions of the Bandaranaike-Chelvanayakam Pact are as follows :-

- (1) Recognition of the reasonable use of Tamil:
 - (a) Tamil to be the language of administration in the North and East;
 - (b) Tamil to be the language of Court proceedings and judicial records in the two provinces
- (2) Regional Councils to be set up.
- (3) The rights of the Tamil-speaking people outside the Northern and Eastern Provinces to be protected.
- (4) The rights of Tamil public servants to be duly considered.

Except the United National Party which found in the Pact an opportunity to strike a fresh communal note and bid for power, all the other political parties and their leaders acclaimed the Bandaranaike-Chelvanayakam Pact, popularly known as the B-C Pact, as a right step to end communal strife in the Island. The United National Party roused the extreme elements and Buddhist monks against the Pact. Certain Ministers in the Bandaranaike Cabinet who were dissatisfied with their lot were waiting for an opportunity to snub Mr. Bandaranaike and if possible become heroes themselves on the boisterous wave of communalism. This resulted in a long procession of bhikkus and other extreme elements headed by these Ministers to the residence of the Prime Minister at Rosmead Place carrying a copy of the B-C Pact in a coffin and shouting "Down with the Bandaranaike-Chelvanayakam Pact" and other slogans. They halted opposite to the entrance of the Premier's house which was heavily guarded by helmeted Police. The processionists raised

a fire and in it placed the coffin containing the B-C Pact singing di-mal songs that befitted the black occasion Mr. Bandaranaike overwhelmed by the excitement of the occasion solemnly undertook in the presence of all, not to implement the B-C Pact Thus this Pact, having had a bubble-like existence, ended in a fiasco and was consigned to limbo!

The Buddhist bhikkus and communal elements thoroughly enjoyed the occasion. The reaction, however, among the Sinhalese people who were present there very much established the fact that this event did not have popular support. With the burning of the Pact and the undertaking given by the Prime Minister not to impliment it, there came upon the reasonable section of the Sinhalese people a feeling of pity for their Tamil bretheren and for ther cause. The educated section felt that the communal elements were laying the foundation for the ruin of the whole of Ceylon, for its division and disintegration. This and other acts of the Government, its Cabinet. the communalists and opportunists had made it clear that their efforts were aimed at capturing power rather than promoting the unity and well-being of the people.

Day by day the Sinhalese masses began to lose interest in the Sri Lanka Freedom Party Government. The communal forces which Mr. Bandaranaike once let loose were now upon him. Events began to move rapidly culminating in his assassination. He was, as the saying goes hoist with his own petard.

March, 1960 Elections

As expected the Sri Lanka Freedom Party was defeated at the 1960 March Elections and the United National Party was returned to power The 1956 Elections had taught the United National Party that an out-and-out racial policy would not secure them the majority support. That was the reason why the United National Party did not

pursue the 1960 elections campaign with a communal issue. Notwithstanding this the United National Party was returned to power, although with a meagre majority. There was no possibility of forming a stable government unless some other party agreed for a coalition government. The support of the Federal Party was canvassed. But the United National Party would not consider the demands put forward by the Federal Party. It sought to placate the Federal Party by offering certain portfolios which the Federal Party categorically rejected. The Sri Lanka Freedom Party which held the second place in Parliament, undertook to consider the Federal Party demands and solicited its support for an alternative government if the United National Party resigned. To this the Federal Party agreed. The Sri Lanka Freedom Party, the Federal Party and the left wing parties jointly voted out the United National Party government which advised the Governor-General for a dissolution of Parliament. The hope of an alternative government was shattered when the Governor-General refused to call the Sri Lanka Freedom Party to form a government and dissolved Parliament.

The defeat of the United National Party government, however, was hailed by the people who filled the premises of Parliament on the day of defeat and there were also jubilant shouts of "Jaya wewa (long live) Chelvanayakam Mahathmaya" by the Sinhalese supporters of the Sri Lanka Freedom Party. The Sri Lanka Freedom Party gave solemn undertaking to the Federal Party that if it returned to power, it would settle the Tamil demands satisfactorily

The United National Party went into the country and told the voters that they could have continued the Government with Federal Party support, but that they would rather get defeated than concede the Tamil demands. Theirs was a shameless policy of pure racialism. The Sri Lanka Freedom Party on the other hand, pursued the 1960 Elections with a sense of gratitude to the Federal Party and

the present Minister of Finance, a Sinhalese gallantly defended the Sri Lanka Freedom Party Federal Party alliance, an act which he later tarnished by his own militant and ugly communal policy of exclusion and discrimination.

There was a hope

By July 1960, the Sinhalese people had begun to realise that the Sinhalese politicians had been making use of the language and other communal problems to bid for power. Moreover their minds were still fresh with the bitter memories of the riots of 1956 and 1958, which they attributed to the communal policies of the Government. No longer they wished to be troubled by communal problems. Naturally the 1960 July Elections concluded with a colossal defeat for the United National Party and its communal policy and a landslide victory for the Sri Lanka Freedom Party and the liberal policy it professed at that time. All the country had entertained the hope that the Sri Lanka Freedom Party was the only party that was capable of healing the wounds of the past and paving the way for real unity between the Sinhalese and Tamils. This, in view, they had clearly decided not to give a communal mandate to an extremely communal party to deny the basic rights of the Tamil-speaking people.

On account of the absolute majority it got, the Sri Lanka Freedom Party decided to form its government without seeking the aid of the Federal Party. The absolute power they got on account of their absolute majority began to alter the liberal policy of the Sri Lanka Freedom Party to one of cold-shouldering the Federal Party alliance. Mr Chelvanayakam and the Federal Party waited for nearly six months from the time the Sri Lanka Freedom Party came into power expecting the ruling party to make a real attempt to solve the language problem. It became clear during this period that the Government was not keen

on meeting the Tamil demands. About the middle part of November, 1960, however, representatives of the Federal Party headed by Mr. Chelvanayakam met the Prime Minister and some other members of the Cabinet at Temple Trees to discuss the Tamil rights. Far from the discussion being satisfactory, the Federal Party became disillusioned of the fact that the Sri Lanka Freedom Party Cabinet had set its face against a just settlement of the basic demands of the Tamil-speaking people. As time went by, some of the Sri Lanka Freedom Party Ministers even became intolerant of Tamil demands. The Finance Minister, Mr. Felix Dias Bandaranaike, for example, at a function in Ratnapura stated on 5th February, 1961, that enough time had been spent on the language problem and that there were other problems like the economic problem to be considered.

Direct Action

Consequent on the abortive talks or negotiations the Federal Party had with the Prime Minister at Temple Trees, the Federal Party and the Tamil people decided to change their tactics for the assertion of Tamil demands. A Federal Party meeting was held in the Town Hall of Jaffna about the middle part of January, 1961. Mammoth crowds collected in and out of the Town Hall; it was a sea of heads. Mr. Chelvanayakam presided over the meeting and outlined the line of action the Federal Party intended to follow. It was as follows

- (1) Negotiations have failed to bring about a settlement of the Tamil demands.
- (2) The Federal Party has decided to launch direct action to assert the rights of the Tamil-speaking people.
- (3) The Federal Party would not resort to violence in pursuing direct action. Violence was not in keeping with the culture of the Tamils. Therefore, direct action should be non-violent in character.

This was a decisive meeting and was destined to guide the destinies of the Tamil-speaking people in this country. According to the resolutions arrived at this meeting, the Federal Party, launched its direct action on 30th January 1961. It took the form of passive resistance to the implementation of the "Sinhala Only" Act. This involved an appeal to the Tamil public servants not to transact official business in Sinhala. This appeal dated 30th June, 1961, read as follows -

An Appeal

To:
Every Public Servant
Dear Sir,

We have no grievance against you personally. But if you are engaged in implementing the "Sinhala Only" policy in a Tamil-speaking area, we make this appeal to you.

What Sinhala is to the Sinhalese people, Tamil should be to the Tamil-speaking people. An unjust and undemocratic Government has refused the unanimous request by the Tamil-speaking people to establish Tamil as the language of administration in the Northern and Eastern Provinces. Instead, the Government is forcing Sinhala down our throats. The Tamil-speaking people have no alternative but to resist the wicked policy of the Government.

We are engaged in a life and death struggle for our birthright. Hence this appeal to you

- (1) Please do not do any work in your office in Sinhala.
- (2) Please do not attend to any Sinhala official communications
- (3) Please do not sign or use a FRANK in Sinhala.

ILLANKAI TAMIL ARASU KADCHI

25, Second Cross St.,
Jaffna.

The response to the appeal was immense. The Tamil public servants stood solidly together and did no work in Sinhala. Besides, the Tamil-speaking people as a whole refused to accept letters from the Government with Sinhala frank on the letter-covers. Even those who were in the habit of communicating with the government departments in English had started doing so in Tamil.

CHAPTER VII

The Satyagraha, 1961

The next phase of the direct action took the form of satyagraha before Government offices in the Northern and Eastern Provinces. The Federal party made this decision unanimously. The date of the commencement of the Satyagraha campaign at Jaffna was fixed as the 20th February, 1961. Its ultimate object was to bring pressure upon the Government by non-violent means to make it realise the just demands of the Tamil speaking people. By way of strategy the Federal Party aimed at disorganising the working of the Jaffna Kachcheri by preventing its officers from entering the Kachcheri office.

It was made public that Mr. S. J. V. Chelvanayakam would inaugurate the Satyagraha campaign by leading volunteers from his own constituency in the morning of Monday, 20th February, 1961. At 7-30 a. m. satyagrahis occupied all the entrances to the Kachcheri. All of them wore volunteer labels issued by the Party office. But the number of satyagrahis was by no means heartening. In all there could not have been a couple of hundred. In the main entrance itself there were just 40 to 50 of them. Mr. Chelvanayakam was seated there in their midst dressed in simple white. His characteristic smiles were betrayed now and then by a worried look that smacked of anxiety. What will come of this movement? Will it fizzle out in disgrace? Mr. Chelvanayakam seemed to question himself. It was indeed a touching sight to see the revered leader of the Tamil-speaking people and father of the Freedom Movement seated for long hours in spite of his age and sickly physical condition. The Federal Members of Parliament, Dr. E. M. V. Naganathan, Messrs. A. Amirthalingam, V. A. Kandiah, V. Tharmalingam, V. N. Navaratnam and K. Thurairatnam



First day's satyagraha. The leader, Mr. S. J. V. Chelvanayakam (with ear-phone) is seen in the midst of satyagrahis. The police line up blocking the main entrance.

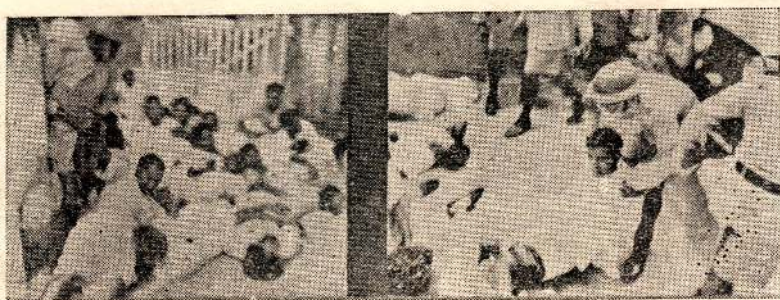


Bottom Left : First day: The Government Agent, Mr. M. Sri Kantha, attempts to drive through the satyagrahis at the Old Park entrance to attend the Assizes to present his mandate as Fiscal.

Bottom Right The police, by use of violence, clear the satyagrahis out of the path of the jeep that carried the Government Agent.



Violence on satyagrahis. A satyagrahi, Francis Perera—a former candidate for Chilaw, is seen here pulled by his legs and hands by the Police.



First day: Mr. A. Amirthalingam M P. for Vaddukkoddai is seen being pulled away from main entrance by the police

First day: Mr. K. Thuraiatnam M. P for Point Pedro is dragged by the police from the Old Park entrance.

were on the spot and were giving directions to volunteers as to their conduct on the occasion.

Crowds began to collect on the pavement opposite to the entrances to the Kachcheri. In half an hour, the streets and lanes approaches and pavements were filled with people. All eyes were focussed on the satyagrahis. About quarter to nine, battalions of Police arrived on the scene in jeeps, trucks and vans with speed and arrogance. The Police force wore helmets and twirled their batons. They carried shields and held them in a somewhat unaccustomed fashion. At five to nine the Superintendent of police Mr. C. R. Arndt also arrived in a jeep. He drove direct into the Kachcheri premises and the satyagrahis made way for him as it was part of their instructions that police and Army personnel on duty should not be prevented from going in and out of the Kachcheri premises. He inspected from inside all the entrances that were blocked by satyagrahis. Probably, he was trying an opening to take government servants into the Kachcheri as it was already 9 O' clock.

Main entrance

Finally he ordered the constables to stand closely in two rows across the main entrance, They obeyed, but stood over the satyagrahis who were seated. Mr. Arndt then made an appeal to the Government servants to go to that entrance. Just two or three officers were seen going in that direction. At once the satyagrahis stretched themselves on the ground to prevent their ingress into the Kachcheri premises. The Federal Members of Parliament also joined the ranks and lay prostrate on the ground obstructing the government servants on their way. This led to lot of pulling and dragging by the Police. Some of the satyagrahis were carried away by the Police by their hands and feet and heavily dropped or banged against the ground that bristled with sharp stones and rubble. Some others dragged by their legs violently, while others

were pushed and knocked against the gate-walls. As a result, several satyagrahis sustained bruises and swellings. Between the Police and satyagrahis there was a mad scramble to secure their positions at the main entrance. In the process, the Police inflicted violence on the satyagrahis who meekly suffered it without protest or retaliation. One Francis Pereira, a Tamil who hailed from Chilaw, gallantly stood up all the inhuman treatment he was subjected to by the Police as he sought to foil their attempt to create an opening through this entrance. He must have been lifted and hurled on the ground more than fifty times. His shirt and pair of trousers were torn to pieces

As the police were thus, cruelly ill-treating the satyagrahis, a large number of men from the crowd rushed to the entrances and replaced the dislodged satyagrahis. Hundreds of them mobbed the main entrance to secure squatting positions. No self-respecting Tamil would have remained silent over the humiliating treatment and insult heaped on the peaceful satyagrahis by the Police. All differences between the Tamils, whether political or otherwise, dropped even as the rustling dry leaves from the trees at the blowing of a wind. The wave of united resistance was spontaneous and the author too, found himself on the crest of that wave. Federalist or non-federalist, it did not matter. At the main entrance alone the number of satyagrahis was found to have risen from 40 to nearly 200. In the face of the swelling numbers of satyagrahis the Police abandoned their attempt to create an opening and stood up and gazed

A few minutes later, however, some of the leaders of the Federal Party appealed to all those who were not approved volunteers and did not wear badges to leave the entrances giving them the assurance that their services would be called for if necessary. Non-volunteers accordingly left the entrances. At the main entrance there were still about a hundred satyagrahis even after non volunteers had left. That was because

some of the reserve volunteers, who had stood by to meet a contingency of this nature had taken up positions there.

Old Park Entrance

Up to now all attention was focussed on the main entrance. Hardly any one knew that the Old park entrance was to spring into importance. 20th February was the day of opening the Assize sessions at Jaffna. The opening was to be at 11 a. m. The satyagrahis except the Federal Members of Parliament were not aware of this; nor did they know that the Government Agent, Mr. M Sri Kantha would have to leave the Kachcheri for the Assize Sessions. Opening in his capacity as Fiscal Marshall to present the mandate. Those Federal Members of Parliament who were aware of it were told that the Government Agent would be deputed by another officer of the Kachcheri and that this officer would leave for the Sessions from his own residence and not from the Kachcheri. There was no truth in this story, but there was a plan in it

Police Atrocities

It was 10-30 a. m. when Mr Sri Kantha came out of his Kachcheri residence in a Police jeep accompanied by Mr. C. R. Arndt, Superintendent of Police and a constable. When the satyagrahis at the Old Park entrance saw the Government Agent driven close to it, they in all about 20 to 25 lay prostrate on the ground blocking the path of the jeep and denying exit through this entrance. Nevertheless, the driver drove in and the front wheel tyres nearly got on to the necks of certain satyagrahis, but they would not budge. A youth of 20 named Palaniappu nearly went in under the wheel. The Superintendent of Police, unhesitatingly, ordered the Police force to "hammer them out and clear the way". At first the Police party hesitated, impelled by their good sense. Repeated orders by the Superintendent of Police, compelled the Police to plunge into action. They baton-charged the satyagrahis as

they lay prostrate on the ground. The youth who was nearly under the front wheel was extricated rashly by the Police and baton-charged mercilessly on his head. He was in a serious condition. Several others were subjected to the same inhuman treatment.

While all this happened in a minute, the Federal Members of Parliament were still at the main entrance. On seeing the commotion they all rushed to the Old Park entrance. Dr. Naganathan blocked the passage of the jeep in which the Government Agent was seated. Messrs V. A. Kandiah A. Amirthalingam, T Tharmalingam and K Thuraiatnam prostrated themselves in front of the jeep. The Police attacked the five members with their batons. The baton-charge on the doctor was so severe that the baton broke into two. One of the broken pieces got into the doctor's hand and he tossed it aloft which produced considerable amusement in spite of the occasion. But he took great care not to use it in retaliation on the constable although he was so close to him. The constable looked small and ridiculous! The other four Members of Parliament sustained injuries and some of them seriously. Their shirts and other articles of wear were torn to pieces. They were removed to hospital for treatment.

At the Old Park entrance there were more constables than satyagrahis. This indicated that the Police had known that the Government Agent would leave for the Courts by this entrance and that there would be trouble in consequence. As stated earlier, this was not known to the satyagrahis. There were two to three constables to every satyagrahi. They bodily carried away a few of the satyagrahis and thereby created an opening and the jeep driver at once drove the jeep through the entrance. The police assault was unbearable to some men in the crowd. They threw stones at the jeep and the police. The windscreen of the jeep was smashed. But the driver did not stop and he

made full use of his skill and in an instance the jeep vanished. Mr. M. Sri Kantha, too made good his exit.

The Police renewed their attacks as stones fell on them. Stones for stones they returned. It was not without reason that the Police had brought sacks of stones in their trucks. They knew that there was every possibility of the crowds being provoked by their wanton and cowardly acts. More vehemently they struck on the satyagrahis although the latter were seated with folded arms and did not stretch a limb against them. A good number of them bled profusely and their head injuries were prominent as blood issued forth. The Police with their boots on, trampled on the peaceful satyagrahis. They behaved like hooligans without responsibility, discipline or decency. Their atrocities on the unarmed and undefended satyagrahis aroused the feelings of women too. A young woman called Alagammah and Mrs. Mangayarkarasi Amirthalingam wept as they saw these cruelties and, eventually, they flung themselves in the thick of the commotion and stood between the Police and satyagrahis.

Exemplary Conduct

Meanwhile reserve volunteers who had stood by, rushed to the entrance and occupied it. Even members of the public crowded this entrance. It was packed to more than its capacity. From a handful of 20-25 satyagrahis the number rose nearly to five hundred. In spite of this number the satyagrahis conducted themselves with the utmost degree of restraint and sufferance which came up to Gandhian standards. Their exemplary behaviour moved the more enlightened and disciplined section of the Police force.

The Crowds

As a contrast, the crowds became excited and angry. Of course they had been sufficiently provoked by the Police. As the city became alerted, more people began to surge in. The Police force found the situation alarming. They used

tear gas and fired thrice in the sky to disperse the crowds. But the crowds did not move; nor did the satyagrahis move away. The Federal leaders on the other hand feared whether the peaceful satyagrahis would turn violent. They appealed to the crowds to be calm and reminded them that satyagraha was just the opposite of violence. The crowds obeyed them and left the entrance. But the volunteers, including the reserve, remained.

Tamil Public Servants

Tamil public servants who were close to the entrance and on their way for duty were assaulted indiscriminately by Police constables. The Kachcheri was completely deserted and no work was done there. A Government communique later claimed that work was transacted at the Kachcheri as usual. This was untrue. Out of a strength of about 250 officers only three or four officers reported for work. These officers were anti-Federal and went into the office at dawn i.e., before the satyagraha started. They were asked to sign the register and go home but they could not leave the office till 1-30 p.m. when the satyagraha was called off for the day. Most of the public servants said they would not attend office unless their personal safety was guaranteed against police assault. The Jaffna branch of the Government Servants Clerical Union telegraphed to the head of the Government protesting against the Police violence on the Government Servants. They also intimated to Government that they would not work unless an inquiry was held forthwith.

Chelvanayakam's Statement

Earlier at the commencement of the satyagraha campaign Mr. Chelvanayakam issued the following statement:-

"The campaign we are carrying on now is new to Ceylon, though it has been practised and developed in India, especially during the struggle of the Indian people against British rule in India.

We have no alternative. To desist from action would be to betray the trust that our people have placed in us.

The necessary elements for the success of a campaign like ours are:-

- (1) That it is used in support of a just cause;
- (2) That it is by the desire and aspiration of the people;
- (3) The moral strength and discipline of those who carry on the campaign and those on whose behalf the campaign is carried on must be above-board.

Democracy is not merely rule by a majority. It is based on certain ideals and principles which any majority must not infringe. To give a simple illustration the majority in Parliament should not pass a law that all the people belonging to a minority group should have one of their arms amputated.

No civilised being would defend such a measure on the ground that it represents the view or opinion of the majority of members of the legislature.

Something very similar to this illustration is what is happening in Ceylon to the language of the Tamil-speaking people. A non-Tamil-speaking majority in Parliament has decreed against the status of the Tamil language in spite of the determined and almost unanimous opposition of the Tamil-speaking people.

The Tamil-speaking people have put up a strenuous struggle for the adoption of Tamil as a language of administration and of the Courts in the Northern and Eastern Provinces and for the use of Tamil in the rest of the

country. But the Government is proceeding to impose Sinhala in these Tamil-speaking areas as well. This is a most wicked policy of the Government.

It cannot be explained away by falling back on the plea that it is sanctioned by the majority in Parliament. The whole Tamil-speaking nation revolts against these measures and the question is what we should do now.

Should we stand by and witness the liquidation of our race or should we act in similar circumstances? Gandhi and the Indian National Congress resorted to action which was against the law of that country, but was characterised as moral and patriotic conduct. Our party has decided likewise.

We are prepared to face the consequence of our actions which consequences may be serious. We have no alternative. To desist from action would be to betray the trust that our people have placed in us

We have no misgivings about the strength or the capacity of the Government to resort to repressive measures and oppress our people. One thing is certain. Our campaign cannot result in danger, unless we or our actions are disowned by our people. The measure of its success depends on the extent to which our people get trained to resist the unjust measures of the Government that rules them without their consent."

Reactions

Police violence on unarmed and undefended satyagrahis was the subject of talk all over the Peninsula in the streets and the villages; in the fair and in the town, in the bus and in the train. There was a general sympathy for the satyagrahis and for the movement as a whole

In Colombo Mr. J. R. Jayawardene Chief Opposition Whip a leading Sinhalese, told reporters that Police violence against the Federal Party satyagrahis would be raised by the Opposition in the House of Representatives (on 21st February). He said that the matter would be raised "not only because of assault on the satyagrahis but also because five Members of Parliament had been dealt with in a totally unwarranted manner". Mr. Pieter Keuneman, a Burgher and 2nd Member of Parliament for Colombo Central, said—"This Government should hold an inquiry into these incidents. From the reports it would appear that the Police have used a degree of force far in excess of anything warranted by the situation".

Mr A. Aziz of the Ceylon Worker's Congress who visited Jaffna with Messrs K. Rajalingam and S. Somasunderam said—"I am highly impressed with the orderly and peaceful manner in which the satyagraha campaign is being carried on in spite of all provocations. It is an acid test of their ability to suffer in the name of a just cause..... It is a cowardly act to use violence on non-violent satyagrahis and the whole Police force should be ashamed of this dastardly assault."

"The Police seemed to have run amok", said Mr S. Somasunderam an outstanding member of the Ceylon Workers' Congress. He went on, "The Police have behaved in a callous manner and obviously exceeded their rights in assaulting and injuring the Federal Party satyagrahis. The fact that the Government clerks, who had nothing to do with the satyagraha were also assaulted by the police is evidence that the Police have acted in an utterly irresponsible manner." Mr Bernard Soysa, a leading Sinhalese Member of Parliament, who visited Jaffna and made an on-the spot investigation said—"the Police have acted stupidly and cruelly"

When Earl Russel performed satyagraha at the entrance to the Defence Ministry in London along with about 6,000 demonstrators, he took umbrage at the remark that they were being tolerated by the Police. Probably he would have been shocked to see his counterparts at the Jaffna Kachcheri entrance treated in such a brutal fashion! The 'Times of Ceylon' in its editorial of 22nd February 1961, aptly described the difference between the London Police and the local Police in these words

"It is noteworthy that Earl Russell's and Federal Party's were both non-violent demonstrators but the significant difference was that while Russell and his followers had to deal with the disciplined London Police the Federal Party had to reckon with the Ceylon Police."

CHAPTER VIII

Satyagraha Continues

The second day of satyagraha commenced at 7-30 a. m the following day, i.e 21st February. The satyagrahis were led by Mr A Amirthalingam, Member of Parliament for Vaddukoddai. There were about 150 satyagrahis. Already there were large crowds not less than 5 000 and they appeared to be rather restless. Obviously the previous day's incidents had perturbed them.

At 8-30 a. m the Police party arrived. They, again, carried with them shields, batons and helmets. But most of them did not have the vigorous look they had the day before. Instead, they looked tamed and quite. Probably, their own reflections on the cowardly violence and brutality they inflicted on the peaceful satyagrahis who were seated inanimate objects had put them to shame. They conducted themselves with marked restraint and nodded smilingly to the satyagrahis. The Superintendent of Police and his assistants were there like spectators and far from interfering with the satyagrahis, they seemed to have developed a sudden sympathy for them and an appreciation of the just cause they were pursuing.

Except the Assistant Government Agent and three clerks who had entered the Kachcheri office at dawn long before the day's satyagraha commenced, the entire staff of the Kachcheri struck work. They said they had no confidence in the Police and that they could not work in fear. The Public Servants insisted on an inquiry within three days in the assault of public servants by the Police. They would not attend to their office work, they maintained, unless this

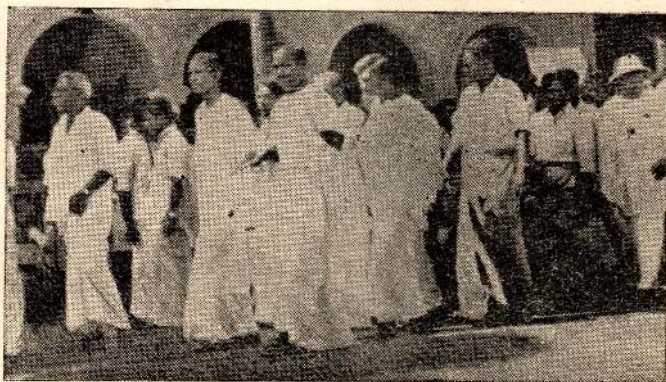
inquiry was held. They, however, maintained an attendance register outside the Kachcheri. A committee of twenty was appointed by them to deal with the situation that had arisen.

