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Nationalist Movements in Asia

THE nationalist movements of Asia have always been torn between their commitment to democracy as method and their commitment to national strength and prestige as goals. These are not necessarily incompatible, but under certain circumstances problems of priority may arise. Many of the nationalist leaders were themselves very strongly under the influence of Western democratic ideas. To some extent, their resentment of colonial rule was based on the contradiction they felt between the democratic ideals of their Westernized schooling and the realities of colonial practice. Their image of a free and independent state was often cast on the model of a Westernized democracy.

The attainment of independence itself was a great step forward in the fight for freedom. But the nationalist movements have accomplished much more than that. Insofar as they have fought for the rights of the people, stirred them into action, brought them a new sense of self-respect, they have done important work for freedom.

The actual movement for independence itself was for many a democratic experience. It brought together people from all classes in a fellowship of common endeavor, thus helping to break down traditional class divisions. It emphasized the welfare of the people as a central value. The experience of working in the movement brought self-confidence to many people, who made the important discovery, basic for democracy, that they have it in their own power to solve their problems.

In most cases, the nationalist movements, once in power, established a legal structure which provided—through constitutionalism, elections, parliaments, independent courts, the cabinet system, and a concept of public responsibility for the people's welfare—conditions favorable for the development of democracy.

WHAT WON NATIONALISM SUPPORT

But this has been only one strand in Asian nationalism. We must not forget that, in its struggle phase, it has been concerned primarily not so much with democracy and individual rights as with overthrowing colonial rule, developing national strength, and winning the recognition of the world. It is this which has won it supporters. What people want is a free, strong country that commands prestige. That is why so many Asians admire Communist China. Nobody cares whether it is democratic or not. What attracts their admiration is its apparent strength and prestige in the world.

The problem is therefore to what extent the nationalist movements are committed to democracy. The answer is: Only in part. They are more committed to the values of national strength than to individual freedom. And it is here that the danger lies. In order to achieve its objectives, nationalism may be quite willing to sacrifice any other values; including freedom and democracy. The conflict in Indo-China has demonstrated clearly that people will support those leaders who seem most capable of achieving immediate goals, even if they oppose demo-

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MUSINGS

By
T. W. Hockly

THE RED CROSS

↑ O what lengths is Buddhist Fanatism to go? Now an objection is raised against the Red Cross on Hospital Sweep Tickets. But the Red Cross has really nothing to do with religion. It is a symbol of the Geneva Convention and is recognised and respected by all civilised countries including the U.S.S.R.

In the event of war if a Buddhist Symbol is placed over our hospitals is any enemy country going to recognise or respect it? I trow not. Those opposing the use of the Red Cross had better think twice before they make any change in this respect lest worst befall.

(The Minister for Health's order to remove the Symbol has already been carried out.-Ed.)

"CEYLON GOVERNMENT RAILWAY TRAVEL IN COMFORT"

↑ HUS the Advertisement in the Press. But what about Comfort if the proposed one class for all materialises?

BLUE TELEPHONES

↑ HERE seems to be quit a vogue for Blue telephones. Cabinet Ministers and V.I.P.'s appear to be falling over one another in their desire to have Blue Telephones installed for them. Personally I consider the usual black telephone is much more business-like. But after all most of us are children at heart and love colour. But imagine a blue coffin!! One would not be there to see it of course.

NON-ESSENTIALS

↑ UR Cabinet Ministers appear to be more occupied in dealing with non-essential questions such as a Ban on Boxing, removal of

the Red Cross from Hospital Sweep Tickets &c. rather than devoting their time and attention to matters of far greater importance for the country and the people. Important questions should always be given priority over questions of lesser importance. That is surely axiomatic. Bans which the present Government appear so fond of imposing are often vexatious and childish and interfere with the liberty of the subject. They are conceived by people of petty minds and small outlook but with a view of displaying their power.

(Continued on page 17)

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THOUGHT FOR THE WEEK

Asian freedom was long a favored cause of liberals all over the world. What they did not anticipate was the illiberal tendencies which so vast an upheaval was apt to release—tendencies similar to those which have spelled the doom of democratic freedom in many parts of Europe and Latin America. China is already being refashioned in a totalitarian mold, while throughout most of the Middle East the iron rod is the only method of rule people know. Moscow and Peking are proving themselves adept at twisting liberal terminology to serve illiberal ends, and signs of semantic bedevilment are visible in free Asia far beyond the ranks of the Party faithful.

Religion and State

IN his speech delivered in Tay Ninn during the ceremony to commemorate the rallying of the Cao Dai Sect to the National Government, President Ngo dinh Diem significantly declared:

“Religion and State are two different fields of activities. But, because of the complexity of the human person, the help of the civilian and political power to the spiritual powers is indispensable, inserted as it is in a temporal context. “No religion can prosper without the security and liberty which only the State can provide. No religion can develop or preserve its universal values so dear to our hearts, if in itself it is incapable of producing Saints. Our ancient thinkers used to say: A religion without Saints cannot extend; a Saint without religion is without influence.”

This statement from President Ngo dinh Diem is timely and it is of much importance and interest to us in Ceylon at this particular time. Many people have been wondering about our Prime Minister's attitude on this key issue while others, enemies of the regime, have been spreading rumors that Ceylon is fast making for a theo-

cratic state. Hence it was necessary at this time to make a clear separation between Religion and State, for “religion” has been the pretext to cover many an abuse which should no longer exist in the Independent state of Ceylon. While freedom of worship must be guaranteed in this land, the confusion of political and semi-religious authorities must be ended.

Foreign observers are surprised to find a prolific development of “religious” movements in Ceylon like in Viet Nam during the last few years. This fact in a sense reflects favorably the individuality of the Sinhalese Buddhists like Vietnamese people who prefer diversity to regimentation, even in spiritual beliefs. But it may be partially explained also as the result of an intended confusion of the temporal and spiritual interests to exploit the religious aspirations of a spiritually inclined people and to create feudal groups cemented but not very clearly defined beliefs. Now that these feudal groups are fading out, it is time to hope that the religious movements now so pronounced in this country will, through the refinement process which they are under-going by dissociating from temporal interests, find their way towards permanent spiritual values which may be the basis for the ideological and spiritual regeneration of the Buddhists. For religion must advance on its own merits and needs no propping up by any extraneous aid or agencies.

Junior Minister Dictates to the Prime Minister

FOR sheer arrogance, or is it downright impertinence? the Gal Oya Araksha Mandalaya is hard to beat. This is a self-constituted and self-styled body that came into being in the aftermath of those disgraceful happenings of June 5th last and brought about by the Sinhala Only Bill.

The Mandalaya consists of Mr. L. H. Methananda, the fire-eating anti-UNP politician whose pronounced hostility towards the Tamils is public knowledge. It was Mr. Methananda who at a public meeting at the Town Hall, a few days prior to June 5th incident at Galle Face, announced the policy of “Boycott for Boycott” etc and threatened the Tamils. But the same Mr. Methananda preached and practised, within two days, of immediately after the Galle Face hooliganism, tolerance and brotherhood!

Another member is the M.P. for Welimada (Mr.K.M.R. Rajaratne), Junior Minister for Post, Broadcasting and Information, who appears to be a bit too big for his shoes, and whose actions in connection with the Galle Face incidents were severely criticised in the floor of the House of Representatives. Another member is Mr. F. R. Jayasuriya, a Lecturer in the University, the Glucose and Orange Juice Sathyagarist, whose statements regarding the Sinhala Only Bill were vehemently and mercilessly criticised by the Prime Minister. Of the three other members Messrs E. B. S. Siriwardene, Prema Silva and Sadriss Silva, their credentials we have yet to find out.

