THE

# HAND-BOOK

OF THE

# Ceylon National Congress

1919—1928

S. W. R. D. BANDARANAIKE

A Publication of the National Museums of Sri Lanka

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

பொதுசன நூலகம்
யாழ்ப்பாணம்

# THE HAND-BOOK

OF THE

# Ceylon National Congress

1919—1928

SPECIAL COLLECTION
JAFFNA PUBLIC LIBRARY

Edited by
S. W. R. D. BANDARANAIKE,
Joint Hony. Secy.,
Ceylon National Congress.

13982 CC

289011

1928.

289011 CC

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

R
324.21

First Published in 1928
Second Impression 1991

PRINTED AT THE DEPT. OF GOVT. PRINTING, SRI LANKA

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

SPECIAL COLLECTION
JAFFNA PUBLIC LIBRARY

# FOREWORD

"The desirability of bringing out a hand-book containing the Presidential addresses, the Resolutions passed at the various Sessions, and the Constitution of Congress, etc., was discussed."

The above is an extract from the minutes of the Executive Committee meeting held on 26th March, 1927.

The work, however, was not undertaken till September, 1927. It was at first hoped that it would be possible to bring the book out in three or four months, but the truly enormous mass of newspaper reports, correspondence, memoranda, minutes of meetings of the Executive Committee of Congress, and pamphlets, that had to be read, sifted, and arranged in proper order, extended the anticipated period to one exceeding a year.

It will be observed that a certain amount of space is devoted to the Pre-Congress period. This was done, because a record of the proceedings of such bodies as the Ceylon National Association and the Ceylon Reform League was essential to a correct appreciation of the origin, aims and actions of the Ceylon National Congress which grew out of, and was at the beginning to a great extent dependent on, the activities of those bodies.

A point has been made to restrict this book to the publication of relevant documents, arranged in chronological order, with only such notes as were necessary to explain them. The Editor has avoided making comments of his own, as far as was reasonably possible.

An endeavour has been made, by the inclusion of appendices containing documents referred to in speeches, to make this book as complete as possible, and it is hoped that it will not merely serve the purpose of a Congress Hand-Book, but prove of use to all those who are interested in the political thought and progress of Ceylon within the present century.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

The Editor would like to express his deep gratitude to the Hon'ble Mr. E. W. Perera for the documents placed at his disposal, for invaluable advice unstintingly given, and for his untiring readiness to read through and correct proofs. The Editor's best thanks are also due to his Co-Secretary, Mr. R. S. S. Gunawardene for help in arranging the material, to Mr. M. B. G. Perera the Congress Clerk, and to Messrs. Cave and Co., who took much trouble in printing and publishing this book.

S. W. R. D. BANDARANAIKE,

Silversmith Street,
Colombo, December, 1928.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

# CONTENTS.


PART I.—The Pre-Congress Period.

CHAPTER I. 1906—1910.

PAGE

Section. A.—Excerpts from the Article by Mr. E. W. Perera in 20th Century Impressions of Ceylon on "Ceylon Under British Rule, 1796—1906." 1

Section B.—Memorials. 6

1. Mr. James Peiris to the Under Secretary of State, December 12, 1908. 6
2. Mr. H. J. C. Pereira to the Hon. the Secretary of State, March 3, 1909 on behalf of 760 Signatories 17
3. The Low-Country Products Association to the Hon. the Colonial Secretary, March 18, 1909. ... ... ... 22
4. The Jaffna Association to the Hon. the Colonial Secretary, April 10, 1909. 27
5. The Ceylon National Association to the Colonial Secretary, April 19, 1909 33
6. The Chilaw Association to the Hon. the Colonial Secretary, May 5, 1909. 39

Section C.—Despatches. 46

1. Governor Sir. H. E. McCallum to the Right Hon. the Earl of Crewe, May 26, 1909. 46
2. The Right Hon. the Earl of Crewe to Governor Sir H. E. McCallum, December 24, 1909 65

CHAPTER II. 1917—1919.

Section A.—Addresses and Conferences 70

1. "Our Political Needs" by Sir P. Arunachalam 70
2. The Ceylon Reform League Annual Report for the year, ended 30th April, 1918. 98


Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Chapter II.—Section A.—*Contd.* PAGE

3. The First Conference on Constitutional Reform, 15th December, 1917 101
Presidential address of Sir P. Arunachalam 101
List of Delegates 111
4. Notice of Second Conference, 13th September, 1918. 115
5. The Second Conference on Constitutional Reform, 13th December, 1918 118
Presidential address of Sir P. Arunachalam 118
The Chief Resolution 129
Speech of Proposer—Mr. James Peiris 129
Speech of Seconder—Mr. George Wille 136

SECTION B.—Memorials. 144

1. Reform Scheme submitted on 29th October, 1917, to H. E. the Governor by the Ceylon Reform League and the Ceylon National Association ... ... ... 144
2. Memorial to the Secretary of State for the Colonies adopted at the Public Conference on Constitutional Reforms, 15th December, 1917. 153
3. "Case for Constitutional Reform in Ceylon" by the Joint Committee of the Ceylon National Association and the Ceylon Reform League. 162
Letter of Sir P. Arunachalam to Lord Crewe, 15th September, 1919. 173

SECTION C.—QUESTIONS IN PARLIAMENT. 175

PART II.—CONGRESS PERIOD.

CHAPTER I.—DECEMBER 1919—DECEMBER 1921.

SECTION A.—Origin of the Ceylon National Congress 177
The Presidential address of Sir P. Arunachalam at the First Session of the Ceylon National Congress, 11th December, 1919. 194

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

PART II.—Congress Period. Page

Chapter I.—Section A.—*Contd.*


The Resolutions passed at the Session 207
Special Sessions of the Congress, held on 16th and 18th October, 1920 216
Speech of Sir P. Arunachalam, Chairman of the Reception Committee 216
Presidential Address of Mr. (now Sir) James Peiris 220
The First Resolution 231
Speech of Proposer—Mr. D. B. Jayatilaka 231
Speech of Seconder—Mr. J. W. R. Illangakoon 240
Government Pledges, document signed by the Attorney General, 6th December, 1920. 245
Special Sessions, 18th December, 1920. 247
Presidential address of Mr. (now Sir) James Peiris 247
The First Resolution 258
Speech of Proposer—Hon. Mr. Sabapathy 258
Speech of Seconder—Mr. F. R. Senanayake 265
The other Resolutions 274
Section II.—Deputations. 277
(a) First Deputation (July-October, 1919) 277
(b) Second Deputation (February-October, 1920.) 295
Section III.—Reception to Colonel Josiah Wedgwood, M.P. 321
(A) Public Meeting (February, 1921.) 321
(B) Dinner to Col. and Mrs. Wedgwood. 329

CHAPTER II.—December 1921—March 1923.

Section I.—Sessions. 332
(A) General Sessions, 22nd and 23rd Dec. 1921 332
List of Delegates present 332
Speech of Mr. E. J. Samarawickreme, Chairman of the Reception Committee 335
The Presidential address of Mr. H. J. C. Pereira 339
The First Resolution 360
Speech of Proposer—Mr. G. A. Wille 360
Speech of Seconder—Mr. C. S. Rajaratnam 380
The Resolutions discussed at the Sessions 386


Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

PART II.—CONGRESS PERIOD.


| Chapter II.—Section I. Sessions.—*Contd.* | PAGE |
|---|---|
| (B) Special Sessions, held on 27th and 28th October, 1922. | 389 |
| The Presidential address of Mr. H. J. C. Pereira. | 389 |
| The First Resolution | 403 |
| Speech of Proposer—Mr. E. J. Samarawickreme | 403 |
| Speech of Seconder—Mr. J. N. Vethavanam | 406 |
| List of Delegates present | 412 |
| Extracts from Minutes of Executive Committee Meetings, referring to the Sessions | 414 |
| SECTION II.—Memorials. | 417 |
| *Memorial A.*—To the Right Hon. Winston Spencer Churchill, Secretary of State for the Colonies, 8th July, 1922. | 417 |
| *Memorial B.*—To the Right Hon. Winston Churchill, Secretary of State for the Colonies, 31st August, 1922. | 425 |
| *Memorial C.*—To the Right Hon. Winston Spencer Churchill, Secretary of State for the Colonies, 20th September, 1922. | 434 |
| Cablegram from the President of the Congress to the Secretary of State | 443 |
| Extracts from interviews granted to, and letters appearing in, the "Ceylon Daily News" repudiating the "Secret Minority Memorial" | 445 |
| NOTE.—Political Summary of Period 1921—1923. | 455 |
| SECTION III.—Reception to Mrs. Sarojini Naidu | 458 |
| Mrs. Naidu's address, "The Indian Renaissance." | 459 |


Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

PART II.—Congress Period.

CHAPTER III.—March, 1923—December, 1923. Page

Section I.—Annual Sessions 23rd March, 20th and 21st April, 1923. 475

Speech of Mr. W. A. de Silva, Chairman of the Reception Committee 475

The Chairman's address (Mr. C. E. Corea) 481

The First Resolution 486

Speech of Proposer—Mr. C. E. Corea 486

Speech of Seconder—Mr. E. T. de Silva 487

Session Adjourned 492

Adjourned Sessions, 20th and 21st April, 1923 494

Presidential address of Mr. H. J. C. Pereira 494

The First Resolution 507

Speech of Proposer—Mr. E. J. Samarawickreme 507

Speech of Seconder—Mr. C. S. Rajaratnam 511

Speech of Mr. S. Pasupathy 512

Speech of the Hon. Mr. E. W. Perera 514

Speech of Mr. D. E. Weerasuriya 515

The other Resolutions 517

Extracts from Minutes of Executive Committee Meetings, referring to the Sessions 519

Sectoin II.—Memorials. 522

To the Right Hon. the Duke of Devonshire, Secretary of State for the Colonies, 23rd May 1923. 522

Section III.—Deputation. 530

First Memorandum issued by the Ceylon Reform Deputation, May, 1923 530

Second Memorandum issued by the Ceylon Reform Deputation, 21st July, 1923 543

Article in the "Asiatic Review," July, 1923 "The Constitution of Ceylon." by D. B. Jayatilaka, M.A. 564

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

PART II.—Congress Period. Page

CHAPTER IV.—December, 1923—December, 1924.