As a protest to the Police violence on the satyagrahis, the city fathers hoisted a black flag on the Town Hall building. The students of the Technical College, Tirunelveli, marched out in a procession protesting against the Police atrocities. Students of the leading Colleges of Jaffna deserted their colleges and marched in a lengthy procession and finally assembled in front of the Kachcheri entrances. A good number of them insisted on joining the ranks of the satyagrahis although they were advised to the contrary by the Federal Party leaders. A woman also volunteered to perform satyagraha, but she was promised that she would have her day. One of the keen observers of the movement was Mr. R. R. Crossette Thambiah, Q. C., the eminent lawyer and scholar of Colombo. He evinced considerable interest in the movement and was seen talking to a number of people in a fervent and earnest manner.

Satyagraha on the third day started with a bit of a tussle between the satyagrahis and the Police, the police to maintain an opening for the Government Servants to go into the Kachcheri office and the Satyagrahis to block the entrances. The Police had arrived at the Kachcheri at dawn long before the satyagrahis and kept guard over all the entrances. They were brandishing their batons with truculence. Half an hour later a contingent of about 300 satyagrahis arrived led by Mr. V. A. Kandiah, M. P., for kayts. They took up their positions in front of the Police blocking the entrances. The number of satyagrahis swelled rapidly. At one of the minor entrances Police attempted to drag and pull away the satyagrahis who were there. At once more satyagrahis were rushed to that entrance and the Police had to abandon the entrance. A little later the entire Police force receded into the inner premises of the Kachcheri and waited there.



Lawyers of the Point Pedro Bar performing satyagraha at the main entrance to the Jaffna Kachcheri



The leaders of the Federal Party move into position at the Jaffna Kachcheri to perform satyagraha.



Sections of a mammoth procession by students with their arms in chains, mouths gagged with black handkerchiefs to symbolise their enslavement.

The Police, however, before they abandoned their guard over the entrances, offered to take in some of the public servants who were there. But they declined it with a quick nod.

On the fourth day of satyagraha, women-flock plunged into the movement. About 500 satyagrahis were led by Mr. V. N. Navaratnam, Member of Parliament for Chavakachcheri and nearly 80 of them were women who squated at the main entrance and performed satyagraha. They were headed by Mrs. Rajapoopathy Arunasalam, President of the Federal Party Women's Front. In a forthright statement to the press she said, "The question that confronts the Tamil-speaking people of Ceylon to-day is whether our progeny—more than the present generation—shall have the right to continue to exist as a self-respecting national entity.

Our menfolk engaged in peaceful satyagraha were subject to a most inhuman and brutal assault by forces of the present tyrannical Government. We cannot conceive of a more sacred duty than to stand shoulder to shoulder with our menfolk and share their trials and tribulations. Come what may, we propose to stand by their side."

No incidents whatever occurred and the satyagraha peacefully ended for the day at 4 p.m.

All - Parties Conference

In the evening at 6 p.m. there was a conference of all the political parties of Jaffna. Its chief object was to convert the Federal Party movement into an All-party movement to win language rights. They discussed at length the details of strengthening the movement. Representatives of all the parties except the Communist Party attended the conference. Those who attended the conference were:—M. Sivasithamparam Member of Parliament, and M. M. Sultan (Tamil Congress), R. R. Dharmaratnam, S. Visuvanathan,

N. Devapalsundaram and A. Dhuraisingham (Lanka Sama Samaja Party), S. Kathiravetpillai and S. Nadarajah (Federal Party), Haji V. M. S Aboosali and the Mayor of Jaffna Mr. D. S. Thuraijah, who convened the meeting. The striking feature of the conference was the unanimity of thought, decision and action. They passed the following resolution

- (1) To require the Government to give statutory recognition to Tamil;
- (2) Conference to take steps to strengthen the Satyagraha movement;
- (3) Conference condemns the Police violence on the Satyagrahis;
- (4) To require the Government to appoint a commission to inquire into the Police atrocities.

Batticaloa and Trincomalee

On this day, the Federal Party branch of the Batticaloa district unanimously decided to stage a hartal on 27th February, as a protest to the Police violence. It was also announced that satyagraha might start at Batticaloa any time thereafter. The Federal Party Members of Parliament, Messrs S. Rajadurai, and S. M. Rasamaniccam and other leaders of the area decided on what steps should be taken to start the campaign. Similar decisions were made at Trincomalee by a committee of Federal Party leaders of the district presided over by Mr. N. R. Rajavarothayam, Member of Parliament. They had already made an appeal to the public servants of this area not to transact any business in Sinhala.

The 5th day of satyagraha at Jaffna was conducted peacefully. The satyagrahis were chiefly from the Udupiddy constituency and were led by Mr K. Jayakody, the Federal Party candidate who contested this seat in 1960. There were more than 500 satyagrahis and a good number of them were

women volunteers Mr. M. Thiruchelvam Q. C. Ex Solicitor General of Ceylon was found among the Satyagrahis. A long procession of students arrived from Urumpirai, about six miles from the Kachcheri carrying placards and uttering slogans.

Vavuniya and Mullaitivu

The news was suddenly divulged that the Member of Parliament for Vavuniya, Mr. T. Sivasithamparam had started satyagraha at the Mullaitivu Police Station with about 500 volunteers. The people of Mullaitivu arranged a meeting on 24th February to protest against the Police cruelties on the satyagrahis at Jaffna. As the meeting commenced, the Police seized the microphone Mr. T. Sivasithamparam, Member of Parliament for Vavuniya and Mullaitivu, intervened and tried to prevent the Police from taking it away. But the Police snatched it and took it to the Police station. The people led by Mr. Sivasithamparam followed the Police to the Police Station and demanded the microphone. On refusal by Police they at once squatted and commenced satyagraha at the Police Station under the leadership of Mr. Sivasithamparam. They refused to go away until the microphone was taken back to the venue of the meeting. Police orders, manoeuvres and even subsequent entreaties failed to bring the satyagraha to an end. After three hours, the Police took back the microphone to the venue of the meeting, fitted it and kept it ready for the meeting. The people who followed the Police, assembled in the venue in large numbers and insisted on the meeting being held though late. Mr. T. Sivasithamparam who addressed them said that very soon civil disobedience movement would be started at Vavuniya to win the rights of the Tamil speaking people.

The other speakers were Messrs I. U. Marikkar, A. Samoon, A. Sinnappen S. Sanmugam, and E. Chelliah. Messrs Marikkar and Samoon emphasised the importance of Tamil.

Muslim unity and condemned those favourite Muslim of the Government who were ready to barter their basic Tamil rights for their selfish benefits at the hands of the Government. They warned the Muslim community against being trapped by the pretensions of such government stooges who talked glibly of protection of Muslims at the cost of fundamental rights of language etc. They also pointed out that in everything such stooges said and did, they had an axe to grind. They finally issued the warning that after Tamils. Muslims would be the next target for oppression by the Government.

Mannar

The initial phase of direct action at Mannar started this day i e. 24th February. when a party of volunteers organised by the Mannar branch of the Federal Party led by Mr. V. A. Alagacone Member of Parliament went carrying placards to the public offices viz the Kachcheri, Post Office, Executive Engineer's Office, Police Office etc.; and distributed leaflets among Tamil public officers exhorting them not to support the Government in its implementation of the Sinhala Only Act and not to transact any business in Sinhala. Large crowds collected to witness this event and they cheered the volunteers in their task

Satyagraha for the 6th day in succession commenced at the Jaffna Kachcheri at 7-30 a. m on 25th February. The number of volunteers was unusually big and they were led by Mr M Balasunderam Member of Parliament for Kopay. This was the day for Kopay volunteers They went in procession accompanied by thousands of people. Over their heads were conspicuous life-size painted pictures of the late Mr. C. Vanniasingham the former Member of Parliament for Kopay, who was their idol.

The Satyagrahis alone mounted to more than a thousand and being a Saturday, the number of spectators rose to

nearly fifteen thousand. The crowds of people had to keep on moving as the Kachcheri precincts were not spacious enough to contain them.

Volunteers from Mullaitivu also joined the satyagrahis. Among them was Mr. T M Sabaratnam, one time member of the Legislative Council.

Law Students

About 20 Law students participated in this day's satyagraha. They carried placards and one of them had the following:-

**"TAMIL IS SWEET AND DEAR TO US WHEN
SHE DIES OUR SOUL DIES"**

Muslims

Muslim residents of Jaffna went out this day in procession led by Muslim leaders and joined the satyagrahis. More than two thousand participated in the procession. The Muslim volunteers included lawyers business magnates boutique-keepers and workers. They were prominent in their fez caps and sang hymns in Tamil and Arabic. Several wealthy Muslims served the satyagrahis with drinks, biscuits and lunch packets. One of their elders was heard to say in a loud voice "Our Muslim youth must know that Tamil is our first language; it is our wealth; it is our comfort". Again on 29th February, a huge Muslim procession was organised. All shops were closed. The procession was led by Messrs M. M. Sultan and V. M. S. Aboosali.

For the sixth day in succession no work was done at the Kachcheri and the administration at Jaffna was completely paralysed. The Government Agent, Mr. M. Sri Kantha, who had experienced the excruciating ordeal of going out of his residence through a crowd of peaceful satyagrahis with broken

heads and bleeding injuries had gone on a month's leave. The Assistant Government Agent, who woke up these satyagraha days with the cock-crow, got into the habit of going to the Kachcheri at 6 a. m. long before the arrival of the day's volunteers. He must have been contented, at noon, with the parcel of sand-wiches he used to carry with him. He was, at the time, almost the sole occupant of the entire Kachcheri and must, certainly, have felt himself placed in the pleasurable and elated situation of being the sole monarch of all he surveyed within those precincts! Daily at about 5 o'clock in the evening when the day's satyagraha had ended this officer could be seen leaving the office with the satisfaction of having marked his attendance on the office register. Members of the Government Clerical Service Union met Mr. Moorthy on 24th February and told him that they were unable to attend office as they were faced by the satyagrahis on the one hand, and an infuriated public on the other. They also told him that they would not work with the protection of the Police in whom they had no confidence. General Secretary of the Government Clerical Service Union who was included in the delegation, said that this delegation would press the Government for a public inquiry into the Police assault on public servants.

On 26th February, speaking at a meeting of Indian Tamils in the Valukkapparai Estate Mr. S. Thondaman, Member of Parliament said

"Suppression of the Federal Party campaign would mean a suppression of Tamil language and culture. The Ceylon Workers' Congress which has been striving for years for the betterment of the workers would not hesitate to play its part for the rights of the Tamil-speaking people....."

Now let us all get ready, even if it means a fight. If that situation arises we must have food and clothing to last three months."



Left : A procession of satyagrahis carrying placards & uttering slogans.

Right : A section of a mammoth crowd of satyagrahis at the Jaffna Kachcheri



Women satyagrahis at prayer before commencing the satyagraha for the day.



A military jeep is blocked by satyagrahis who squatted on the roads leading to the Jaffna Kachcheri. The jeep had to reverse.



Brahmins going in a procession to the Jaffna Kachcheri singing vedic & devotional hymns.

He concluded his speech amidst thunderous applause.

2 th February was earmarked for Uduvil volunteers who were led by Mr. V. Tharmalingam, Member of Parliament for Uduvil. All cigar-rollers, boutique keepers and farmers gave up their work that day to participate in the satyagraha. Muslim establishments in Jaffna also were closed to enable the Muslim employees to participate in the satyagraha-this being the day fixed for Muslim workers. The Muslim procession alone counted nearly 3,000. Even the city fathers went out in procession headed by the Mayor. They carried black flags and at the end of their procession they joined the ranks of the satyagrahis who had swelled to more than 2,000 at the Kachcheri entrances.

At Trincomalee a mammoth meeting was held at the esplanade at which representatives of all parties and interests of the Tamil-speaking people spoke. The keynote of their speeches was the urgency and importance of the unity of the Tamil-speaking people. They all pledged their support to the satyagraha movement. This memorable pledge was signed in blood by a number of persons. Mr. N. R. Rajavarothyam, member of Parliament for Trincomalee, presiding over this meeting vouchsafed that the struggle launched by the Tamil-speaking people was not a struggle against the Sinhalese people. He appealed to the Sinhalese residents of Trincomalee to support the direct action of the Tamil-speaking people as it was aimed at winning their fundamental human rights. His appeal met with a spontaneous ovation from the Sinhalese crowd assuring him of their support for the just cause. Mention should be made of the active support given to this cause by the Communists of Trincomalee. The behaviour of the Communists of Jaffna was a great contrast and by this the people of Jaffna were led to believe that they were playing the role of fifth Columnists for the Communal Government of Ceylon! It appears that these Communists had pursued the election results of

March and July 1960 which had established their colossal defeat in Jaffna, with a degree of vengeance that had blinded them even with regard to their own fundamental rights!

Batticaloa Hartal: Then Satyagraha

On 27th February, throughout Batticaloa a complete hartal was staged as a protest against the Police atrocities perpetrated on the peaceful satyagrahis and Tamil public servants on 20th, February. Waves of black flags darkened the sky; black flags were flown on Town Hall buildings shops, houses and even tops of trees. In all Government departments, no work was done. Traffic throughout Batticaloa Town was at a standstill. Shops and hotels were closed-including those of Sinhalese residents. Buses were plying almost empty. Students deserted their schools and colleges which had to be closed at noon for want of attendance. Students picketted students from going to schools. They squatted at the entrances of several schools and colleges preventing even teachers from attending them. There were huge processions of motor cars, motor bicycles and bicycles bearing placards black flags and Tamil Sri. Many vehicles flew the Federal Party flags. Slogans and ovations were heard everywhere. Even the street workers and scavengers of the Batticaloa Town struck work and joined the processionists. The Member of Parliament for Batticaloa, Mr C. Rajadurai said, "The hartal has made it clear that the whole of Batticaloa protests against the Police violence on the satyagrahis". He also assured that satyagraha at Batticaloa would start the next day, i.e. 28th February. Earlier leaflets were distributed by Federal Party supporters led by the Members for Kalkudah Batticaloa, Paddirippu, Kalmuni and Pothuvil to all public offices working at Eravur Senkaladdy, Valaichenai, Kaluvanchikkudy, Nindavoor and a number of other areas.

The following day, i.e. 28th February, at Batticaloa satyagraha commenced for the first time at 6.30 a.m. in front of the Kachcheri. About 600 volunteers from all parts of

Batticaloa set out from the Federal Party branch office at the Main Street in a procession towards the Kachcheri. The Satyagrahis at the front entrance were led by Messrs. S. M. Rasamaniccam, President of the Federal Party and Member for Paddirippu and S. Rajadurai, first Member of Parliament for Batticalloa, while the satyagrahis at the rear entrance were led by Mr. P. Manicavasagar Member of Parliament for Kalkudah. There were about 80 women satyagrahis.

Despite the burning heat of the sun, the satyagrahis remained at the entrances throughout the day. A good many fasted the whole day, refusing to take even water. To them the occasion was a solemn one, every moment of which signified the earnest endeavour of the Tamil-speaking people to win their fundamental rights, the sanctity of which, they would like no one to violate. They sang devotional songs and spent the rest of the time in prayer. There was not the slightest trouble from the police. The quiet behaviour of the Batticaloa Police was a marked contrast to the conduct of the Police in Jaffna. Probably, the public condemnation of the Police atrocity on undefended satyagrahis had produced some effect on them. Police came in their jeeps in large numbers but did not give any provocation and stood like spectators. The Superintendent of Police and the Assistant Superintendent of Police also came to the scene fairly frequently but did not interfere in any manner.

Only on the night of 30th March (1961) when satyagraha was performed both day and night that a contingent of about 20 or 25 Police constables and inspectors made a deep stir and excited themselves and the public when they rushed over the satyagrahis into the Bank of Ceylon Office (Batticaloa Branch) armed with batons, rifles and bayonets. They did so on information given by a Police on duty at the Bank Office that some noise was being heard inside the the Bank and that he suspected burglary. The Police party,

on its arrival, looked here and there into the office building through the available openings but no one could be found.

"Tada! Tada! came the sound from the office. "There is it! "Did you hear? Don't take me for a mad man", said the Police constable who had summoned the Police party with an air of satisfaction. Again there was a mad scramble around the Bank office to catch thief. But no thief was caught! "Tada! Tada!", again came the sound more vehemently and frequently. It appeared to be an inexplicable mystery. Some constables got on to the roof, some surrounded the building some ran out to fetch the keys and one of them violently pulled out a window put on the light switch which he had known to be close to that window and in the light looked into the office. Just as he looked in by happy coincidence, he heard the sound and saw how it was produced. What did he see; To his astonishment he saw a huge map of Ceylon fastened on a wall lifted by the wind and the lower frame of that map striking violently on the wall and producing that exciting sound "tada! tada!" The constable's face beamed as that of a great explorer when he realised he had found the thief! The constable's discovery both startled and humoured the entire Police party and all of them left the premisses on their tip toes half ashamed and half amused.

No work whatever was done at the Kachcheri that day. Public servants did not at all enter the Kachcheri premises. All of them signed the register that was kept in a garage close by, outside the Kachcheri and went back. Mr B. R. Devarajan, Government Agent Batticaloa also came to the Kachcheri entrance but he was refused entry. He, however, got down from his car had a close look at the satyagrahis and had a talk with the leaders S. M. Rasamaniccam and S. Rajadurai and went away quietly. Close observers remarked that Mr Devarajan's lips began to move

involuntarily to the accompaniment of a song sung melodiously at the time he was amidst the satyagrahis. He was just captivated by the devotional ecstasies of the occasion. Mr. Devarajan told the gathering that he had made arrangements to have rice rations issued.

Other offices in the Kachcheri premises such as the Bank of Ceylon (Batticaloa Branch) did not function as the officers could not cross over the satyagrahis.

Lawyers Object

The Point Pedro lawyers, this day, suddenly turned satyagrahis and obstructed all work in the Magistrate's court of Point Pedro and its offices. This signified their protest to the Police violence on satyagrahis at Jaffna and their opposition to the Language of the Courts Act. They carried placards and one of them contained the following. "Tamil is the language of our Courts" All sections of the lawyers, whether they belonged to the Lanka Sama Samaja Party, the Federal Party, the Tamil Congress or were independent, participated in the satyagraha. The Member of Parliament for Udupiddy also was seen in their midst seated in front of the Court. This day the lawyers of the Magistrate's Court of Jaffna, passed a resolution at a meeting of theirs that they would stage satyagraha at the Jaffna Magistrate's Court to indicate their protest against the Language of the Courts Act.

The satyagraha at the Jaffna Kachcheri on this day (i. e. 28th February), included six Sinhalese. The whole time they were seated as satyagrahis they engaged the attention of all spectators. In fact they were the central figures of attraction. They sat in the front row, cheerful with nods and smiles for the spectators. One of them, a trader, offered food to the satyagrahis. A middle aged Sinhalese satyagrahi was heard to say, "The Jaffna people are very good people to live with. They are good neighbours. The Government is not fair to them. It is trying to divide us and poison the peaceful atmosphere in which we all live. He said these words in a firm and serious tone. The satyagrahis were led by Mr. K. Thurairatnam, Member of Parliament for Point Pedro.

CHAPTER IX

Atlee Offers Solution

The Government get alerted

When the House of Representatives assembled at 2 p.m. on 28th February, Mr. W. Dahanayake, Member of Parliament for Galle and a Sinhalese leader, speaking on the condition prevailing in the North and East, said that the incidents happening in the Northern and Eastern provinces had gone beyond the control of the Government. "What will Srimavo Bandaranaike's Government do if the Federal Party or the Tamil-speaking people decide to run a parallel Government in their provinces?" He exhorted the Government to make a sane approach to the language problem and give Tamil its rightful place. Similar views were expressed by Dr. N. M. Perera and many other members of the House of Representatives.

Troops Airlifted:

As conditions were in the two provinces, anything could have happened if only the Tamil-speaking people had decided. It was as if they woke up from a reverie that the ministers came to appraise of the real position in these areas when member after member of the House spoke with a note of admonition and exhorted the Government to solve the language problem in full. The Government felt as if it had received a shock but was, still, not interested in finding a solution to this vital problem. Instead, it adopted a tough line to quell the satyagraha campaign. Accordingly the following day i.e Wednesday, March 1st, troops were airlifted from Ratmalana Airport to the Northern and Eastern Provinces. It was reliably learnt that the armed services had been instructed

to clear the Government Offices of all satyagrahis. It was the determination of the Government that the administration in the North which had been paralysed by satyagraha should be restored at all costs.

Mr. A. Aziz of the Ceylon Workers' Congress, in a Press statement said:-

"I have read with very grave concern the reports that army and navy personnel have been sent to the Northern and Eastern Provinces.

"The statement by Mr. Felix Dias Bandaranaike from the floor the House yesterday also indicated that the Government had no intention of making any effort to solve this problem. Perhaps they hoped to be able to quell it by adopting a tough line. This attitude was unfortunate as it was unrealistic because it was the fight of a people for their language and culture which was being trampled under by the powers.

"A tough line cannot settle this issue; it can only strengthen further the determination of the Tamil-speaking people.

"I still appeal to the Government to realise the fact that the country needs economic development at this moment. What is happening now will ruin all efforts in this direction.

"I only hope that even at this late stage Government will take the initiative to call the Federal Party leaders to a conference to discuss the matter with a view to negotiating a settlement "

But words of wisdom very seldom prevail on perverse natures. It is a case of "whom the Gods wish to destroy they first make them mad!"

Satyagraha in Jaffna was further intensified on March 1st when satyagrahis barricaded the offices of the Divisional Transportation Officer, District Agricultural Officer, the Assistant Commissioner of Excise, the Assistant Commissioner of Local Government and the election Officer, Forest Officer, Education Office and the Office of the District Registrar of Births and deaths. No work whatever was transacted in these offices.

On 1st March, Navy men were stationed at various spots outside the Kachcheri. They were armed with rifles and bayonets. The Captain of the Navy, Mr. Rajan Kathirgamer, Deputy Inspector General of Police, Mr. Vandenburg and another high naval authority arrived at Jaffna. They inspected the satyagraha affected spots in the company of the Superintendent of Police, Mr C. R. Arndt. The military authorities declared the roundabout at the Kachcheri junction as a prohibited area. They formed a cordon around the spot and prevented Satyagrahis and members of the public from moving about the place. Even the Federal Party members of Parliament were disallowed. Dr. E. M. V. Naganathan and a few others insisted on their freedom movement and even broke the cordon in some measure.

Women satyagrahis, however, continued to sit at the entrances and refused to leave them. As the army and navy were engaged in preventing male satyagrahis from reaching the entrances, women volunteers managed to slip through the cordon and swell the ranks of the women satyagrahis. "How did all these woman manage to come here?", inquired a high-ranking naval authority, hardly able to conceal his astonishment. Gradually, men satyagrahis began to mob at this cordon with the object of reaching the entrances. This led to a good deal of harrassing of the satyagrahis by the armed forces. The crowds, annoyed by the behaviour of the army and navy rushed in large numbers and occupied the entrances

despite vigorous obstruction by the forces. The movement of the crowds became so massive and quick that it went beyond the control of the armed forces and the number of satyagrahis rose to thousands.

Nearly a thousand students from Urumpirai went in a procession towards the Kachcheri. When the procession was a few yards away from the 'prohibited area' at the Kachcheri, navy men stopped it and asked the students to disperse. Refusing their orders they squatted down on the tarred road which had reached melting point owing to the burning heat of the mid-day sun. Spectators were so moved that they requested the students to leave the road. Again they refused to disperse and performed satyagraha there for nearly four cruel hours. Some of the spectators climbed adjoining coconut trees and brought them leaves to sit on, which they acknowledged with thanks. They rejected their lunch and even soda water. Later some naval authorities who came there in the company of the Superintendent of Police asked the students where they were bound. "We are going to fight for our rights", came the reply. The students were then allowed to proceed to their destination. Besides, ten thousand students, both boys and girls marched in a mammoth procession to the Kachcheri. Students of Jaffna College, Jaffna Hindu College, Vaideeswara College, Kokuvil Hindu College, Jaffna Central College, St. Johns College, Urumpirai Hindu College, representatives of the Tirunelvely and Kandarmadam Young Men's Associations participated in this procession. It is heartening to realise that the youth of Jaffna spontaneously showed their love for their language, national entity and fundamental human rights.

On 1st March, when a procession of 700 Satyagrahis arrived early morning within a distance of 500 yards from the Batticaloa Kachcheri, the Police Superintendent stopped them and told that they could not proceed towards the

Kachcheri. "The road is common to us all and we have the right to proceed", replied Mr. S. M. Rasamaniccam, Member of Parliament for Paddirippu. But the army, navy and the police would not listen to reason and they refused entry. The satyagrahis then squatted at the three-street-junction close to the Kachcheri. The military, thereupon, erected a barbed-wire barricade at the spot where the three-street met. The armed forces, then, took their positions near the barbed-wire barricade.

Not a single officer however, was able to penetrate the ranks of the satyagrahis and enter the Kachcheri. Mr. B. R. Devarajan, who told the satyagrahis that he had received orders to go to the Kachcheri for work, requested them for permission to go in. With one voice they said "no no" Mr. Rasamaniccam, on their behalf, told him that their grievances were just and their rights far outweighed the convenience of a Government Agent or even the Government. He was refused entry. As more troops arrived, the Batticaloa Urban Council, at an emergency meeting held that day, unanimously decided to warn the Government against the possibility of creating a grave situation in Batticaloa by rushing down troops. The resolution called upon the Government to withdraw forth with the armed forces out of the Urban Council limits if it wanted peace in the area.

In the House of Representatives on 1st March, Dr. N. M. Perera criticised the manner in which troops had been deployed by the Government to the Northern and Eastern Provinces. "Under what Act was the Government acting" he inquired,

Mr W. Dahanayake:- "Under the Lunacy Act". Dr. Perera:- "Yes, the Government has acted foolishly indeed" He said that as a result of a few blunders committed by the Government the present situation had arisen. He also had to

remind the House that there were megalomaniacs in the cabinet. Mr. Felix R Dias Bandaranaike, Minister for Finance and Parliamentary Secretary to the Ministry of Defence, said in reply that the armed forces were sent in anticipation of a possible breakdown of the administration. He also denied that there were megalomaniacs in the cabinet. The same Minister, the previous day, i. e 28th February, had defended in the House that the police violence inflicted on the satyagrahis was reasonable and justifiable!

The ministers completely disregarded the criticism and advice of the opposition and decided to rush down further troops to the North and East. They also decided not to negotiate for settlement of the language question. This decision was in pursuance of a resolution brought by Mr. D P. Wickremasinghe Member of Parliament for Mahawattagama and seconded by Mr. Wijebahu Wijisinghe, Member of Parliament for Mirigama.

Earl Atlee

Earl Atlee former Labour Prime Minister of Great Britain and one of the greatest statesmen of all times and one who had done much to preserve the Commonwealth links by his liberal negotiations visited Ceylon during these days of satyagraha. At a Press Conference in Colombo on 2nd March, when he was asked about his impression of political developments of Ceylon since its independence, he forthrightly remarked that he had not heard much about Ceylon's political development but that it was "having teething troubles like anybody else".