These estimable gentlemen have come to the conclusion that the Gal Oya Riot situation was mishandled by the Chairman of the Gal Oya Board (Mr.K.Kanakasunderam) and that the action of Mr. Sidney de Zoysa (D I G Police), was more tyrannical than the Police terror that existed in pre-Revolutionary France. They had, therefore decided that the D I G Gal Oya Valley and the Chairman of the Gal Oya Board should be sacked. They even telegraphed to the Prime Minister to implement their finding! Extraordinary isn't it?

Now this state of affairs seems to be going far, much too far. It makes one to think furiously. Is the Prime Minister anybody's tool, or is he the Head of the Government? Does not this request "conveyed by telegram" amount to an insult to the Prime Minister and also to the electorates in general? Should not some action be taken against this Junior Minister (Mr. K. M. P. Rajaratne) for trying, even though he be a member of the M.E.P., to dictate to the P.M? To suggest that the Prime Minister should act without ascertaining the actual state of affairs and the actual facts by appointing a Committee or a Commission of Inquiry, is, to say the least, a downright insult and affront to the Prime Minister.

Some of the Junior Ministers and M.P.s of the M.E.P. government, no doubt intoxicated with their newly obtained power, which they are incapable of wielding to the advantage of the country, are behaving in a manner that brings ridicule not only on the government but also seriously challenges the ability and the capacity of the present batch of elected representatives to govern the country. It is to be hoped that the P.M. will soon put into operation the Muzzling Ordinance. The sooner that is done the better for Mr. Bandaranaike and his government.

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Life Belts for Our Fisher Lads

↑ HERE is a proposal for fishermen to be supplied with Life Belts. I consider this an eminently sensible proposal and may save many lives.

The Life Belts must not be heavy or cumbersome or interfere in the work of the fishermen. They should be made light and easily adjustable and fishermen will take to them right enough. I think unless the Central Government agree to do so that every M.C. or U.C. in maritime countries should pay the cost of these Life Belts and thereby save many lives.

I remember some few years ago a young Negombo fisher lad's life was saved who fell over-board during a storm. He was miraculously saved by clinging on to the trunk of a tree which luckily was floating nearby. He was carried away beyond Chilaw but eventually the log floated inshore and he was able to reach the shore and was restored to his sorrowing parents who at the time were preparing to hear a Mass in church for the repose of his soul when to their great joy he appeared before them. I later saw the actual trunk of the tree which was brought and deposited near the little church. This incident formed the subject of a short story which I wrote and was published in the local Press under the title of "Resurrection." If the Minister of Industries is looking for the services

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of a really good fishing expert to organise the Fishing Industry here, I would suggest he contact the Japanese Government or the Japanese Embassy for a really good and experienced expert in Fishery. The Fishing in Japan is 'facile princeps' the foremost and largest Industry of its kind in the world. It is quite useless to obtain a Fishing Expert from Denmark or other Scandinavian country so beloved by Prince Ponna when he was a Minister. Besides which we should be employing the services of an Asian rather than a European which would be in keeping with the present trend. We really must abandon this fetish of looking always to Europe for experts in everything.

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Trial by Jury in Ceylon

The Strange Case of the Late Kotelawalage
Baronchi Appu alleged to have been tried
a second time after an acquittal by an
ENGLISH JURY

at
Kalutara Criminal Sessions
1864

WITHOUT exaggeration, it may be truthfully said that "Justice as known and practiced in England is the admiration of the world; and that with all its defects, English Justice is, perhaps, the high-water mark of Modern Civilization, as it can be relied on with absolute confidence for its impartiality and unbending sense of justice".—So wrote Sir Patrick Hastings, one of England's greatest lawyers in his Autobiography: and I do not think anyone who understands the British Legal System, and has experienced its justice and fairplay can ever deny that claim.

"Trial by Jury" had been introduced to Ceylon in the very early days of British Rule, and has been quite rightly numbered as one of the many blessings bequeathed to us by our former Rulers.

It may reasonably be assured that there can be few in this country today who are unfamiliar with the system of a "Trial by Jury" as practiced in our Courts; but at the same time it may be a surprise to many that in spite of the clear-cut rules of British Justice that there have been glaring instances of misdirection of Juries: and when such misdirection is done by Judges (the least expected persons to make errors on the Law in a trial, the subject becomes one of great public interest.

Two instances of such Judicial Misdirection on the "Law" will be mentioned in this article. The first of these relates to a case of one "Kotalawalage Baronchy Appu" who it is said had been tried for burglary before a "Mr. Justice Thompson, and an English Jury" at Criminal Sessions at Kalutara far back in 1864, when this unfortunate man was said to have been tried a second time, under the same indictment, after an acquittal by the Jury who were intimidated by the presiding judge to reversing their original verdict of "Not Guilty". The case affords us an in-

sight into the manner in which English Judges, in those days gone by, appear to have treated their Juries, and enables us to appreciate the extent to which the system of "Trial by Jury" has gradually improved and developed from that time to the present day, when Judges of our Supreme Court not only treat the gentlemen of the Jury with utmost courtesy and consideration, but spare no pains in seeing that the Jury are quite clear about the various functions the Law expects from them and the other "actors" in a Court Trial.

The second instance that will be mentioned relates to a personal experience which occurred many years ago when I had the honour of serving on a Ceylon Jury as its Foreman. For obvious reasons, I am obliged to restrict my narration of this incident to the mere facts leaving out dates, place, and the parties concerned &c. This case, although it deals with another instance of the "Judicial Misdirection" of a Jury, helps to illustrate the fact that the average mentality of the "Sinhalese Juryman" of modern times, has not changed very much from that of his counterpart of 1864. The case, I may say, also shows the great change in attitude that

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appears to now exist between the "Bench and the Jury" but at the same time helps to draw attention to the difficulties one still encounters in deliberations of "Sinhalese Juries" owing to their inherent lack of "Independence", a quality which has not been completely overcome.

The 'Actors' in a Criminal Drama, besides the Prisoner or Prisoners, and the witnesses for the Prosecution and the Defence, are the Prosecuting and Defence Counsel, the Presiding Judge, and the Jury who have certain clearly defined duties to perform, which if properly understood will eliminate mistakes and improve the administration of Justice in any country.

Let us for a moment consider what the specific duties are that the Law expects from these various personages:—

THE PROSECUTING COUNSEL

In every Criminal Case in the Supreme

Court of Ceylon, or High Court of Justice in England, the 'Burden' rests on the Crown to prove the charge or charges it prefers against the accused, beyond Reasonable Doubt. The duty or onus of proving the charges always rests with the prosecution.

THE COUNSEL FOR THE DEFENCE

It is sufficient for the Counsel for the Defence, in defending the prisoner or prisoners,

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to show "a Reasonable Doubt". The Prisoner is entitled to the benefit of any "Reasonable Doubt." If in his defence, the Prisoner, through the Counsel Defending him can raise "reasonable doubts" in the minds of the Jury, the law expects the Jury to extend the benefit of such doubts in favour of the accused.

THE JUDGE

In a Criminal Case it is the Judge's duty to Rule on the admissibility of evidence. In the concluding stages of a Case, the Judge has two or perhaps, three important duties which the Law expects from him:—

- (a) He is expected to sum up the evidence for the Prosecution as well as the defence and to see that the Jury is in full possession of all the relevant evidence to enable them to form a just opinion when they retire to the Jury-room to consider their verdict.
- (b) He has also to "Lay Down The Law" by which the Jury is bound. It is the Judge's Duty, and his alone, to direct the Jury on the Law, and the Jury is bound by such direction which is final and not capable of being questioned (except of course by a Court of Criminal Appeal.)



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- (c) The Law also entitles a Judge, in his discretion, to express his own views and opinion on questions of Fact, but the ultimate "Judges of Fact are the Jury and the Jury The Alone." Jury is quite free to accept or reject the views and opinions of Judges on questions of Fact. This is one of the matters that appear to puzzle Sinhalese Juries a great deal, and will be explained later.