Section I.—Sessions, 21st and 22nd December, 1923 574

Speech of the Hon. Mr. H. L. de Mel, Chairman of the Reception Committee 575

Presidential address of Mr. D. B. Jayatilaka 579

The Resolutions discussed at the Sessions 602

Note.—Extract from Minutes of Executive Committee Meetings, referring to the election of officers for the year. 604

Section II.—Extracts from Minutes of Executive Committee Meetings 605

Death of Sir P. Arunachalam 605

Order-in-Council, December, 1923. 605

Report of the Sub-Committee on the Order-in-Council of 19th December, 1923 607

Caste and Religion in Elections 608

Reform of the Executive Council 609

Section III.—Reception to Moulana Shaukat Ali and others 611

Speech of the Chairman 611

Speech of Moulana Shaukat Ali 613

Speech of Dr. Kitchlew 616

CHAPTER V.—December, 1924—December, 1925.

Section I.—Sessions, 19th and 20th December, 1924. 624

Speech of the Hon. Mr. Forrester Obeyesekere, Chairman of the Reception Committee 624

Presidential Address of Mr. C. E. Corea 633

Vote of Condolence on the death of Sir P. Arunachalam and Mr. H. J. C. Pereira 657

The Resolutions discussed at the Sessions 658

Note.—Extract from Minutes of Executive Committee Meeting, referring to the election of officers for the year 660

Section II.—Excerpts from Minutes of Executive Committee Meetings 661

Conference with Tamils, Kandyans and Europeans 661

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

PART II.—Congress Period.


CHAPTER VI.—December, 1925—December, 1926. Page

Section I.—General Sessions, 18th and 19th December, 1925. 665

Speech of Mr. Geo. E. de Silva, Chairman of the Reception Committee 666

Presidential Address of Mr. Francis de Zoysa 672

The First Resolution 692

Speech of Proposer—Mr. C. E. Corea 692

Speech of Seconder—Mr. S. W. R. D. Bandaranaike 701

Speech of the Hon. Mr. Victor Corea 702

The other Resolutions discussed 714

The newly elected Executive Committee 718

List of the Delegates present 720

Note.—Extract from Minutes of the Executive Committee Meeting, referring to the election of officers for the year. 723

Section II.—Excerpts from Minutes of Executive Committee Meetings 724

(a) Death of Mr. F. R. Senanayake 724

(b) Proposed Conferences with representatives of different Communities 724

Tentative suggestions for a Reform of the Constitution. 726

(c) Death of Mr. E. T. de Silva. 730

Section III.—Reception to Mr. Ramsay MacDonald 731

Speech of the Chairman 731

Presentation by the Labour Union 732

Presentation by the Workers' Federation 733

Speech of Mr. Ramsay MacDonald 733


Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

PART II.—CONGRESS PERIOD.

CHAPTER VII.—December, 1926—December, 1927. PAGE

SECTION I.—General Sessions, 17th and 18th December, 1926. 740

Speech of the Hon. Mr. C. W. W. Kannangara, Chairman of the Reception Committee 741

Presidential Address of the Hon. Mr. E. W. Perera 744

Question by the Hon. Mr. Victor Corea regarding the Sinhalese-Tamil Pact 771

The First Resolution 773

Speech of Proposer—Mr. Francis de Zoysa 773

Explanation of Mr. de Zoysa regarding the Sinhalese-Tamil Pact 773

Speech of Seconder—Mr. M. A. Arulanandan 775

The other Resolutions discussed 776

The newly elected Executive Committee 779

NOTE.—Extract from Minutes of Executive Committee Meetings, referring to the election of officers for the year. 783

SECTION II.—Addresses. 784

Address delivered by Mr. Francis de Zoysa at the Public Hall, Colombo, on 24th September, 1927 784

Address delivered by Mr. M. A. Arulanandan at the Public Hall, Galle, on 22nd October, 1927 801

SECTION III.—The Special Commission on the Constitution. 805

Memorandum submitted to the Special Commission, September, 1927. 805

Evidence given by the Representatives of the Ceylon National Congress before the Special Commission, at the Town Hall, Colombo on 22nd and 23rd November, 1927 815

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

PART II.—Congress Period. Page

Section IV.—Extracts from Minutes of Executive Committee Meetings 847
(a) Labour. 847
(b) The Sub-Committee on the Reform of the Constitution. 848
(c) The University Question 849
(d) The Special Commission on the Constitution 849
(e) The Summary of the work done by the Executive Committee in 1927 852

Section V.—Correspondence referring to Proposed Conferences with other Associations 854
The European Association of Ceylon 855
The Malay Political Association 860
The Ceylon Tamil League. 860

Section VI.—Reception to Mahatma Gandhi, at the Public Hall, Colombo, on 22nd November, 1927 862

CHAPTER VIII.—December, 1927—December, 1928.

Section I.—General Sessions held at the Tower Hall, Colombo, December 16th and 17th, 1927. 869
Speech of the Hon. Mr. D. S. Senanayake, Chairman of the Reception Committee 869
Presidential Address of the Hon. Mr. W. A. de Silva 873
The Resolutions discussed at the Sessions 899

Section II.—Special Sessions held at the Ananda College on 10th September, 1928 to consider the Report of the Donoughmore Commission 902
Presidential address of the Hon. Mr. W. A. de Silva 902
The Resolutions discussed at the Sessions 908
Note.—Extract from Minutes of Executive Committee Meetings, referring to the election of officers for the year 912

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## APPENDICES.

PAGE

APPENDIX A.—Ordinance No. 13 of 1910 1
(see p. 69.)

APPENDIX B.—The Ceylon (Legislative Council) Order-in-Council, 1920. 32
(see p. 244.)

APPENDIX C.—Proceedings of a Deputation which waited on His Excellency the Governor at Queen's House, on Monday 29th November, 1920 85
(see p. 245.)

APPENDIX D.—Report of the Committee appointed for the Allocation and Distribution of Seats in the Territorial Electorates. 101
(see p. 415.)

APPENDIX E.—Despatch of the Duke of Devonshire, January 11, 1923. 120
(see p. 522.)

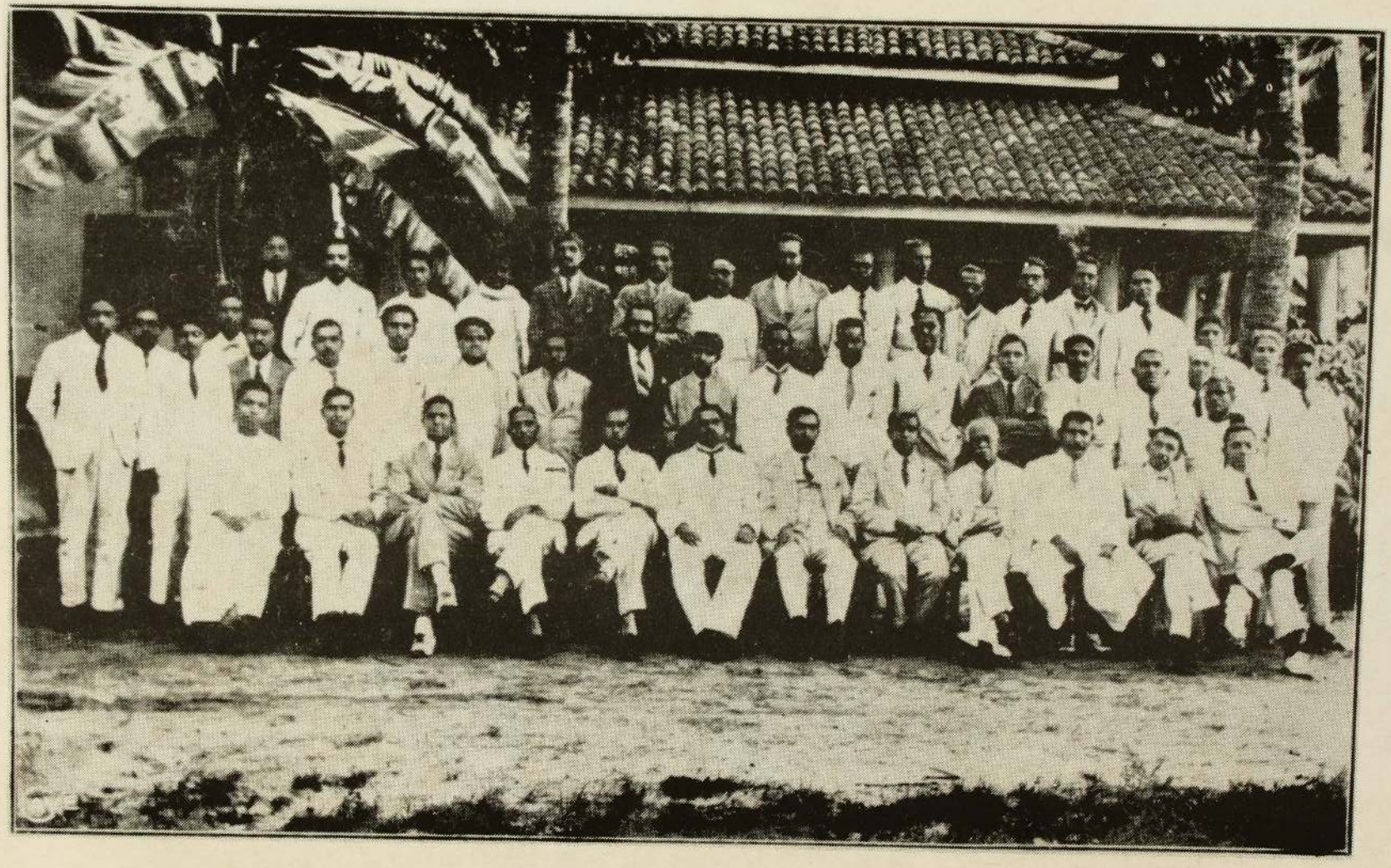
APPENDIX F. The Ceylon Legislative Council) Order-in-Council, 1923 128
(see p. 607.)

APPENDIX G.—Extract from Despatch of the Secretary of State for the Colonies, regarding the Reform of the Executive Council, 31st October, 1923 161
(see p. 609.)