Question

In a democratic country like Britain or say even Ceylon, can people organise demonstrations and voice their opposition to any Parliamentary legislation? enquired Mr K. P Haran the editor of the "Eela Nadu"

Earl Atlee

"Oh yes, we are always doing that in England". Then he went on to cite an instance where he was taking round an American visitor to the United Kingdom. At Hyde Park they both stopped their car to listen to one of the speakers at a meeting. The speaker was, then, denouncing the Government and its administration. The American knew that the speaker was doing a terrible thing. He looked at the policeman on duty. To his profound surprise, the policeman hastened to the car and asked the driver to switch off the car radio so that they could hear the speaker well!

At this conference, Earl Atlee also observed that minority rights could be safeguarded in the following manner:-

- (1) Could be protected by law;
- (2) by representations in Parliament;
- (3) by a spirit of toleration in a majority. He finally, concluded that to be able to run the administration of the country efficiently and benevolently, there should be trained personnel gifted with tolerance, tact and vision.

Subsequent handling of the satyagraha by the ministers however, established the fact that the politicians in power were unable to appreciate the wisdom of that great statesman, but to be frank, amply betrayed their ignorance, tactlessness and rawness in political administration.

As armed forces were being rushed to the North and East and as grave events were happening affecting the very basic structure of Ceylon's society, the Government tabled a motion in the House of Representatives on March 2nd that the House should adjourn till 2 p. m. on April 4th. It was rather strange that when Parliament should meet as often as possible to discuss and settle the important matters during these days of crisis, the Government sought to fight shy of Parliament the body of peoples' representatives and to

adjourn its sittings for a long span of time! This came under severe criticism by the Opposition. Dr Colvin R. de Silva M. P. asked whether the Government proposed to present a fait accompli to Parliament by adjourning Parliament till April 4th. He said the Government should allow Parliament to govern. Mr Pieter Keuneman M. P. reminded the House that the Finance Minister had stated that the Government should govern or get out and that now the Finance Minister was getting out (meaning thereby that he would accompany the Premier who would leave the following day for the Commonwealth Premiers Conference in London)! He pointed out that the situation was so grave that Parliament should meet daily if necessary.

In reply to a question as to why armed forces were rushed to the North and East, the Prime Minister said in the Senate on 2nd March - "There is no Government in the Northern and Eastern Provinces." The Kachcheries were not functioning and she could not allow the situation to continue. The Police were not sufficient and the armed services were sent to assist the Police, she said.

CHAPTER X

Satyagraha Continues

The eleventh day of satyagraha at Jaffna on 2nd March, may be recorded as one of the greatest events in the history of Ceylon on account of the spontaneous uprising of the Tamil-speaking people against the 'tyranny' of the Government of this country and its armed forces.

Early morning of the day troops arrived at Jaffna by a special train from Colombo under the command of Colonel Udugama. Mr. Vanbeck, the Deputy Inspector General of Police took over the command of the police force and Commander Hunter was left in command of the navy. M. N. Q. Dias, Senior Assistant Secretary of the Defence Ministry, a Sinhalese, also arrived at Jaffna to personally view the situation and possible developments.

This officer was keen to get into the Kachcheri. He secretly conveyed his wish to the Commanders present there. There were thousands of satyagrahis at the main and Old Park entrances through which no entry would have been possible. The satyagrahis were suddenly taken aback when they saw some military and police men lifting a man in white national clothes close to a parapet wall underneath which there were just a handful of satyagrahis. At once the Member for Nallur, Dr. E. M. V. Naganathan who was close by, learning that this person was Mr. N. Q. Dias rushed forward to prevent his ingress while a few other satyagrahis followed at his heels. As Mr. Dias was being held above the parapet wall, the satyagrahis intercepted the armed men and stood against the wall with upraised hands. This brought in more armed forces and satyagrahis. In the commotion that ensued the armed forces attacked the satya-

grahis with rifle-butts and batons, but the satyagrahis stood up quietly. Dr. Naganathan was heavily baton-charged and attacked with rifle butts.

As the armed forces struggled to lift Mr. N. Q. Dias as high as possible, his legs got placed wide apart and his clothes, unable to meet with the distention gave way in two places. As the armed men dropped him, he fell with a heavy thud on the inner side of the wall in the Kachcheri premises. He sprang to his feet and, with snarl, he stared at the armed men who had dropped him, but his stares fell on their backs, they having turned to the crowds.

Similar experiences were gone through by by Mr. Nissanke Wijiratne the new acting Government Agent, a Sinhalese while he attempted to secure entry into the Kachcheri for the first time to assume duties this day i.e. 2nd March. Satyagrahis at the Old Park entrance refused him entry. This led to a triangular charge on the satyagrahis by the police, army and navy. 17 satyagrahis sustained injuries and 5 of them were seriously injured. All of them were admitted to the Jaffna Hospital. Despite their assaults and bleeding injuries, the satyagrahis did not move from the entrances and still the new Government Agent was outside the entrances. In a couple of minutes of the assault the number of satyagrahis increased and this compelled the forces to abandon their attempt to create an opening for the new Government Agent. A little later, as the satyagrahis lay prostrate on the ground, the police lifted him over their heads and dropped him over the parapet wall into the Kachcheri premises. This happened at a place well away from the Old Park entrance and at spot where there were just a few satyagrahis who did not expect this.

The entire scene was remarkable for the patience with which the satyagrahis conducted themselves. They baffled all provocations and went through the tests gloriously and

successfully. The armed forces little appreciated that they were dealing with disciplined and trained satyagrahis. Even the crowds had become somewhat disciplined on account of incessant appeals made to them by the Federal Party leaders that the people should not let down the Satyagraha Movement by any hasty and violent conduct or by doing anything on the impulse of the moment that would infringe on their avowed principles and methods.

Seige and Counter-Seige-

About 400 satyagrahis at the Kachcheri entrances were encircled by navy men armed with bayonets and rifles. The satyagrahis who were encircled included some Federal Party Members of Parliament. They could not have contacts with the people outside. Neither food nor water could be taken to them. The navy and military refused to allow any people to serve the satyagrahis and the whole day they had to starve and suffer the agonies of thirst. The Government plan was to starve the satyagrahis into submission and thereby break the movement.

The seige of the satyagrahis by the armed forces came as a shock to the people who, on hearing this began to surge on the Kachcheri in thousands. As the crowds kept on increasing the armed forces put a cordon to keep them off and prevent them from reaching the gates of the Kachcheri. They impeded the normal run of affairs. Traffic in the streets came to a standstill. Buses, lorries, cars, vans, carts etc. were all halted in never-ending lines throughout the streets and lanes of the city. Doctors and nurses were prevented from going to the hospital. They squatted on the middle of the road and refused to leave. Scavengers and street-cleaners, too, were impeded in their normal duties. They halted their lorries and carts in the streets and squatted along with the others. Railway stations and railway lines became packed with satyagrahis. Train service was completely paralysed.

Crowds Swell-

A postman, one Kandiah unmindful of the nature of the situation rode on his push-bike into the military cordon. He was bound for Chundikuli to deliver an urgent telegram. At once a naval soldier, in 'rakshasa' fashion, thrust his bayonet into the body of the postman who, having lost his balance fell, on the ground senseless, bleeding profusely. He was taken to the hospital. He was in a serious condition. The news of this heartless onslaught on the postman was received with much bitterness and resentment by the Tamil-speaking people in the Peninsula. The postal workers of the Jaffna Post Office struck work at once as a protest against the assault on the postman. Other postal workers in the rest of the Peninsula also struck work and this resulted in a complete paralysis of the postal service in this area. Immediately after this incident vast crowds of people flocked to the scene. All approach roads to the Kachcheri became filled with people who had become hostile. These crowds encircled in turn those armed forces who had encircled the satyagrahis. These forces were disabled from having any access or contact with the remaining forces outside. In certain streets the people squatted even to half-a-mile deep.

It was lunchtime, but neither the satyagrahis nor the armed forces had their lunch. In one street, at the tail-end of the crowds who were squatted, a military jeep and a military truck halted. The jeep had a high-ranking military personnel and the truck contained, besides a number of soldiers food and other provisions for the forces. The high-ranking, military officer and the soldiers in the jeep and truck got down with their bayonets and guns in a threatening manner and told the crowds to disperse. Heedlessly the crowds stuck to their places. Some of the soldiers attempted to pull away few of those who were squatted. At once hundreds of on-lookers rushed to the spot and squatted. Then the military men got into their vehicles and

threatened to drive through the crowds. At this stage the crowds, almost, turned hostile and anything could have happened had it not been for the insistent appeals of some educated men to the crowds to follow the peaceful way of satyagraha. The high-ranking military officer again got down from the jeep and made an appeal to the crowds to make way for them as they were taking food. "Food, whom"?, asked a boy of 16. "Food for soldiers, please", returned a soldier who was standing close by. "What about food for the peaceful satyagrahis?" questioned the boy in a mood of frenzy and at the top of his voice and he quickly followed it up saying, "No food for satyagrahis no food for soldiers". This was echoed by the rest of the crowds and as they did so, they knitted themselves closely against the buffer of the jeep. Some stood up; some squatted, while others lay prostrate on the road. Close to the bumper tens of young men lay one upon the other. The people in front of both the jeep and truck were so packed that they gave the appearance of a hill grown with human beings rising tier upon tier. It was clear from the determination of the people that they were ready to face the consequences, even if it meant death.

The soldiers stood confounded, but the high-ranking military person could not help betraying now and then smiles at the courageous conduct of the boy who was the spark and life wire of the entire throng. It was with great difficulty that both the military men and their vehicles retraced their steps and disappeared.

Almost a similar incident happened at the Ariya Kulaththady junction. At this spot there was a huge crowd. The three Commanders of the navy army and police drove in a jeep and arrived at this junction. They were stopped by the people and refused further entry. They had to get down from the jeep and walk back to their places of calling.

Heavily armed navy-men stood on guard at the Chundikuli junction and prevented the people from going to the Kachcheri. A contingent of boy students, in their determination to assert their freedom, lay prostrate on the roads at the junction. Some soldiers uttered threats and asked them to quit the place; but in vain. One soldier held his rifle point-blank against the boy's chest and threatened to shoot him on the spot unless he got up and left the place. But the boy gallantly stretched his chest and said, "Here shoot if you must and I am ready to die." The soldier recoiled completely stupefied. Not less than a lakh of people had filled the Kachcheri streets and lanes. Although there were only about 400 satyagrahis at the Kachcheri entrances outside there were at least fifty thousand people who turned satyagrahis on the impulse of the moment which was brought about by the armed forces on account of their tactless and stupid handling of the situation. For about a mile in length the streets of Jaffna became packed with people, busses, lorries, vans, carts, jeeps and trucks. Traffic of all kinds came to a dead stop. It took hours and hours to clear this enormous congestion.

This day at Batticaloa about 1 500 satyagrahis squatted in front of the Kachcheri. A large number of Muslims participated. The Muslim M. P. for Kalmunai Mr. Ahamed in a written appeal requested all Muslims in the Batticaloa and Kalmunai areas to sink their differences and join the Satyagraha Movement and render whatever help they could. There were about 400 women volunteers Batticaloa Student's Forum also participated

Sinhalese Satyagrahis

Sinhalese residents of Batticaloa actively interested themselves in the satyagraha Movement. They joined processions and uttered slogans against the Government. They squatted in front of the Kachcheri along with the Tamil-speaking satyagrahis. The leader of the group of Sinhalese

satyagrahis remarked that insult to their Tamil brethren was insult to themselves as both were equal citizens of Ceylon. A number of wealthy Sinhalese residents served the satyagrahis for several days with lunch, fruits and drinks. They had also collected funds for the movement.

Mr. B. R. Devarajan's transfer from Batticaloa took effect from this day and the new Government Agent of Batticaloa, Mr. D. Liyanage arrived in the morning of the same day. It was well-known that the reason for his transfer was unlike that of his Tamil counterpart in Jaffna. his courageous refusal to collaborate with the Government to further the cause of violence on peaceful satyagrahis.

At Batticaloa resolutions were passed by the Urban Council and the Lawyers Association demanding the Government to withdraw the armed forces from the Northern and Eastern Provinces, if the Government really wanted peace and to avert very serious consequences for the Government and people of Ceylon. The Lawyers' Association of Batticaloa also resolved to resist the implementation of the Sinhala Only at whatever cost besides giving moral and pecuniary aid to the Satyagraha Movement. It lies to the credit of this Association to have been the first body of lawyers to take a dignified and clear stand on the language policy. The lawyers' of Jaffna themselves would admit it, but with a sense of shame. It is, however, encouraging to see that the Jaffna Lawyers' Association, too, at the present moment is viewing the Language question with a measure of sternness that it never was accustomed to. They are now united to a man that besides resisting the implementation of the Sinhala Only in the Northern and Eastern Provinces Tamil should be the language of the Judicial records in these provinces. There is now happy to relate, no denationalised Tamil in these regions with a wooden feeling so as to cause any damage or be a hindrance to our sacred and fundamental cause.

On 3rd March navy personnel who had been on duty for full 48 hours were completely withdrawn from the streets of Jaffna and the Kachcheri entrances. The police and army took charge of the situation. The satyagrahis, who were squatted for the 48 hours at the Kachcheri entrances without food or water and who refused to disperse despite enormous harassing from the armed forces, were relieved this day during the early hours of the morning by a fresh batch of satyagrahis. The performance of satyagraha for 48 hours without a break was due to the information received that the armed forces were going to occupy the Kachcheri entrances and prevent satyagrahis reaching them. The armed forces also held out the hope to the Government that they would pave the way for the public servants to go to their offices.

Government sources claimed that the navy was withdrawn on the undertaking given by the Federal Party leaders that satyagrahis would not prevent the officers from going to their offices. Mr. S. J. V. Chelvanayakam, however, rejected this claim as untrue and mischievous. To the Tamils it was clear that the Government claim was without foundation as the Federal Party satyagraha movement was primarily intended to picket public servants from attending their offices and that such an undertaking would be incompatible with their strategy. Federal Party sources said that the navy personnel were withdrawn as the situation in Jaffna was "getting out of control with thousands of students and Federal Party volunteers appearing on the streets of Jaffna." The people of Jaffna knew that the Federal Party claim was correct.

After two days hurly-burly, satyagraha on 3rd March, commenced with marked calm. The golden rays of the early sun peeped pleasantly through the green leaves of trees and dissolved the clouds of the peoples' minds. The satyagraha had persisted and was continuing despite enormous odds. There was rejoicing in the whole of Jaffna. Although satya-

grahis increased, there was no interference whatsoever from the armed forces. Satyagraha was performed throughout the whole day peacefully.

Muslims' Day-

March 3rd may be treated as the Muslims' Day at Batticaloa. About 5 000 Muslims participated in the satyagraha in front of the Batticaloa Kachcheri. Mr. Markan Markar, 2nd M P for Batticaloa issued an appeal to the Muslims of Batticaloa, Kattankudi, Eravur and other areas to support the Satyagraha Move and the demand for language and other basic rights. The Muslim Traders' Association in a memorandum took up the position as follows:-

"So long as the Federal Party has pledged to secure for Tamil its honoured place we the Muslims of Batticaloa are prepared to give the Party our maximum support. The Prime Minister and the Government must know that the Tamil Question affects not merely the Tamils but the Muslims of Ceylon too. The Prime Minister must summon a round-table conference without delay and settle the language problem satisfactorily".

All Muslim shops and business establishments were closed to enable the employees to participate in the procession. That day there were 25 processions of volunteers and supporters. The Batticaloa Students' Forum organised a mammoth procession of students running in many thousands who paraded throughout the streets of Batticaloa displaying their health and vitality and their zeal for a magnanimous future. The heat of the day was so intense that a number of people including women and children fainted. Soda tea, coffee, young coconuts and meal packets were served in abundance.

On 4th March, at Trincomalee satyagraha was started, led by Messrs N. R. Rajavarothayam, M P., and T. A. Ehamparam, M P for Muthur. As satyagrahis squatted at the Kachcheri entrance and prevented public servants from entering the Kachcheri, the police baton-charged them inflicting 4 satyagrahis seriously and causing 6 others minor injuries. One of those seriously injured was Mr. Ehamparam, M. P., who soon after, developed complications of heart. In spite of the activities of the armed forces, satyagraha persisted.

CHAPTER XI

The Premier's Broadcast : The Pros & Cons

In a broadcast on 4th March before her departure that day for the Commonwealth Premiers' Conference in London the Prime Minister urged the Federal Party to give up its satyagraha campaign. She was rather emphatic that no discussions would be possible until then. She guaranteed that if the Tamil people suffered any hardships owing to Government's language policy she was ready to consider them after her return from the London Conference.

Recounting the uses which Tamil enjoyed the Prime Minister said:

- “(1) The issue of permits and local licences in Tamil in the Northern and Eastern Provinces has been allowed. Provision has been made for the registration of births, marriages and deaths in Tamil in the Northern and Eastern Provinces. There is no restriction or impediment for any private business including the execution of deeds and other contractual obligations being in the Tamil language.
- (2) There is no obstacle whatever for the use of Tamil in the giving of evidence in the Courts in the Northern and Eastern Provinces.
- (3) Tamil people resident not only in the Northern and Eastern Provinces, but anywhere else in Ceylon, have the freedom to correspond with the Government in Tamil.

- (4) In terms of the Tamil language (Special Provision) Act of 1958 a Tamil child will have his or her education in Tamil This includes University education as well.
- (5) In the Northern and Eastern Provinces Municipalities, Urban Councils, Town Councils, and village Committees in Tamil areas can conduct their business in Tamil.

"While such reasonable steps have been taken to do justice to the Tamils it is highly deplorable that a campaign calling itself Satyagraha which is misleading the people and obstructing State business should have been started I am certain that this is not a step that has the approval of the reasonably minded members of the Tamil community.

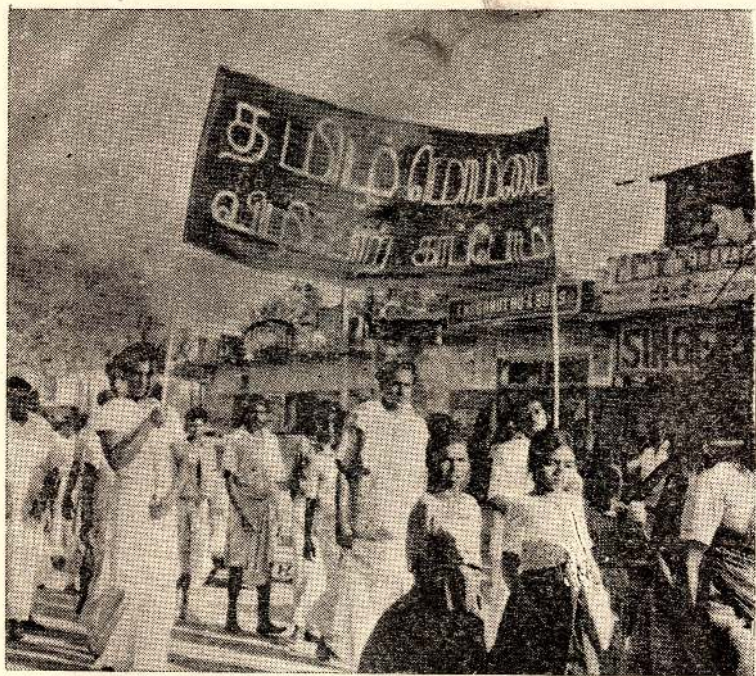
"It is said that non-violence is the essence of any satyagraha movement. But the so called Satyagraha Movement, carried on by the Federal Party is by no means non-violent Last Thursday, a Federal Party Member of Parliament and his associates had attempted by use of force to prevent a highly placed Government Official entering the Kachcheri premises. Last night I saw for myself the torn clothes of this official.....

"It has been publicly declared that the campaign is aimed at preventing the implementation of the Official Language Act in the Northern and Eastern Provinces. I should like to make it clear to the people that there will be no change in the implementation of the Official Language Act which, as everyone knows, was enacted on the request of the people and in accordance with a solemn pledge given to them at two successive general elections."

These, were the chief matters she dealt with in a fairly long speech. One need not be at great pains to show how unfair and unjust the Prime Minister's speech was to



A procession of teachers and city fathers moving to the Jaffna Kachcheri carrying a painted picture of Tamil Mother with hands and feet bound in chains and her hair dishevelled.



Mr. T. Sivasithamparam, M.P. for Vavuniya, leading the satyagrahis to the Vavuniya Kachcheri to perform satyagraha.

the Tamil speaking people. In the last paragraph the words "at the request of the people and in accordance with a solemn pledge given to them at two successive general elections" cannot fail to tell the world that it was a decision given by the Sinhalese majority against the Tamil-speaking minority and yet the Prime Minister and the Government would have the world believe that the implementation of that policy is political and natural justice! What an unimaginative and unenlightened approach! Is this not enough to establish the fact that the Prime Minister and Government were pursuing a policy of racial discrimination and persecution against the Tamil speaking people in this country?

The Low-minded-

The Prime Minister had imputed violence to the satyagrahis! It could be countered by what the new Government Agent of Jaffna Mr. Nissanke Wijeratna, a Sinhalese himself, who was, unlike the Prime Minister, an eye-witness to the conduct of the satyagrahis, had said of them. "The Satyagrahis are very well behaved gentlemen". He said this on 3rd March (Friday) and was released in most of the newspapers in the Island. But the mischievous purpose of the alligation by the Prime Minister was well known to the Tamil-speaking people. Naturally, they did not bother about what the Prime Minister had said. Even "the reasonably minded members of the Tamil Community" were well aware that there was no truth in the Prime Minister's remark that the Satyagraha campaign did not have their approval. What the Prime Minister had in her mind by those "reasonably minded members of the Tamil community" were the just few shameless and dastardly Tamil sycophants who are utter strangers to a sense of self-respect or dignity and ready to barter their inalienable rights for their selfish and temporary advantages. There was one Tamil politician, particularly, who was content to wash the dirty linen of the Government's military conduct viz its atrocities on the unarmed satyagrahis

and expose the Tamils to ridicule and contempt by sheer betrayal. He also took great pains to give official functions at Jaffna, the appearance of success, by entreating prominent Tamil men to be present at these functions! This man is satisfied with the crumbs and bones the Government throws! This estimation of the despicably low-minded individuals by the Prime Minister and her colleagues is shocking to the upright and decent people. What an understanding of human values! The time has now come even for the 'fallen-angels' to restore themselves and find their honourable places.

The fact that the Prime Minister on looking at some torn clothes in a remote place about 250 miles away from the scene of the incident was satisfied that they were torn by the satyagrahis is equally shocking to a person who had seen the incident with his own eyes. Thank God, the Prime Minister is not a judge. How many persons would have lost their rights, liberty and life! The satyagrahis did not do anything of that kind. The clothes of Mr. N. Q. Dias were torn, as the author has stated above, when the armed forces, in a frantic attempt, lifted him over the satyagrahis and the parapet wall to drop him in the Kachcheri premises.

Tamil Q. C's. Refute-

The arguments contained in the Prime Minister's speech were adequately met and refuted by, two eminent Tamils Senator S Nadesan, Q C. and Mr. Tiruchelvam Q. C in two of their most illuminating articles published in the Ceylon Observer. Mr. Nadesan wrote:-

"The most important basic right of a citizen is the right to his national culture. Ever since the first European war it has been widely recognised by most thinking people, that minorities must be protected against the danger of losing their national character and that an individual could not enjoy human rights in any meaningful sense unless adequate recognition was given to the

ethnic collectivity of which he was an integral part.....' The Tamil-speaking people consider that it will not be possible to preserve the Tamil Language and culture in Ceylon unless there is firstly adequate recognition of the ethnic collectivity of which the Tamil-speaking citizen forms an integral part' and secondly adequate use of the Tamil language in the day-to-day administration of those areas in which Tamil-speaking citizens are concentrated. This is the basic demand of the Tamil-speaking people"

It has been stated that the Tamil language is now being used for the same purposes as it was under the British administration. Hardly anyone would disagree that those uses to which Tamil was put under the Colonial administration were limited uses and that the full use of Tamil in keeping with a free language was never recognised under that administration. But due to the joint efforts of both the Sinhalese and Tamils, Ceylon to-day is free. With freedom to the Tamil-speaking people, to refuse the free and full use of Tamil in the administration of the country is what the Tamil-speaking people are aggrieved with. They had hoped that Tamil and Sinhalese would replace English and their honoured places would be regained. But now they are told that Tamil shall not regain that position, but Sinhalese only! Natural and elementary justice, however, would prompt to them that they are quite justified in insisting on their inalienable rights.

Position Worse-

To be frank, the present communal Government has made it worse for the Tamil-speaking people. Whereas during the Colonial regime name boards of post offices, police stations railway stations, and of other departments were in English, Sinhalese and Tamil, is being eliminated in certain of the Government departments presently Tamil. Even Government

frank and seals are maintained only in Sinhalese in all the departments. Reference has been made to the effect that provision existed for keeping a translation of the activities and report of the Sri Lanka Sahitya Mandalaya in Tamil. Actually, the reports are maintained by the Director of Cultural Affairs only in Sinhalese and English. This shows that unless statutory recognition is given to Tamil, the Tamil language runs the risk of losing its place in the administration of the country. Some capricious minister might come and inflict great hardships on the Tamil-speaking minority. A true illustration may be given.

In the past, the administration reports of Government departments were published in all the three languages viz. English, Sinhalese and Tamil. But now the present Minister of Justice has discontinued that practice. The Secretary to the Treasury issued a directive to all Heads of Departments that in future administration reports of Government departments should be published in the official language, i.e. Sinhalese with an English translation. This directive, it was learnt, was issued on the instruction of the Minister of Justice. A Treasury spokesman said that the practice of translating administration reports into Tamil was followed even before the Official language Act was passed in 1956 and when English was the official language. Following the directive, heads of departments were compelled to take steps to discontinue the practice of translating these reports into Tamil.

Speaking on this discriminatory act in the House of Representatives, Dr. Colvin R. de Silva, a leading Sinhalese Member of Parliament said that the Tamil-speaking people had every reason to live in fear and anxiety about their rights in this country, for the Government, by its obnoxious and communal acts like this forfeited the confidence the Tamil speaking people had placed in it. For quiet a long time Sinhalese and Tamil had been equal in status, but suddenly Sinhalese had been enthroned in a seat of power

and prestige and Tamil neglected much to the annoyance of the Tamil speaking people. This could not promote communal harmony or good relations between the Sinhalese and Tamil communities, he warned. He exhorted the Government to give Tamil its rightful place in the administration of the country.

Provision was made even under the colonial administration for the use of Tamil in the Criminal and Civil Procedure Codes viz the use of Tamil in the duplicate of summons, proclamations of persons absconding, statements to Magistrates and Police Officers, conditions of a Probation Order, duplicate of plaint, Notice of Sale, giving evidence in Tamil, a Tamil-speaking jury and other similar matters. These uses were recognised not as a matter of political and linguistic freedom but as a matter of necessity. For example, a witness who knows only Tamil can give evidence only in Tamil. I wonder whether a Government can compel him to give evidence in any other language! That is the reason why a Tamil who knows only Tamil is given the right to give evidence in his language. A Government that tells a Tamil that it has given him this freedom can as well say that it has given him the freedom to talk to his wife and children at home in Tamil.