THE JURY

The Jury alone are the "Judges of Fact" and the responsibility for the verdict is the Jury's alone. It is their duty to listen patiently and carefully to the evidence given at the Trial, and the various addresses of Counsel and the Summing up by the Judge. It is their duty to pay special attention to the Judge's Direction on the Law, and also to consider carefully any "reasonable doubt" that may have been raised in the course of the trial which should be extended in favour of the accused, and then to arrive at a just verdict. Any person susceptible to Religious prejudice and called "Public Opinion" as expressed by local Newspapers should keep away from participating in a Jury. The case has to be judged on the evidence given at the Trial and not on hearsay or on one's private opinions.

THE CASE OF THE LATE KOTALA-WALAGE BARONCHI APPU

The case of the late Kotalawalage Baronchi Appu is quoted from the account of it published by the late Hon. James D'Alwis, M.L.C. in his "Memoirs and Desultory writings"; 1878:—

"As we were thus going on quietly and smoothly for a time (i.e. in 1864) the public papers began to assail the conduct of a judge on circuit. The more we inquired about it the more we learnt that all was not right. I was very jealous of the conduct of our Supreme Court Judges, who, I regret deeply to say, often encroach upon the privileges of a jury. I have too often remarked with still greater regret the tendency of these Judges, since the date of Sir William Norris, to ignore the functions of the jury, and to take upon themselves the determination of a case on facts. This had often been the topic of conversation amongst members of the Bar: and none of us had even dared to question the right of the Judges to do what they had been doing with impunity, although Sir Carpenter Rowe had at Caltura, during the last circuit he ever made, took exception in his own gentlemanly and polite way to some expression of opinion

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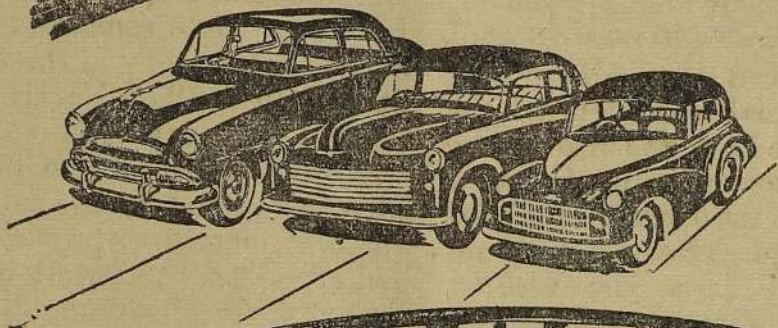
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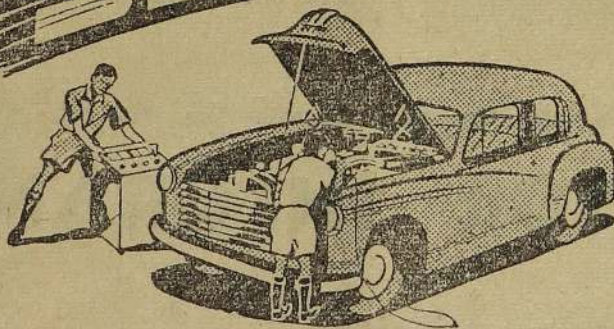
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which in the heat of argument fell from me as Counsel for the defence, when I reminded him of what then recently had been said of Sergeant Shiel and of Phillipps before: but I myself had never the moral courage to stand up and object to the expressions of opinion as to the credibility of the evidence which were generally expressed by Judges to Juries.

Yet, nevertheless, when I read account after account, and article after article containing animadversions against Mr. Byerley Thompson, J.P.J. as regards his erratic conduct on the Caltura Bench as above stated, I resolved at once upon commenting on it in the Council, and gave a notice of motion for the 26th October, 1864, when an unexpected debate took place which is reported as follows in the Observer of the following day:-

"Mr. Alwis then rose to ask the Hon ble the Queen's Advocate whether he had received any official or other information of a prisoner having been tried a second time, after an acquittal by the jury: for the same offence at the last Caltura Criminal Sessions: and whether he or the Government have taken any steps in reference hereto."

"Mr. Alwis:—Sir,—In rising to put the question, of which I gave notice last Wednesday, I beg to say a few words in explanation."

"There is, Sir, I believe, not a member of this Council not a single European in this or any other country, not a single intelligent native in this island, who does not regard TRIAL BY JURY as one of the noblest privileges conferred on this country. This ordeal which is greatly 'appreciated by the natives,' is not founded upon any institution of this kind anciently known in the East: nor is it, I believe, a creature of a system anciently known in Europe. Nor is it exactly the same system which Old England ob-

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tained with the Magna Charta. It is the system, with but one modification as to the number of jurors, the system, in all its integrity, which was in operation in the mother country at the time of its introduction by the Charter of 1810. According to that system, to use the clear language of an eminent writer and a still more esteemed judge, who justly occupies the highest judicial seat in this island:- "the juries give their verdict not according to their knowledge of the transaction, but according to the evidence which they lay before them." According to that system, to quote again from Sir Edward Creasy's invaluable work on the English Constitution, (pp. 209-10) the Judges "are not allowed to determine for themselves the fact whether an accused person be innocent or guilty, but are required to be guided on this point by the opinion of a body of private individuals (usually twelve in number), fairly taken from among those who, in the eyes of the Law, are equals with the accused person, summoned to give, upon oath (JURATI) a true saying (VEREDICTUM) to the Court, as to whether the party accused be guilty or not guilty." According, moreover, to the system known here, the Judge has no more right to express an opinion as to the facts, than the Jury has to expound the Law.

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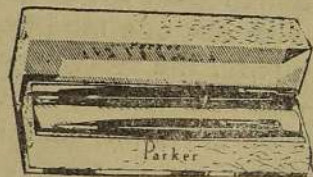
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"Although, Sir, such is the undoubted law on the subject, it was now and then the misfortune of the people of this country to observe a Judge express opinions as to the credibility of evidence. This I need scarcely tell Honourable Members, is an error which cannot but lead to grievous wrong: and being a violation of a high constitutional right, it affects not only individuals, but the whole community. If this was a state of things of which the people had to complain, they have a still greater cause to do so within the last few weeks, and indeed to be alarmed at what, I may be per-

mitted to call, "The Usurpation of their Chartered Rights"—I allude to the case to which my question relates "

"I hold in my hand a full report of that case, but I shall content myself with a brief outline "

"The accused in this case was Kotelawalage Baronchy Appu. He was tried for burglary, before Mr. Justice Thompson, and an English Jury. After the Deputy Queen's Advocate had proved his case the Judge charged the Jury, remarking that the case was a clear one, and that the Jury should have no difficulty whatever in bringing in a verdict of Not Guilty "

"It is stated that the Judge thereupon called it a perverse finding, and declared that unless the Jurors gave the reason he would be obliged to fine them. Now, I shall not attempt to describe to you the feelings with which a native jury would ordinarily receive such language coming from a Judge: for you can and I have no doubt will, form your own opinion as to the effect this speech had on the Jury. But I will state a fact which may not be denied that when the Jury were questioned after this, they were dumbfounded, or like Gurapana of 1848, when he was reminded of the punishment to which he was liable under the old Gun Ordinance, they 'Could Make no Reply.' The report goes on to state, that after the verdict of not guilty, the Judge called an additional witness, made a second charge and obtained a fresh verdict—a verdict of guilty."

"Now Sir, this poor man undefended, and without the benefit of Counsel was tried a second time upon the same indictment, and was condemned after an Acquittal. It is not for a humble individual like myself to express an opinion—that has already been expressed by the Press, the Public, and the Profession."