APPENDIX H.—Constitution of the Ceylon National Congress 162

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org



EXECUTIVE COMMITTEE OF THE CEYLON NATIONAL CONGRESS,

November, 1927.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

SPECIAL COLLECTIO
JAFFNA PUBLIC LIBRAR

# PART I.

# THE PRE-CONGRESS PERIOD.

## CHAPTER I.

### 1906—1910.

SECTION A.—*Excerpts from the Article by Mr. E. W. Perera in 20th Century Impressions of Ceylon on "Ceylon Under British Rule, 1796-1906."*

"In 1797 Colonel De Meuron, who had transferred his allegiance to the British, was Military Administrator and Frederick Greenhill Civil Administrator of Ceylon under Lord Hobart, Governor of Madras in Council, who came over in 1798 and held a levee of Sinhalese chiefs. During this time the taxes of the country were farmed out to Dubashes or Tamil agents from the Carnatic, the Mudaliyar system was abolished, and collectors and Kachcheris, or collectors' offices, were introduced from Madras. These men ground down the people by their illegal exactions, and infuriated them by their oppressive exercise of power. Charters of appointment as headmen, or for even the high rank of Mudaliyar, were issued by them for the merest trifle to men with no claim to distinction or consideration. Eventually the prevailing discontent burst into flame in the rebellion of 1798. As a result the system of Dubashes was abolished, and the Mudaliyars reappointed in 1799, by the Hon. Frederic North, who assumed the government on October 12, 1798, Ceylon being declared a Crown Colony."

* * * * *

"One of the most far-reaching reforms, also introduced on the recommendation of the Royal Commissioners' Report 1829-31, was a change in the constitution of Government. The Crown, in 1833, by an Order in Council created an Executive Council, consisting of the Colonial Secretary, the Officer Commanding the Forces, the Attorney-General the Treasurer and the Auditor-General, to assist the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Governor when he chose to summon it, although he was not bound to follow their advice; and established a Legislative Council, to be composed of fifteen members, nine officials and six persons to be selected from and out of the chief landed proprietors and principal merchants, the officials to take precedence of the unofficial element, and the latter among themselves according to the priority of their appointments. A difficulty arose at the outset. The European members, Messrs. Joseph, Read, and Jeffery, would not accept their seats as the officials had been given precedence and Ceylonese members had been placed over some of them. A bitter controversy on the subject between the English merchants and the Government, with appeals to the Secretary of State, continued till the close of Sir R. W. Horton's rule."

* * * * *

" Mr. Stewart Mackenzie was able to gather round him a complete Legislative Council. The English merchants waived their objections to join the Board, where all the non-officials had precedence according to the priority of their appointment. On the death of the Tamil member in 1837, the scholarly and cultured Simon Casie Chetty, author of the *Ceylon Gazetteer*, was appointed to the seat. Being in Government service at the time, he had to be pensioned off; but the then Secretary of State being opposed to the principle of pensioning off Government officers to be created councillors, Casie Chetty was soon replaced by another. It was not until the time of Sir Colin Campbell, however, that the business and debates of the Council became such as to attract public attention. Mr. Stewart Mackenzie could only, session after session, come before it with the same tale of a revenue not equal to the most economical expenditure on works in addition to establishments."

* * * * *

" Sir Hercules George Robert Robinson assumed the Government of Ceylon as Lieutenant-Governor in March, 1865, and was sworn in as Governor on the 16 of May the same year. The *impasse* that was created by the resignation of the unofficial members of the Council, on the question of military expenditure continued, though their places were filled by dummy senators nominated by the Crown to secure the necessary complement of members in terms of the constitution. In no sense were the new

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

nominees acknowledged representatives of the people. The resigned unofficial members, consisting of the most talented and distinguished Ceylonese that the colony had produced in modern times, led by an English merchant of great ability and breadth of view, Mr. George Wall, rallied the country to them in a political organisation called the "Ceylon League," formed on May 16, 1865. The different races of the Island—Singhalese, Dutch Burghers, and Tamils—whom mutual distrust had hitherto kept apart, under the inspiration of their leaders, combined as "Ceylonese" in their political campaign against the Government. By strenuous agitation and vigorous criticism of the Governor's policy, they sought to gain a remission of the disproportionate military burden imposed on the colony, a share in the administration of the Government by the election of members to the local Legislature, and a control over the finances of the island in the voting of supplies. Though representations were made to the Colonial Minister, the Right Hon. Edward Cardwell, and Mr. Watkin, M.P., moved in Parliament for a Committee of the House to inquire into the government of Ceylon, no substantial relief was obtained, owing to the uncompromising opposition of Sir Hercules Robinson, supported by his Ceylonese adviser, Sir Richard Morgan, Queen's Advocate. The League agitation continued for the best period of Sir Hercules Robinson's government and rendered him unpopular with the educated classes of Ceylonese. Perhaps to the League agitation may be traced the grant, in 1865, of free municipal institutions. The grant originally was to Colombo and Kandy, but was afterwards extended to Galle. A Royal Commission, appointed at the close of 1865 to inquire into the military expenditure and establishments of Ceylon, decided that the entire cost of the force stationed in the island for local defence should be met by the colony, and the assurance of the Home Government was received that it was not to be burdened by expenses not contemplated by the Military Commissioners. The settlement of this question led to the extension to the colony of two most important financial concessions. The practice, hitherto exercised, of making appropriations of revenue under the authority of the Secretary of State, was formally surrendered, and surplus balances, within reasonable limits, were placed at the disposal of the local Legislature without previous reference to the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Colonial Minister. This privilege was granted by a despatch dated July 30, 1866."

* * * * *

" British rule in Ceylon fall naturally into certain well-defined periods. From 1796 up to 1820 was the age of conquest. From 1820 till 1850 was the age of the consolidation of British power in Ceylon, by the opening up of communications, especially in the hitherto unknown and inaccessible mountain districts of the Kandyan provinces. The government of these earlier years was distinguished by a note of warm personal interest in the people of the country and an unaffected courtesy and kindness in their treatment. A new character in the personal relations between the British governing classes and the Ceylonese population began to spring up in the years preceding 1848. The Sinhalese, particularly the Kandyans, had by the long peace gradually become unused to arms, were losing their individuality and their ideas, and day by day were approximating more and more to the European standard of civilisation. From 1850 onwards, with slight intermissions, the island has been steadily advancing in material prosperity. Since 1860, with the progress of education, with the assimilation of new ideas and the peace and security which British rule had given the land, a new spirit was awakened in the country. The first articulate clamouring for free institutions, commenced in the days of the League, had increased with the coming years. Granted a Legislative and Executive Council before India, Ceylon was cited by John Bright as a successful example why similar Councils should be granted to the Indians. Some years previously, a complete scheme of representative government, submitted by Sir Alexander Johnstone, failed to become law by the mischance of the unexpected resignation of the Colonial Minister, who had favoured the reform.

Since then India has had freer institutions accorded her, and Ceylon has outgrown her political system. " The Indian Legislative Councils are more liberally constituted," says the Hon. Mr. John Ferguson, C.M.G., M.L.C., " although Ceylon has always been regarded as far in advance of her big neighbour from an educational and social as well as material point of view." An

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

eminently loyal people, deeply sensible of the benefits of British rule, the Ceylonese are aspiring to win the full measure of British citizenship. A freer constitution, flood relief works, abolition of the poll-tax, systematic colonisation from the crowded western and southern districts to the restored tank region, a larger educational vote and a wider field for the people of the country in the higher branches of the public service, are some of the reforms which have been eagerly awaited and are urgently needed, and which alone will crown the splendid monument of administration which a century of British statesmanship has raised in Ceylon."

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

# MEMORIALS.

SECTION B.—*Memorials.*

Mr. James Péiris to the Under Secretary of State.

1. 32, Avonmore Road, Kensington, W.,
December 12, 1908.

SIR,

As you were pleased to suggest, at the recent interview I had with you, that I should send you a memorandum on the subject of the reform of the Legislative Council in Ceylon, I beg to submit the following for your consideration.

I am, &c.,
JAMES PEIRIS.

*Memorandum.*

The Legislative Council of Ceylon was created by Letters Patent in the year 1833. The number of its members, including the Governor, who is *ex-officio* Chairman, was fixed at sixteen, ten of whom were to be Officials and six Unofficials. The latter are nominated by the Governor, to represent the Sinhalese, Tamil, Burgher, General European, Planting, and Mercantile communities. For a considerable time past the privilege of electing the representatives of the two latter communities has been intrusted to the Planters' Association of Ceylon and the Chamber of Commerce, both bodies composed almost exclusively of Europeans, and their nominees have been invariably appointed to fill those seats.

During the seventy-five years the Council has been in existence, the only change that has been made in its Constitution has been the addition of two Unofficial Members to represent the Kandyan Sinhalese and the Muhammadan communities. The Unofficial Members were originally appointed for life; but their term of office was, in 1889, limited to three years, since extended to five. They are, however, re-eligible for another term of five years.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Since the Constitution was granted, the condition of the Colony has undergone a complete change. Its material, moral, and intellectual progress has been phenomenal.

In 1833 the population was a little over a million, it is now four millions. In 1834 the number of pupils attending school was estimated at 13,891; in 1906 it was 267,691.

In 1833 there was hardly any provision for higher education in English, now there are the Royal College—maintained by Government—and a number of Colleges and High Schools established by different religious bodies and private individuals, and English education is very widely diffused. From the Census Report of 1901 it appears that in that year there were 76,496 persons able to read and write English. It is no exaggeration to say that for every person who had a good knowledge of English in 1833 there are a hundred now.

If the educational progress of the country during the last quarter of a century has been great, its material improvement has been still more remarkable.

In 1833 the revenue from all sources was Rs. 4,375,550. In 1907 it was Rs. 36,573,824. In the former year the imports and exports were valued at Rs. 3,208,910 and Rs. 1,325,300 respectively. In 1906 the figures were Rs. 112,789,270 and Rs. 126,331,154. In the thirties the coffee planting industry was in its infancy, systematic cultivation of the coconut palm had not commenced, and such products as tea, cacao, and rubber were unknown. In 1907 there were over two million acres of land cultivated with various products, of which 987,000 were under cocoanuts, 380,000 under tea, and 104,000 under rubber. In the same year 35,000 tons of plumbago, of the estimated value of Rs. 10,457,490, were exported. The last quarter of a century has been especially remarkable for the great expansion of the industries and commercial pursuits controlled by the native population.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

With the rapid and continued development of the resources of Ceylon, the work of its administration has become more complex, and the departments of the Government have been re-organized and considerably increased. It has been found necessary to increase the number of Provinces, into which the Island is divided for administrative purposes, from five to nine, while there are now twelve separate districts under the charge of Assistant Government Agents. A number of large spending departments, such as the Public Works, Railway, Education, Post and Telegraphs, Medical, Police, Prisons, and Irrigation Department have been created, and all questions connected with their administration and finances are regularly submitted to the Council.