Surely, these uses of Tamil referred to by the Prime Minister are not the tests of a free language. The real test of a free language is the freedom given to those who speak it to use it in the manner they want i.e. to suit their convenience, coupled with Government patronage for its cultural and beneficial development.

Great damage is done to community and the country as a whole when politicians and political parties make the language of that community a communal issue unleashing thereby a host of communal problems that undermine the social and economic structure of the nation. Herty writes:

"After all, language is an instrument of citizenship and not a weapon of domination and consideration of prestige should not be allowed to prevail over the dictates of plain common sense. This problem can never be solved in an atmosphere of distrust or by veiled efforts by one nationality to dominate over others."

It is vital to know that inalienable, basic human rights far outweigh mere considerations of prestige

Minister's Intransigence

When the Minister of Justice introduced the language of the Courts Bill in Parliament, several of its members exhorted him to follow the British precedent in India and declare Tamil as the language of the Courts in Tamil areas. In British India the Government declared the language of the area in which a Court was situated as the language of that Court although English was the official language. The judicial records of those Courts were kept in that language of the area. The provision suited the convenience of the people of India and saved considerable expense, time and trouble both to the Government and the people. But the Justice Minister of this country dismissed this suggestion with callous indifference. Referring to this Senator S Nadesan wrote as follows:

"But unfortunately the Minister of Justice summarily turned down this reasonable suggestion. His intransigence on this matter is in no small measure responsible for the present acute tension that is prevailing among the Tamil-speaking people."

University Professors-

In a brilliant article on the language question written jointly by five Ceylon University Professors and Lecturers, all Sinhalese, namely, Rev Lakshman Wickeramasinghe and Messrs E. R. Saratchandra, G Obysekera V. E. A. Wickeramanayake and Ian Goonatilake, the following was included :

"An examination of the Language of the Courts' Act indicates that no provision has been made for court pleadings to be led and court proceedings to be recorded in the Tamil language in Northern and Eastern Provinces where necessary. The opportunity to give evidence in the Tamil language in courts is not the granting of a right as some claim but merely the recognition of brute fact in the present circumstances. In clause 4 this Act, however, provision is made for the use of English language where necessary and for the translation of documents in the English language into Sinhala in order to safeguard the main provision of the Official language Act. It is both fair and possible to make similar statutory provision for the use of Tamil language in court documents in the Northern and Eastern Provinces where necessary, within the frame work of the Official language Act. In not doing so now the Government is providing a source of just grievances to the Tamils of these region."

Criticising the Prime Minister's reference to the "people's mandate," those men of letters wrote:-

"It is a political wisdom which also pays heed to the words of Jefferson in his Essays on Freedom' namely that all too will bear in mind the sacred principle that though the will of the majority is to prevail in all cases that will to be rightful must be reasonable reason" able both to common sense and to the moral sense!.

These men of learning and culture in their article exhorted the Government not to treat lightly the Satyagraha Movement that had "so much mass support among the Tamils". Almost similar opinions were expressed by Mr. M. B. Ratnayake, an educated Sinhalese of Gunnepana. Besides, there was a host of other Sinhalese gentlemen who had unsparingly condemned the Government for pursuing a communal policy of discrimination and making the whole country a cauldron bubbling with communal riots and chaos.

Those who are familiar with legal practice know that a litigant should go to a Court of law to obtain justice with clean hands. The Prime Minister of Ceylon, Mrs. Srimavo Bandaranaike, at the Commonwealth Premiers' Conference in London condemned the apartheid policy of the South African Government. But as she did so, she knew that at home (in Ceylon) injustice had been done by her and her Government to the Tamil-speaking people, viz. their fundamental rights of language, had been, heartlessly denied. Dr. Verwoed, the South African Prime Minister, however, was equal to the occasion. In reply he lashed out at the Ceylon Prime Minister and her Government for pursuing an inhuman policy of persecution against the Tamil-speaking people and denying their basic rights which were not denied to anybody even by the South African Government. It is a case of the pot calling the kettle black!

All the nations of the Commonwealth knew the happenings in Ceylon. It was learnt that these nations had decided to watch further developments in Ceylon before they discussed the Ceylon Tamil Question in the U. N. O. Some members of the Commonwealth however, are becoming convinced that Ceylon affairs are assuming such proportions that the Tamil Question can no longer be reasonably solved by the Communal Governments of Ceylon, whose fairness and competence are very much in doubt. To this extent, they feel, that the Tamil Question is ceasing to be a local question. A better reason, still, is the fact that the conflict is not merely between sections of one nation, but between two nations, the Sinhalese steam-roller majority on the one hand and the Tamil minority on the other. If this racial question is not a fit matter for the jurisdiction of the United Nation, one wonders what other problem is more fitting!

Again when the Prime Minister participated in the Belgrade Conference in September purporting to contribute

her mite in defence of democracy and peace. Mr W. Dahanayaka the well-known Sinhalese Member of Parliament, speaking in the House of Representatives on September 16th, said that it was ridiculous that the Prime Minister of Ceylon was speaking glibly of the importance and defence of peace and democracy abroad while what was happening at home was just the opposite of democracy. Dr. N. M. Perera, Member of Parliament, also warned the House and the country that there was a serious threat to democracy in this country.

The leading newspapers of the world had given prominence to the Ceylon Tamil Question and had entertained the fear that the Ceylon Government would not solve this question with fairness and justice. Let us see what the Madras Hindu, a newspaper that enjoys a reputation for its fair comment and unbiased views, had expressed on this question in its editorial of 18th March.

"We note that the finance Minister of the Ceylon has lost no time in repudiating the South African Prime Minister's charges against the Government of Ceylon. Mr Felix Bandaranaike says that there is no racial discrimination in this country.

How then should one describe a policy whose sole effect would be to enthrone one race, one language and one religion' above others and that would deny citizenship to the hundreds of thousands of Ceylonese of Indian origin, on the most flimsy grounds."

It is as though a duel between a giant and a pigmy. The little man is dragged, mauled and trodden by the heartless giant. Is there the man who would say "Go ahead" to this giant who tells humanity. "You shall not interfere, for this man is in my territory, in my dungeon".

In Ceylon nine trade union organisations protested to the Prime Minister on 3rd March against the use of troops on Satyagrahis. Their resolution was as follows:-

"The working people in general and the organised trade unions movement in particular have long experience of the evils attendant upon the use of troops in relation to legitimate trade union activity.

"In view of this working people are restless over the deployment of troops in relation to the present situation which has resulted from the Satyagraha campaign and the Government policy towards it.

"The Co-ordinating Committee of trade union organisations also stresses that the present situation prevents the Government and the people from engaging unitedly in the urgent task of bringing down the cost of living, abolishing unemployment and engaging in the planned development of the economy of the country.

"The Co-ordinating Committee of the trade union organisations notes with concern that, for instance the legitimate activities of the Government Clerical Service Union and other unions have been directly interfered with by the bringing in of troops "

The Unions which met and passed the resolution were the Ceylon Mercantile Union, The All-Ceylon Bank Employee's Union, the Colombo Municipal Employees' Union, the Trade Union Federation, the Customs Officers' Association, the Ceylon Workers' Congress, the Government Workers' Trade Union Federation, the Government Clerical Service Union and the Ceylon Federation of Labour.

On 9th March, 21 Government Service Unions at Jaffna struck work. This was a day's token strike as a protest against the police atrocities. They also insisted on three things, viz

- (a) Withdrawal of forces from the North and East;
- (b) An immediate inquiry into the assault on public servants by police; and,
- (c) inquiry into the assault on the postman Kandiah by navy personnel.

CHAPTER XII

Some Highlights of Satyagraha

In a matter of few days it became clear to all that the satyagrahis were solemnly devoted to their cause and strove hard to avoid violence. They had defied all forms of provocation by Government and its armed forces. The Prime Minister's allegations that the "Satyagraha campaign carried on by the Federal Party is by no means non-violent" came as a rude shock to the people of Jaffna. They, however, came to realise that it was intended to mislead the people.

The Prime Minister's broadcast had made one thing clear to the Tamil-speaking people; that the Government was not willing to recognise their substantive rights. This led to huge rallies at the Jaffna Kachcheri by Tamil-speaking people of all descriptions regardless of their differences in support of the Federal Party Satyagraha campaign. It did not matter whether they were Hindus, Christians, or Muslims. Between 4th March and 18th April, all sections of the Tamil-speaking people representing all their interests viz. city-fathers farmers taxi-drivers, carters, city-workers, the clergy, Hindu priests, teachers, students, lawyers, doctors and politicians notwithstanding their party differences marched in processions carrying placards, uttering slogans and finally participating in the satyagraha. It was the decision of the Federal Party that everyday the satyagrahis must be led by a Member of Parliament or a leading member of the Federal Party or other Tamil Party. But as the satyagrahis rose to thousands everyday, this system had to be abandoned. The Satyagraha Movement became a spontaneous mass movement beyond party considerations. At this stage, the Member of Parliament for Uduppiddy (Tamil Congress Member) Mr. M. Sivasithamparam,

came into the movement with his party supporters. The Government's language policy and its excesses had driven the Tamil-speaking people into one unified front.

Teachers

The Director of Education issued a circular that teachers of the Assisted Schools that had come under the Director's management should not participate in the Federal Party's satyagraha campaign and that all those who did participate would be discontinued from service. The Tamil Teacher's Association of the Eastern Province criticised the Director for his circular and telegraphed to him to withdraw his circular at once pointing out that the circular was calculated to deprive the teachers of their political rights. Similar resolutions were passed by the Northern Province Teachers Association and the Hatton Tamil Teacher's Association.

As a protest to this circular about 400 teachers in the Eastern Province marched in procession on 4th March to the Batticaloa Kachcheri carrying placards and uttering slogans. Many placards they carried indicated "Hands Off Teachers' Political Rights". As the procession ended at the Kachcheri entrances, the teachers joined the satyagrahis. Most of the satyagrahis that day were Muslims of the Eastern Province and they were led by the Muslim Member of Parliament of the Batticaloa constituency. At a meeting of 15,000 the Member of Parliament addressed as follows:-

"In the Tamil Freedom struggle, the Muslims of Ceylon have a big part to play. What is wanted now is real unity between the Muslims and Tamils and I am glad that unity is forthcoming and is spontaneous. Once we have become strongly united, the Government cannot but bow down to our demands.

The expression of his sentiments was acclaimed with thunderous applause. Another prominent Muslim of the Eastern Province observed:-

"What is the use of listening to those Muslims who pretend to be our leaders and talk softly of goodwill and alliance with the communal Government when our own correspondence in Tamil with the Government is replied in Sinhalese!"

On 11th March about 3,000 teachers of both sexes from several parts of the Northern Province marched in a lengthy procession to the Jaffna Kachcheri. They were dressed in white and the procession moved slowly. The entire scene resembled a slow-moving film of beautiful white figures in two rows. The placards they carried presented interesting and stirring reading. Some of them read as follows:-

"TAMIL IS OUR SOUL"

"TAMIL IS OUR LIFE BLOOD"

"TAMIL IS MORE PRECIOUS THAN OUR EYES"

"THOU SHALT NOT DEFILE OUR MOTHER TAMIL"

At the head of the procession they carried a painted canvas wherein was a picture of Mother Tamil whose hands and feet were bound in chains standing with dishevelled hair and dark and pitiful countenance. The teachers carried hundreds of black flags and uttered slogans in a studiedly rhythmical fashion that sounded pleasantly to the hearers.

This slow-moving mile long procession took place against a cloudless sky and blazing sun and lasted nearly one hour. When this procession approached the Kachcheri entrances, a good number of teachers squatted at the entrances that were already packed with about 5,000 satyagrahis. They looked fatigued and there was almost a mad

scramble to serve them with water, soda and young coconut. When the procession was over they placed the painted canvas representing Mother Tamil at the main entrance to the Kachcheri. Crowds of people collected there to get a view of this picture. The crowds included two Europeans. They were seen looking at this picture intently and talking to each other and appeared quite moved by what they saw. They then, came out of the crowds and talked to the people. At the end of their talk one of them was heard to say with a smile that betrayed a note of sympathy.

"Your cause is just and your efforts cannot be without happy result. Any Government that has the good of the governed at heart must soon yield to your demands. God bless you "

This day, i.e. 11th March, being a Saturday, the number of satyagrahis rose to nearly 8,000 while the crowds of sympathizers to about 40 000. In the ranks of the satyagrahis could be seen mothers with their innocent babes sleeping on their shoulders or laps as they kept singing devotional songs. There were old people of both sexes who had joined the Satyagraha Movement despite their failing health. Even sick people had abandoned their beds before their prescribed time to go to the Kachcheri to satisfy their passion for satyagraha. Satyagrahis from distant places of the Jaffna Peninsula walked in the hot sun nearly 15 to 20 miles to participate in the Satyagraha.

Students-

Thousands and thousands of students of the North and East played a big part in organising demonstrations and offering passive resistance to violence by the Government and its armed forces. The assault on the satyagrahis by the police on 20th February came as a rude shock to the school children in the Northern Province. Hundreds of

students gave up attending school and went to see for themselves what was happening at the Kachcheri. A large number of them mobbed the hospital verandahs and wards to get a good view of those patriotic Tamils who had sacrificed their blood for the Tamil cause. A teenage boy lost control of himself and broke into tears as he (talked) to a satyagrahi who was suffering from intense pain and difficulty in breathing. having been trampled on his abdomen by the police. There were many such pitiful sights and many students went without lunch on account of the depressing and melancholy effect of what they saw.

On the following day, i.e. 21st February, about 5,000 students of the leading colleges of Jaffna marched in a long procession to the Kachcheri which was about a mile and a half away as a protest against police violence. They marched in two columns winding through the streets and lanes. At the rear of the procession there were about a thousand cyclists who exhibited great skill in the art of balancing in a slow ride. The students carried black flags and placards. Their resounding slogans could be heard half-a-mile away. Many colleges had to be closed at noon for want of sufficient attendance.

At the end of their procession, they wanted to participate in the Satyagraha. But the Federal leaders and elders persuaded them not to participate as that would interfere with their studies and school discipline. They obeyed but assembled in front of the Kachcheri entrances in large numbers and remained there until they were led away. There was also a long procession of girl students of about 5 000 from the schools and colleges of Jaffna. They collected in the premises of the Jaffna Town Hall and filed themselves in two long columns. Most of them were dressed in white frock while the rest were in glistening white sarees. They carried black flags and placards. Uttering slogans, they moved beautifully through the streets and lanes of Jaffna.

and reached the Kachcheri. On 25th February, 20 law students from the Law College headed a procession of school boys and participated in the Satyagraha.

Following the participation of the students of the North in the Satyagraha Movement, the Ministry of Education issued a directive over radio on 1st March 1961 to the heads of schools in the Northern Province directing them to dismiss the students who absented themselves from school without sufficient reason. The parents of Jaffna treated this directive as an insult and a challenge to their liberties. Some of the leading parents met on 2nd March, 1961 and issued a notice by which they requested all parents to stop sending their children to schools on 3rd March, 1961. They however, appealed to the students not to participate in processions etc. This notice was widely circulated. As expected, not a single school, whether big or small, was able to function throughout the whole of the Northern Province. Instead of confining themselves to their homes, the students organised demonstrations and marched in procession all over the peninsula. They squatted at entrances to their respective schools and picketted teachers from attending them. The students strike spread to the Eastern Province as well.

Although, it was decided to be a day's token strike, in the majority of schools, the students' strike went on for a week. This inevitably compelled the Father of the Movement, Mr. S. J. V. Chelvanayakam to issue a general appeal to students to call off their strike and attend school. They responded to the appeal but not with a willing heart.

On 3rd March at Batticaloa, thousands of students both boys and girls, marched in a huge procession and participated in the satyagraha at the Batticaloa Kachcheri. It was organised chiefly by the Batticaloa Students' Forum. All the school were closed for want of attendance. Students picketted teachers from attending schools. At the end of the

procession, they joined the satyagrahis who were seated in the burning mid-day sun. Unable to bear the heat, three girls fainted and had to be helped out. On April 6th some students marched to the tomb of Rajendra Stephen who was killed by the military in the 1958 riots pierced their fore-arms with knives and wrote in blood their determination to fight for Tamil rights. Similar processions were organised by students at Trincomalee Vavuniya and Mannar. At Trincomalee, students invaded the Police Station as a protest against the police taking 3 students to the Police Station. They refused to disperse until the 3 students were released.

The longest procession of students in Jaffna was on March 7th when nearly 10,000 students participated. Many hundreds of them went with their hands chained and with black handkerchiefs tied firmly over their mouths as an indication of the agony of the Tamils who are under chains and without freedom of speech. The provocation for such a procession was a rumour that Mr. N. Q. Dias, a Senior Civil Servant of the Government was coming to open the Kachcheri for work. Mr. Dias came to Jaffna but could not enter the Kachcheri as he had to cross many columns deep of satyagrahis who numbered that day about 10,000.

On 8th April, the Federal Party Non-Violent Service Corps came out on a parade and marched in a procession to the Jaffna Kachcheri. This Service Corps consisted mainly of the youth, both male and female and counted six hundred. They were mostly students. The lads were dressed in pure white with Gandhi caps. They formed one of the two columns of the procession. The other column consisted of young women dressed exquisitely in bright white blouse and saree and fringed in peacock blue. The entire youth wore on their chests the Party badge of yellow, red and green. Both the youth and their wear shone pleasantly in the early rays of the sun as they assembled and stood in the open space. The procession started from the premises of the ancient

residence of the Tamil King Sankili at Nallur. In front of the procession was a car fixed with loud-speakers amplifying the service hymn sung melodiously. Immediately behind the car were two motor cyclists, also dressed in shining white and smartly seated on their motor cycles on each of which was hoisted the party Flag. After them the members of the Service Corps lined up in two columns. Their smart appearance in their white uniform, their brisk walk with regular steps against the background of rhythmic music was a rare sight, pleasant and captivating, that baffles description.

Police and lorry-loads of army personnel in their rounds, apart from having a long and appreciative look at the procession, spontaneously moved their vehicles to a side to make way for the procession. Foreign observers, viz. Englishmen Germans Indians and even Sinhalese Members of Parliament who had come to gather first-hand information about satyagraha had a full view of this procession and were highly impressed with it. When the procession was over these 600 lads and lasses participated in the satyagraha in front of the Kachcheri.

Lawyers-

The first group of lawyers to react to the Language of the Courts Act and the police violence on satyagrahis was the Lawyers' Association of Batticaloa. By an earlier resolution, the lawyers of Batticaloa decided to resist the implementation of the Sinhala Only Act. As a mark of their decision to resist they unanimously stayed away from the Courts for a full day. These lawyers of Batticaloa met again on 3rd March and passed a resolution calling upon the Government to withdraw the armed forces from the North and East. They also resolved to support the Satyagraha Movement and give all possible financial aid. They did not merely pass a resolution but at once went into non-violent action in furtherance of their resolution. At Jaffna on the other hand, there was no concerted action.

On 8th March, the Minister of Justice was expected to come to Jaffna. This day about 35 lawyers of Jaffna marched in a procession and joined the satyagrahis. They were in the black coats and trousers. The lawyers included veterans. They came early morning and squatted till it was past noon intending to meet the Minister if possible and tell him their view of the Language of the Courts Act. There were about 10,000 satyagrahis at the entrances. That day the satyagrahis were led by Mr. S Kathiravetpillai, advocate.

A few days later the lawyers of Point Pedro went in a procession and participated in the satyagraha. There were led by Mr. Mailvaganam, the President of the Point Pedro lawyers Association. They were dressed in their black coats and trousers. They squatted at the Kachcheri until it was late in the evening. At Trincomalee the lawyers marched in procession and joined the ranks of the satyagrahis at the Kachcheri. They too went in their lawyers' dress.

Doctors-

Doctors, apothecaries, nurses and attendants, too identified themselves with the Satyagraha Movement. On 2nd March when the armed forces interfered with free movement of traffic, doctors and nurses of the Jaffna Hospital joined the crowds of people and squatted on the road and refused to move.

Traders-

The Traders' Association of Jaffna met and decided to go in a procession on March 8th. It was said that this day the Minister of Justice and two members of Parliament from South Ceylon would arrive at Jaffna to study the situation. In view of this, thousands of people had flocked to the Kachcheri. There were numerous processions from all parts of Jaffna. The most impressive procession of the

day was by the traders of Jaffna. All shops, banks and business establishments were closed and no business of any sort was transacted in the whole of Jaffna city which appeared to be a deserted place. More than 5,000 traders participated in the procession. They carried black flags and placards. They also took with them big parcels of biscuits, sugar candies and a lorry-load of bananas and aerated waters to feed the satyagrahis. When the procession ended the majority of them participated in the satyagraha while the rest started serving the satyagrahis with refreshments. A purse of Rs. 40 000/- was given to Mr. S. J. V. Chelvanayakam on behalf of the Jaffna Traders' Association. At noon a lorry load of lunch packets arrived for distribution among the satyagrahis, said to have been sent by some traders. Traders took turns to provide lunch packets until the emergency was declared. In this not an insignificant part was played by the Muslims Traders of Jaffna.

Farmers-

Farmers from all parts of Jaffna peninsula actively participated in the movement. Various villages organised processions. These processions were as interesting as they were important. On 1st March a procession of bullock carts from Chunnakam arrived at the Kachcheri. There were 50 bullock carts and they were filled with provisions for the satyagrahis—vegetables, fruits, yams and young coconuts and on these heaps were seated the farmers.

In one of the carts was seated a blind old man of 70. Throughout the procession he kept himself active. He sang and narrated stories. His main theme was mother earth. He did not fail to place her in the forefront of all other things. One of his exclamations was: "Oh! Mother Earth! How faithful and true you are. You are the only one in this world that has not betrayed us in life. How can we repay you?" Village songs were sung and they were full

with matter or thought-provoking ideas. One of such songs went thus: "We (farmers) bring you no ill-will, no disease, no ingratitude but the bounties of our Mother Earth, food, clothing and shelter nay more than that we bring you freedom too." Many songs were of current topics. They scoffed at white collar jobs as servile and shaky and bereft of the essence of life, namely freedom-sweet freedom; they considered jobs as mere trifles that no self-respecting man would bargain for his human and basic rights viz Language, etc. Several songs ended with a warning and an appeal by the farmers to all others: "Come, come and toil with us and make sure for a free life." As the procession ended at the Kachcheri, the farmers got down from their carts and squatted at the entrance.

On 15th March, a hundred tractors and lorries with more than 200 farmers and labourers set out early morning from the Kandaswamy Kovil at Kilinochchi a distance of 50 miles from Jaffna. They brought with them rice, vegetables, fruits and green coconuts for the satyagrahis. All of them got down at the Jaffna esplanade and walked in procession to the Kachcheri headed by their Member of Parliament, Mr A Sivasundaram. They carried with them, as they went in procession, parcels of rice and vegetables on their shoulders and heads. Young mothers carried their little children in their arms. In the hot sun, as perspiration ran all over their bodies, they reached the Kachcheri and swelled the ranks of the satyagrahis. They were received at the Kachcheri by Mr. S. J. V. Chelvanayakam. The satyagrahis, that day, were led by Senator S. Nalliah and the Deputy Mayor.

The Kilinochchi procession, too, laid a strong emphasis that the life of the Tamil people should change from white-collar jobs to an agricultural and industrial life.

Clergy-

The Hindu and Christian priests had their turn at the Kachcheri. The Christian priests accompanied by hundreds

of Christians, both Catholics and Protestants, went in a procession and participated in the satyagraha. The procession included a large number of Christian women. As soon as they reached the Kachcheri the priests and their followers started satyagraha by kneeling down in prayer. They spent the whole day in fasting and singing hymns in chorus. The christians of Batticaloa, Trincomalee, Mannar and Vavuniya also displayed great enthusiasim for satyagraha.

Brahmins-

On 13th March, the Brahmins of the All Ceylon Brahmin Priests' Association, their wives and children came out in a procession singing vedic hymns. Group singing viz. 'Bajanai' was the regular feature of their procession and satyagraha. They sang 'Tiruvagasam' and 'Tiruvembavai' of the Saiva Saint Manikavasagar. They moved the hearts of all. The Brahmin priests were accompanied by a number of musicians who, melodiously, sang and played on the flutes and violins. Apart from the stillness and ecstasy that prevailed on the advent of the Brahmins and musicians, the atmosphere at the Kachcheri became cleansed into one of purity and piety. The Brahmins blessed the Movement and satyagrahis. Jaffna, that had not any shower of rainfall for the season, had a shower of rainfall within an hour of their advent. Notwithstanding the welcome shower the satyagrahis (including women who had by now outnumbered the men satyagrahis) did not even make a stir, but sat quietly and determinedly. Mr. Chelvanayakam presided over the day's satyagraha. The women satyagrahis were headed by Mrs. Chelvanayakam.

Later in April the Brahmin priests of North Ceylon assembled at Pungudutivu and performed a 'Yagam' for five days at Sithivinayagar Kovil. In olden times kings used to offer sacrifices to the gods to end droughts, famine and pestilence. This was also performed by kings, who were

without issues, to invoke the gods to bless them with children to succeed as heirs to the throne. The chief aspect of the 'Yagam' is making offerings to the gods accompanied by poojas involving elaborate rituals. This was an expensive item. In the performance of the 'Yagam' at Pungudutivu the priests paid due attention to rituals. This was accompanied with fasting and prayers by the participants. Thousands of people gathered everyday to witness it and joined the priests in their prayers to the gods for a solution of the Tamil question. At the end of the 'Yagam', the priests went in a procession to the Kachcheri chanting 'Haro hara'. They carried aloft Lord Muruga's Flag of the cock and the peacock. As the procession ended, they served the satyagrahis with holy-ash and holy-water, a practice of the Hindus symbolising their worship and faith in the gods.

Taxi drivers-

On 24th February more than a hundred taxi cars were driven in a procession through the streets of Jaffna and then to the Kachcheri in support of the satyagraha campaign and as a protest against the violence inflicted by police on the satyagrahis. The taxi-drivers, who were compelled by Government to use Sinhala Sri on their number plates replaced by Tamil Sri in breach of the law, hoisted black flags on one side of their cars and the Federal Party flag on the other and fixed placards, both in front and rear of the cars. The procession was witnessed by about 50 000 people and the taxi-drivers were cheered as they drove through the streets. The taxi-cabs' procession evoked considerable interest and attracted large crowds as it was a direct challenge to the implementation of the "Sinhala Only" Act in the Tamil areas. Consequent on this procession, the police took details of those cabs that had Tamil Sri number plate and delayed both the driver and his car for a number of hours. Thereafter the police took away six cars without the knowledge of the owners. The reason given by the police

for this was that the Superintendent of Police had instructed them to detain the cars with Tamil Sri. As a protest against this detention more than 100 taxi-drivers with their taxi-cars bearing Tamil Sri lined up at the Grand Bazaar and refused to move away. Following the great lead given by the taxi-drivers more than 95 per cent of the vehicles in Jaffna started plying with Tamil Sri on their number plates.

Following the detention, the owners of the six cars brought a criminal action against the police officers who took them charging them with theft in the Magistrate's Court of Jaffna. The case, however, did not go through a full trial but by way of settlement, the owners of the vehicles were allowed to take them away and the accused were discharged.