Having been called to order by two unofficial members who protested against any attack being made on a Judge of the Supreme Court: the Colonial Secretary followed

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ruling us "Out of Order." I then continued as follows:—

"Sir, I bow to your decision: and although I cannot help lamenting that the objection came from the Hon'ble Gentlemen—to say the least, I have a right to explain the reason I had for putting the question which appears on the order of the day. Sir, I was going to say when I was interrupted, that it was quite possible that the report to which I called your attention was not founded on fact or was erroneous in some of its parts. It was therefore, that I have taken the earliest opportunity to ask the Hon'ble and the learned Queen's Advocate, as the highest legal officer of the Crown, the question of which I gave notice, so that the public might have a correct version of this proceeding: and I beg most sincerely and candidly to assure this Council and the Hon'ble Gentlemen who rose to order, that none will feel more rejoiced than myself, and my professional brethren, who had the highest respect for the learned Judge who went on the Southern Circuit, to hear from the Government, that the facts detailed in the public Newspapers in connection with the unfortunate case, were incorrect. But, Sir, if unfortunately, those

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facts be proved by official communication, if any, in the possession of the Government, I submit, it will be the duty of this council to prevent this unfortunate case being allowed to pass into law and to vindicate its rights by declaring the principles which should govern the Jury System,—I mean by Legislation."

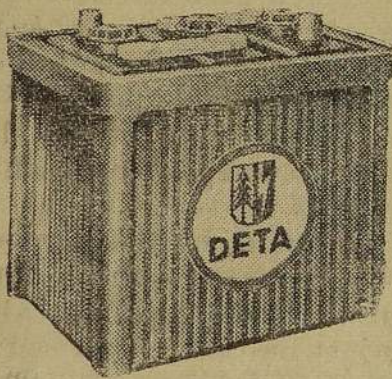
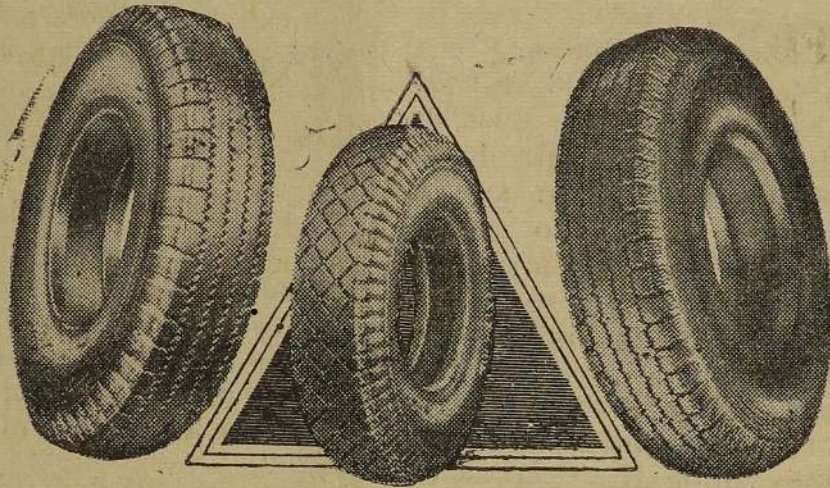
Here I was again called to order, where upon I begged permission to state, that as I had already explained, perhaps imperfectly, I proposed the question not only in the interest of the administration of Justice, but also in the interest of the learned Judge whose proceedings were assailed in the public Prints. If the report of the case was incorrect, I would, by the course he adopted, give the Government an opportunity to set the public mind at rest, and also to remove any unjust impression formed of the proceedings attributed to a judge of the highest tribunal of this country. I see no reason whatever why the Hon'ble and the learned Queen's Advocate should not be permitted to render that explanation which the Public desired, and which he thought proper to do: and if the Council agree to the position of the Hon'ble member (Mr. Thompson), I can only express my deep regret at the consequences of a thoughtless proceeding on the part of two of its unofficial members."

"The Queen's Advocate then explained that the man had not been tried a second time for the same offence, but that the Governor and his advisers, in view of the representations made to them by the prisoner—had thought that as possibly it might be sup,

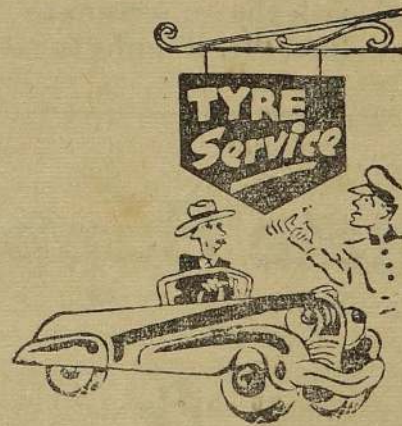
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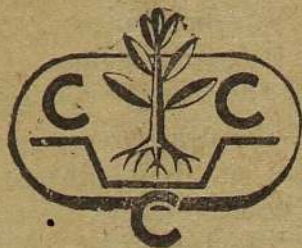
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posed that the verdict of the Jury had been given Under Intimidation, it would be well to remit the sentence. Accordingly the Governor, in the exercise of his prerogative, had granted the prisoner a free pardon and had ordered him to be discharged."

"I shall not say one word with reference, to the conduct of my brother Councillors, who, without any appreciable cause, had attempted to take away even the little privilege we enjoyed, at this time, evidently with the concurrence of the official element."

Now to mention a Case in which I participated as the Foreman of a Jury, many years ago. This case is interesting as it is somewhat similar to the one described above in some of its features, and shows that even in modern times judges are liable to make mistakes in the Law; but the attitude of the Judge when the mistakes were brought to his notice was far different from that of the late lamented Mr. Justice Thompson of 1864 and shows how much more careful and courteous the modern judge is in his treatment of juries. This case will also show that whereas the attitude of judges have greatly changed with the years, the same cannot be said of the "Sinhalese Jury". My experience

has shown me that the Sinhalese Jury of today is not very much different from the Jury of 1864. The general mentality of the Sinhalese jurymen does not appear to have developed with the years.

The case in question was tried by an English Judge of great eminence. Besides myself, who acted as the Foreman, the other members of the Jury consisted of two English Planters, and four Sinhalese gentlemen. The accused were over 10 in number, and the charges were many including Murder.

After about a week's hearing, on a Monday morning, the Judge addressed the Jury and told us that the Counsel on both sides had seen him in Chambers, and that the Senior Counsel for the Defence had intimated the fact that the accused defended by him were prepared to "plead guilty to the lesser charge," the judge went on to add that in his opinion they had been wisely advised. The judge then asked the Jury to retire and consider whether they could arrive at a verdict.

During our deliberations, the Planters asked me what I thought about the case, I said that in my opinion, probably by error, the learned judge appears to have misdirected us in expressing his personal opinion to indicate that a verdict on the lines suggested by the Defence would be correct. The Planters agreed with my view. The four Sinhalese took up the attitude "after all who are we to disagree with a judge's opinion." Later it became clear that these four Sinhalese gentlemen were actually in terror of disagreeing with the judge's opinion in fear that by doing so that they would be committing a "contempt of court" and might run the risk of punishment. No amount of arguing

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that the responsibility for the verdict rested entirely with the jury, and that the jury was not in any way bound to agree with the opinion of judges or counsel were of any avail. In short the jury could not agree. I then decided to clear the matter by seeking a definite direction from the judge regarding the "fears expressed". We therefore returned to the Jury Box, and there explained the matter to the judge in the form of a question as to whether the jury were bound to accept His Lordship's personal opinion. Of course the judge at once realised that he had not summned up the case in the ordinary way when he would have adequately directed the Jury on this matter. He went red in the face, but was exceedingly courteous, and thanked the Jury profusely for seeking his assistance. Thus assured that we were the "sole judges of fact and were entirely responsible for the verdict" we trooped back to consider the verdict. My Sinhalese friends, now released from their fears, freely discussed the evidence, and we came to the conclusion that we were not prepared to come to any decision on the case until we had heard the rest of the evidence. It was just

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as well for the case went on for several days longer, and the cream of the evidence for the prosecution came in the later stages. All the accused were convicted, and some of them were found guilty of the Capital Charge.