While the Colony has been taking such vast strides in the path of progress, and almost every Government department has undergone radical changes, the Legislative Council has alone remained stationary, with the result that it is completely out of harmony with the present advanced and progressive condition of the Island. It is no wonder then that there is a general feeling among the educated and thoughtful classes that the time has arrived for a liberal reform of its constitution.

Though Ceylon was granted a Legislature before similar institutions were introduced in India, the latter country is now ahead of it, in having the elective principle partly recognized in its Councils, and now we are on the eve of a large measure of self-government being granted to the Indian people.

Although the progress of India has been great, it cannot be compared with that of Ceylon. Taking, for purposes of comparison, one test—and that an important one—viz., that of literacy, it would appear that Ceylon is far ahead of India. In the year 1891 there were in a thousand males 109 literates, and in a thousand females only 6 in India, while in Ceylon there were 349 and 69 respectively. Relatively, in all other respects Ceylon has shown herself to be more progressive than her big neighbour.

It is not only with India, however, that Ceylon compares unfavourably in regard to its Constitution. It is far behind several Colonies, which are greatly inferior to it both in population and

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

revenue, as well as in general progress. Cyprus, Malta, Mauritius, and Jamaica, whose combined population is less than that of Ceylon, and collective revenue only a little more, have 12, 8, 10, and 14 elected members respectively in their Legislative Councils, while Ceylon has no members directly elected by the people.

The position of Ceylon appears to be still worse when compared with such Colonies as British Honduras, Bermuda, and Bahama Islands. The revenue of the Colombo Municipality is larger than that of any of those Colonies; yet their government is of a far more liberal and representative character than that of Ceylon. Almost all these Colonies have a large proportion of native population, and cannot be said to have any special claims to be treated differently from Ceylon in regard to representative government.

It will therefore be manifest that the claim of Ceylon for a more representative form of government is founded on justice.

There are two reforms which are urgently needed to make the Legislative Council better suited to the present requirements of the Colony. They are the abolition of the present system of racial representation, and the introduction of the elective principle in place of nomination.

At the time the present Council was established there were no doubt good grounds for the adoption of the racial system, and the country was not advanced enough for representative government. At that time there were many matters regarding which special legislation was needed, affecting the various races resident in the Island, and an Advisory Council, composed of men with a special knowledge of their customs, manners, and usages, was a useful institution. These matters have been all dealt with, and the period of special legislation is at an end. With regard to the questions which now come before the Council, the interests of the different classes of inhabitants are practically identical.

A glance at the relative numbers of these races, and the number of members assigned to each in Council, will demonstrate how unjust it is to continue the present system, when the *raison d'etre*

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

for its continuance has ceased to exist. The figures are as follows:—

| | Popuiation. |
|---|---|
| Europeans ... | 9,000, have 3 representatives |
| Burghers ... | 23,000, have 1 representative |
| Muhammadans ... | 226,000, have 1 representative |
| Tamils ... | 955,000, have 1 representative |
| Sinhalese, Kandyan ... | 872,000, have 1 representative |
| Sinhalese, Low-country . | 1,458,000, have 1 representative |

It is absurd to suppose that one member can make himself acquainted with the wants of nearly one and a half million of people scattered all over the Island, as the member of the Low-country Sinhalese is expected to do. When it is remembered that the landed and commercial interests of the latter community is equal, if not superior, to that of all the other native communities put together, the inequality in the representation would appear to be utterly indefensible.

Not only do the soil and climate, but the general character, wants, and circumstances of the various Provinces and districts differ very materially from each other. Under the present system of representation the districts which are remote from the centre of Government suffer, while those districts of which the members of Council have an intimate knowledge, or in which they have interests, are unduly favoured.

It might be said that the interests of the different Provinces are safe in the hands of the respective Government Agents. It is, however, a fact that their recommendations are often pigeon-holed, unless they are pressed in Council by members backed up by a strong public opinion. The Puttalam railway, which has been for many years advocated by successive Government Agents, and repeatedly postponed in favour of less urgent public works, is a case in point. Nor can it be said, either, that the durbar of native chiefs, which is held annually, affords sufficient means to the Governor to ascertain the wants and grievances of the people. With the decadence of the communal system, and the great change that has taken place in the rural economy of the land, the tie that bound the people to the headmen has been considerably relaxed. There is at present a large body of unofficial opinion in

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

the country which does not reach the ears of Government through the usual official channels.

What is wanted, therefore, is a system of local representation, which will enable the inhabitants of the different districts to place their wants before the Council through their representatives, who could see that the large votes for public works which are passed every year are properly apportioned, and that justice is done to the various localities.

Local representation will, however, be of little advantage unless the people are given the right of electing their representatives.

As regards the question as to whether the people of Ceylon are fit to be entrusted with the privilege of choosing their representative, any one who impartially considers the present condition of the Colony will have no hesitation in answering it in the affirmative.

Ceylon has long been accustomed to representative institutions, and the elective principle has been adopted by the Government in connection with a number of institutions. Wherever it has been tried, it has on the whole worked satisfactorily. A primitive form of local government has existed in the Island from the earliest times, in the Village Councils, known as Gansabhawas. They fell into decay, but were reconstituted by the Village Committee Ordinance of 1871, by which authority was given them to make rules, subject to the approval of Government, and enforce them, in regard to a variety of local purposes. They were also empowered to raise the necessary funds by the imposition of an annual tax. The members of those committees are elected by the male inhabitants of the Villages above 18 years of age. Those committees have been established in about sixty districts.

There are twenty Local Boards, entrusted with the duty of maintaining the public health, and carrying on the work of general improvement in the smaller towns. They are composed of three official and three elected members. Again, District Road Committees, which are generally composed of two official and three elected members, exist in eighteen separate districts.

Lastly, there are three Municipal Councils, in Colombo, Kandy, and Galle, in which at least half the members are elected as representatives of the different wards into which these towns

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

are divided. The work which these Councils, especially the Colombo Council, have been called upon to undertake, has been often of a very important character, and has been performed satisfactorily, without much friction with the Government, which has a general control over these bodies. The fact that racial differences are hardly, if ever, introduced into municipal elections, and that there is the greatest harmony among the elected members, to whatever race they may belong, is eloquent testimony to the fitness of the Ceylonese for representative Government.

The extent to which local self-government prevails in Ceylon may be judged by the fact that a sum of about four million rupees is yearly spent by those elective bodies.

There are a number of other institutions, some of them constituted under legislative authority, such as the Committees under the Buddhist Temporalities Ordinance and the Synod of the Church of England, in which the elective principle is in force. There are, besides, numerous associations formed for political, religious, charitable, and other purposes, in which the people have had a training in the art of self-government. Referring to those associations, Mr. F. R. Ellis, C.M.G., at one time Auditor-General of the Island, now retired, in his report as a Commissioner of Census in 1901, says: " An improved education and an assured well-being appear to have aroused new interests and awakened new ambitions. The decade has been the age of associations and societies. Many of them, doubtless, the work of youthful

'Catos who give their little senate laws
And sit attentive to their own applause.' "

But even these encourage many persons to take an interest in local matters in which before they were quite indifferent. It has always been our policy to foster the spirit of local self-government, and every indication of the growth of such an interest should be encouraged and directed into channels when it can work usefully and efficiently.

The logical goal of these institutions is representative government. No danger need therefore be apprehended from the introduction of the elective principle into the Legislative Council.

Though the Legislative Council was apparently intended originally to be an advisory body, whose duty was to deal with

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

SPECIAL COLLECTION
JAFFNA PUBLIC LIBRARY



legislation only, it has long been the practice to submit all financial proposals of the Government for its approval, and lately a Finance Committee has been formed, on which all the Unofficial Members have been appointed to serve.

That the Colonial Office in England considers the criticism of financial proposals to be an important function of the Legislative Council, is shown by the following passage in a recent despatch from the Secretary of State for the Colonies, dealing with the programme of public works submitted to him by Sir Henry McCallum :—" Many of the services relate to matters which, so far as I am aware, have not been the subject of public discussion in the Colony. You will, therefore, regard this despatch as an authority to bring the proposals before the Legislative Council, but if that body has any representations to urge with regard to any of these details, I shall naturally desire to give proper consideration to their view before arriving at a final decision."

If the Secretary of State is to be guided by the opinions of Members of Council as expressing the public opinion of the country, it follows that the people should have a voice in their election. The inadequacy of the representation of native interests in the Council, and the fact that the Unofficial Members are nominees of the Governor, who has the right to re-nominate them at the end of their term of office, or replace them by others, tend to make their criticism less effective than it would otherwise be. It has often happened that the public have found it necessary to express their views through the medium of public meetings. This is a practice which, if it became more frequent, would embarrass the Home Government in the consideration of proposals placed before it by the Colonial Government. If the people were given the privilege of electing representatives, they would recognize that the constitutional mode of representing their views would be through the medium of their representatives in Council, and such other action, as the public might be obliged to take, would be in their hands.

The introduction by the present Governor of the practice of lsettling a programme of works extending over several years, and ear-marking a large proportion of the revenue for specific purposes, make it the more necessary that provision should be made

789011
Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

for the most ample discussion of such proposals in Council by the representatives of the people.

With the ever-increasing number of persons scattered all over the Island competent to act as members of Council, each of whom has a following in the country, the task of making a selection is becoming more and more difficult for the Governor, who has often no personal knowledge of the persons who are suggested for nomination. His chief advisers, too, in making recommendations, are often guided by considerations other than those which would influence an electorate, with the result that much dissatisfaction is almost invariably caused among large sections of the people whenever nominations to Council are made.

Life membership was abolished some time ago, and the term of office restricted to five years, apparently with the object of introducing fresh blood into the Council, as well as of enabling a large number of men to have a share in the government of their country. Yet, when the majority of the unofficial seats became vacant in 1905, Sir Henry Blake found it so difficult to make a choice from among the different names suggested by the public, that he re-nominated all the sitting members, a contingency that could not have been contemplated when power was reserved to the Governor to re-nominate members when he found it expedient. If the Governor is relieved of this embarrassing duty, the chance of his maintaining his personal popularity among the different sections of the people will be greatly enhanced.