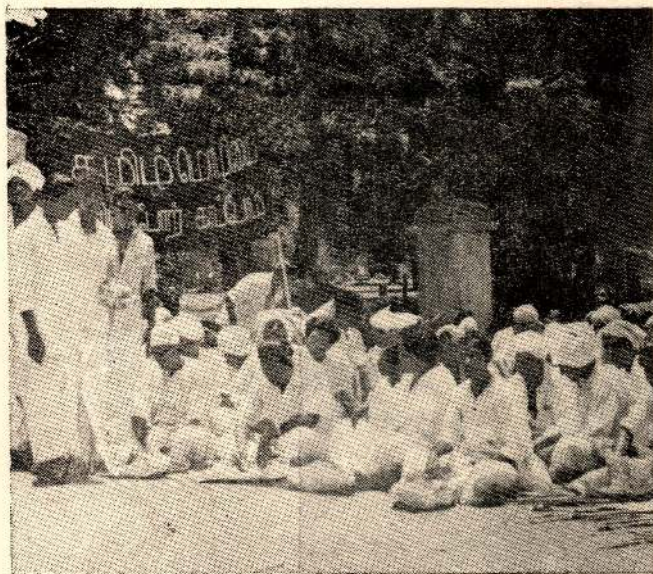
Sinhalese

Not an insignificant part was played by the Sinhalese residents of the North and East. Far from standing aside or contemptuously watching the satyagraha campaign or adopting a neutral attitude the Sinhalese residents of Jaffna took an active interest in furthering the cause of Satyagraha. The first contingent of Sinhalese in Jaffna participated in the satyagraha on 28th February. It included a number Sinhalese women. Besides participating in the satyagraha, a good many of them served the Satyagrahis with thousands of lunch packets, fruits and soft drinks. A leading Sinhalese satyagrahi remarked that the Government's activities were certainly communal and amounted to dividing the peoples of the country. He appealed to the Government that it was nothing but just to concede to the Tamils their fundamental rights which the Sinhalese citizens themselves enjoyed in this country. On subsequent days more and more Sinhalese came into the movement. They also gave cash donations to the leaders of the Movement.

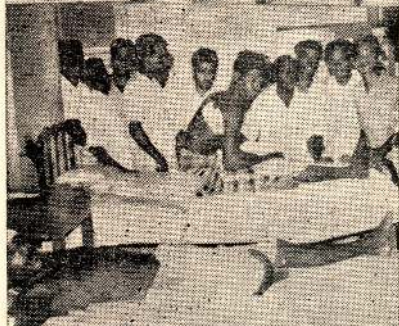


Right: Dr. E. M. V. Naganathan is dragged by the police

Left: An old lady on the centre of the road unable to move as a result of pain sustained.



A section of the satyagrahis seated in front of the Vavuniya Kachcheri in the burning sun.



Injured satyagrahis at the civil hospital Jaffna. They are seen with their wives, children and friends.

At Batticaloa on 7th March, a large number of Sinhalese went in a procession and participated in the satyagraha at the Kachcheri. They carried black flags and uttered slogans calling for Tamil-Sinhalese unity. They blamed the Government for all the communal trouble in the country. Sinhalese residents of Akkaraipattu and Nintavoor also identified themselves with the Satyagraha Movement. Sinhalese women satyagrahis were headed by one R. Alice Nona. Despite inclement weather, Sinhalese women, with their babes in their arms, joined the ranks of Satyagrahis. Certain wealthy Sinhalese served the satyagrahis with lunch besides giving cash donations.

At Trincomalee and Vavuniya greater numbers of Sinhalese people participated in the satyagraha. In these areas the Sinhalese residents participated almost everyday. They also provided the satyagrahis with refreshments. They gave cash donations in their respective places to Messrs. N. R. Rajavarothayam, M. P. and T. Sivasithamparam, M. P. A model contribution may be indicated here.

7th March, 1961.

N. R. Rajavarothayam, Esq.,
Trincomalee.

Sir,

Please accept my humble contribution towards the struggle to achieve your aims.

Sgd. K. W. DAVID SILVA.
(Trincomalee)

N. B. Enclosed currency for Rs. 50/-

When Mannar commenced its satyagraha under the leadership of Mr. V. A. Alagakone M. P., several Sinhalese lent their support to the satyagraha. One of the sympathisers of the Movement and one who went to the Mannar

Kachcheri to see the satyagrahis and gave them his moral support was the Ven. Sri Jinaratne Thero, a Sinhalese Buddhist priest. In an appeal addressed to the Sinhalese people and the Government, he said that it was inhuman to deny the fundamental rights to which every community was entitled. He pointed out that earlier the Tamil problem was solved, satisfactory to the Tamil-speaking people, the better it was for the whole of Ceylon.

Heart-rending sights-

There were some heart-sights at the satyagraha. One Maniccam of Trincomalee chained both his hands and feet and rolled a distance of nearly five miles in the hot sun to the Trincomalee Kachcheri to participate in the satyagraha. He was accompanied by a large number of people, some of whom sang 'Bajanai' all along the roads. There was a lame man, known to be from Ilavalai, who had a consuming desire to see the satyagraha at the Jaffna Kachcheri and participate in it. He left his home at about 7 a.m in his wheel-chair accompanied by his kith and kin. A group of men sang 'Bajanai' all his way. As the sun was intensely hot, the wheel-chair with the lame man and the group of men who kept him company, trudged along the road and it took them five hours to cover the distance of ten miles to the Kachcheri. All of them reached the Kachcheri fully soaked in perspiration. The lame man was happy to see thousands of satyagrahis squatted at the entrances. A group of young men from Mullaitivu walked ninety-eight miles to reach Mannar to participate in the satyagraha. They were determined to cover the entire distance on foot without stopping and without taking shelter anywhere. They reached Mannar in two days in an almost exhausted condition. On their way the people served them with soft drinks but they refused to take any food.

The People's Leader

Being a movement by and for the Tamil-speaking people, the satyagraha, by its peaceful character and the good and just intentions of those who initiated it, attracted even non-Tamil speaking supporters and sympathisers. The name of Mr. Chelvanayakam became a by-word for the unity of all Tamil speaking people and for correct and able leadership. The satyagraha days indisputably, spot-lighted that leadership. Before the advent of Mr. Chelvanayakam to active politics, the Tamil-speaking people were a scattered community satisfied with a meagre existence and in a degree unimaginative of their political future. It was Mr. Chelvanayakam who brought them out of their past mire and led them to a fresh trend of thinking, action and unity giving them their form and strength. He is a man of vision and firm decision. He is simple, honest and tolerant.

Mr Chelvanayakam is an amiable personality respected even by his political adversaries. At meetings he speaks little, but speaks well and uses correct language. Word after word he would pause and in that pause could be felt the dead silence of a hundred thousand people hanging on his lips, so to say, to hear the next word he would utter. Outside meetings and in the streets he would be mobbed by crowds and he greeted them all with a genial smile. He is the leader of nearly twenty-five lakhs of Tamil-speaking people.

CHAPTER XIII

Government's Anti - Satyagraha moves

Counter Satyagraha-

We have seen how the Government failed to dissolve the satyagraha by the first acts of violence of its armed forces. The Government, then, resorted to other methods.

On the night of 28th March, seven Sinhalese minor employees of the Government, alleged to have been brought over to Jaffna from Anuradhapura by the Acting Government Agent of Jaffna, started a counter satyagraha at the Old Park Entrance in the midst of the peaceful satyagrahis. At first, one Sinhalese employee squatted at the entrance. The Assistant Superintendent of Police asked him to leave the place. On his refusing to do so, he was dragged to a side of the entrance. After a few minutes, this man left the entrance and returned to it a little later with six others. Two of them had knives with long and sharp blades. They said in a firm voice that they would squat there until the satyagrahis were withdrawn from the entrances. The two men with knives brandished them in the sky and threatened that they would cut themselves with the knives if the police removed them from the entrance against their wish. While a photographer attempted to take a snapshot, one of them pointed his knife at him. They, then, indulged in pranks and tried to provoke the peaceful satyagrahis, but in vain. This was a positive instance which amply proved that the satyagrahis of Jaffna had become trained beyond provocation. Some police constables however, appealed to the seven men to leave the entrance but they insisted on remaining there.

After several unsuccessful attempts, the Naga Vihara Buddhist Priest had to be brought to persuade them to leave. This priest pacified them and finally succeeded in making them leave the spot. The seven Sinhalese minor employees, then, went into the Kachcheri from where they had come.

Reporting this incident, a correspondent of the 'Virakesari', a Tamil daily newspaper, aptly described it as a 'Sandyagraha' meaning thereby an act of rowdyism. What was perplexing was the conduct of the police! There was a large number of police constables and inspectors, besides the Assistant Superintendent of Police, armed with batons, rifles and bayonets, yet they could only make entreaties to them! There was a rumour that the Acting Government Agent of Jaffna had required a fully armed police force to be present at the spot in case the seven Sinhalese thugs were assaulted by anybody. It was also rumoured that the Acting Government Agent had directed that these men be served with refreshments.

Hand bombs and stones-

On the night of the 30th March, a hand bomb exploded a few feet away from the women satyagrahis. But no one was hurt. Satyagrahis said that they had seen the bomb coming from the Kachcheri premises where the army, the Government thugs and police stood. The police did not concern themselves about what had happened and did not show any keenness in investigating the matter although they were asked to do so. Earlier at noon that day, when the satyagrahis stood up in prayer, the military men hooted and started singing. But the satyagrahis did not allow themselves to be perturbed. Again at 10 p.m. stones alighted on the satyagrahis from the Kachcheri premises.

At 11 p.m. on 31st March, a hand bomb, for the second time, was hurled at the satyagrahis. Two of them sustained injuries. They were both despatched to the hospital.

The following day i.e. April 1st, there was stone throwing from the Kachcheri premises but no one sustained injuries. Again the police made no effort to investigate the stone-throwing and they spent the time in sights-seeing and singing. On 3rd April at 11 p. m stones were thrown ten times on the satyagrahis from the Kachcheri premises. The satyagrahis did not stir from the place but cried out 'Haro Hara' every time a stone fell (i.e. an invocation to the gods). As if by a miracle, no one was hurt. The Members of Parliament, however, complained about this to the Acting Government Agent who, although promised to make an investigation, did not bother himself about it. Again, on 11th April stones were thrown on the satyagrahis.

The Federal Members of Parliament complained of stone throwing to the Acting Government Agent on various occasions. On his failure to take steps, they brought the matter to the notice of the army commander, Col. Udugama. In his reply to the Members of Parliament, Col. Udugama was understood to have assured that there would be no more stone-throwing. A few days thereafter stone-throwing decreased considerably.

Rice Orders-

One of the important questions that arose during the satyagraha was the issue of rice. It had two aspects. Firstly, if the Government succeeded in its insistence that the Jaffna Multi-purpose Co-operative Societies' Union and authorised distributors should call over at the Residency of the Government Agent for issue orders for the distribution of rice, then it would have meant the functioning of the Kachcheri. If, on the other hand, the Government failed or rather the Union and the distributors refused to call over for the issue orders, then it would have meant an excuse for the Government to refuse issue orders for rice distribution to the people.

The Government was determined either to have the Kachcheri functioning or the alternative to refuse rice rations. The Multi-purpose Co-operative Societies' Union the authorised distributors the Headmen and the D. R. O s were placed in a very embarrassing situation. They were reluctant to disobey the order of the Government to call over at the Residency. But at the same time they knew that it was not possible to cross over the satyagrahis who were seated at the entrance. The usual practice for the Union and the distributors was to draw their quota of rice from the Government Supply Stores on permits issued by the Government Agent. On a resolution passed unanimously by its officials, the Co-operative Societies' Union representing 155 societies and authorised distributors sent to the Acting Government Agent rice coupons of 123 023 consumers with a cheque for an equivalent amount asking that the Union be given issue orders to draw their quota of rice as usual from the Government Supply Stores. The Union also pointed out that rice rations had not been issued to the consumers served by the Union for two weeks. The Government in a very irresponsible manner, refused to grant this request.

The Government, in its anxiety and determination to run the public services in the North forced rice rations on Government officers at their respective offices offering them even credit facilities. But the Tamil public servants in all the offices in the North refused to accept their rations. They stated that they were not prepared to "carry home the rice." They stated further that even if the Government arranged to supply rice at the house of every officer, it would be morally wrong for them to assist the Government in its "discriminatory policy" regarding the issue of rations. "Should we accept the rations while the Government is starving our close relatives?" they inquired. Why then did the Government which had gone through the elaborate procedure of issuing rations to the Tamil public servants in their

offices refuse to issue rations to the common masses, thousands and thousands of whom depended solely on rationed rice! When news got round that steps were being taken to issue rations to public servants at their offices, the poor folk including aged women living in the neighbourhood rushed to the offices with their ration books and baskets and demanded that they, too, be given their rations, at the same time protesting against discrimination in the issue of rice rations. But the Government refused them their legitimate rations and they had to go back thoroughly disappointed, some of them even shedding tears. The Government had entertained the hope that its refusal to issue rice to the people and starving them would result in the Federal Party being blamed for its campaign, becoming weakened or even deserted. But just the opposite had happened! The people had begun to look upon the Federal Party as the saviour of their fundamental rights!

The Government then resorted to some other method. It was understood that the Government had requested the Bishop of Jaffna Rev Emilianuspillai to persuade the Federal Party to allow the Union and other distributors to go to the Residency to get their issue orders. The Bishop, having studied the position, was convinced that to ask the Federal Party to make way for the officers and the rice distributors to go to the Residency was to ask the Party to go against its own objective viz. to block the entrances and prevent the working of the Kachcheri.

The Bishop, however as a mediator suggested his own method of issuing the rice-rations. In the absence of the Acting Government Agent he suggested to Col. Udugama, the Sinhalese Commander of the armed forces, that as the Assistant Food Controller at Jaffna did part time work outside the Kachcheri, this officer could make the issue orders and the Unions could call at the Government supply Stores

to obtain these orders. He also intimated to Col Udugama that the Unions could and were willing to go to the Stores. But the Government refused to accede to this suggestion.

In the alternative, His Lordship the Bishop advised the Government to issue the rice permits from a Government building in the Fort (outside the Kachcheri), instead of unreasonably insisting on the Unions to call at the Residency which was impossible or impracticable for them to do. Again the Government answered it with a blunt refusal. Knowing well that the outcome would be the same, the Government again, sent a few other Christians to persuade the Federal Party to allow the public servants and the Unions to go to the Residency. In asking the leading Christians to intervene in this matter the Government had a certain plan. Obviously, the Government had hoped that if by any chance the Christians were led to believe that the Federal Party was to blame for the non-distribution of the rice rations, then the Christian community in the North might withdraw their support of the satyagraha. But it was contrary to expectations, for all those who had intervened found that the Government was not amenable to any reasonable suggestions!

No Unions no rice-distributors, no Headmen, no D. R. Os. called over at the Residency. The Government began to pursue the rice question with vengeance. The Government sent rice permits to certain Muslims to distribute rice. Except one Muslim, all the other Muslims refused to accept the permits. Even that Muslim returned the permits. Then the Government tried its chance with the minority Tamils i.e. the so-called 'underprivileged' caste. A Headman in Jaffna asked a minority Tamil, on behalf of the Government, whether he would be willing to be a distributor of rice rations. At once he replied "why now? You never wanted us before" and declined to be a distributor. This Headman tried several other minority Tamils,

but without success. The disappointed and disgruntled Communist Party of the North, too, tried to persuade certain minority Tamils to become rice-distributors. A leading man of the Party was seen going about in a Government jeep in connection with this matter. But even this "betrayal" was without result! Thus all efforts to divide the Tamil people were foiled.

Agreement dishonoured

Earlier the Acting Government Agent entered into a gentleman's agreement with the Federal Party undertaking not to use the Old Park Entrance for taking public servants into the Kachcheri and that it would be used by the Government Agent and the armed forces only to go to the Residency. Disregarding this agreement, the Government Agent invited a certain Fiscal Officer to see him at the Residency on official business. When this officer attempted to go into the Kachcheri by the Old Park Entrance he was prevented by the satyagrahis. He expressed his regrets and turned back without meeting the Government Agent. Again he invited a certain Revenue Officer to meet him at the Kachcheri. No one knew how this officer got into the Residency. On his return however, he was prevented from coming out through the entrance. On account of this, he had to be in the Kachcheri premises for quite a long time. He finally besought the satyagrahis to let him go and, on his undertaking not to go into the Residency again, he was given exit.

These attempts to take in public servants had alerted the Federal Party and the Party Secretary by his letter addressed to the Acting Government Agent, indicated to him that he had not honoured the gentleman's agreement entered into with the Federal Party would no longer be obliged to keep the agreement. With this letter, the Federal Party began to block the entrance with satyagrahis.

CHAPTER XIV

The Premier Returns From Commonwealth Premier's Conference

The Federal Party had awaited patiently the return of the Prime Minister from the Commonwealth Premiers' Conference in the hope that the Tamil Question would be duly considered by the Prime Minister. As she had held out hope to the Tamil-speaking people when she left for the Conference, the Federal Party and the Tamil speaking people abandoned the idea of extending or intensifying their campaign. But that hope was completely shattered when the Premier, on her return to Ceylon, instead of making a conciliatory approach to the Tamil Question, made a threatening speech over the radio on 25th March. Her speech included the following:-

"In a democratic system of Government one would expect an aggrieved minority to state clearly their grievances in Parliament..... I repeat the assurance given by me that my Government is ready and willing to listen to their grievances and make adjustments where necessary after due consideration. Should the Government be compelled to restore law and order by other means at its disposal, the supporters of the satyagraha movement must take full responsibility for the consequences that must necessarily follows."

One can say frankly that the Prime Minister had erred with regard to certain matters. The Hansard recordings will bear ample testimony to the fact that the Federal Party Members of Parliament and other Tamil Members had eloquently and sufficiently ventilated their grievances and made

repeated requests to solve the Tamil problem in Parliament. Probably, the Prime Minister was not aware of this on account of her recent entry into politics. This at least, she could have remembered: the Federal Party Members met her at Temple Trees in November 1960 and explained to her and some of her ministerial colleagues the hardships caused to the Tamil-speaking people, in Tamil not being made the language of administration in the Northern and Eastern Provinces. Besides the Prime Minister knew well the conditions under which the Federal Party supported and stood by the Sri Lanka Freedom Party in the July Elections of 1960. Let us see what the Times of Ceylon said in a scintillating editorial of March 27th referring to this remark made by the Prime Minister. "If their grievances were not made known to the Ministers, what was the meaning of the following communique issued by no less a person than Mr. Felix D. Bandaranaike on November 19th last (1960) year: 'Representatives of the Federal Party led by Mr. S. J. V. Chelvanayakam met the Hon'ble Prime Minister, and some Members of the Cabinet at Temple Trees. The Federal Party representatives brought to the notice of the Hon'ble the Prime Minister some of the practical problems that would arise in the implementation of the language laws. The Hon'ble Prime Minister felt confident that these difficulties could be solved with fairness and justice to all'."

On the following day i.e. 26th March, Mr Chelvanayakam replied to the Prime Minister's broadcast of 25th March as follows:

"At no time did we under-rate the might of the Prime Minister's Government. We are quite aware that she has powers enough to turn her armed forces against us. We were and are aware that when the Prime Minister's forces turn their guns against us, we would be as helpless against her armed killers as her late husband was powerless when he faced the gunshots of his assassin on that fateful day in 1959

"The Prime Minister has made a radio speech touching on the Satyagraha. That speech is more befitting an imperial dictator speaking to his subjects rather than a speech made by a democratic leader to her people.

"In fact the manner and contents of her speech correctly depicts the true status of the Tamil-speaking people in Ceylon. The rule over them is indeed a colonial imperialism.

"It is noteworthy that the Prime Minister's speeches touching on the struggle for freedom of the Tamil-speaking people even adopt the cheap techniques of imperialism. In her radio speech just before her departure to Great Britain, she made an appeal to those whom she called reasonable Tamils to disown the actions of the mischief-makers viz. the Federalists.

"This is exactly how the British imperialists replied to the struggle for freedom of the Indian patriots. The factual situation is that there is no section of the Tamil-speaking people certainly in the Northern and Eastern Provinces, which does not fervently support the Satyagraha Movement.

"Let us for a moment analyse the contents of the Prime Minister's speech. She says that she is prepared, when the Satyagraha is called off, to examine the difficulties caused to the implementation of the Sinhala Only Act. She must certainly know that the essence of the claim of Tamil-speaking people on the language issue is weightier than the difficulties caused by the implementation of the Sinhala Only Act.

"The Tamil-speaking people's demand is a positive one rather than a negative one. What they want is the granting of a certain status to Tamil in the administration and in the Courts of this Island, the particulars of that status and use had been given by the Federal Party to the Prime Minister.

"The dispute between us and the Government covers more ground than the language issue but for the purpose of this statement, I shall limit myself to the language issue only. On that issue our dispute is around the status and use of the Tamil Language.

"She says nothing about this. Evidently she is not prepared to grant this demand, although we have submitted memoranda and discussed them at conferences. Moreover, we have debated in Parliament at length our objections to the language of the Courts Bill.

"It is when negotiations and debate in Parliament failed to achieve what entire Tamil-speaking people are convinced is their birth right that we resorted to the weapon of Satyagraha. In this situation what the Prime Minister says amounts to:-

- (1) Asking us to withdraw the Satyagraha;
- (2) She will not grant or discuss our demand on the language issue;
- (3) But she is prepared to discuss the hardships, if any caused by the implementation of the Sinhala Only Act.

"It is thus clear, that their is no meeting point mentioned in the Prime Minister's speech. She holds out the threat of dire consequences. This can only refer to the use of force.....

"In conclusion, I wish to say a satyagrahi does what he thinks is correct without concentrating on the result of his work. It would appear that the Government is prepared to defy the united and fervent demand of the Tamil-speaking people merely because the Government does not depend for its continued existence on the votes of these people."

CHAPTER XV

The Talks

On the day of her departure to London for the Commonwealth Premiers' Conference, the Prime Minister promised in her broadcast to the nation that she would settle the language issue on her return from the Conference. The country had earnestly hoped things would improve, communal problems disappear and an era of construction dawn.

The Prime Minister returned to Ceylon after three long weeks—a period considered by all as too long for a Prime Minister to stay away while the Government and the country were facing a major crisis within its borders. On the undertaking given by the Prime Minister to settle the language dispute on her return from the Conference, the Federal Party decided not to intensify the satyagraha campaign in her absence. The Party also indicated its willingness to negotiate a settlement. In this context, the responsible sections of the country wished and endeavoured to bring together the Government and the Federal Party and initiate them for talks. But the Prime Minister's speech of March 25th after her return and her indifference towards the proposed settlement of the language issue chilled their efforts. Some Professors and men of learning, who had grown up in the best of traditions and culture, were highly critical of the Prime Minister on account of her failure to honour her promise to settle the language dispute, and urged on her to invite the Federal Party for talks without insisting on the withdrawal of the satyagraha campaign. They also pointed out that talks were possible while the atyagraha was on. Even newspapers of international repute like the "London

Times", "The Hindu and "Manchester Guardian" had condemned in no uncertain terms the attitude of the Government towards the language question. The "London Times" of April 1st commented as follows :-

"The battle is now over the use of Sinhalese in the Courts and the Government Offices in Tamil-speaking provinces. This is a very different matter from the debate at the national level which was conducted by highly educated Tamils. In the Northern and Eastern provinces, the ordinary Tamil speaks no language but Tamil, and may not even read that. The question remains who should make the first move. It should surely be from the Government side.

"It is Tamil confidence that has been shaken by the events of the past forty years and Ceylon has suffered thereby."

A similar suggestion was made by the 'The Hindu'. Its editorial dated 13th March ran as follows :-

"Sinhalese and Tamil observers alike have testified to the closing of the Tamils' ranks and their grim resolve to stand up to the bitter end. But credit must be given to the Federal Party leaders for their decision not to launch civil disobedience during the Prime Minister's recent absence from the country. It was hoped that Mrs. Bandaranaike would make a suitable response to this gesture but her broadcast on her return was by no means couched in the language of conciliation. While she held out hopes of making some little adjustments here and there in the implimentation of the 'Sinhala Only' act, she would not concede what her husband, when Prime Minister, had conceded, viz. that Tamil would be recognised officially as the language of a national minority and that provision would be made for its reasonable

use in official business. And instead of inviting the Tamil leaders straightaway to conference to evolve a working agreement for the future, she harped again on the recent past and insisted on the Tamil leaders publicly repudiating Satyagraha before she would have any dealings with them..... The Prime Minister's speeches seemed more designed to win Sinhalese votes than to carry conviction to the Tamils,

"That is why it now appears proper that the Prime Minister of Ceylon should lay aside ideas of false prestige, call to the Tamil leaders into consultation and work out an acceptable settlement..... Both the parties should remember that their lot is cast together in Ceylon, that civil commotion would spell the doom of her plans for development on which both are keen and that it would take years for the scars left by such strife to disappear."

The Prime Minister and her Government could not do otherwise than seem to bend a little before this spate of criticism. The Government, then called upon the Minister of Justice to have 'informal talks' with the Federal leaders. This Minister despatched a special plane from Colombo to Jaffna to fetch Mr. Chelvanayakam for talks. Mr. Chelvanayakam, who was then convalescing from an attack of influenza, readily responded to this invitation, left his sick-bed and flew to Colombo. Mr. Chelvanayakam was accompanied by some Federal Party M P.s Mr S. M. Rasamaniccam M P. for Paddirippu, too attended the talks. It must however, be observed that it was a grave omission that the Federal Party did not invite Tamil M Ps. outside the Federal Party to join the talks with the Minister.

On 5th April, Wednesday night the Minister of Justice with Mr. Chelvanayakam had talks. The talks lasted nearly four hours. Immediately after the talks, on the same

day, all the Federal Members of Parliament except Mr Chelvanayakam, left for their respective provinces. All of them expressed the same view that the talks were not at all hopeful. It was learnt that the Minister appeared to be a man 'on pins'. As he walked into the venue of the talks, he was said to have remarked, "Well Mr. Chelvanayakam, unless you are prepared to relent, we cannot be expected to do anything in the matter!" Immediately Mr Chelvanayakam retorted: "Well, that is what we expect of you now." Mr. Chelvanayakam urged the following five minimum demands:-

- (1) Tamil to be the language of administration in the North and East.
- (2) Tamil to be the language of the Courts in the Tamil-speaking areas.
- (3) Creation of Regional Councils.
- (4) The language rights of the Tamil-speaking people outside the Northern and Eastern Provinces
- (5) The rights of Tamil Public Servants.

Mr Chelvanayakam, who had flown to Colombo in spite of his ill-health, had intended to make use of the opportunity and find a speedy and satisfactory solution to the language problem. With this end in view he was, in the course of the talks, at great pains to convince the Minister that the Tamil-speaking community would be placed under a grave hardship if its basic rights viz. language rights, etc. were denied. But it appeared that the Minister's impatience and intransigence served as a bar against any understanding or settlement. Though purporting to satisfy the public and press criticism by initiating talks on the language issue, the Government, however, lacked sincerity of purpose and by this the Government knocked out the bottom on this basis of which alone talks could have succeeded and a settlement arrived at. Thus the Government, deliberately, side-stepped

public opinion that demanded a settlement. What both sides had discussed have been substantially and briefly embodied in the Minister's report. For the information of the readers, the report is set out here in full.