The attitude of the Sinhalese jurymen, even of modern times, can be understood by reference to their counterparts of the past generations. The Hon'ble James D'Alwis in his Introduction to the "Attanagalu Vansa" in 1866 has made the following observation:—

"The lower orders are addicted from their infancy to low cringing habits. They cannot act independently. They do not wish to oppose, by word or deed, those who are high in authority. Whether right or wrong, they submit to their will, and assent to their opinions. The Sinhalese, particularly the middle-class intellegent Kandian, simply considered it civility to hold his tongue, when an opinion contrary to his own was pressed on his attention by the mouth of authority, which he considered it his duty to respect. Such is the Want of Independence in the natives of this country".

S. J. F. Dias Bandaranaike

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FLIGHT OF CAPITAL CONTINUES

The total capital (withdrawals) from Ceylon last year was Rs. 103, $\frac{3}{4}$ Millions
 " " Inflow from all sources last year was Rs. 52 "
 Total loss to Ceylon for last year Rs. 51, $\frac{3}{4}$ "

RS. 104,542,974 capital was transferred out of Ceylon to Sterling area countries last year, states the administration report of the Controller of Exchange.

The inward flow of capital was Rs. 3,207,720.

Remittances of the proceeds of the sale or liquidation of capital assets of companies amounted to Rs. 14,989,441 while remittances to Ceylon for investments was only Rs. 2,556,009.

Here are the details of capital transfers into and out of Ceylon during 1955.

OUTWARD

1. Repatriation of the proceeds of investments (private individuals) —Rs. 32,062,456.
2. Repatriation of savings on retirement from Ceylon — Rs. 48,349,686
3. Remittance from Ceylon for establishing branches or agencies abroad or for direct investment—Rs. 1,066,771.
4. Remittances of the proceeds of sale - liquidation

domiciled in Ceylon Rs. 14,989,441.

5. Remittances of Life Insurance premia and contributions to Provident Funds—Rs. 8,074,620.

INWARD

1. Repatriation to Ceylon of the proceeds of investments held abroad—Rs. 303,844.
 2. Transfer of assets of Sterling area nationals taking up permanent residence in Ceylon—Rs. 123,295.
 3. Remittances of the proceeds of life insurance policies on maturity—Rs. 224,572.
- Indian nationals, who left for India for good, last year transferred assets totalling Rs. 37,145,596.
- Compulsory repatriates took with them Rs. 14,557,530 while voluntary repatriates took Rs. 22,588,066.

FROM THE WATER FRONT

Silver Jubilee of Exporting Firm Marred by a Mishap

CUSTOMS CONFISCATES SHIPMENT OF RUBBER TO NEW YORK WORTH OVER A LAKH

Shippers Fined Rs. 25,000

THE friends and patrons, both in Ceylon and abroad, of Messrs Sherman de Silva & Co. Ltd. of Panchikawatte, Colombo, will sympathise with them over the sad and unfortunate incident that the firm had just experienced. The company has been engaged in shipping Ceylon produce for the last twenty five years. The firm attained their Silver Jubilee on the 1st July almost on the very day the incident referred to, is said to have occurred and as telegrams and messages from all quarters, especially from abroad, were pouring in conveying felicitations on the the occasion and wishing the firm continued success and prosperity.

Messrs Sherman de Silva & Co., Ltd. are large shippers of Rubber, Dessicated Coconut, Cinnamon and other Ceylon produce and ap-

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pear to enjoy a wide measure of support. But the incident that occurred as they were celebrating the Silver Jubilee of the establishment, was not altogether a happy one as it appears to have cast a gloom and marred the event considerably. And this is how it happened. A consignment of rubber they sent down to the Colombo Wharf for shipment to New York was held up, examined and eventually confiscated on the orders of the Principal Collector of Customs and in addition a fine of Rs. 25,000 was imposed on the shippers for violating the Customs Ordinance. The following is what happened.

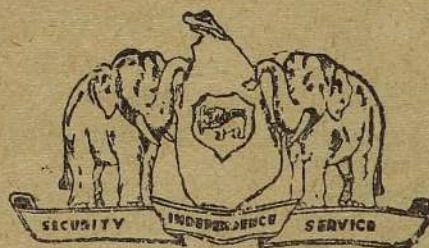
On receipt of an order to ship several hundred bales of Rubber said to be of the Scrap variety the commodity was got together, packed at their own stores and sent down to the Customs. The shipment was valued at over a lakh of rupees. On the goods reaching the Customs and on the relative papers and documents being tendered for the payment of Customs Duty, the sleuth hounds of the Customs Preventive Staff, on orders, swooped down on the consignment which was in bales and started to examine them, when it was discovered that the consignment was not properly declared.

Instead of the rubber being Scrap Crepe according to the declaration the bales, it was alleged, contained latex crepe. This was a

violation of the Customs Ordinance. The shipment was immediately suspended and the Principal Collector informed.

Here it has to be stated that Export Duty on Scrap Crepe was much lower than levied on Latex Crepe on which a higher duty is leviable. So that if the consignment passed muster and allowed to be shipped the Customs stood to lose a considerable sum as duty. Accordingly the entire shipment was ordered to be confiscated and in addition the Principal Collector imposed a fine of Rs. 25,000 on Messrs Sherman de Silva & Co., Ltd. It is understood that the Principal Collector had the further right to order the cancellation of the firm's licence to make any further shipments. Whether the Collector will go the whole hog and cancel Messrs Sherman de Silva & Co. Ltd. license is not known at the moment of writing. The firm has lodged a protest.

According to our Harbour Correspondent there has been a plethora of cases in recent times where Ceylonese Shippers had been dealt with for violating the Customs Regulations



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Family Before Government

By Joachim R. Machado, M.B.E.

OUR newly elected Prime Minister the Hon'ble Mr. S.W. R. D. Bandaranaike and Mrs. Bandaranaike, when they both stepped on Ceylon soil on their return from England the other day, greeted their children and were in turn greeted by them first, after which came the Governor General and the Prime Minister's friends and colleagues.

Such family regard and affection prevail, inter alia, above all other considerations, and it is obviously noteworthy that such exemplary acts signify that the family is the fundamental organisation, above duty or state.



*Mr. S. W. R. D. Bandaranaike
Prime Minister*

Such admirable loyalty gives living proof to the truth of the words of Thayer who said "As are families, so is society. If well ordered, well

instructed, and well governed, they are the springs from which go forth the streams of national greatness and prosperity—of civil order and public happiness."

God's first organisation was the family, and there can be no greater institution than that. We have a Prime Minister, as we observe, whose strongest ties are those which bind him and his family; a man who knows what every other family wants and feels, the honour and dignity of orderly family life, the love of the home, the sacredness of hearth, the joys and sorrows—joys that are doubled and sorrows that are halved, by being shared with members of the family, the tenderness of a mother's affection, the just commands of a father, the children's delight and abode is all governed in the family.

Knowing well the desparation that exists in several families, our Prime Minister's 'first things first' is indeed laudable and heartening.

Many are the families that are roofless, that have hardly a square meal, and where children are clothesless. I am sure our Prime Minister will impart the distinction of that family accord to those deserving, and bring back many families that have been denied the merest essentials. Then will come the day for Ceylon to rejoice, and say in all truth, "Ours is a nation that is firmly built with a society that is based on the foundations of family life'.

Ad Multos Annos to our Prime Minister.

MUSINGS

(Continued from page 1)

Take even the important question of the improvement of our roads. A perfervid Democrat may say "why should we trouble to improve our roads? To do so will only benefit the wealthy car-owner and make things easier and pleasanter for him and not for the poor, so let the roads remain as they are." This may perhaps be an exaggeration but nevertheless it is an illustration of the mentality of some whose outlook is very narrow and circumscribed.