No radical change in the present Council will be necessary to carry out the reforms indicated above. The Council might be enlarged by increasing the number of members to, say, twenty-five, thirteen Officials and twelve Unofficials. Seven of the latter might be elected as representatives of the Provinces, the smaller and less important Provinces being grouped together for electoral purposes. In view of the important interests represented by the Planting and Mercantile Members, the privilege now accorded to the Planters' Association and Chamber of Commerce of nominating them might be retained. A similar right might be conferred on the Municipal Council of Colombo to nominate a representative, and the Governor might be given the right to nominate two members for the purpose of safeguarding the interest of minorities, who might be adversely affected by the abolition of racial

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

representation.

The present rule, which debars the Unofficial Members from proposing, without the leave of the Governor, any Ordinance, vote, or resolution which creates a charge upon the revenue, might be abrogated, and Official Members, some of whom are not in the Executive Council, freed from the obligation of voting with the Government on all questions submitted to Council, power being reserved to the Governor to command their votes whenever he thinks it expedient. Following the precedent of several other Colonies, the Executive Council might be strengthened by the addition of two Unofficial Members chosen by that body.

The expediency of relieving the Governor from presiding at the ordinary meetings of Council, and imposing that duty on the Colonial Secretary, might also be considered, as it would remove His Majesty's representative from the arena of controversial politics, and give him more time to travel in different parts of the Island and acquaint himself with its wants.

As regards an electorate, there is a highly intelligent one, composed of members of the Government Service, professional men, graduates, landed proprietors, and merchants of all races, who may be safely entrusted with the duty of electing their representatives in Council. The qualification which is now adopted in the case of jurors, with certain modifications, might be made the basis of the franchise.

These moderate reforms, while in no degree weakening the power of the Governor and his responsible advisers, or affecting the constitution of the country as a Crown Colony, will do much to satisfy the legitimate aspirations of the Ceylonese people to have a voice in the government of their country, and rally on the side of the Government the most intelligent as well as the most influential of its inhabitants.

It is not good policy to wait for a general agitation in the country—and there are signs that such an agitation is commencing—before granting a reform which has been necessitated by the very changes which the English Government has itself initiated. It would indeed be a gracious act on the part of the Crown, if the unswerving loyalty of the people of Ceylon during a century of British rule is rewarded by concessions which are about to be made to their fellow-subjects on the neighbouring continent, who

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

cannot be said to have shown the same unfaltering devotion to the British throne.

The present Legislative Council was intended to be purely tentative, and it was admitted by its authors that it was imperfect, and should be superseded at a later date by a Council constituted on more liberal lines. It is a matter of history that, more than half a century ago, Sir Alexander Johnstone, who was commissioned to suggest a reform of Council, submitted a scheme of representative government which would have been adopted had not the Colonial Minister, who favoured it, resigned office soon afterwards.

These remarks on Legislative reform in Ceylon cannot be more appropriately brought to a close than by quoting the following observations on the subject made by Pridham in his work on Ceylon, published sixty years ago, which can only have gained additional force by the rapid progress which the Colony has made since they were written:—

"The form of Government by which the affairs of the Island are administered is of a very exclusive character, though Ceylon already possesses every element requisite for the working of popular representation. * * * * An analysis of the elements which go to form the population of Ceylon will show, we venture to affirm, that whether wealth, civilization, intellect, education, enterprise, a numerical standard, a feeling in favour of British supremacy, the equality with which the persons likely to be returned as representatives are distributed over the country be considered, it possesses a strong and valid claim to a privilege, and, I may add, a right to which every Colony of Great Britain is entitled to under similar circumstances. Independently of those holding official rank, civil and military, it possesses a highly honourable and respectable mercantile community, both European and native, a large and increasing landed proprietary, a numerous and intelligent native aristocracy, both in the maritime Provinces and interior, an influential body of professional men of every grade, and lastly, a body of Moormen, Parsee, and Tamil capitalists presenting, when combined, a political *ensemble* rarely, if anywhere else, to be found within the British Dominion."

---

This memorandum was presented by Mr. James Peiris on December 12th, 1908 to the Under-Secretary of State for the Colonies, Col. Seely. Vide Sessional Paper 2 of 1910.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

**2.**

Mr. H. J. C. Pereira to the Hon. the Colonial Secretary.

Horton Place,
Colombo, March 3, 1909.

SIR,

I Have the honour to forward herewith a memorial signed by leading inhabitants of this Colony, addressed to the Right Honourable the Secretary of State for the Colonies, praying for the reform of the Legislative and Executive Councils.

The signatories (760) represent no small proportion of the landed, mercantile, and other permanent interests of the Colony, and voice the responsible public opinion of the various communities which are dissatisfied with the present Constitution.

The reasons for the dissatisfaction and the remedies proposed are set forth in the memorial, which will, we trust, receive the support of His Excellency.

Six copies of the memorial are annexed. We respectfully beg that the memorial, which speaks for itself, be transmitted to the Secretary of State as early as possible.

I have, &c.,

H. J. CHAS. PEREIRA.

---

*Memorial referred to.*

To the Right Hon. the Earl of Crewe, K.G., His Majesty's Principal Secretary of State for the Colonies.

The humble Memorial of the undersigned Inhabitants of the Island of Ceylon.

Respectfully Showeth,

Your memorialists beg leave to submit for Your Lordship's favourable consideration the following facts with respect to the constitution of the Legislative and Executive Councils of Ceylon.

2. The Constitution was granted to the Colony in 1833 on the recommendation of a Royal Commission appointed to report upon the administration of the Island. The Legislative Council was to consist of a certain number of Official Members and of Unofficial Members nominated by the Crown. The proposal was expressly put forward by the Commission as an imperfect one, to be



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

replaced in time by a more liberal constitution. "Such a Council is not proposed as an institution calculated in itself to provide effectually for the legislation of the Island at a more advanced stage of its progress.....it would eventually constitute an essential part of any Colonial Legislature for which the Island may be prepared at a future period."—(Report of the Royal Commission, printed in *Ramanathan's Law Reports*, 1820-33, p. 220).

3. At the time the Council was established Ceylon was little more than a military station. In the three-quarter century that has since elapsed the Island has made phenomenal progress in every direction, as may be seen at a glance from this table :—

Ceylon in 1834 and 1907.

| | 1834. | 1907. |
|---|---|---|
| Population ... | 1,167,700 ... | 3,998,064 |
| Scholars ... | 13,891 ... | 275,492 |
| Revenue ... | Rs. 3,779,520 . . | Rs. 36,573,824 |
| Expenditure ... | Rs. 3,348,350 ... | Rs. 32,591,521 |
| Shipping ... | Tons 153,510 ... | Tons 13,302,950 |
| Imports ... | Rs. 3,727,260 ... | Rs. 129,316,757 |
| Exports ... | Rs. 1,458,340 ... | Rs. 129,570,001 |

4. The figures indicate that the time contemplated by the Royal Commission for a more liberal Constitution has long since arrived. But the only change that has been made in the constitution of the Council since its establishment has been the addition of two nominated Unofficial Members in 1889. In all essential particulars the Council is constituted as it was seventy-five years ago.

5. The Council now consists of ten Official and eight Unofficial Members. Of the latter, one is assigned to the Planters' Association of Ceylon (European planters), one to the Chamber of Commerce (European merchants), one to the General European community, one to the Burghers, one to the Sinhalese of the Low-Country, one to the Kandyan Sinhalese, one to the Tamils, and one to the Muhammadans.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

6. From the point of view of population the distribution of the Unofficial Members is as follows:—

| | |
|---|---|
| For the Europeans (6,500) | . Three members. |
| For the Burghers (24,780) | . One member. |
| For the Sinhalese (2,551,000) | . Two members. |
| For the Tamils (1,127,000) | . One member. |
| For the Muhammadans (250,000) | ... One member. |

7. The Unofficial Members are appointed by the Governor. The communities whom the Unofficial Members are supposed to "represent" have no voice in their selection, except the European planters and merchants, who are allowed by the Governor to select their representatives through the Planters' Association and the Chamber of Commerce respectively. The tenure of office is limited to five years, and the members are eligible for re-appointment at the pleasure of the Governor.

8. It will thus be seen that the official element of the Council is in a majority, and that the Unofficial Members are, in the case of the principal Ceylonese races, in the proportion of less than one member to a million persons. It is impossible for any member, however able, to do justice to such a large constituency, while the fact that the mebers owe their appointment and their continuance in office to the Governor is fatal to their efficiency and usefulness. In the Executive Council itself there is not a single Ceylonese or Unofficial Member. Measures are decided upon in that Council before their introduction into the Legislative Council, which, owing to the weakness of the Unofficials, does little more than register the wishes of the Executive.

9. In a recent speech in the House of Lords the Secretary of State for India, Lord Morley, in announcing the intentions of the Imperial Government in regard to the reform of the Indian Legislative Councils, gave as his reason for increasing the number of elected members and abolishing the official majority that "an official majority directly, palpably, and injuriously tended to deaden the interest and responsibility of Unofficial Members." If this be the case with the Indian Councils which contain elected members, how much more injurious must be the effect in Ceylon, where the Unofficial Members are dependent for their existence on official favour? Lord Morley has also provided for the inclusion

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

of Indian members in the Executive Council. These reforms have been carried out, because it is the declared policy of the British Government "to associate the people of India with the Government in the work of actual day-to-day administration," and "to adjust the machinery of Government so that their Indian fellow-subjects might be allowed parts which a self-respecting people could fill."

10. The Royal Commission referred to in paragraph 2 reported in 1832 that "the peculiar circumstances of Ceylon, both physical and moral, seem to point it out to the British Government as the fittest spot in our Eastern dominions in which to plant the germ of European civilization, whence we may not unnaturally hope that it will hereafter spread over the whole of these vast territories" (*Ramanathan*, 1820-33, p. 274). In 1833, when the Legislative Council was established in Ceylon, there was no similar institution in India, where they did not come into existence till 1861. But while the Legislative Council of Ceylon remains what it was in 1833, a close body of the Governor's nominees, the Indian Councils were liberalized in 1892 to admit of elected members, and have now been given a fresh and extensive lease of life and vigour by the increase of elected members and the abolition of the official majority.