Chelvanayakam-Justice Minister Talks The Minister's Report

(1) Language of Administration in the North and East

Mr. Chelvanayakam and the others present were insistent that for all administrative purposes Tamil should be the language in these areas. The Federal leaders stated that they would not accept official records i.e. including minutes and files being maintained in any language other than Tamil, though of course they would have no objection to a translation being kept in Sinhalese if the Government so desired. According to them, it would not be sufficient for the Government to recognise only the right of the Tamil-speaking inhabitants of these areas to transact their business with the Government in the Tamil language.

They were emphatic in their demand and that the official records in these places should be kept in the Tamil language. They further stated that correspondence between, for example, the Government Agent, Jaffna and the Home Ministry should be in the Tamil language. They agreed that this could not be done without an amendment to the Tamil language (Special Provision) Act and stated that the Government should make the necessary amendment to that

I informed Mr. Chelvanayakam that if there were any matters which were not covered by the Regulations made by me under this Act and presented to Parliament, I would accept any regulations which may be prepared by them and which would not be inconsistent with the Provision of the Tamil Language (Special Provision) Act. This does

not satisfy them as their demands extends to all administrative purposes without exception or qualification and includes the records being maintained in Tamil.

I pointed out that if their view was accepted there would be no place for the use of Sinhalese as the official language in practice in these areas. Mr. Chelvanayakam stressed that this point was fundamental

(2) Language of the Courts:-

(a) As regards the language of the Courts Mr. Chelvanayakam stated that this too forms of the part of the administration. He, therefore, stated that the language of the Courts in the North and East should be restricted to the Tamil language. I asked Mr. Chelvanayakam whether in order to maintain Sinhala as the official language it would be possible to make some arrangement whereby a simultaneous record in the Courts in Sinhala and Tamil may be maintained in the North and East however inconvenient that might be. Mr. Chelvanayakam thought it would be impracticable.

(b) With regard to cases that go up in appeal Mr. Chelvanayakam stated that one solution would be to establish a panel of Supreme Court Judges who would deal with the cases from "Tamil" Courts in that language. He said that he would favour this solution. The second solution he said would be to provide a translation in Sinhala for the use of the Appeal Court which course he did not favour.

(c) Mr. Chelvanayakam emphasised that as a necessary corollary to Tamil being declared the language of the Courts all Laws and Regulations would have to be passed in Tamil also in Parliament. I asked Mr. Chelvanayakam whether it would not be sufficient to have a Tamil translation of laws that may be enacted by Parliament in Sinhala. Mr. Chelvanayakam was not agreeable to this.

Mr Chelvanayakam stated the Government should agree to the language of the Courts bill and other laws being amended for the purpose set out above.

(3) Regional Councils :

According to Mr. Chelvanayakam. Mr Bandaranaike had in mind the establishment of Regional Councils all over the Island and a Draft Bill had been prepared. The Federal Party had at that time urged that Regional Councils should have greater powers and their demands had been embodied in the Bandaranaike-Chelvanayakam Pact. Mr. Chelvanayakam, therefore, stated that the Government should agree to the establishment of Regional Councils as contemplated in the Bandaranaike - Chelvanayakam Pact and also in accordance with the draft presented by the Federal Party to the Government a few months ago.

I asked Mr Chelvanayakam whether the consideration of this matter could not be postponed for some time He answered that if the Government accepted the principle on the lines indicated by him he would be willing to defer the actual implementation for about three months

(4) The Language Rights of Tamil-speaking persons outside the Northern and Eastern Provinces:

Mr. Chelvanayakam contended that a Tamil-speaking person in any place other than the North and East was entitled to correspond and transact his business with the Government Department in his own language I informed Mr. Chelvanayakam that the Cabinet had directed in December, 1960 that a letter received in Tamil should be replied to with a Tamil translation and that a directive had also been given that forms to be used by the public should be in all three languages in all parts of the Island. I asked that any inconvenience caused by non-compliance with these directives during the transitional stage be not taken into account.

(5) Rights of Tamil Public Servants:

Mr. Chelvanayakam stated that all-entrants i.e. those who entered the Public Service prior to 1956 should not be put into any inconvenience by reason of the fact that they did not know Sinhala. He stated that if they were unable to learn Sinhala they should be permitted to retire with compensation. I stated that the Cabinet had directed that any Public Servant who counts over ten years service could retire with five years added to actual service

Mr. Chelvanayakam had no further comments to make on this. Mr. Chelvanayakam agreed that as regards new entrants they should comply with the law in regard to the official language and any directives given in regard to proficiency in the official language. He also pointed out that in regard to certain public officers (e.g. Teachers in Tamil medium schools who are transferable only to another Tamil medium schools) there was no necessity to acquire proficiency in Sinhala.

Postscript from Mr. Chelvanayakam:

Mr. Chelvanayakam has written to the Minister of Justice on 14. 4. 1961, as follows:

"The report containing 2½ pages of foolscap covering 4 hours of talk had necessarily to be brief summary of what took place. As you were personally presenting it to the Cabinet and as the report was correct in substance so far as it went signed the document.

Had the document been put to me as a statement to be released to the public I would have wished to make certain points fuller. In particular I would have made the following alterations -

- (a) At the end of the portion dealing with language of administration in the North and East I would have added 'all the above are to be without prejudice to the rights of the Sinhalese to use Sinhala in those areas'.

- (b) The paragraph dealing with the rights of Tamil-speaking public servants is particularly bare. We talked a good deal more on that subject than is reflected in the report. In particular we referred to our memorandum submitted to the Prime Minister in October, 1960 which dealt with this subject in detail. As regards new entrants too we had discussed their case elaborately in that memorandum and we made our comments on this subject as part of an overall settlement and we referred you to that memorandum where we had urged an alteration..... so as not to make confirmation depend on passing a proficiency test in Sinhala but to make certain increments to depend on passing such a test-the standard required being lower than the Junior School Certificate level."

When the Premier returned from the Conference a group of Sri Lanka Freedom Party members told her that the cause of the Satyagraha according to popular view was the language of the Courts Act and that it needed amendment urgently. When this fact was intimated to the Justice Minister, he was understood to have said that he would rather resign his membership of the party than alter a syllable of the Act. It was the same Minister who was reported to have described the Tamils as the "traditional enemies" of the Sinhalese. When it was divulged there would be talks between the Justice Minister and Mr Chelvanayakam, a man among the vast crowds at the Jaffna Kachcheri exclaimed, "What! of all the Ministers, talks with the Justice Minister!" It was no surprise that the talks failed! Though professing to follow the language policy of the late Prime Minister, Mr. S W R Bandaranaike, the present Prime Minister and her Government did not pursue his policy. Mr. A C. Nadarajah, a former Vice-President of the Sri

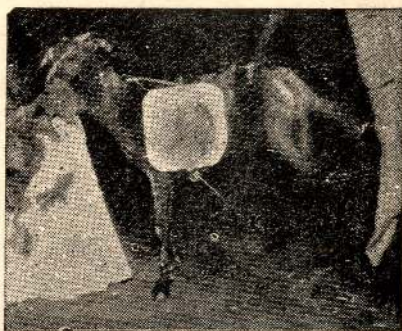
Lanka Freedom Party revealed to the public that the language sub-committee under the chairmanship of Mr. S. W. R. D. Bandaranaike passed the following resolutions in September, 1955 with regard to the use of Tamil in the Island:-

Besides making Sinhalese as the official language of Ceylon, due recognition must be given to Tamil and for this purpose legislation must be passed. This Policy was enunciated by Mr S W. R. D. Bandaranaike in this way:-

- (a) The laws of Ceylon will also be promulgated in the Tamil-language.
- (b) Tamil to be the language of administration in the Northern and Eastern Provinces. The administrative and judicial records and Court proceedings in these areas, will be in Tamil.
- (c) Tamil to be the medium of instruction to Tamil-speaking students.
- (d) All citizens could correspond with the Government Departments either in Sinhalese or Tamil.



The front view of a procession of about fifty lorries, tracks & tractors filled with satyagrahis moving towards the Jaffna Kachcheri with provision.



This is the great work of the soldiers! Four of them held this goat as another tied round it a label wherein was painted a

Sinhala Sri.



Satyagrahi with serious head injuries at the Jaffna Civil Hospital.



Road block caused by scavengers, who left their carts when the army threatened to shoot them.

CHAPTER XVI

The People's Post Office

The talks failed and the Tamil-speaking people became disappointed, having fervently hoped for a satisfactory settlement. They also realised that the Government was not keen enough to protect their rights, however reasonable and fundamental they were. Mr. Chelvanayakam presiding over a mass meeting at the Jaffna esplanade on 12th April a few days after the talks had failed, said:

"As the political parties in South Ceylon treat the Tamil question as a suitable issue to play upon the emotions of the Sinhalese voters and enthrone themselves on the seat of power, these parties or their politicians refuse or are unable to see the justice of our demands."

The Tamil-speaking people felt themselves humiliated. Naturally, they decided there was no alternative but to strengthen the resistance movement. Although public opinion in the North and East was otherwise the Federal Party halted the intensification of the satyagraha campaign during the absence of the Prime Minister who had left for the London Conference, a step that was much lauded by world newspapers like the 'The Hindu'. Now with the failure of the talks the Federal Party had to yield to the wishes of the Tamil-speaking people. Thus by way of intensifying the campaign the "Tamil Arasu (Federal Party) Postal Service" was inaugurated by Mr. S. J. V. Chelvanayakam on 14th April, 1961. This day at 12 noon the satyagrahis stood up as usual and were in silent prayer for two minutes before they sat down again. Immediately thereafter, the postal

service was started in the Pension Branch Office opposite to the main Kachcheri building in breach of the postal laws as an act of civil disobedience. This momentous occasion was witnessed by nearly 10,000 people although the exact time of the inauguration was not intimated to the public. The queue of people who had waited to purchase the Tamil Arasu stamps extended to such a length that it winded into streets and lanes. The people cheered the leader Mr. Chelvanayakam, as he got into the post office counter dressed in all pure white national dress. The post office sold out 2 500 stamps, 2 500 stamped envelopes and 3 000 post-cards, in a little more than an hour. This sale in that brief period far exceeded any other sale of stamps in such a period in the history of the Island's postal service. Thousands went away disappointed, not being able to purchase any more stamps. The Federal Party for very good reasons, had limited its first sale. The office had the general look of a post office. On the wall was written "Tamil Arasu Postal Service". Close to the wall there was a letter box, all painted in bright red. On it was written in Tamil "Tamil Arasu Post Box". Across the upper part of Mr. Chelvanayakam's national dress was written in green "Tamil Arasu Postal Authority". When this service was being inaugurated thousands of Tamil-speaking people mobbed the post office and acclaimed it at the top of their voice—"It is our post office. It is the People's Post Office."

Mr Sivasundaram, Member of Parliament in a letter written by him to the Superintendent of Post and Telegraphs, Jaffna, informed him that the Federal Party had started a postal service of its own. The envelope carried on it Tamil words which meant "Tamil Arasu Postal Service". This letter was delivered by Mr. A. Amirthalingam M. P.. A similar letter was handed over to the Superintendent of Police by Mr. M. Sivasithamparam, M. P.. These two members of Parliament, styled themselves as postal peons and set out to deliver them by motor-bicycles.

A letter to the Government Agent was also sent by Mrs. Amirthalingam. By that letter she complained that the Government had planned to starve the Tamil-speaking people of Jaffna and subjugate them by denying them rice rations. She further pointed out that even the women folk were prepared to die of starvation in the course of their just struggle for their basic rights without ignominious surrender. This letter was delivered to the Government Agent by the "peon", Mr V. Tharmalingam, M.P.. Tamil Arasu Post Boxes were placed at the Federal Party Office and in front of St. John's College, Jaffna

An Englishman and his wife visited Jaffna and they took particular care to be present at the opening of the Tamil Arasu Postal Service. They purchased stamps, stamped envelopes and post-cards to the value of Rs 50/-. They appeared to be quite happy in the midst of the satyagrahis. The Englishman was heard to say to a group of satyagrahis :

"We have seen with our own eyes the satyagraha you are performing in defence of your just rights against heavy odds such as the burning heat of the sun and rain, fasting and praying, toiling and suffering. But I am certain that if there is justice in any part of this country, it will hear you. May God bless you!"

Again on 17th April, Mr. Chelvanayakam inaugurated a Federal Party postal service at Kankasanturai. Altogether twelve post offices were opened in the Kankasanturai electorate. Everywhere the opening of the postal service attracted vast crowds who shouted slogans wishing long duration of the service.

Mr. S. Nadarajah, Proctor of the Supreme Court and a leading member of the Federal Party was the Post-master General.

CHAPTER XVII

Satyagraha Vs. Violence

On the morning of 17th April (Monday) 1961, the Ministers met at "Temple Trees" and discussed for three to four hours the situation in the Northern and Eastern Provinces. At this meeting the question of imposing a state of emergency under the provision of the amended Public Security Ordinance in the satyagraha affected areas was, chiefly, discussed. At no time did the Inspector General of Police report to the Government that he was unable to maintain law and order in any part of the Island. The only reason given by some of the Ministers was that the resistance in the North and East had developed into a movement for separation.

The more sober members of the Cabinet, however, observed that it would be an insult to the intelligence of the Cabinet to construe federation as separation. These Ministers expressed surprise at the idea of declaring a state of emergency in the satyagraha affected areas where there was a marked degree of peace and tranquility—a spectacle that had softened the hearts of all visitors. But the more dominating section of the Cabinet prevailed over and coerced them into agreement.

Following the decision to impose a state of emergency, the Minister of Finance and Parliamentary Secretary to the Ministry of Defence and External affairs, Mr. Felix D. Bandaranaike held a series of conference with army, navy and police chiefs. Consequent on these conferences, a special train carrying about 350 soldiers and 15 officers left for Jaffna from Fort Station at 6 p. m. on the same day (17th

April). The troops consisted of two contingents one of which was called the Sinha Regiment comprising only Sinhalese soldiers. The special train reached Jaffna at about 2 30 a. m., following day. These troops went into the Kachcheri by the back door and joined troops who were already there. Earlier, the troops were sent by road to the North and East.

Immediately after the arrival of the new troops, all the troops were seen crowding in the Kachcheri premises between 2 30 a. m. and 3 a. m. It was one of the unwary moments of the satyagrahis! There were only a few of them, about 200 of whom women counted more than 90. The day's burning heat of the sun, the fasting, constant prayers and singing of hymns had given them a tired feeling; and the bleak weather of the chilly midnight had dragged them almost into a slumber. There were hardly any spectators at that time of the weary night. A number of young and sick men who performed satyagraha at the Old Park Entrance had fallen asleep. But at the main entrance, the women satyagrahis were, comparatively, more alert and some of them were still humming devotional songs. As against them, there were about 600 army men carrying rifles, bayonets and clubs.

Certain of the police officers came forward and told Messrs V. Tharumalingam, M. P. and A. Amirthalingam, M. P. that they had been instructed to take them into custody under the emergency regulations. The two leaders replied that if it was the order of the Government to arrest them, they would not resist arrest. At once these two Members of Parliament were arrested. Immediately thereafter, Mrs. A. Amirthalingam was taken into custody. Then the entire army fell on the innocent and peaceful satyagrahis like wolves on the fold and brutally attacked them with belts, rifle-butts and clubs as they were then not fully awake. With a terrible shock the sleeping satyagrahis woke up screaming and groaning for help. They were bleeding from their heads, noses, chests and other parts of their bodies.

The army trampled on them pell-mell. A number of satyagrahis had their legs broken; some of them were struggling for breath having been trampled on their chests and abdomen. A teenage boy was standing close to the wall of the Old Park Entrance when a soldier suddenly struck him on the head with the rifle-butt. The boy fell instantly on the ground and without a pause the soldier, with his boots trampled on the boy's abdomen and chest with such brute force that the boy cried aloud for mercy. Even as he did so, the soldier kicked him violently on his right hips with his boots. The boy groaned, panting and struggling for breath. There had been many cases of this type. Even in the face of such merciless violence most of the satyagrahis sat still with folded arms bleeding on all sides of their bodies. Then the army dragged them, booted them and rolled them away from the precincts of the Residency gates in that helpless dark night.

There was an aged man, subject to rheumatism, performing satyagraha at the Old Park Entrance, where the attack first started. In the thick of the maze, this rheumatic person attempted to get up. But the rheumatic stiffness and pain was so acute having sat there for a long time, that he held his buttock muscles with his hands to massage them. As he was in that position, a soldier kicked him with his boots on the buttocks and as the man shouted "aiyo" (meaning alas), he struck his head with his rifle-butt. This sent the man reeling on the ground groaning for help. Even then the soldier did not spare him but pursued him and pulled him by his hair and dragged him until he was almost senseless. There was a middle-aged man holding his bicycle a few yards away from the thick of the incidents. Seeing them he was so lost that he did not think of making good his escape. A soldier rushed at him and told him to get on to his bicycle which that man did. As he had begun to pedal, the soldier tripped him with

his boots violently and as the cyclist fell, he dealt a severe blow on his head with his rifle-butt and he fell from his bicycle.

Amidst such brutal violence, still some of the satyagrahis sat gallantly without a stir waiting only to be attacked. Even the natural instinct of raising ones own arms or limbs in self-defence did not prevail over the studied sufferance and discipline which was the most noteworthy feature of the whole movement.

Again with a sudden swoop soldiers came upon the satyagrahis and again the breaking of heads and limbs could be heard at a distance. Their screams and groans too, were heard. A soldier struck a heavy blow with his rifle-butt on the head of a young man called Palani of Kalviankadu and as he fell prostrate, the soldier trampled on his abdomen and chest a number of times. Amidst groans he sank into unconsciousness. One of those attacked was a Thinakaran and Daily News correspondent. One Navaratnam, a teacher, was severely assaulted on his face with a heavy-buckled belt by a soldier. In consequence his nose was torn and the torn flesh was seen hanging. Two or three soldiers set upon Mr. S. Nadarajah, Proctor and one of the joint secretaries of the Federal Party. He sustained severe head and shoulder injuries. His clothes were drenched in blood. Finally the satyagrahis were dragged carried and driven away from the precincts of the Residency gates.

As the soldiers were rushing at the women satyagrahis who were sitting at the main entrance, a group of young satyagrahis intervened between the women and the soldiers to prevent assault on them. The satyagrahis just stood between them without stretching even their hands on the soldiers, who thereupon attacked them and wounded them. One of these satyagrahis was Mr. M. Sivasithamparam, M. P. for Udupiddy. A strapper himself, he stood

on the way of the soldiers with both his arms stretched out horizontally. He was attacked by a number of them. He lost his balance and fell on the ground. He sustained injuries on his face, shoulders and arms. He was unable to use his arms for days together thereafter. The timely intervention of a high-ranking military officer saved the women from being assaulted. It was learnt later, that a few women too, were attacked, but it cannot be said with certainty.

It is with vengeance that the army attacked the Federal Party Post Office and hauled it down without even a trace. The military also displayed ability in destroying and burning really inanimate objects like bicycles, cars, boxes and mats. Several cars that were parked opposite to the Kachcheri premises were rammed and rendered unfit for use. Their tyres were ripped and torn by bayonets. The doors and shutters had been smashed and things inside ransacked.

News of this ravage spread like wild fire. Both the city and its suburbs became astir. In about half an hour thousands of Tamil-speaking people were surging on the Kachcheri. The crowds were turning almost into a mob shouting "violence must be met with violence". "What is the alternative then if peaceful methods have failed?" inquired some of them. Students began to assemble in large numbers and discussed what steps should be taken to meet the violence of the armed forces. The students insisted on rushing forward to break the military cordon with all the available means at their command. But the more responsible section of the crowd including certain federal supporters appealed to them not to plunge the peninsula into chaos but to watch developments. Almost at the same time some federal leaders divulged the news that emergency had been declared by the Government the previous night, i.e. 17th April and that the military had been mobilised into action. These leaders made a fervent appeal to the students and the

crowds to keep calm and await directions from the Federal Party. They also emphasised that whatever counter move they would make, it must be a concerted one rather than an individual and isolated one. They further pointed out "Civil Government has failed and military rule established. To this extent our satyagraha is a success". "Of course! But what are we to do now?" demanded some of the students. In reply they said "The occasion calls for calmness. The cause is not lost and we must wait for the opportunity". Then the crowds and the students retraced their steps amidst slogans. "Long live Ahimsa (non-violence)! Down with tyranny! Long live justice!"

Those who sustained minor injuries managed to walk to the hospital which was about a mile and a half away from the Kachcheri. Those who sustained grievous injuries and who were outside the military cordon were taken to the hospital in private cars. Inside the cordon there were some satyagrahis seriously injured and lying there either unconscious or unable to get up. While these injured persons were lying, the soldiers were rollicking and frolicking these unconcerned at all with their sufferings.

A little later, the army brought military trucks to transport the women satyagrahis who were still performing satyagraha at the main entrance unruffled by the terrible happenings and who would not leave the place. But the army would not use these trucks to transport to the hospital the injured persons who were lying unconscious inside the military cordon. Nor would they allow any private cars to be brought to the spot to remove them. Hospital authorities were rather hesitant in sending out any ambulance to bring those injured persons. Mr. Thurairajasingam, a member of the Jaffna Municipal Council and the author had to approach a number of higher-up in the hospital before it was decided to send out ambulances to fetch the injured satyagrahis. Nearly a hundred satyagrahis were admitted to the Jaffna hospital for treatment.

The families, relations, friends and sympathisers of the injured persons crowded the hospital. A middle-aged man was suffering from unbearable pain in his hips and thighs and was unable to sit or lie down with ease. He said that as he was seated at the Kachcheri entrance two soldiers lifted him and threw him on the ground. On medical examination it was revealed that a thigh bone had been fractured and muscles torn. As the satyagrahis lay in the wards and verandahs some lying unconscious, some bleeding some groaning with pain and others struggling for breath, feelings began to run high. "Are we to show any loyalty to this Government hereafter? Hasn't the Government forfeited the right to govern us?". The people spoke in this vein as they were severely ruffled by what has happened.

In history we have known of the booming of cannons, of massacres, the guillotine and the concentration camps of the Gestapo. These events may far excel the events of Jaffna in their magnitude, but nothing is comparable to the episode at Jaffna in respect of the soldiers' downright cowardliness! A woman satyagrahi who witnessed the military attack on the unarmed satyagrahis who sat with folded arms the attack on inanimate objects like bicycles, cars and boutiques, exclaimed.—"What bravery is this! Is this anything different from a brutal man, under the influence of intoxication, seizing his own innocent sweet-smiling babe from its cradle and dashing its brains out on the floor!"

This brave feat appears to have been the personal achievement of the Minister of Finance and Parliamentary Secretary to the Ministry of Defence and External Affairs. Mr. Felix Dias Bandaranaike! This Minister failed to understand that satyagraha was a weapon of moral force intended to make those who were in power and in a position of responsibility to realise the justice of the cause of those who want peace and abhor violence and who wish to make them

realise so such realisation by their own suffering and non-violent non-co-operation. When the people denounced the police violence on the satyagrahis on 20th February, 1961, this Minister was the only person who stood up in Parliament and said that the police action was correct and therefore justifiable! From available data it was clear that it was this Minister who precipitated the crisis resulting in the army atrocities on the satyagrahis in the early, dark and solitary hours of 18th April, 1961.

Speaking on the Emergency on 3rd May, 1961, Dr. N. M. Perera, M. P., said:

"In a sense this is an unfortunate debate because the villain of the peace is not here-the Hon. Minister of Finance. If there is one person responsible for the major damage on this issue (language) it is that individual who is concerned and who should have been here to-day to answer!"

In the absence of this Minister from Ceylon, the more experienced and enlightened section of the Cabinet, chose not to use violence against non-violent satyagraha that was being conducted peacefully even under trying conditions of unbearable heat rain, fasting and prayer that had softened the hearts of all. At least the sense of shame that had been awakened in them by the earlier cowardly attack on the satyagrahis by the police had impelled them to decide not to use further violence on them. But the Finance Minister, whom the author had known so well and whom the author thought to have been brought up in liberal traditions, on his return to Ceylon in a demon-like fashion, took the leap and dared to inflict violence on the peaceful satyagrahis! Even Macbeth would not touch the unguarded Duncan. Lady Macbeth encouraged him-

"But screw your courage to the sticking place and we will not fail. When Duncan is asleep

.....
What cannot you and I perform upon the unguarded Duncan?"

The Finance Minister, in Lady Macbeth fashion, ordered the army to strike the unguarded satyagrahis most of whom were half asleep and half awake in the weary moments of the night!

"Literacy is not education and education is not culture". There is no use in traversing heaps of books or glibly dabbling in high-sounding words and phrases or man travelling about the air or even going beyond into space and trying to hoist a flag on the moon unless they enable man to mould a heart for the world. We must try to look within us and discover that which is immortal, of everlasting interest and value that pleasant bond of love that can tie the whole world into one family and take it to its bosom of sweetness and heavenliness.

CHAPTER XVIII

The "Iron Curtain"--The Hardships

Means of communications disorganised

While the people in the city of Jaffna and its suburbs were stirred and as they were discussing the situation, it was revealed that the telegraphic and telephone communications from Jaffna to the other provinces were cut off. In the Northern Province itself no trunk calls could be taken. Within the Municipal limits, even Members of Parliament had their telephone connections cut off. No telegrams, no telephone calls could be sent to Colombo and other places. Later it became clear that the Government had ordered the main telephone wires to be cut before the armed forces started the attack on the satyagrahis.

Passengers

Hundreds of passengers including Government servants had gone to the railway stations in the Jaffna District to catch the "Yarl Devi" bound for Colombo. Suddenly they were told by the Station Master that the train service between Jaffna and other places had been completely stopped on the orders of the Government. Most of the passengers returned homewards disappointed. Many of them had important engagements in several parts of the country. Several students had to sit for examinations and others to present themselves at interviews. A student in humble and distressing circumstances shed tears that he was prevented from going for an interview. He was the eldest boy in a family of seven children five of whom were girls. His father died several years ago and he seemed to have developed a sense of responsibility to his family and this misfortune made him

more miserable. There were several others placed in the same predicament. That unfortunate boy and some others tried their best to travel by air. They immediately rushed to the Air Ceylon Booking Office, 1st Cross Street Jaffna. They were promptly told that air service had been cancelled. They made efforts to leave for Colombo by some conveyance or other. But by dawn the movement of troops became massive within the Municipal limits and in consequence the movement of civilians and private vehicles became sparing. Bus service also had been stopped.

Suddenly Jaffna found that it had become an isolated place completely cut off from the rest of the world. With the postal service, telegraphic and telephone communications fully disorganised with the train, bus and air services suspended the external communications cut off and a general black out and curfew imposed. Jaffna was plunged in utter darkness and isolation, devoid light, freedom and freshness of life! News of any kind could not be sent out of or received in Jaffna.