LEUCOPHILIA

THIS is a malady very prevalent among Ceylonese among some sections—Sinhalese, Tamils and Burgher. It is liking and undue affection for all whites, and for contact and association with them. Very often far more so than for their own communities. Many Ceylonese in fact prefer association with whites often ignoring any contact with other Ceylonese unless it is for their own material benefit and advantage to do so. Very often in fact they become so accustomed to their association with white people that after a time they begin to think themselves and fondly imagine they are 100% white. This of course is as absurd as it is ridiculous. Nevertheless this peculiar mentality is prevalent in Ceylon. But there is another malady equally as bad if not more so than Leucophilia and that is Leucopholia. An unreasoning

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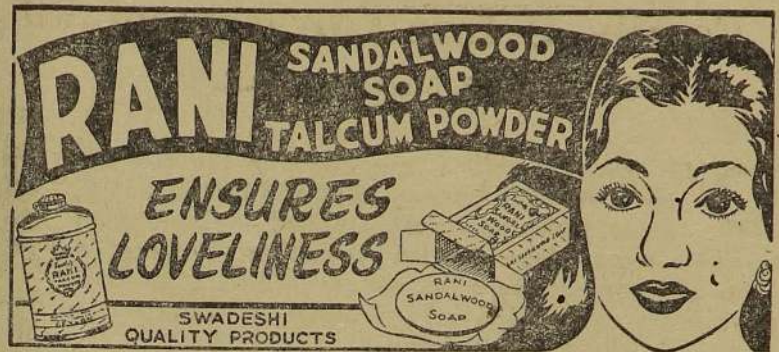
RATNAPURA

and virulent dislike and hatred of all white people. This malady often goes to absurd lengths and is far more dangerous than Leucophilia which latter though silly is more or less innocuous but it encourages social snobbery.

FRAGMENTATION

ONE of the worst evils which exists so badly in India as well as in Ceylon is the fragmentation of lands, particularly as regards small holdings. Most small holdings are very neglected by the owners for one or other reasons or both. These small holders are either too poor to afford the expense of maintaining their holdings in good heart or they are too indolent to do so.

The only remedy for this and to increase food production is for the Government to introduce by law a system of collectivism whereby all these small holdings will be grouped together and collected intensively. As regards large estates there are many fine large properties of several hundred acres in extent but one often finds that only a portion of them is

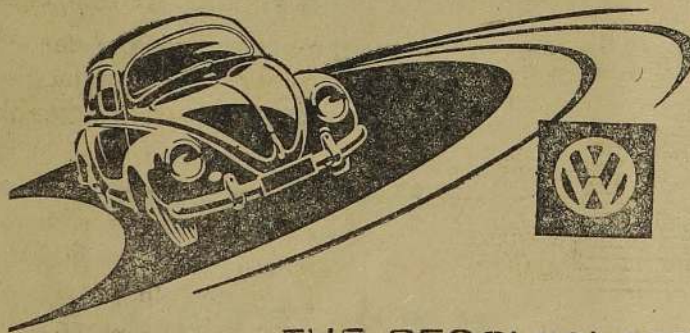


cultivated and many idle acres are left to the jungle and produce nothing. Then again many rich owners plough in a portion of their profits into the land and maintain or improve its potential production. But there are many owners who seldom or never visit their estates but take all the proceeds from their crops and live in comfort and luxury in Colombo and plough in not a single cent thus reducing production.

The Government should insist that such prodigal owners contribute some of the money they receive, into the land. With regard to the idle uncultivated acres in some estates

the Government should also insist that these idle acres should be brought into full production and owners should be warned to carry out their orders. Failure to do so within a certain time will result in expropriation without compensation and this fallow land be handed over to those who will cultivate it. A great deal of fragmentation of otherwise fine properties is due to the system of dividing up the property on the death of the owner. Thus an estate of say 500 acres is divided up among say five children each receiving 100 acres and this process if followed to its logical conclusion will eventually end in the subsequent heirs receiving but a small fraction of land which they will find it impossible to work economically. The remedy for this is the law of primogeniture whereby the eldest son of a family is left the whole undivided property the others receiving a portion of the money the Testator may leave at his death.

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The Dowry System also contributes largely to the fragmentation of estates. A promising bridegroom say in the Civil Service receives a large slice of property on his marriage. The Dowry System as regards actual land not cash, will have to be abolished sooner or later if we mean to progress under a Democracy. Dowries within India and Ceylon are only a survival of old and evil customs and an archaic system must and will have to go. I know that many will receive these views as absolutely Revolutionary but in reality they are nothing of the kind but just commonsense. I conclude with quoting one of Bacon's Apothegms "Praise large estates cultivate small ones."

SUNDAY

Understand some perfervid Buddhists have suggested that Sunday as a Dies non should be discontinued and that Poya Days should be substituted. If this idea is adopted it will lead to disorganisation in Business, Trade and also Labour as Labour is used to recognise Sunday as a Dies non.

Poya Days are governed by the full moon and as full moon occurs twelve times in the year this would mean twelve Poya Days as against fifty two Sundays. The abolition of Sunday as a non working day would

badly affect the Christian Community as it would be impossible for orthodox Christians to attend their religious observances and still have to attend to their normal work. Of course this would not matter to Buddhists.

Friday of course is observed by Muslims when they Attend Friday Prayers at the Mosque. But first let us consider Sunday and the origin of its observance among Christians. The early Christians at first followed the Jewish tradition and observed Saturday, the seventh day of the week as a Dies non which is still observed by all Jews — the Sabbath. The reason for this being that God created the world in six days and rested from His labour on the seventh day and made it Holy. But later the Christians substitute Sunday the First Day of the week, for Saturday because Sunday the first day on which Christ rose from the dead. But let us now consider Sunday apart from the Christian observance of it. For the many millions of Hindus,

Sunday is regarded as the principal day of the week. It is in fact as the name implies the day of the Sun God.

In Sinhalese the word for sun is 'ira' and the word for Sunday is 'Irida.' In Sanskrit and Hindi the word for the sun is 'Suraj,' and Sunday is known as Iriaha. Sunday is observed by all Hindus as the principal day of the week. At Kalighat in Calcutta also the great Hindu temple thousands of Hindus are to be seen doing Puja and offering sacrifices on Sundays.

Thus this proposal would seriously affect millions of Hindus in

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Ceylon. But perhaps the feelings of Christians and Hindus are of little account to orthodox Buddhists.

But after all it may be argued that Sri Lanka is their country and they can do as they please irrespective of other communities. Let us delve deeper however into the origin of the observance of Sunday, the day of the Sun God. This observance goes back many thousands of years behind the mists of Time.

Primitive man was a nature worshipper of objects animate or inanimate such as trees, rivers, mountains, hills, stones, lightning and thunder. In this category primeval man included the worship of the Heavenly bodies, the Sun, moon and stars and as the Sun appeared to him as the greatest of them all, the sun became his principal god. Thus the day of the sun has remained throughout the ages as the principal day of the week to be revered. All this is fact not fancy.

But I see no reason why if they wish it. Poya days should not be included as non-working days. If Sunday is to be discontinued as a non working day this will lead to confusion for only Buddhists will know when a Poya day occurs. Then too there is the further question of Visitors and Tourists who when they arrive in Ceylon will know nothing about Poya Days and when they occur and the discontinuation of Sunday as a Dies non, Sunday is recognised practically everywhere as a non working day and

this innovation would tend to make Sri Lanka unique, if not peculiar and retrograde. The question is, is Ceylon to be a Democratic Republic or a purely Buddhist Republic—a land only fit for Buddhists and none else, to live in? To the promoters of this suggestion I would respectfully say "Leave well alone."

VETERINARY

ONE reads of Conferences and discussions among Veterinarians and of their interviews with the Food Minister with regard to various subjects, but I have yet to learn of any definite decision made by either the Government, the Minister or the Veterinary Department with regard to the vitally important question of instituting legislation for compulsory anti-Rabic Inoculation of all dogs. This is a question which calls for no delay or postponement. It is a matter which concerns vitally the health of the people and if such legislation is passed it will be the means of saving many hundreds of people from the menace of this dreadful and horrible scourge. So let the Government get busy and do something about it and not just talk.

THOUGHT FOR THE DAY

HE who can does.