11. The hope expressed by the Royal Commission has thus been falsified, and Ceylon, instead of being a model to India, has been allowed to lag far behind. And this for no fault of the inhabitants of this Island. The table given in paragraph 3 is an eloquent commentary on the moral and material progress of the people and of their ripeness for the liberal constitution granted to India. In all the qualifications of good citizenship the population of Ceylon is incomparably ahead of that of India. As to education, the last Census showed that literate males numbered in Ceylon 350 per 1,000 of the population as against 98 in India, and literate females 70 per 1,000 as against 7 in India. The loyal attachment of the people of Ceylon to the throne and their peaceful and law-abiding character have been acknowledged by successive Governors and Secretaries of State—a striking contrast to the conditions that prevail in India.

12. Your memorialists therefore humbly beg that Your Lordship will be pleased to take such measures as may be necessary to

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

place the Legislative Council of Ceylon on an elective basis, and to include in the Executive Council Ceylonese members. In May, 1903, as the result of a unanimous vote of the Legislative Council, the Governor, Sir West Ridgeway, recommended to Your Lordship's predecessor, Mr. Chamberlain, the addition of two Unofficial Members to the Executive Council, "as tending to satisfy the public opinion, which is in favour of more effective representation in the government of the Colony," and as "it would formally place at the disposal of the Government advice and information which it is not always possible to obtain from official sources." Mr. Chamberlain was unable to accept the proposal, as the Unofficial Members were not elected members but nominees of Government, and mentioned that in other Crown Colonies where Unofficials were placed in the Executive Council "this change followed as a corollary of the admission to the Council of Government of elected representatives of the people."

13. The memorialists submit as a tentative scheme for Your Lordship's consideration the appointment of elected members to the Ceylon Legislative Council as follows :—

| | |
|---|---|
| The Chamber of Commerce ... ... | 1 |
| The Planters' Association ... ... | 1 |
| Western Province, City of Colombo . . ... | 1 |
| The rest of the Western Province ... ... | 2 |
| Central Province ... ... | 2 |
| Southern Province ... ... | 2 |
| Northern Province ... ... | 2 |
| Eastern Province . . ... | 2 |
| North-Western Province ... ... | 2 |
| North-Central Province ... ... | 1 |
| Province of Uva ... ... | 1 |
| Province of Sabaragamuwa ... ... | 1 |
| | 18 |

Or, in all, 18 elected members, with such safeguards as Your Lordship may deem expedient (by the addition of nominated members or otherwise) for the due representation of minorities.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

14. A public agitation has been demanded by many in order to give voice to the widespread dissatisfaction with the present political system and the strong desire for a more liberal constitution. But the memorialists have used their influence to discourage such agitation as tending to produce an excitement and unrest undesirable in view of recent events in India, and likely to embarrass the Government. The risk of it will be averted by a gracious concession of Your Lordship in accordance with those traditional principles of well-ordered freedom, to which the British Government has just given its unfaltering adherence in India under conditions which would have daunted a Government less strong in the consciousness of its justice and power.

15. The memorialists are firmly convinced that the concession of similar privileges to this Colony will be appreciated by the people as a just recognition of their deep and abiding loyalty to the Throne and of their advance in education and prosperity, will promote the efficiency of the administration, increase the happiness and contentment of the people, and strengthen the foundations of British rule.

And Your Lordship's memorialists, as in duty bound, will ever pray.

(Here follow the signatures).

---

## 3.

The Honorary Secretary, Low-Country Products Association of Ceylon, to the Hon. the Colonial Secretary.

15, Chatham Street,
Colombo, March 18, 1909.

SIR.

In accordance with a resolution passed at the Low-Country Products Association of Ceylon, I have the honour to forward herewith six copies of the memorial of my Association for transmission to the Right Honourable the Earl of Crewe, Principal Secretary of State of His Majesty's Colonies. I have also the honour to enclose herewith three copies of the annual report of my Association for the information of His Lordship.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

SPECIAL COLLECTION
JAFFNA PUBLIC LIBRARY



The Chairman of the Association for this year is Mr. T. E. de Sampayo, K.C., who is temporarily away from the Island. Owing to his absence, Dr. Gerald de Saram, who presided, was authorized to sign for the Chairman.

I have, &c.,
HENRY L. DE MEL,
Honorary Secretary.

---

*Memorial referred to.*

Your memorialists beg leave to submit for Your Lordship's favourable consideration the following facts with respect to the constitution of the Legislative and Executive Councils of Ceylon.

2. The present Constitution was granted to the Colony in 1833 on the recommendation of a Royal Commission appointed to report upon the administration of the Island.

3. At the time the Council was established Ceylon was little more than a military station. In the seventy-five years that has since elapsed the Island has made phenomenal progress in every direction, which is set forth in the following table:—

Ceylon in 1834 and in 1907.

| | | 1834. | | 1907. |
|---|---|---|---|---|
| Population | ... | 1,167,700 | ... | 3,998,064 |
| Scholars | ... | 13,891 | ... | 275,492 |
| Revenue | ... Rs. | 3,779,520 | ... Rs. | 36 573,824 |
| Expenditure | ... Rs. | 3 318,350 | ... Rs. | 32,591,521 |
| Shipping | ... Tons | 153,510 | ... Tons | 13,302,950 |
| Imports | ... Rs. | 3,727,260 | ... Rs. | 129,316,757 |
| Exports | ... Rs. | 1,458,340 | ... Rs. | 129,570,001 |

4. The above figures establish the fact that Ceylon is at present ripe for some improvement of the Constitution for which it was fit over three-quarters of a century ago. But the single change that has been made in the constitution of the Legislative Council has been the addition of two nominated Unofficial Members in 1889.

5. The Legislative Council at present consists of ten Official and eight Unofficial Members. Of the Unofficial Members, one represents the Planters' Association of Ceylon, one the Chamber of

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Commerce, one the General European community, one the Burghers, one the Sinhalese of the Low-Country, one the Kandyan Sinhalese, one the Tamils, and one the Muhammadans.

6. From the point of view of population the distribution of the Unofficial Members is as follows :—

| | |
|---|---|
| For the Europeans (6,500) | ... Three members |
| For the Burghers (24,780) | ... One member |
| For the Mohammadans (250,000) | .. One member |
| For the Tamils (1,127,000) | ... One member |
| For the Sinhalese (2,551,000) | ... Two members |

7. The Planters' Association of Ceylon represents mainly the tea, rubber, and cacao cultivations, which cover an area estimated at 600,000 acres. On the other hand, the estimated acreage within the scope of the Low-Country Products Association, apart from rice cultivation, which is chiefly in the hands of the small village farmers, may be set forth as follows :—

| | Acres. | Value. Rs. |
|---|---|---|
| Coconut palm .. | 700,000 ... | 350,000,000 |
| Arecanut palm .. | 50,000 ... | 10,000,000 |
| Cinnamon ... | 45,000 ... | 11,250,000 |
| Citronella .. | 40,000 ... | 10,000,000 |
| Tobacco .. | 1,000 . . | 300,000 |
| Minor products, nutmeg, pepper &c. .. | 1,000 ... | 150,000 |
| Total ... | 837,000 ... | 381,700,000 |

With respect to the trade of the Colony, the greater portion of the import trade, including the whole of the rice imports, is in the hands of native merchants. The mining industry of the Island, represented by plumbago and gems, is almost entirely controlled by Ceylonese. But none of these varied and important interests receive any representation in the present Council, whereas the interests of the European capitalists and merchants are safeguarded by two special representatives.

8. In estimating the relative importance to the Colony of Ceylonese enterprise in agriculture and mining as contrasted with

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

European interests, your memorialists beg to urge that whereas tea, rubber, and cacao plantations are mainly worked with foreign capital, largely by companies with headquarters in London, and chiefly with immigrant labour, the industries represented by your memorialists are financed with local capital, and are worked with indigenous labour, thereby securing both the profits of capital and the wages of labour entirely for the benefit of the Colony.

9. The Unofficial Members are selected by the Governor. The communities whom the Unofficial Members are meant to represent have no voice in their selection, except the European planters and merchants, who are permitted by the Governor to nominate their representatives through the Planters' Association and the Chamber of Commerce.

10. The official element of the Legislative Council is in a majority, and the Unofficial Members, in the case of the two principal Ceylonese races, are in the proportion of less than one member to a million persons. It is not possible for any member to do justice to such a large constituency, while the fact that the members owe their appointment and their re-nomination for a further term of office to the Governor is prejudicial to their efficiency and usefulness.

11. As at present constituted the Executive Council consists of Official Members only.

12. The Royal Commission of 1832 reported that "the peculiar circumstances of Ceylon, both physical and moral, seem to point it out to the British Government as the fittest spot in our Eastern dominions in which to plant the germ of European civilzation, whence we may not unnaturally hope that it will hereafter spread over the whole of these vast territories." In 1833, when the Legislative Council was established in Ceylon, there were no similar institutions in India; they only came into existence in 1861. But while the Legislative Council of Ceylon remains what it was in 1833, a close body of the Governor's nominees, the Indian Councils were liberalized in 1892 to admit of elected members, and have now been given fresh life and vigour by the increase of elected members and the abolition of the official majority.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

13. The hope expressed by the Royal Commission has not been realized, and Ceylon, instead of being a model to India, has been allowed to lag far behind; and this for no fault of the inhabitants of this Island. The table given in paragraph 3 is an eloquent commentary on the moral and material progress of the people and of their ripeness for the liberal constitution granted to India. In all the qualifications of good citizenship the population of Ceylon is incomparably ahead of that of India. As to education, the last Census showed that literate males numbered in Ceylon 350 per 1,000 of the population as against 98 in India, and literate females 70 per 1,000 as against 7 in India. The loyal attachment of the people of Ceylon to the Throne and their peaceful and law-abiding character have been acknowledged by successive Governors and Secretaries of State—a contrast to the conditions that prevail in India.