For very important functions in the whole of Jaffna, people from outside were expected. Many funerals took place without their dearest kith and kin attending them. In respect of one funeral, it was learnt, the only son who was an officer in Colombo, could not come to Jaffna to perform his last rites to his dead father. A mother who was seriously ill and about to pass away was anxiously awaiting the arrival of her only son from Colombo to have her last look on him but had to pass away with her son still in Colombo making frantic efforts to travel down to Jaffna to see his mother. After two days' curfew, only on the third day he arrived at Jaffna by the first train from Colombo. On learning at the Railway Station that his mother was dead and cremated, he staggered and stood like a statue; then tears were running down his cheeks and in a nervous

condition he had to be helped into a car that took him home. Besides, several weddings were either postponed or upset. Would be bridegrooms who were anxiously expected could not come for solemnisation.

Several parents in Jaffna had been written to by their sons and daughters studying in India that they were travelling back home for the vacation. The students in India came as far as Dhanushkodi and found that they were denied entry into Ceylon for the Government of Ceylon had already cut off all means of communication from Dhanushkodi to Ceylon. Thereby hundreds of young girls and boys were stranded on that side of Palk Strait. Some had already come to Mannar but were unable to come to Jaffna for want of train or bus service. The parents at this end of their journey were running from railway stations to airport and from airport to bus stands, in their anxiety to meet their daughters. But none came. For obvious reasons these parents had no peace of mind. Every hour they had to listen to the radio to learn whether there was a possibility of their children coming home. Their excitement was immense. When one of such parents met his daughter at the Jaffna airport after three days of the due date he shed tears of joy. "I feared, daughter you were stranded somewhere?" inquired the father in a perturbed manner. "Yes, father, we were quite at sea when we learnt at Dhanushkodi that the Ceylon Government had closed Ceylon to external traffic." She replied with a flurried look and tears coming into her eyes. Dhanushkodi was new to me and to the girl companion who travelled with me. After a good deal of nervous rambling we managed to get accommodation in a house. For two days we were in high tension."

A Dark Chapter

No communication of any kind could be sent from Ceylon to any foreign country. Newspapers, periodicals,

pamphlets or even letters were not allowed to be sent abroad; nor were those of the foreign countries allowed to be brought into Ceylon. Only the Government communiques were released to the foreign countries. But these communiques did not help these countries to know the real situation in the Tamil Provinces. The atrocities inflicted on the peaceful satyagrahis and the Tamil-speaking people are, still, a dark and mysterious chapter that requires unravelling. Even within the borders of Ceylon outside the Tamil Provinces, the people did not know for many days, on account of the curfew and the disorganisation of the postal telegraphic and telephone services, the real happenings in these two provinces. Relations could not see relations; friends could not see friends; Government servants and business people could not leave their homes. The towns, streets and lanes were deserted and devoid of civilian population except the military jeeps, trucks and vans that were plying at terrific speed and noisily to and fro.

Sick People

The hardest hit persons were the sick people. At 11 p. m. on Wednesday when the curfew was on a child twelve years of age developed fits. At that curfew hour it was a deadly thing to get out of the house in search of a doctor. There was no doctor in the village. The mother was in tears. The father, however, dared to go out. While the child was being torn by spasms of epilepsy, the father was winding his way for a car. A quarter of a mile away he managed to get into a cabman's house. The cabman heard him and he became softened too. But the problem was to drive out! He had no pass and the Police Station was three miles away. Even with a pass to drive out in the curfew was risky-probably the soldiers would shoot before the pass is shown! But the cabman, however, had a good deal of the human element in him and without any pause, he swung open the garage gate. As he was opening it, alas! he heard a heavy stir of vehicles at a distance. Anon he

closed the gate and kept himself inside. He saw three military trucks filled with soldiers. It was a deadly sight! Now the wife and children of the cabman intervened and he, much against his willing mind, had to abandon the idea of driving out at that deadly hour. He, however, promised to take the child to the doctor the very moment the curfew ended at 6 a. m the following morning. The father of the child, then, tried other cabmen and all of them answered him with blunt refusal. He returned home broken hearted. He and his wife tried their own treatment to improve the child. But in vain. The child's condition worsened. Like a madman, the father rushed to the house of the Member of Parliament. which was about half a mile away in the hope of getting some help to take the child to a doctor. The Member was not there. He then, ran to the village Headman to get a permit for what it was worth. He promptly gave one but no cabman would trust it. "Please help my child", he cried to every cabman But no cabman was prepared. The father's heart sank.

When he went back home it was 3 a m with 3 more hours for the day's curfew to end. Sharp at 6 a m. as the curfew ended the cabman whom the child's father first approached drove in and indicated his mind to take the child to a doctor. In ten minutes they were with a doctor whose examination revealed that coma had set in. The mother of the child told the doctor that the child had fits about 12 times during the night. "Why didn't you bring the child at once" the doctor shouted staring at the parents. When he was reminded of the curfew, he exclaimed. 'Oh' of course, a curse!" He did what he could for the child and told them to bring the child again if it survived six hours. After a lapse of two hours the child passed away.

Many cases of confinement suffered terribly. The women could not be taken to hospitals. Their delivery had to take place in their own homes. In the case of one

woman, there was a rupture, although the child was delivered. The bleeding would not stop for some time. An Ayurvedic doctor had to be rushed in by the back door in breach of the curfew. Luck, however, favoured her and the physician managed to stop the bleeding. But that bleeding had considerably weakened her. Another confinement was an instrument case. Delivery could not take place at home. During the curfew hours no one was prepared to lend his car. On account of the delay caused, the woman was subjected to enormous suffering. Only after curfew ended she could be taken to the hospital where she was operated on although belatedly. The baby died, but she was saved with immense difficulty. Hundreds and hundreds of sick people suffered hardships on account of the emergency and curfew.

The Government interfered on a colossal degree, with the liberties of the Tamil-speaking people and their freedom of movement. They were not even allowed petrol for their cars or other vehicles to the extent of their requirements. The issue of petrol was made on permits given by the Co-ordinating Officer for Jaffna. Considerable difficulty had to be encountered in obtaining the permits and the supply of petrol was extremely niggardly. Of course, this device was aimed at restricting the movement of the people! This affected the occupations and business of the people.

Press Censorship

From its very inception, this Government has been suffering from a Press-gag mania and had set its face against the freedom of the Press. But in the face of a spate of criticism both within and without, it had to veil its feelings for some time. These pent-up feelings however, broke out like a volcano and simultaneously with the declaration of a state of emergency and curfew in the Tamil Provinces, the censorship of the press was imposed throughout the Island.

In imposing the censorship of the Press, the Government had a two-fold purpose. Firstly, to avenge the criticism of the Sri Lanka Freedom Party during the time of the last general election by the Press and secondly, to shut out any possibility of exposing the Government on account of its undemocratic and unjust acts affecting the liberties of the people of Ceylon the private enterprises and more recently the acts of suppression of the freedoms and rights of the Tamil-speaking people. A Government that requires the Press to clack its blunders and wickedness or in default seeks to gag it cannot claim to be the guardian of democracy. In fact it does just the opposite—it endangers democracy to a great degree.

"The Daily Telegraph" commenting on the attitude of the Ceylon Government to the Press on 27th October (Friday), 1961 observed as follows:

"The liberties of the people of Ceylon are in mortal danger..... To convert an alleged private monopoly into an actual monopoly controlled by the State is, of course, to destroy the Freedom of the Press, root and branch".

The Government is seeking to establish a Press Council filling it with its own men to supervise and direct journalism in the manner it wants! Only on the licence of the Press Council one can act as a journalist! Freedom of the Press which has been recognised and honoured by Governments of all ages, is now to be thrown in the gutters in this little Island of Ceylon. It is not "a little totalitarianism" but militant totalitarianism that is quite visible in the horizon of Government politics in this country to-day. Unless the people shake out their timidity and their desire for self-promotion and challenge the Government's unjust and undemocratic bent and halt it, the country will definitely be heading for autocracy or a major crisis. We must always endeavour

to evolve an alert, vigorous and healthy public opinion which alone can provide the real pulsation of democracy. Commenting on the lack of public spirit in Ceylon, "The Times of Ceylon" in its editorial of December 3rd, 1961 observed as follows:

"Every country gets the Government it deserves. Where public opinion is alert and vigorous, it automatically provides the checks and balances which keep a Government on the rails of progress. Where, on the other hand, public opinion is timid or cowed, the Government becomes autocratic and does what it likes, right or wrong. And that is pretty well the state of affairs in Ceylon to-day "

The emergency, the curfew, the censorship of the Press, the disorganisation of the postal and telegraphic services and the cutting off of communications with the foreign countries during the curfew days had made it difficult for the outside world to take a peep into the affairs of Ceylon and in particular made the two Tamil Provinces look like a prison-house devoid of the light of freedom. The Government had sought to shut out the sympathy of the world and deal with the Tamil speaking minority in the manner it wanted, persecute them and, if necessary, destroy their entity. The entire situation reminds us of a wicked man kidnapping a fair young lady from her dearest kith and kin and confining her in an isolated and dark dungeon to ravage her, a helpless victim, in the manner he wants.

CHAPTER XIX

The Curfew, Military and People

It is only several hours after the military attack on the satyagrahis at 3 a. m. on Tuesday 18th April that the people came to know that a state of emergency had been declared. After 9 a. m. the police announced through loud-speakers that curfew would commence at 12 noon on 18th April and that the people should get back home before that hour. This announcement also indicated that the curfew was limited to the Municipal area of Jaffna. The author was himself present when the announcement was made. Only a few people, who heard it, knew about the curfew. The announcement was neither adequate nor timely so as to acquaint the people with the details of the curfew. Talks of curfew and military made the people panicky. Every one was anxious to get back home. People bound for distant places were nervously hastening to the bus stands where there were no buses. Suddenly there was a scramble for taxi cars. Cars and other vehicles began to move about at terrific speed. At every turn there was traffic jam.

Relying on the police announcement that the curfew would commence at 12 noon the city dwellers were still about the streets trying to learn more about the sudden developments. It was about 10.30 a. m when the author drove out of the city. But in one or two minutes the author saw the military attacking the people in the streets for 'breaking' the curfew. A cyclist who was going back home at a frantic speed was pushed violently by a soldier. The cyclist fell and rolled knocking his head against the road. The soldier then struck him on his head with his rifle-butt causing him a bleeding injury. The other soldiers,

too, who came in a truck engaged themselves in assaulting the pedestrians. Even children were not spared. A child was caught, intimidated and tossed about by a dark and rough soldier and as the child screamed aloud for help he dropped him violently on the ground. A woman advanced in pregnancy was also chased and as she got on the steps of her house she almost tumbled panting and heaving for breath. All this happened in a few moments. I reversed my car and took another route. Having gone out of the Municipal limits, I thought I was on safe ground where the curfew did not operate. It was a Village Committee area. To my utter surprise I saw a soldier chasing a boy into a house. A few yards beyond that I saw two soldiers stopping a car and trying to pull out the driver who appeared to beg for mercy. They got him to reverse the car and return the same way he had come. Before 12 noon, the alleged hour of curfew many persons been mercilessly assaulted and injured by the military. The military made full use of their heavily-buckled belts and the rifle-butts to terrify them into submission. It was clear that the police version and the military version about the commencement of the curfew contradicted each other. For this the innocent people had to suffer!

Suddenly, Jaffna a city of incessant activity and terrific din, changed into a desert of isolation! For two full days (18th and 19th April) curfew was to operate with a three-hour break on 19th April alleged to have been for the purpose of shopping. In effect, it was no break at all for the majority of the people did not know the radio announcement. Even those who had known it could not leave their houses to pass on the information to neighbours. Not even 5 per cent of the population went out for shopping. Where to go for shopping? Did the Government, suddenly, hold a fair anywhere? Some of those who went out for shopping received flogging with belts by soldiers. Even the soldiers

did not know of the break in the curfew! The announcement of the break was not at all effective. It reminded me of a boy who jingled his coins in his pockets about a hundred yards away and then went back to his mother and said "Mother did you hear the jingling of the coins in my pockets"

From 18th April till 6 a. m. on Thursday, 20th April, the people did not get out of their homes. Till then the electric lights, too, could not be availed of and people had to live in darkness. It is after 6 a. m. on 20th April when the curfew was partly lifted from 6 a. m. each day that the people came to know the developments. They learnt that the Federal Party members of Parliament had been arrested and placed under detention at Maharagama. A number of active members of the Federal Party were also arrested and detained. The independent Member of Parliament for Vavuniya, Mr. T. Sivasithamparam was one of those detained. Mr. M. Sivasithamparam, M. P. for Udupiddy and a member of the Tamil Congress took an active part in the Satyagraha Movement and was in fact a member of the Action Committee. Some members of the Tamil Congress, too, actively supported the Satyagraha Movement. But the Government did not arrest or detain them! Certain Muslims M. Ps, whether of the Federal Party or not who led the satyagrahis at Batticaloa and Trincomalee on a number of occasions were also spared from arrest and detention. It became clear to the Tamil-speaking people that it was part of Government's plan to keep them divided and disunited.

The entire Northern and Eastern Provinces mourned the arrest of the Tamil-speaking Members of Parliament and the other leaders of the Movement. On the day of their arrest i.e 18th April, all shops and business establishments were closed and no work was transacted. The people spent

the day quietly in prayer and fasting. They denied themselves the ordinary comforts and pleasures of life. The 18th day of every succeeding month was observed as a day of mourning and the traders, merchants, shop-keepers and all others in the Northern and Eastern Provinces staged hartal.

There was an incident at Valvettiturai. The Government reported at first that "twelve satyagrahis" attacked, on 18th April, members of a military curfew enforcement patrol and that the patrol opened fire as a result of which three persons were injured. A few days later another report said: "They (army patrol) were set upon by a crowd". These two reports contradicted each other and were far from the truth. On-the-spot-information revealed that three soldiers had gone to Puluveddiangkadu, place at Valvettiturai and picked up trouble with two fishermen who were attending to their nets. These men having come back just then from sea fishing, did not know that curfew was on and did not understand a syllable of the Sinhalese language the soldiers spoke. They spoke in Tamil which the soldiers did not understand. The soldiers intimidated them and attacked them. At once the two men threw their nets on them and trapped them. They attacked the soldiers with heavy instruments and two of them fell senseless. The third soldier managed to run away and whistled to his fellow-soldiers who were in the next lane. They rushed to the spot and one of them shot at the two men who were then attempting to revive the two soldiers. As a result of the shot both received injuries and were despatched to the hospital. The reference to "twelve satyagrahis" in the Government report is incorrect as satyagraha was never performed at Valvettiturai. Following this incident a truck load of soldiers arrived from Jaffna town and set fire to a number of houses in that area.

There was another incident at Point Pedro. A Government communique said:

"A curfew enforcement patrol in Point Pedro was attacked by a crowd with bottles, stones and missiles on the morning of April 19th (Wednesday). The vehicle in which the soldiers were travelling was obstructed by a hostile crowd on the road and the vehicle was forced to halt. The patrol party was compelled to open fire.

The crowd dispersed. One person was found dead."

This is a totally distorted version of the incident. Here is the truth. It was curfew time. A person was walking along the road. Some soldiers shouted to him to stop. That man did not stop. Immediately a soldier opened fire. That man fell dead. This incident was witnessed by many persons from their own homes that were in close proximity to the place of the incident and as it was curfew time they could not go out. The identity of the deceased man revealed that he was a dumb and deaf person by the name of Velan Kidnan and a dhoby by profession. It was a cruel and thoughtless shooting! If there was a crowd as the Government claimed, many others in that crowd would, possibly, have received injuries if the patrol party opened fire. In both of these incidents the Government referred to crowds and curfew enforcement patrol but commonsense at least would not accept the report that there were crowds during curfew hours. That there were no crowds is not inferential but factual.

The Point Pedro Magistrate, Mr. S. N. Rajadurai, a Tamil, who investigated into this alleged murder ordered the police to remand the soldier. But suddenly and with immediate effect, the Magistrate was transferred to Kurunegala and thereby the Government had prevented the Court of Justice from completing the preliminary investigations into this capital and heinous offence! After his transfer there was not even a talk of the preliminary inquiry into the alleged murder!

After this incident the Government hurriedly gazetted on Wednesday night (19th April) the same day the killing and inquiry took place certain regulations which stated:

"In the case of any member of the Police, Ceylon Army, Royal Ceylon Navy, or Royal Ceylon Air Force, a Court which it would otherwise have been entitled to commit or remand such member to custody or make order requiring such member to furnish bail or the Fiscal, if such member is being detained in his custody in pursuance of an order made by a Court prior to the date of the coming into force of these regulations, shall, upon production by an authorised officer of the appropriate certificate deliver him to such officer".

The regulations contained several other particulars that gave power to the Government to deprive the Courts of Law of their normal functions thereby interfering with their administration of justice.

This is not all. The Government had attempted to get the emergency cases, in which military and police personnel were accused, transferred from the Courts of Jaffna to the Courts in Colombo with a view to rendering a full-scale hearing impossible by causing hardships to witnesses who would have to travel 250 miles away from the places where the alleged offences were committed. This matter was referred to in the Senate by Senator S. Nadesan, Q. C., on Tuesday, 2nd May, 1961. Mr. Nadesan in the course of his speech, observed:-

"If the Government for any reason thought that the Judges in Jaffna could not be trusted to do justice in these cases, the obvious step was to have appointed other Judges to their places and not to baulk inquiry and investigation by transferring cases 250 miles away from the place where the alleged offences have been committed."

At Chavakachcheri a lorry driver was asked by the military to remove the Tamil "Sri". He was reluctant to do it. He was assaulted by a soldier while the other soldiers looked on. Under force he removed the Tamil "Sri". Then the same soldiers asked him to kneel down and worship the Sinhala "Sri". The driver refused to do it. He was severely assaulted and kicked in the abdomen. Following this incident there was great tension at Chavakachcheri. The people opened fire and two army men were injured. One of them was the soldier who asked the driver to worship the Sinhala "Sri". Later it was learnt this soldier succumbed to his injuries, but the Government Communique did not mention any such death. The military retaliated this on an innocent passer-by whom they subjected to inhuman tortures. His screams and groans could be heard at a distance. He was set upon by a host of them. Limb by limb he was attacked; he was pulled, dragged and mauled and finally thrown away almost lifeless. They took him to be dead and left. After several days of unconsciousness, however, he revived and is still unable to attend to any work. Some soldiers of good families and breeding, it was understood, condemned their fellow-soldiers for inflicting such heartless tortures on an innocent man.

At Valvetty, when a young boy was being assaulted by army men, a relation of his, one Apputhurai, just peeped over the fence at the shouts he heard. It was about 5-45 p.m. and was not yet curfew time. Immediately the army men rushed into the premises where Apputhurai was standing and flogged him with belts and knocked him down with rifle butts. They then kicked him with booted legs on his chest and hips. He fell on the ground reeling with pain. He being the mainstay of the family which was in humble circumstances, the family had to undergo great financial distress and take barely one meal a day as he was thrown out of work for many weeks.

At Tirunelvely, a boutique-keeper was assaulted by a few soldiers while he was having his bath. They belted him heavily and as they pushed him down he knocked against the trough structure. As he got up, they again assaulted him. He cried for mercy. Later it was known that many a time these soldiers had deprived this boutique-keeper of his cigarettes and beedies without giving money in return. On an earlier occasion, these soldiers asked for cigarettes and beedies and the poor shop-keeper was a bit hesitant to give them. That was all the mistake he had made! One Ramalingam was teaching his children in his house at Tirunelvely. The lights were on. The front door was locked. Issuing threats to him, some soldiers got him to open the door and then, thrashed him with belts, hands and rifle-butts and ordered the lights off. At Kalviankadu, army men threw stones at the portico light of a house belonging to a teacher named Rasiah. At Vannarponnai, army men entered the house of one Sivakumaran Pasupathy, a Crown Council, he was preparing the prosecution case to be heard by the Assize Court at Jaffna. The soldiers insisted on his putting off the light. He, however, pointed out to them that he was preparing the prosecution case to be heard by the Supreme Court the following day. But they would not listen to him and he had to switch off the light and go to bed. The following day he informed the Assize Judge what had happened the previous night and indicated that he was not ready to present the prosecution case. The murder case had to be postponed to another date. Throughout the whole of the Northern and Eastern Provinces the army ordered the people to put off their lights. Any house that displayed prominent lights ran the risk of entry and ravage by soldiers. When this blackout was questioned and condemned in Parliament by Opposition Members, the leader of the house, Mr. C. P. de Silva, said—"An official (a soldier) had misunderstood the curfew for a black-out!"

At Tirunelvely junction, in the early hours of a morning the military, as if run amok, assaulted a number of men who were at the junction. They entered into houses and shops and flogged the inmates with belts and electric wires. Mr. Sinnappu a Proctor, was set upon by some soldiers while he was in his own house. He sustained injuries. A firewood depot watcher by the name of Kandavanam got the worst at his hands. Out of fear he hesitated to open the gate of the depot. The soldiers got over the gate and lashed him many times with electric wires. He yelled out in pain that was unbearable. They then kicked him in the abdomen with their booted legs, a practice to which they had become quite wont during those days of satyagraha and the curfew. He lay unconscious for a number of hours. Another person one Kandiah also received the same cruel treatment. Due to flogging with electric wires their skin was peeled off at several places and they bled profusely. The reason the army gave for their wild behaviour was that somebody had meddled with a street electric wire. But an electrical engineer contradicted the army version and said that the soldered portion of the wire had melted owing to the hot sun and given way and had, thereby, interrupted the flow of electric currents.

Army men lavishly helped themselves at the expense of shop-keepers and boutique-keepers. They walked into shops and boutiques and availed of tins of cigarettes, bundles of beedies, bottles of sweets, chocolates, bunches of plantain fruits, cakes and other delicious edibles. At Kondavil some soldiers, comfortably, lifted a sack of dhal and placed it in a military truck. When the dealer asked for money he was promptly answered, "Go, get the money from Mr. Chelvanayakam". As the dealer stood puzzled and scratched his head, the soldiers drove away haughtily. To the retail dealer leading a hand-to-mouth life, this loss was too much to bear. Numerous shops were thus raided and

looted. Some cultured army men seemed to have confessed that they were ashamed of their fellow-soldiers who had raided and looted the shops.

At Karaiyoor, a soldier pushed down a cyclist violently and as he got up the cyclist stared at the soldier in protest and told him courageously that though he was a soldier he should learn to treat men as human beings. As he said so, the soldier and his fellow-soldiers who were with him caught him and flogged him with belts and sticks. They also smashed his bicycle.

Houses with distinctive appearance, houses shining with glass doors and windows became targets for stone-throwing by the military. The houses of Mr. Chellappah, Advocate, one Rajasooriyar, one Kanagasabapathy, Dr. Thamotheram Shakespeare, and one Sivadas were stoned for several days. Mr. Sivadas was an artist. His house was constructed on the American pattern and no doubt it gave an artistic appearance. For two days his house was stoned. On the third day during curfew time at about 10-30 p.m. a military jeep suddenly stopped. Its lights were put off. A soldier was seen going up to the glass windows of the house and knocking down the untouched portions with his rifle-butt. The glass windows were completely smashed.

At Muththiraisanthai, Jaffna, on 8th May, a shop was completely burnt and gutted down. The roof and shutters of the shop were of zinc sheets. To ensure catching fire, a tyre soaked in petrol was placed on the roof and set fire to. The fire broke out at 11 p.m. (curfew time). There were two persons sleeping inside, a salesman, one Kandiah and a boy of ten, a son of the proprietor of the shop. The proprietor was one Thiagarajah of Nallur. As the flames swept above and the heat affected them., the inmates struggled and rushed out through the door and narrowly escaped death.

On information received, the Police came to the spot. At that time there was a military truck with some soldiers. As the police were making inquiries, two soldiers, as if on a sloop, came upon the salesman who had not yet recovered from the shock, seized him and placed him in the truck which at once started to move. On seeing this, the police anon, drove in a jeep after the truck and asked the soldiers to stop and deliver the man to them. It was almost after an altercation that the soldiers were compelled to hand over the man to the police. The goods in that shop were burnt to ashes. The damage was estimated to the value of Rupees 10,000/-. There were numerous other similar instances.

The average Jaffna man, in keeping with the education and culture, may be said to be fairly tolerant and less susceptible to provocation. But when the military sought to interfere with his private and domestic life, he could not sit tight and watch ignominiously. At Kaithady certain soldiers attempted to have approach to women. This led to gunshots on both sides. It was learnt that a few soldiers received very serious injuries and later two of them died. But the army authorities did not seem to have reported anything of the kind. There was another incident at Alaveddy close to a toddy tavern. Some soldiers attempted to rape a young girl of 16. But her father ran up to her, held her in his arms and shouted for help. A number of people collected there and the soldiers drove away quickly. As a sequel to this, that day in the evening, a shooting incident took place at the Tellippalai—Pandaterruppu Road. It was widely believed that at least two soldiers died as a result of the shooting. At Navanthurai a little beyond Jaffna Town, a soldier abducted a woman from her house while the male members were away and brought her back and left her at the gate of her house twelve hours later during curfew time. For several days the male members of the house and this woman tried to track the soldier, but it was understood that this soldier was taken away from this place.

At Koddadi, during curfew time, it was rumoured that some soldiers entered a house where there were two women. There was no male member. As they entered the house, the women shouted for help but, simultaneously the soldiers who were outside at the gate started singing baila at the top of their voice. On account of this, the women could not be heard by the neighbours who were by no means in close proximity. So that as the baila went on a soldier raped the young woman as the aged mother's entreaties and her shouts proved abortive.

A young man named Ramalingam from Tirunelvely, Jaffna went by train from Jaffna to Maho. At Maho he and twenty other persons got into a van and proceeded to Batticaloa. When they all reached the limits of Batticaloa district, an army officer stopped them. He allowed them to proceed but they were followed by some men in a military vehicle. After a few miles the military vehicle overtook the civilian van and directed it to a road that led to a jungle. There the 'soldiers' ordered the passengers to get down. There were no lights, no houses and no trace of any human activity. The soldiers suddenly struck the helpless passengers with their belts, clubs and rifle-butts. Then, they despoiled them of their purses, handbags, rings, wristlets, bags and packages. Young Ramalingam with only a few miles to Batticaloa had yet to return home at Tirunelvely, penniless and with dirty clothes, having been robbed of his clothes, money and other belongings.