He who cannot talks.—G. B. SHAW

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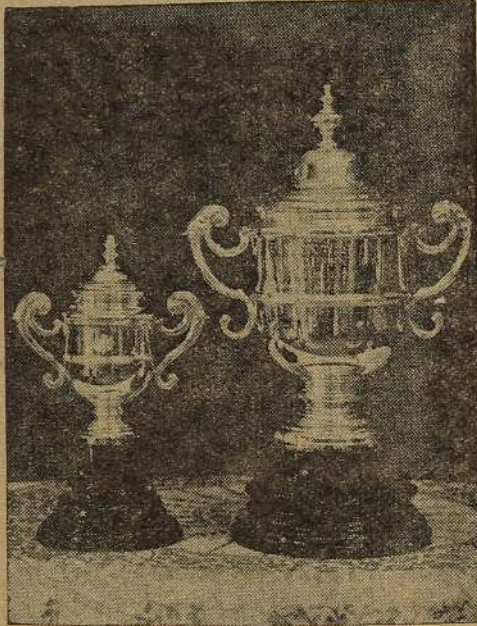
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Mr. Douglas Leading Owner of the July Race Meet

WINNER OF THE QUEEN'S CUP 1956

A reference, and a worthy one at that has to be made to Mr. Douglas, the doyen Owner-Trainer of the Ceylon Turf who has had the distinction once again of heading the list of winning owners of the July Race Meet just-



The Queen's Cup and the Replica

ended and added another handsome and glittering prize to his already large collection of racing trophies. Mr. Douglas crowned his long and distinguished career by annexing the much coveted Queen's Cup through the medium of Adamant the stylish bred Chestnut English Gelding. The son of Owen Tudor presents a beautiful front, with strong sloping quarters and finishes off with a rich colour. The animal has a charming nature. He is befitting a classic contender with beautiful action and well-shaped limbs and as such should enhance the deeds of his sire.

Adamant trounced the idomitable Briggs who was highlighted in the local Press with banner headlines as the unbeatable and cast-iron certainty of the day. His astounding and brilliant victory was meritorious indeed. He beat a field of six consisting of Ceylon's galaxy of reputed stayers of no mean repute. Adamant's dazzling success was no flash in the pan as any keen and enthusiastic racing fan would unhesitatingly admit.

He toyed with his rivals in hollow fashion and beating them like a stout-hearted champion was hailed the hero of the days principle race, the Queen's Cup. He was accorded a tremendous ovation as he majestically entered

the unsaddling enclosure. Thus Adamant has proved his mettle and showed his prowess as a great stayer like the immortals of the past.

This magnificent achievement is eloquent proof of his credentials & as such he has earned the plaudits of the racing fraternity of Ceylon in no small measure as the loud bursts of cheers from those present proved. It is not only a singular honour to his owner, but also to his



Mr. Douglas

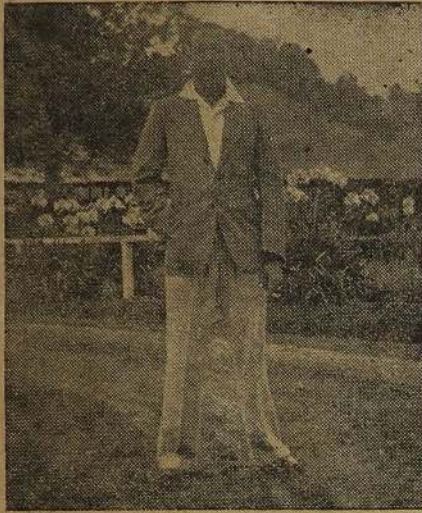
capable horseman Jockey Jim Doyle who rode an excellent and well-judged race on him.

Adamant's victory is due to the sound judgment, skilled artistry and perfect understanding on the part of its horseman and, what is more, the gallant gelding responded gamely to his master's call and won as he liked. Thus Adamant performed a feat and created unprecedented history and proved beyond all manner of doubt that he is in a class by himself. Jockey Doyle must be highly complimented for his superb horsemanship and riding with inspired confidence to give the owner that valuable trophy the Queen's Cup of 1956.

The son of Owen Tudor was promoted to the higher class for his impressive and stylish victory in Class II and making his first public appearance in this exalted company, Adamant pulverized his opponents and romped home a valiant winner. Thus being able to say in the words of Julius Cæsar VENI. VIDI VICI.

Before I wind up this tribute to this grand specimen of the equine species and to the sporting and popular owner like Mr. Douglas, it is my duty to add a word of praise to Mr. Clement Walles who, too, is jointly responsible for having sent Adamant to the barrier in perfect condition. Clement is undoubtedly an able Trainer.

Of late he has shown excellent results and following in the foot-steps of his beloved and esteemed sire. Clement is 'AU FAIT' and knows



Mr. Clement Walles

the finer points of a good thoroughbred.

Now that he has been called upon to shoulder the responsibility of his father's powerful establishment Clement should discharge his responsible duties with pride and precision and maintain the Walles' traditions

which is a household word not only in Ceylon but throughout the world and carry out the lofty ideals of the Ceylon Turf with great honour and dignity.

Mr. Douglas must indeed be a happy owner in having won the Queen's Cup, and I know for certain that this beautifully patterned trophy will dazzle like the rays of the sun, and find a prominent place in his Cabinet of trophies which he treasures with great pride won during his long and distinguished career on the Ceylon Turf. Well here's all the best to you Mr. Douglas and, may your establishment flourish like the Green Bay Tree.

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Nationalist Movements in Asia

(Continued from Cover page)

cracy and favor totalitarianism. The hatred of colonialism is such a dominant passion than other dangers either pale in comparison or cannot even be seen. To say that there is a danger of totalitarianism tomorrow frightens nobody. Totalitarianism is only a word; colonialism remains a living reality, or at least a recent memory.

This inability to transcend historical memories makes many Asians extremely vulnerable to the appeal of the Communists. There is a tendency to accept the Communist interpretation because it is made by forces which have been able, with great success, to present themselves as anti-colonial. Whatever the West says is suspect, because it comes from a "tainted" source. In the extremist form, this turns into a simple black-white division of the world. Asian is good, non-Asian is bad; colored is good, white is bad; anti West is good. pro-West is bad.

But the attraction of totalitarianism comes not only from propaganda. Since national strength rather than democracy is the primary goal many nationalists are fascinated by techniques which seem to offer promise of rapid economic development, mass mobilization, giant public works. If the humbling methods of democracy do not bring perceptible improvements quickly, then perhaps totalitarian methods offer a way out.

CUTTING THE NOSE TO SPITE THE FACE

The extreme suspicion and sensitivity which seem to accompany nationalism also help to create conditions unfavourable for freedom. Under certain circumstances—as we have seen in the Anglo-Iranian oil dispute—

people will come dangerously close to cutting of their noses to spite their faces. By setting up obstacles to foreign aid, for example, whether in the form of private investment or of intergovernmental loans and gifts, they are making more difficult that very economic development which their own programs promise and their peoples demand. The suspicion that Western capital is only the entering wedge for the return of imperialism makes it difficult for them to accept aid. The continued inability of democratic methods of economic development to show clear results to the people brings the democratic methods themselves into question. Both the leaders and the people then find themselves attracted by the forced-draft methods of totalitarianism. And if this is the right course, then China becomes the model to be followed.

THE APPEAL TO RELIGION

The particular form in which the nationalist movements developed has created another problem. In order to win the widest possible support among the people, they have called upon forces which are inherently dangerous to democracy and individual freedom. The appeal to religion, for example, may be a shortcut to national solidarity, but it has opened a Pandora's box which will be a long time in closing. One has only to recall the Hindu-Moslem massacres which marred the early days of Indian Independence. The trumpet call of nationalism has aroused not only the pure in heart, but also the dangerous forces of reaction, tribalism, racialism, anti modernism, religious fanaticism and authoritarianism. We shall be feeling their effects for decades to come.