14. Your memorialists therefore humbly beg that Your Lordship will be pleased to take such measures as may be necessary to place the Legislative Council of Ceylon on an elective basis, and to include in the Executive Council at least two Unofficial Members, to be selected by the elected members of the Legislative Council. In May, 1903, as the result of a unanimous vote of the Legislative Council, the then Governor, Sir West Ridgeway, recommended to Your Lordship's predecessor, Mr. Chamberlain, the addition of two Unofficial Members to the Executive Council, "as tending to satisfy the public opinion, which is in favour of more effective representation in the Government of the Colony," and as "it would formally place at the disposal of the Government advice and information which it is not always possible to obtain from official sources." Mr. Chamberlain was unable to accept the proposal, as the Unofficial Members were not elected members but nominees of Government, and mentioned that in other Crown Colonies where unofficials were placed in the Executive Council, "this change followed as a corollary of the admission to the Council of Government of elected representatives of the people."

15. The memorialists submit as a tentative scheme for Your Lordship's consideration the appointment of elected members to

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

the Ceylon Legislative Council as follows:—

| | |
|---|---|
| The Chamber of Commerce ... ... | 1 |
| The Planters' Association .. ... | 1 |
| City of Colombo ... ... | 2 |
| Western Province, excluding Colombo... . | 2 |
| Central Province ... ... | 2 |
| Southern Province ... ... | 2 |
| Northern Province ... ... | 2 |
| North-Western Province ... ... | 2 |
| Eastern Province .. ... | 1 |
| North-Central Province .. ... | 1 |
| Province of Uva ... ... | 1 |
| Province of Sabaragamuwa ... ... | 1 |
| | 18 |

Or, in all, 18 elected members, with such safeguards as Your Lordship may deem expedient (by the addition of nominated members or otherwise) for due representation of minorities.

16. Your memorialists firmly believe that the concession of the privileges asked for will be appreciated by the people as a just recognition of their deep and abiding loyalty to the Throne and of their advance in education and prosperity, will promote the efficiency of the administration, increase the happiness and contentment of the people, and strengthen the foundations of British rule.

And Your Lordship's memorialists, as in duty bound, shall ever pray.

GERALD H. DE SARAM,
L.R.C.P. & S. (Edin.)
L.F.P. & S. (Glasgow).
for Chairman.

HENRY L. DE MEL,
Proctor, S.C., and M.M.C., Colombo,
Honorary Secretary.

---

**4.**

The President, Jaffna Association, to the
Hon. the Colonial Secretary.

Jaffna, April 10, 1909.

SIR,

We have the honour, on behalf of the Jaffna Association, to

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

submit the accompanying memorial (in triplicate), and to respectfully request that His Excellency the Governor will be pleased to transmit the same to the Secretary of State for the Colonies, with such favourable remarks as he may see fit to make.

We have, &c.,

J. M. HENSMAN,
President.

A. SABAPATHY,
M. A. ARULANANDAN,
Secretaries.

---

*Memorial referred to.*

That your memorialists, representing the Tamils of the Northern Province, the chief centre of the Tamil population of this Island, in general meeting assembled on February 9, 1909, passed the following resolution:—"That the Ceylon Legislative Council as it is at present constituted is unsuitable to the existing conditions of the Colony, in that (1) the method of nominating Unofficial Members is not likely to secure their independence; (2) it is founded on racial representation, a principle likely to perpetuate class feeling, and not calculated to introduce the best talents into the Council, or to represent the interests of the various districts; and (3) the preponderance of the official over the unofficial element concentrates all the powers in the hands of the official majority. That in the opinion of this Association reforms are urgently needed in the respects mentioned above. That steps be taken by the Managing Committee to do what is needful to ensure the ultimate realization of the reforms indicated above."

2. The feeling in favour of substantial reforms in the constitution and system of government being now general throughout the Island, your memorialists now approach Your Lordship with their views on the question of reform of the Legislative and Executive Councils of Ceylon.

3. Your memorialists do not consider it necessary to submit facts and figures to convince Your Lordship of the great advance the people of every part of this Island have made in wealth, education, and general well-being, and of the utter inadequacy of the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

share which the people in these altered conditions have been given in the administration of their own country. Such facts and figures, they believe, have been or are being submitted to Your Lordship by other public bodies in Ceylon. They therefore desire to place only the following considerations before Your Lordship for your favourable notice.

4. Till within the last sixteen or seventeen years it was the good fortune of the Ceylonese to be under a system of government far ahead of that obtaining in India, though the former was one which was inaugurated so long ago as 1833, the only modification it underwent after its introduction being the addition in 1889 of two Unofficial seats in the Legislative Council.

5. While thus in Ceylon the share in the Government granted to the people remained practically unaltered during seventy-five years, India, which first had her Legislative Councils in some of her more important provinces only in 1861, made a long step forward within thirty years, when, by Lord Cross's Act of 1892, the choice of members of the Legislative Councils by a form of popular election was introduced. And now, by means of far-reaching constitutional reforms, the people of India are about to be given a real and substantial share in the government of their country.

6. Your memorialists will here merely allude to the Councils or Representative Institutions that have long been established in other Crown Colonies, such as Mauritius and some of the West Indian Islands, and the extremely liberal measure of self-government granted to them, though these Colonies are far behind Ceylon in revenue, population, wealth, and education.

7. But by reason of the close proximity of India and of the ethnological and other relationships between the Ceylonese and the Indian people, your memorialists would most respectfully submit that if Western education has created in the people of India higher aspirations and ambitions which it is considered but just and right to satisfy, the same thing is true of Ceylon, and with even greater force, for the following reasons:—(1) The existence of vast masses of people always on the verge of starvation and in chronic poverty in India has no parallel in Ceylon; (2) Ceylon is far ahead of India in the general education of the masses; (3) Ceylon has always been loyal to the core to the Throne and person of the Sovereign, and has always been proud of being a British

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Crown Colony; (4) Ceylon is altogether free from the social and religious dissensions which are so rife in India. These are facts which go to show that the people of Ceylon are qualified to rightly employ the power of the franchise if it is granted to them, and fit to enjoy higher political privileges.

8. Your memorialists beg respectfully to assure Your Lordship that the dissatisfaction which undoubtedly exists among the people at the extremely limited share that has been granted them during the last seventy-five years in the government of their country has been a matter of slow growth during many years. The Unofficial Members of the Legislative Council were originally appointed for life, and their presence in Council was of the utmost value to Government, as they fearlessly placed before it the popular aspects of every question that came up in Council. Some years later life membership gave place to a five-years' tenure; but while the elective franchise was in effect, though not formally, conferred on the European community, nomination pure and simple of Ceylonese Unofficials by the Governor continued, with option of re-nomination, at the pleasure of the Governor, for a second term. Ceylonese Unofficials, therefore, owing their seats to Government, and dependent on the pleasure of the Government for a second nomination, neither had a mandate from, nor were answerable to, a popular constituency. Outspoken and frank criticism of Government measures thus became as difficult as it was rare under a state of things which, your memorialists respectfully submit, is not popular representation in any sense of the term.

9. The dissatisfaction with this state of things found expression in various ways during the last twenty or thirty years. One was that, though by enactment and in fact the people were without the elective franchise, they nevertheless in a great number of cases, on the occurrence of a vacancy, proceeded to hold public meetings and to send to Government in an informal manner the names of the gentlemen elected by popular votes at the meetings. Another was the expression of opinion in newspapers in favour of various candidates before the Governor's nomination was made public, and vehement protests whenever their expectations ended in disappointment. When the Governor's nominee was one who had not been supported in his candidature by any considerable section of the public, it has more than once happened that numerously

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

and influentially signed memorials from the people were sent up to the Secreary of State, respectfully but frankly giving expression to their disagreement with the choice of the Governor.

10. This dissatisfaction has not been confined to the Ceylonese. The extract given below is from *Ceylon in the Jubilee Year*, by Mr. John Ferguson, and published in 1887. He is the senior editor of the *Ceylon Observer*, and is a gentleman of unequalled experience of Ceylon. He has just retired from the representation of the General European community in the Legislative Council at the end of his term of service in that capacity. This is what he wrote:—"Indeed the elective principle might under due safeguards be applied in the eight Provinces of the Island—under a severely restricted franchise to begin with—so giving eight elected Unofficial Members, to whom might be added two to four nominees of the Governor from among the merchants or other classes not adequately served by the elections.....and a few more privileges might be accorded to the members, such as the right of initiating proposals, even where such involved the expenditure of public money up to a certain moderate limit."

11. As one more instance of the participation in the general discontent, in this respect, of enlightened European opinion, the memorialists would instance the remarks of Mr. H. Creasy, a solicitor of extensive practice, and a son of the late Sir Edward Creasy, Chief Justice of Ceylon, on the occasion of a meeting held in December last, in Colombo, of the General European community to nominate a successor to Mr. John Ferguson. He condemned in strong terms the antiquated character of the present Constitution, and insisted on the necessity of re-forming the Legislative Council and conferring greater privileges on the people.

12. Your memorialists have stated the foregoing facts to show to Your Lordship that the desire for a change in the present state of things is not a matter of yesterday, nor a sentiment confined to the Ceylonese. They now feel that the time has arrived for the people of Ceylon, who are conscious of having arrived at adolescence, to be released from a state of pupillage, that their unswering loyalty entitles them to a more generous treatment than in the past, and that real efficiency of administration is, in the present advanced state of the Island, only possible with the cordial co-operation of the people at every step.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

13. Your memorialists therefore respectfully pray that Your Lordship will be pleased to sanction such changes in the constitution and working of the Legislative and Executive Councils of Ceylon as are likely to satisfy public feeling. They respectfully beg leave to submit the following suggestions for Your Lordship's favourable consideration :—

*First*, as regards the Legislative Council, that (1), excepting two or three seats that may be reserved for nomination by the Governor for the representation of minorities, all the unofficial seats be filled up by popular election; (2) that provincial be substituted for racial representation; (3) that regularly constituted bodies otherwise unrepresented, such as the Planters' Association and the Chamber of Commerce representing particular interests, and recognized as such by Government under definite regulations, be granted the right of electing their own representatives; (4) that the unofficial and the official element be equalized; (5) that Unofficial Members be granted the right of initiating proposals involving expenditure of public money within prescribed limits.

*Next*, as regards the Executive Council, that Sir West Ridgeway's recommendation in 1903 for the addition to the Executive Council, of two Unofficial Members of the Legislative Council be now sanctioned and given effect to.

14. These reforms, in the humble opinion of your memorialists, would be in accordance with the progressive tendencies of the times all over the world, and strengthen the foundations of British rule in this Island, placing them securely on the broad basis of the people's will.