On Wednesday, May 3rd, some army men stood close to the Udupidy junction. The roundabout signboard carried letters in English, Tamil and Sinhalese. The Sinhalese letters were found smeared with tar, an act not recently done but during the days of Anti-Sinhala Sri Campaign. Some teachers of the American Mission College happened to pass that way. The soldiers asked them to wipe off the

tar on the Sinhalese letters. The teachers promptly protested and said that they were not responsible for the smearing. Not caring for reasons, they pointed their bayonets at them insisted on their wiping off the tar. Educated as they were, the teachers felt there was no use in resisting the blunt and irrational men with guns and bayonets! So they complied. The teachers, however made a complaint to the police that very noon. The soldiers, on hearing the complaint that same day at 7.30 p m drove to Udupiddy, got into the dormitory, pulled and dragged two teachers to the road and severely assaulted them. At once a telephone message was given to the Valvettiturai police who readily came to the spot and found the military still on the road in front of the College. On questioning by police, the soldiers said that the teachers were breaking the curfew! Again on 5th April at 8 p. m., an army vehicle was seen dropping coral stones at the Udupiddy junction. The army men returned a little later, jumped over the College wall and pulled out the two watchers of the college to the road, accusing these innocent men with having heaped up the stones on the road and they compelled them at the point of the bayonet, to remove the stones. For them there was no alternative but to do so. On the following day again (Saturday) these army men went to the junction and started singing baila at the top of their voice. They became so boisterous and such a nuisance that many members of the public complained this matter to the police. A police party went to the junction where the army men were still raving in a drunken mood. The Inspector of Police very cleverly managed the situation and warned the soldiers against repetition. The military authorities, too, intervened and put a stop to their nuisance and cruelties. These incidents were discussed in both Houses of Parliament although some of the details given were incorrect. The vehement critics of the Government and its armed forces were Messrs. Edmund Samarakody, M. P. for Bulathsinhala and M. Sivasithamparam, M. P. for Udupiddy. They spoke

in the House of Representatives on 3rd May, 1961. Mr. Edmund Samarakody, a Sinhalese M. P., was highly critical of the way in which the state of Emergency was declared, curfew imposed and military rule clamped down on the peace-loving people of Jaffna. In reply the Leader of the House, appeared to admit these cruelties, but dismissed the subject unconcernedly, remarking at the same time that the military had behaved just as any other military would have behaved! But this Minister did not understand the contrast. The military atrocities were inflicted on the Tamil-speaking people without their provoking either the Government or its armed forces, when the conditions prevailing in the Tamil Provinces were markedly, peaceful.

The sole purpose of the emergency and curfew was to harass and intimidate the Tamil-speaking people into accepting the Sinhala Only Act and crush their spirit of resistance to its implementation. In the course of his speech in Parliament Mr. Samarakody said:

"This is not a question of an army man here and there, after liquor, indulging in some excess. No, there is some plan, some purpose. There is an indication that they are going on instructions and preparing for some trouble because the purpose of the Government in imposing an Emergency and allowing army and navy personnel to behave in that fashion is to intimidate the Tamil-speaking people, the Tamil minority in this country. That is a fact. That is the purpose!"

It was understood that the Prime Minister and another Minister had written letters to the military commander in Jaffna appreciating the able manner in which the military had harassed the people of Jaffna! A woman Prime Minister could tolerate, nay appreciate, the raping of the sisters, wives and daughters of Jaffna!!

To the real Buddhists it is painful to see Buddhism prostituted by Ministers and Government to secure their ends. The bloody incidents of 1956, 1958 and 1961 have provoked even reserved monks to cry halt to inhuman atrocities on innocent people. Heenathiyana Dhammaloka Thero, Buddhist Chief Priest of Colombo, a Sinhalese, in appealing to the government and the people said:

"It was contrary to the teachings of the Buddha to try to oppress any group of people because they spoke a different language or were of a different complexion." The Ven H Sadhatissa Thero, the incumbent of the London Vihare, who toured the continent, said:

"The German Buddhist Union no longer looks to Ceylon for inspiration..... but they now look towards Burma for guidance "

This announcement startled almost the entire Buddhist public of Ceylon. They now begin to feel that a few unscrupulous in the Cabinet and a few Buddhists whose out look is not really Buddhist both within and without the Cabinet, had exposed Buddhism, to the ridicule and contempt of the whole world in their greed for their personal power and glory. It was made more contemptible when a band of Buddhist monks plays an ignominious part in the Rajaratne episode. One K. M. P. Rajaratne, a Sinhalese while he was a Member of Parliament was accused and convicted of arson, looting and certain other offences along with a few others in the Court of Law at Badulla. In appeal the conviction was affirmed but the sentence was reduced to one and a half years. But a band of Buddhist monks joined Mr Rajaratne and performed satyagraha on the steps of the House of Representatives to secure his pardon by the Government. Although some of them received a sound beating from the police the Government, finally, yielded to them by reducing his sentence to two months! Alas! the Government never respected the Tamil-speaking satyagrahis who were struggling for their just, fundamental and human rights! On the contrary the armed forces broke their hands and limbs! This is their justice and this is Ceylon to-day!

CHAPTER XX

The Tamil Question and The Ceylon Indian Tamils

On the eve of starting the Satyagraha campaign in the North, the Federal Party held a mammoth meeting in the Jaffna esplanade. The speakers represented the North and Eastern Provinces and the Ceylon Indian Tamils in the up-country. Messrs Rajalingam and Vellaian and a few others represented the Tamils of Indian origin.

Both Rajalingam and Vellaian addressing the large gathering expressed the view that the language rights, for which the Ceylon Tamils were striving, affected the Ceylon Indian Tamils also and that the Ceylon Indian Tamils would pledge their support for the Satyagraha Movement to win the rights. While the Satyagraha was in progress, thousands of the up-country Tamils had, on several occasions, come down to Jaffna and participated in the satyagraha. Several groups of them presented purses to Mr. Chelvanayakam. Mr. Thondaman, an Indian Tamil and a nominated Member of Parliament and President of the Ceylon Workers Congress; had intimated to the Government that the language question affected the Ceylon Indian Tamils also and had urged on the Government for its speedy and satisfactory solution. The Indian Tamil leaders also intimated to the Government that the Tamil Workers on the estates would go on strike unless the Tamil Question was satisfactorily solved. While protesting to the Government against army and police brutalities on the satyagrahis and the declaration of emergency and curfew in the

Tamil Provinces, the Ceylon Workers' Congress met and decided to strike work on the estates in pursuance of their pledge to support the Satyagraha campaign for language rights.

In view of this decision, the Government, by its notification dated 24th April 1961 declared that under emergency regulations published on 17th April, 1961 all work in the plantations, manufacture or production of tea rubber or coconut was an essential service and that any strike in such work, trade or industry was illegal. But the workers would not yield to threats of any kind. As decided, they struck work on Tuesday, 25th April on a number of estates in Kandy, Galaha, Badulla, Hatton Gampola, Matale, Rattota, Sabaragamuwa, Nuwara Eliya and Ella districts. Consequent on this strike, the emergency regulations were brought into force in all estate areas by the Government. On the same day i. e. 25th April, the Ceylon Workers' Congress submitted to the Prime Minister a four-point memorandum for the settlement of the language question. The Workers' Congress put forward the same demands as the Federal Party except for Regional Councils. The memorandum, however, pointed out that the question of Regional Councils could be considered at a subsequent date.

When the strike commenced, the Government sent large contingents of troops to the estates. On some estates reportedly, there was frequent stone-throwing as a result of which the troops opened fire. Although no local newspapers reported about shooting incidents, the Manchester "Daily Mail" reported on 26th April, 1961, as follows:

"34 Tamil lie down strikers have been shot dead and 56 of them arrested by the Ceylon Troops under the orders of Mrs. Bandaranaike's Government".

The first day's strike was a complete success. Meanwhile the Government undertook to consider the demands put forward by the Ceylon Workers' Congress if the Congress called off the strike. Accordingly the strike was called off. Government did not keep up its promise but had recourse to crude diplomacy wherein the leaders of the Workers' Congress displayed that they lacked imagination and tenacity of purpose. They failed to call out the strike again although the workers were quite ready for it to assert their inalienable rights.

CHAPTER XXI

Why Not The Federal System?

The Premier Speaks Again:

The woman Prime Minister of Ceylon developed a peculiar habit of making a broadcast after every upheaval caused by the Government's stupid and Communal policies. After the military attack on the satyagrahis and the declaration of emergency and curfew on 17th April, 1961, and as the strike on the estates started, she spoke and made an appeal to the Sinhalese masses on 26th April 1961. Her speech was as much emotional and inflammatory as she was inexperienced. In that speech she had imputed separatist motives to the Federal Party and sought to avail of it as an excuse to cloud the language issue. In that speech she said:

"We cannot allow the Federal Party supporters in the North and East, the estate workers in the plantations and their friends and allies in other parts of the country to dictate to the Government with threats of paralysing the economy if it does not yield to their pressure..... This is the hour of everyone to unite against the enemy of the nation and of the people. You must be ready to answer the call of duty".

Obviously, the Prime Minister's reference to the "enemy of the nation" cannot refer to any community in this country other than the Tamil-speaking community that comprises the Ceylon and Indian Tamils and the Muslims who speak the Tamil language. Referring to this speech, the London "Daily Mail" commented on 27th April, 1961 as follows:-

"Ceylon's Premier Mrs. Bandaranaike is a woman of iron will and possesses a genius for whipping up emotions among her followers. She was admitted to politics for the first time 19th months ago".

Not to speak of the Tamil-speaking people, this hot appeal shocked the very conscience of the Sinhalese people themselves particularly, the more liberal section. A highly educated Sinhalese was heard telling others who were listening to him:

"It is not the Tamils who seek separation, but the Government. The Ministers by their unwise speeches and conduct are causing an almost irreparable rift between the Sinhalese and Tamils. It is sheer villainy not to recognise the basic rights of a people".

The Premier's imputation of separatist motives to the Federal Party is without foundation. The Federal Party's decision to run the Federal Party Post Office was a sequel to the failure of the Talks with the Justice Minister. It was intended to intensify the opposition of the Tamil-speaking people to the implementation of the Sinhala Only Act. Even after the failure of the Talks, S. J. V. Chelvanayakam indicated the willingness of the Federal Party to have further talks, which the Government never thereafter endeavoured to have. That the Federal Party asked for Regional Councils goes completely against the Premier's allegations that the Federal Party was going separatist. As days went by, it became quite clear that some Ministers pursued the language question with vengeance and never intended to concede to the Tamil-speaking people their fundamental rights and were trying to draw a red herring across the trail. From the very beginning the present Government has opposed the Federal move. The Government has been at great pains to tell the public and the outside world that the Federalists, under the cover of the language issue, are trying to divide

the country! In doing so, the Government betrays two things:

- (a) that the ministers do not know what a Federal constitution is; or
- (b) knowing what a federal constitution is, they are trying to misinterpret it and misguide the people with the specific purpose of making them suspect or hate the federal system.

It is preposterous to represent federation as something synonymous with separation!

The people, however, including a good section of the Sinhalese are beginning to realise that federation, far from being separation is a political expediency that promotes unity in a country which has more linguistic or religious communities than one. It is actually, unity in diversity. In countries like Ceylon where there are differences of race, religion, language and culture which might lead to frequent clashes when the diverse communities mix freely on the highways of a unitary Government, has been amply proved in Ceylon in the years of 1956 1958 and 1961, the most suited constitution that could cure these violent conflicts is a federal constitution. It is just putting things or people in their proper places the connecting link being a central Government. So long as the central Government is there there cannot be any talk of division or separation. The central Government is just like a charioteer holding in his hands the reins of a team of horses that pull the chariot.

A better illustration of this: Look at a house. It has say, three rooms. In each of these rooms there is a family living. The house has a roof which extends to the furthest limits of the house. It covers and protects the three rooms, the hall and the verandahs. Apply this analogy

to a federal system of government. The three rooms are regional federal units; the three families are three races or communities living in the regions; the roof is the central government that extends to all the regional units and affords protection to them all. Looking at the rooms and the roof that gives them protection from rain and sun, can any one say that the house is divided! Clearly not! Similarly, so long as the central government extends its power, its influence and assistance to all the regional states no one can say that these regional states, which from the component parts of a federal constitution, divide the country. Federalism is a method of convenience in political administration of distinct races of people or communities, a system that saves unity and peace in great measure and helps to avoid the perpetual risk of the country being torn by communal strife. It is not, either, incompatible, in any manner, with a socialist system.

The federal system has worked with great success in Switzerland, Canada, India, the Soviet Republic and South Africa. These multi-lingual countries and their constitutions provide for the use of minority languages, although they are spoken in those countries by minority groups much less in size than the Tamil-speaking people of Ceylon. In Switzerland, Italian is spoken by only 6 per cent of the population; yet it has been made one of the three official languages of that country. In Finland, the Swedish language is spoken by about 8 per cent of the population and in Quebec English is spoken by only 15 per cent of the population and yet both Swedish and English have been declared as national languages of those countries. All these languages enjoy equality of status and are used in official publications and at official functions. These secret of the success of the federal system in those countries with linguistic freedom has been the goodwill and the enlightenment of their statement and governments and that is, particularly, the reason why there is, comparatively, greater internal peace in those countries.

In the light of these happy precedents, it is really surprising and baffling why the Ceylon Government is reluctant to follow the same principle and make Tamil, which is spoken by nearly 30 per cent of the population of Ceylon, as the language of administration in the two Tamil Provinces of Ceylon.

It is unfortunate that the federal demand has come from the Federal Party of the Tamil-speaking people, for it is with some suspicion the Sinhalese leaders in the Government view it. At the present time, however, the educated section of the Sinhalese people are getting convinced that the federal system is quite a workable system in Ceylon. They feel that three federal states could be set up one for the low country Sinhalese, one for Kandyan Sinhalese and one for the Tamil-speaking people in the Tamil provinces with a central government in Colombo or any suitable place. In this system there is the hope of curing the many year-old problems that Ceylon is beset with. A unitary constitution is just one highway where anything could take place to disturb the peace of the benighted Island.

Mr. C. Rajagopalachari, the elder statesman of India, has said and written in no uncertain words that the most suited constitution to Ceylon, if she were to avert division and disintegration, is the federal constitution.

CHAPTER XXII

Ceylon To-day

To-day the present Government is making it extremely difficult and uncomfortable for the minorities to live in this country. Their prospects in the Government Service are marred and their private enterprises are unaided. It has been shown that Ceylon is not a place for merit. It is enough if a particular candidate is a Sinhalese, a Buddhist or a favourite of a Minister! Regarding this, Mr. Edmund Samarokody. M. P., a Sinhalese, said in the course of his speech in Parliament on 3rd May, this year :

"There is discrimination. It is known to Hon. Member. It is known to everybody. Let me cite only one case, the case of the Commissioner of Labour. It is a well known fact that consideration of community weighed heavily in this appointment. In order to get a job in this country, first of all you must be a Sinhalese secondly you must be a Buddhist and thirdly you must belong to the caste of one particular member of the Cabinet or some other Government source. That is the stark reality. It is the unstated and undeclared policy of this Government "

To the people of Ceylon life is becoming more and more difficult. Taxes are numerous and the whole country is just writhing under them. The Finance Minister, who visited certain countries of Europe in March this year and found that each of those countries was subject to some special tax or other, imposed all those taxes in this one small Island! He little understood the conditions prevailing here and the background against which these taxes were levied in

those countries. The visa tax is of a unique kind and has no parallel in the history of taxation! It is such an inhuman tax! Not to speak of the average citizen, the poor labourer himself is affected by the taxation laws. Because of the import restrictions, the people are deprived of their bare necessities of life such as brown sugar, tamarind, certain classes of textiles, and many other goods. Consequent on the scarcity thus caused even poor people are compelled to pay high prices for available goods. Owing to the tightening up of immigration and emigration laws the freedom of movement of the people abroad has been considerably curtailed. Obtaining passports and exchange control permits has become so difficult, involving good deal of delay, that enterprising business people are impeded from expanding their activities outside Ceylon. Even for purposes of study-tour or any other important object exchange permits are issued just for a sum of Rs. 200/- or 250/-. Permits for Rs. 500/- are very rare. To get a permit for a few thousands, one should be a Minister's kinsman or favourite or at least be his garlander! Even students are prevented from going abroad to prosecute their studies. Particularly Tamils, whether Ceylon or of Indian origin, are subjected to many hardships or disabilities. People as a whole have been made to feel that to the Government human life is just a trifling thing and that their lives and liberties must be made subservient to the convenience of administrators! It is indeed a monstrous thing when a government is reduced to the position of a mere tax-collector!

Dr. N. M. Perera, M. P. speaking in the House of Representatives on September 29th 1961, warned the people that there was a serious threat to democracy in this country. He said that the emergency law in operation was similar to an ordinary law in operation and that the necessity for emergency powers had not arisen. He also emphasised, amidst applause, that it was highly improper for the Government to thwart democratic rights, viz. union strikes etc., under the cover of emergency.

Mr. Felix D. Bandaranaike, in reply, said that the emergency powers must continue as there was no change in mind of those who provoked it ! If that be the case, one would as well tell Mr. Dias Bandaranaike that the Government would have to continue the emergency till all the Tamils have perished ! From the time the emergency was discussed in Parliament, the Government was at great pains to show that the conditions in the Northern and Eastern Provinces were by no means peaceful or normal. Within a week of the debate, a Sinhala Sri bus was sent to Jaffna. When it was at Anaikoddai about five miles from Jaffna town, there was heard an explosion in the bus, a hand-bomb having been thrown into it. Two Ceylon Transport Board employees, both Tamils, hearing the explosion ran in the direction of the bus to find out how the explosion was caused. But before they could reach the bus both received gun shots and were disabled from proceeding. The bullets found in their bodies revealed that they were rifle bullets ! It is important to note that at this time no Tamils possessed any guns, least of all rifles, all guns having been surrendered to the police authorities under emergency regulations.

Again within a fortnight of this incident, there was a shooting incident at Valvettiturai on 10th November at 6 p m. A soldier fired at a man called Sabaratnam as he was starting to go to the sea with his brother for fishing. The shot had gone through his head piercing the right eye and resulting in his death. It was understood there was no provocation whatsoever for the soldier to shoot at the deceased man. Replying to a question raised in the Senate on 15th November, the Prime Minister said that some men attempted to smuggle out goods and that the firing by soldiers was a sequel to it. If there were any truth in what the Prime Minister had said, why were not the smuggled goods produced before the Magistrate or the police ?

By imposing the Emergency and curfew the Government had expected to suppress the basic rights of the Tamil-speaking people and their freedom movement too. But it has only served to unleash fresh tendencies in them, probably, violent in character. The parting of the ways is becoming more and more real.

The numerous taxes and laws that were imposed and enacted by the present Government had begun to affect the ordinary life and liberties of the people. It was widely believed that Ceylon was heading for a major crisis. In January, 1962, Government sources claimed that an attempted coup was discovered by the Government and that certain persons were taken into custody for questioning. The number of persons taken into custody revealed that more Sinhalese people were dissatisfied with the Government on account of its alleged mismanagement of the affairs of the country than non-Sinhalese themselves. A most despicable aspect was that the preliminary investigations into the alleged attempted coup were conducted by a member or members of the Cabinet with police assistance without giving any chance to the suspects to have access to lawyers or anybody else to safeguard their interests. In the absence of such safeguard, anything could have happened at the investigations! In the face of the Press-censorship both the public and the suspects were deprived of the opportunity of voicing their opinions or protests on the statements prepared by the Government on the alleged attempted coup.

For the punishment of the suspects the Government has passed the Criminal Law (Special Provisions) Act and some features of this law are as follows :-

No visits and no Writ of Habeas Corpus

Clause 2 prevents visits to the suspects under detention by their relations, lawyers, etc. By sub-clause 8 of this clause it is not necessary for the person effecting the

arrest of a suspect for any offence against the State to produce the suspect before a Magistrate within a period of 24 hours and file a report stating the reasons for his arrest. It provides, on the other hand, that a person arrested on suspicion of committing an offence against the State can be detained in custody up to a period of 60 days without being produced before a Magistrate. The law denies the writ of habeas corpus to the suspects.

Even a Preparation

By clause 6 of the Act even mere preparation or attempt to overthrow the Government is an offence punishable with death. The International Commission of Jurists that had issued a statement on the provisions of this Act, observed as follows on this particular aspect :-

“Furthermore, the re-defined offence of sedition includes preparation of the offence. The effect of this is that a person who had made some preparatory acts towards joining the coup and then changed his mind about participation is, if convicted, liable to the death sentence”

Interference

Clauses 8 and 9 empower the Minister of Justice to nominate the three Judges who should sit on the Bench to try the suspects at Bar without jury. The Minister's nomination or direction cannot be questioned in any Court of law. As the International Commission of Jurists has pointed out, a Bench sympathetic to the Executive can be ensured in the trials and this would mean interference by the Executive in the function of the judiciary whose independence must be beyond tampering of any kind.

Confessions

Clause 12 enables a statement whether it amounts to a confession or not and whether it has been made by a

person in the custody of a Police Officer or not to be admitted in evidence as against a person making the statement if it has been made to a Police Officer not below the rank of an Assistant Superintendent. It further provides that a statement so made by one person may be proved as against any other person jointly charged with such person and the burden of proving that any such statement is irrelevant shall lie on the person so asserting it.

In Absentia

Clause 14 enables a trial of a person for an offence against the State to be commenced or continued in his absence if the Court is satisfied that he is evading arrest or absending or feigning illness.

Hearsay

The International Commission of Jurists has also pointed out that "the legislation provides that for offences against the State evidence such as hearsay which is inadmissible under the general law, may nevertheless be taken into account against the accused persons".

No Appeal

Clause 15 provides that a person convicted on a trial held under section 440 A of the Criminal Procedure Code shall have no right of appeal to the Court of Criminal Appeal.

This is a most iniquitous and ill-conceived provision of the law as it takes away the natural and fundamental right of the convicted persons appealing to a higher Court against the errors and misdirections of a Court of the first instance. This denial is more befitting a ruthless dictatorship than a benign democracy.

Retroactive

Clause 19 makes the law retroactive in effect as it provides "The provisions of this Act other than the provisions of section 17, shall be deemed for all purposes, to have come into operation on January, 1962."

A noticeable feature of this law is that it does not provide for mitigatory circumstances and therefore devoid of any measure of humanism within legal bounds as is characteristic of all civilised laws. The provisions of this law, if one is permitted to express once humble view, are below the accepted standards of justice. Summing up its criticism of the coup law, the international Commission of Jurists observed :-

"Many of the provisions of this law which is called the Criminal Law (Special Provisions) Act, are entirely contrary to the generally accepted principles of the rule of law."

The Commission's criticism is both constructive and well-intentioned. But the reply of Ceylon's Minister of Justice is by no means couched in the language of gratitude or conciliation. On the contrary, it is a tart reply. Instead of meeting the Commission's criticism point by point, the Minister has indulged, more or less in a tirade against the Secretary-General of the Commission, Sir Leslie Munro. Like a dictator rebuking his adviser whose counsel does not fall in line with his thought and action.

Those in Ceylon interested in the proper administration of justice are questioning themselves whether the present Government's Ministry of Justice is really a Ministry of Justice! The good of humanity, however, cannot but entertain the hope that Justice will triumph in the end.

CHAPTER XXIII

Conclusion

It is a deadly thing if in a country a government turns communal and conducts a war against a section of its own people that wants and asserts its basic, inalienable and fundamental rights! The government must extend its wings of protection to all its nationals of whatever description. Protection does not mean the protection of mere human bodies by suppression of their sacred rights.

Majority rule does not mean that the government should be run for the benefit of the majority community only. Majority rule means administering the affairs of the country in pursuance of decisions taken as a matter of expediency in such matters by a majority of individual members for the benefit of all the people in the country and not merely for a particular group or community however big or powerful it may be. If the majority decision is a decision of a racial majority, then the majority rule becomes an instrument of persecution of the minority nationals whose confidence in the government, thereby, becomes shaken. Racial majority rule brings with it separatist tendencies which, when they gather momentum by the passage of time, become almost incurable.

Experience in democratic living has shown that everything is not well with democracy. Adult franchise, no doubt, is a healthy aspect of democracy. By this, people are able to elect their representatives to represent their interests and needs to the Government. Before the age of democracy, the principle of electoral representation was unknown. Kings and Ministers, then, had to send their messengers to scour

through the lengths and breadths of their countries to know how the people lived and what their needs were. But such messengers were not necessarily ministers of State. But today under democracy elected representatives of the people, apart from representing the interests and needs of their respective constituencies, are rulers themselves viz. Ministers of State. Out of the evils or spoils of democracy and out of experiences in democratic living one obvious fact flows: the failure of democracy is largely due to the elected representatives becoming rulers as well. The main argument here is that the convention of elected representatives becoming rulers of the country should not be accepted by the people as something axiomatic and immutable, but that the people should seek a change in the method of administration. While men of wisdom are chosen as rulers and entrusted with the management and care of the people and their affairs, the elected representatives must be required to adhere to their responsibility of representing to the rulers as best as they can the interests and needs of the people.

For the following reasons elected representatives should not be accepted as rulers:-

(1) Those who seek elections are mostly speculative adventurers and wealthy men with a keen desire for political power. They are found to be unworthy of the offices of high responsibility. They lack a sense of human values and the general good of the governed. Of course, there are exceptions.

(2) Election rivalry and heat engender split and enmity between the people. There is a lot of talk of "political enemies". The elected members go to Parliament seeking vengeance against their political enemies. This is true also of political parties. When they become rulers, they are happy that they are able to inflict hardships on their enemies, not merely individuals but many constituencies become subjected to utter neglect!

(3) Stable government is difficult to achieve in the absence of the ability to continue to hold office for a number of years even more than five or six years. Under the present kind of democracy, elected Ministers in five years or even earlier. Of course a change is always welcome when a Cabinet becomes a junta of perverted sycophants and opportunists without high ideals of government. In other words, men of vision and sacrifice must be given the opportunity to continue office to execute long range schemes of development.

(4) Men of wisdom will never stoop to stand an election contest which is rife with corrupt practices, expense and rivalry. The fool-multitude and rabble cannot make up their mind to vote for merit or for just principles. Their immediate consideration may be a paltry sum of a few rupees, a bottle of toddy or arrack, a few visits or favours. The sages of old, Thiruvalluvar, Socrates Plato, Kampan, Confucius and others had emphasised that rulers must be drawn from the class of wisdom. They are men, they said, who would dare condemn the injustices of their Kings, Emperors, or heads of governments however wrathful the latter might be. They care not for their own safety, protection or fame, but for the good of mankind. They are impartial and would hasten to give due place to merit. Their wants are limited and their life simple. In their eyes all are equal. They would ascertain what the real needs and interests of the people are from those who can represent them and administer justice to all irrespective of differences. People as a whole should decide whether they would have these men at the helm of their affairs or the elected representatives. If they choose the former, they should go even on their bended knees to these men of wisdom to accept responsibility to make life worth living.

The claim of democracy is and ought to be to enable the mass of people to elect their representatives who can represent their interests and needs as best as they can to

the government and at the time to devise ways of persuading men of wisdom to accept the responsibility of administration. We should not scoff either the old or the new. Let the whole country beg their wise men to rule the people, as the sages of old have exhorted us and let each constituency elect its own representative to tell its needs to their benign rulers, as peoples' democracy would have it. How are we to find the wise men? What is the mode of selecting them? Will they accept care of the people? These are questions difficult to answer. The wise men should respond to the call of the people to govern and guide them. This is a sacred task. With regard to the other questions, the people will find the answers; but the principle that the wise must rule should, however be accepted. In these matters constitutional advisers, statesmen and men of learning can lend their assistance.

Politics is not the ultimate goal of human life but just an aid to it, to make it worth living and supportable and preserve the best traditions of culture, religion and language that make the thrill and pulsation of life that every government should promote. Language is not merely question but an educational and cultural question that must be kept above petty considerations and an instrument of prime necessity to every race or community to express its thought and experience. And that nation is great which can lead all sections of its people to contentment and happiness that can ensure their protection, that can foster charity and culture, respect human virtues and values and promote neighbourliness between individuals and the nations of the world.



A soldier, in a mood of frenzy, bayoneted and killed this calf which stood in his way. The mother cow grieves over the loss and licks the blood that issues from the calf's wound.



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