Nationalism is always alternating between the conception of the nation as an aggregate of individuals having a common nationality and the conception of the nation as an entity in and of itself, an "essence" independent of the individuals who compose it at any given time. In its extreme, fanatical form, the nation is conceived as a "structure" and a set of values with an autonomy and sanctity of its own. When nationalism is informed by a democratic and humanist impulse, it tends toward the first conception. But when this is absent it moves, of in spite of itself, towards the ultra-nationalist pole. The practical demands of the struggle for national rights and independence place great emphasis on the nation, the community, the state; the re-

sult is almost inevitably an elevation of the state and a belittling of the individual. Consequently, we often find in Asian nationalism the elements of a typical authoritarian outlook, which insists on discipline and conformity. The New Nationalism of Asia thinks only of advantage to his group.

For the ultra-nationalist, whether he be Hindu, Moslem, Buddhist or Christian the sole standard is the advantage and the glory of his own group. Universal principles like international law, "justice" or "friendship" are rejected, or are used tactically as a cover for national aggrandizement. Loyalty to a wider community than one's own, or to ideas and principles, have no appeal.

When, as happened in Japan, authoritarian nationalism captures the state, then its full potentiality for evil is clear. Internally, it brings with it the full panoply of totalitarianism — conformism, thought-control, fanaticism, militarism, total mobilization. Externally, since it accepts a philosophy of expansionism which asserts the superior rights of the "sacred" nation against the outside infidels, it becomes a menace to the world around it. It is limited only by the force available to it and the determination of its opponents.

The intensity of nationalism in Asia today is the direct fruit of colonialism. The primitive, almost instinctive, animosity against foreign overlords is a natural reaction to the military and economic domination which reduced people to second class citizenship in their own countries. But however natural and understandable extreme nationalism may be, it can easily turn into a serious obstacle to international peace, cooperation and democracy. It may lead people to accept solutions which are no better, or even worse, than the original problems, just so long as they appear "different." In the words of an old Japanese saying, "He who hates the monk also hates his clothes."

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HOW THEN CAN THE COST OF LIVING BE BROUGHT DOWN?

AFTER all the crowing over and rejoicing that the capitalist U.N.P. government was bodily thrown out, and the boasting that a People's Government has been set up and is in power, those identical people who sang Hossanas to the M.E.P. government and welcomed it, are beginning to find themselves disillusioned. In fact they are getting alarmed at the trend of events. They who yearned for and clamoured for a complete change in national economics and wanted a honest to goodness Rice and Curry economy, have been given a Butter and Jam Budget, an experiment never tried before. The so called **Poor Man's Budget for 1956 57** is the clearest proof of the people's disillusionment. It is in fact a thundering hoax perpetrated by the M.E.P.

The M.E.P. government is four months old. Within these four months, judged by the trend of events, nothing has happened to indicate that the times ahead will be propitious to bring some happiness and contentment to the people who are living in fear, in anxiety and in doubt. Truth to tell, they don't know what a day may bring forth. So uncertain is the M.E.P. government. Not only has there been no material economic improvement in people's living conditions, but even their liberties are being encroached upon on many sides. In short there is nothing to indicate a turning point for the better. Fear oppresses them, uncertainty stares them in the face, and even their so called liberties or freedom seem flat and savorless. In these circumstances they envy other peoples in East Asia who, too, have attained national sovereignty. Here they are heard to say "we asked for bread and got stone instead."

Now in those countries there is to be witnessed an enlarging of the sphere and scope of economic opportunities for the people's betterment. In Ceylon where the so called Peoples' Government is now well set, strange as it may seem, the scope of economic opportunities is either restricted or is being narrowed. There is no material change for the bet-

ter. No effort, no serious effort, is made to effect a change either in the individual's or in the country's economy to move from one of dependence to that of independence.

Some of the most enthusiastic supporters of economic freedom have argued that it is not desirable to accord latitude for economic freedom because easy money brings in its train the evils of inflation. That argument cannot hold water in a under-developed and under privileged country like Ceylon which exists on a "ship to mouth" economy and where money is scarce and credit hard to obtain. The real choice that faces the country is not between 100 per cent state ownership or control and 100 per cent *laissez faire*, but between freedom from state control or unnecessary interference and freedom to buy and sell, import or export from and to whichever country or source that offers better prices and more advantageous terms with resultant benefit to the merchant, the consumer and the Government.

So long as a country's economic backwardness is chronic, the chances are that both a sufficient number of courageous individuals wedded to trade and commerce—the one source that irrigates the country's economy—and a responsive following will be lacking. This is certainly the case with Ceylon today. The cure for this is found in Free Trade and unrestricted and unhampere trade to sell to whomever one can and buy from whichever source one can. It is only in such conditions that economic advancement can be accelerated to the advantage of the people. For it will be found that a country which has a flourishing trade, the economic and living conditions of the people are far above the hand to mouth state of existence. They will be found to be better fed, dressed and supplied with the essential commodities of life and at prices far cheaper than otherwise. If the living standard of the people, which is admittedly very low, needs must be raised that aim can only be attained by a through revision of the country's direct and indirect system of taxation which is squeezing out the people. In the former case it should be by a drastic reduction of the Import Duty on the essential commodities of life and to a point that will directly benefit the consumer and not a mere semblance of it for the sake of popular expediency, a mere sop to Cerberus.

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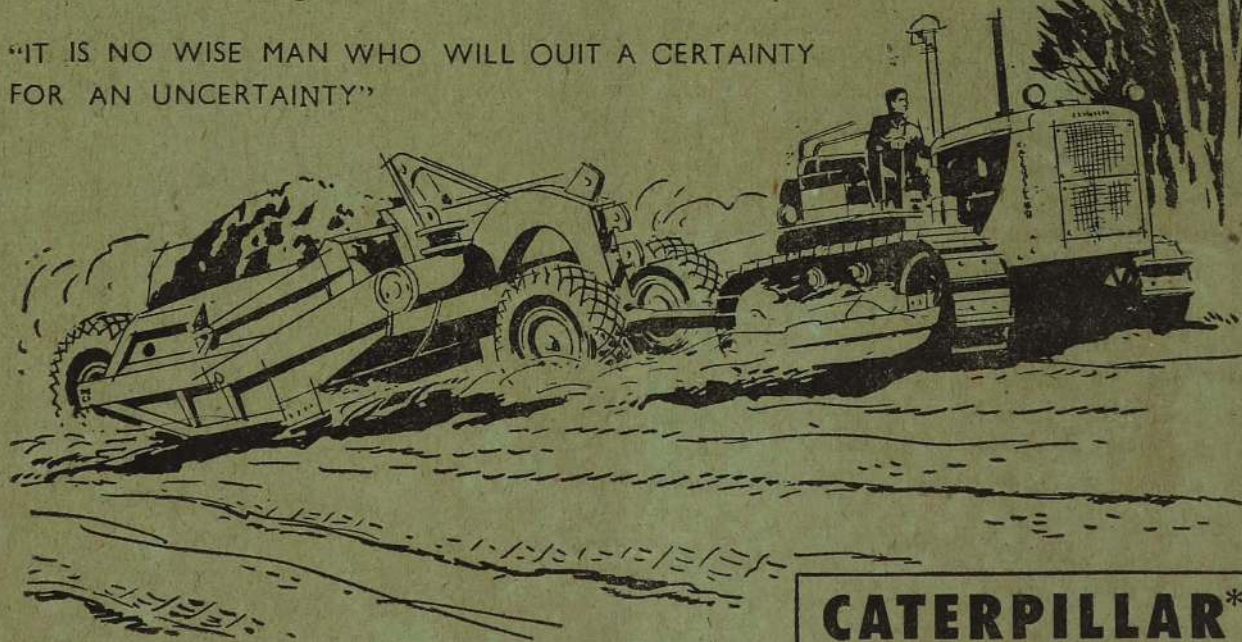
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