15. The memorialists, in conclusion, beg respectfully to express their confident hope that Your Lordship, who is a firm believer in the justice and policy of the reforms that are to be introduced in India, as Your Lordship's noble speech on the second reading of the Indian Council's Bill in the House of Lords would show, will not deny to the people of Ceylon the privileges that are to be conferred on their brethren and fellow-subjects in the neighbouring continent.

Your memorialists, as in duty bound, shall ever pray.

J. M. HENSMAN, President.
A. SABAPATHY,
M. A. ARULANANDAN,
Secretaries.

Jaffna, Ceylon,
April 10, 1909.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

5.

The President, Ceylon National Association, to the Hon. the Colonial Secretary.

Colombo, April 19, 1909.

SIR,

I have the honour to enclose six copies of a memorial to the Secretary of State for the Colonies, the terms of which were authorized by resolutions passed at a General Meeting of the Ceylon National Association held on January 30 last.

2. I beg that His Excellency the Governor will forward the memorial to Lord Crewe with his favourable recommendation.

3. Writing on behalf of the Association, I would request some indication from the Government of their views on the subject of the prayers embodied in the memorial.

4. I have no doubt you are aware that the sentiments expressed in the memorial reflect the hopes and earnest wishes of the people of Ceylon, who trust that the Government will favour their respectful efforts to obtain wider political privileges with sympathy and support.

I am, &c.,
ARTHUR ALVIS,
President.

---

*Memorial referred to.*

To the Right Hon. the Earl of Crewe, K.G., His Majesty's Principal Secretary of State for the Colonies.

The Memorial of the Ceylon National Association.

Respectfully Showeth,

1. The Ceylon National Association consists of a large proportion of the leading men of the educated and thoughtful sections of the Ceylonese, and one of its objects is to promote interest in public affairs among the people.

2. At a Special General Meeting of the Association held on January 30 last it was resolved that a memorial with respect to the reform of the constitution of the Legislative and Executive Councils of Ceylon be forwarded to Your Lordship.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

3. Your memorialists beg leave to urge the following facts for Your Lordship's favourable consideration.

4. In March, 1833, His Majesty King William the Fourth was pleased, on the recommendation of a Royal Commission appointed to report upon the administration of this Colony, to direct that the Governor should no longer be assisted by a single Council, Executive and Legislative, but that a new Council should be constituted with legislative functions, and should consist of fifteen members, "of whom nine shall at all times be persons holding office within the Island, and the remaining six shall at all times be persons not holding any such office."

In 1889 two members were added to the unofficial number constituting the Legislative Council, which now consists of ten Official and eight Unofficial Members.

5. The different communities who form the population of the Island stand as follows:—

Europeans 6,500, in whose interests three Europeans are appointed by the Governor.

Burghers 24,780, in whose interests one member is appointed by the Governor.

Muhammadans 250,000, in whose interests one member is appointed by the Governor.

Tamils 1,127,000, in whose interests one member is appointed by the Governor.

Sinhalese 2,551,000, in whose interests two members are appointed by the Governor.

6. At the time the Legislative Council was established, Ceylon was little more than a military station. The only article of export of commercial importance was cinnamon. The mountain districts, which are now the seat of many thriving industries, were covered with dense forest. The people were uneducated and incompetent to take an intelligent interest in public affairs. The finances were burdened with a heavy military charge, and deficits were frequent, sometimes amounting to a sum equivalent to a half of the revenue. In these circumstances, the recommendations of the Royal Commission of 1832 were expressly put forward as necessarily imperfect and tentative, preparatory to a more liberal

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Constitution. "Such a Council is not proposed as an institution calculated in itself to provide effectually for the legislation of the Island at a more advanced stage of its progress.....it would eventually constitute an essential part of any Colonial legislature for which the Island may be prepared at a future period."—(Report of Royal Commission).

7. The present Council was granted only as a first instalment, intended to be followed by a liberal Constitution at a more advanced stage of the Island's progress. That stage, your memorialists submit, had arrived long since.

The following table will show the immense progress the Island has achieved in every respect and direction:—

| | 1834. | 1907. |
|---|---|---|
| Population ... | 1,167,700 ... | 3,998,064 |
| Scholars ... | 13,891 ... | 275,492 |
| Revenue ... Rs. | 3,779,520 ... Rs. | 36,573,824 |
| Expenditure ... Rs. | 3,348,350 ... Rs. | 32,591,521 |
| Shipping ... Tons | 153,510 ... Tons | 13,302,950 |
| Imports ... Rs. | 3,727,260 ... Rs. | 129,316,757 |
| Exports ... Rs. | 1,458,340 ... Rs. | 129,570,001 |

8. The official majority in the Council, and the fact that the Unofficial Members are appointed by the Governor, do not conduce to the people taking a healthy interest in the consideration of their public affairs. And, moreover, the fact that the prospect of duce to the people taking a healthy interest in the consideration of prejudicial to the independence and efficiency of the Unofficial Members.

9. The effect of an unofficial majority was well described by Lord Morley of Blackburn, Secretary of State for India, in a recent speech in the House of Lords in regard to the concession of liberal reforms to India. In giving his reason for dispensing with the official majority in that dependency he declared how "directly, palpably, and injuriously an official majority tended to deaden the interest and responsibility of the Unofficial Members."

In India, where the Unofficial Members are in many cases elected by the people and responsible to them, the official majority has the effect of throwing them into "an attitude of peevish and permanent opposition"—in the words of Lord Morley.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

10. The Executive Council as at present constituted consists exclusively of Official Members, a few only of whom possess local experience. Mr. John Ferguson, C.M.G., in his "Ceylon in the Jubilee Year," points out "the farce has been seen even in recent years of a Governor and his five executive advisers in Ceylon not counting half a dozen years of local experience between them."

11. In the neighbouring continent Lord Morley has provided for the inclusion of Indian members in the Executive Council, in consonance with the declared policy of the British Government "to associate the people of India in the work of actual day-to-day administration," and to "adjust the machinery of the Government so that their Indian fellow-subjects might be allowed parts which a self-respecting people could fill." In Ceylon, in consequence of a unanimous vote by the Legislative Council, Sir West Ridgeway suggested in 1903 to the then Secretary of State the addition of two Unofficial Members to the Executive Council, as "it would formally place at the disposal of the Government advice and information which it is not always possible to obtain from official sources." Mr. J. Chamberlain could not see his way to accept this proposal because the Unofficial Members were the nominees of the Government, and he pointed out that in other Colonies their admission into the Executive Council "followed as a corollary to their being elected representatives of the people."

12. The Legislative Council of Ceylon, established in 1833, was to be a pattern to the rest of His Majesty's Eastern dominions. Similar Councils came into existence in India in 1861. They were liberalized and placed largely on an elective basis in 1892, and they are about to be expanded and conceded liberties and privileges wider still, while no change in the Constitution has taken place in Ceylon during the last seventy-five years.

13. The hope expressed by the Royal Commission thus remains unrealized, and Ceylon, the premier Crown Colony, far from setting an example to India in the working of freer and more liberal Councils, has been allowed to recede far behind, being outstripped even by smaller, less prosperous, and less important possessions like Jamaica, Mauritius, British Guiana, Cyprus, and other Colonies, which have now larger concessions of political freedom; and this for no lack of merits or claims on the part of the inhabitants of this Colony.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

14. The table given in paragraph 7 shows the immense strides the country has made in advancement in every direction, and bears testimony to the great moral and material progress of the people, and of their fitness to be entrusted with a Constitution as liberal as that granted to India.

15. In all the qualifications of good citizenship the people of Ceylon are ahead of that of India.

The last Census returns show that literate males numbered 350 per 1,000 of the population, as against 98 of India, and females 70 per 1,000 as against 7 in India.

Nowhere in the whole British Empire are there more loyal and devoted subjects of His Majesty than in Ceylon, and successive Governors and Secretaries of State have acknowledged this unshaken loyalty and attachment to the Throne of the people of this Island.

16. Wherefore your memorialists pray that Your Lordship may be pleased to direct that such measures be taken as to place the Legislative Council of Ceylon on an elective basis, and to include in the Executive Council at least two Unofficial Members, to be selected by the elected Members of the Legislative Council.

Your memorialists venture to submit for Your Lordship's consideration the following scheme for the composition of the Legislative Council, which they believe will satisfy the general aspirations of the people of the Island:—

| | |
|---|---|
| Western Province (exclusive of the City of Colombo) | ... Two members. |
| Central Province | ... One member |
| North-Central Province | ... One member |
| Southern Province | ... One member |
| Northern Province | ... One member |
| Eastern Province | ... One member |
| North-Western Province | ... One member |
| Uva and Sabaragamuwa Provinces | ... One member |
| City of Colombo | ... Two members |
| Chamber of Commerce | ... One member |
| Planters' Association | ... One member |

And in addition, not more than three Unofficial Members to be nominated by the Governor for the purpose of representing

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

such interests or minorities as may not be adequately represented by the elective principle.

This would make the total number of Unofficial Members sixteen. In order that Ceylon may be granted the same liberal treatment as India, the memorialists would suggest that the number of Official Members should not exceed that of the Unofficial Members, the Governor's casting vote being decisive, subject to the confirmation or otherwise of the Secretary of State.

17. Your memorialists are firmly persuaded that the granting of the privileges prayed for will be highly appreciated by the people as a gracious recognition of their unswerving loyalty and attachment to the Throne, and of their great advance in education and moral and material progress, while they will promote efficiency of the Administration, foster general interest and confidence in the Government, and increase the welfare and happiness of the people.

And Your Lordship's memorialists, as in duty bound, will ever pray.

Signed on behalf of the Ceylon National Association:

ARTHUR ALVIS,
President.

A. ST. V. JAYEWARDENE,
Honorary Secretary.

FREDERIC J. DE MEL,
Assistant Honorary Secretary.

---

The Ceylon National Association was originally founded on the initiative of the late Mr. Charles de Soysa as the Ceylon Agricultural Association; later it developed into the Ceylon National Association and became the recognised organ of progressive Ceylonese public opinion. During its long and varied career, it successively intervened in all important matters, affecting the rights and interests of the community. Its most notable achievements include the remission of the paddy tax, modification of the Waste Lands Legislation and the tecuring of the Legislative Council franchise 1909.

All the prominent public men of the country for nearly the last half-century have been intimately associated with it.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

**6.**

The Honorary Secretary, Chilaw Association, to the Hon. the Colonial Secretary.

Chilaw, May 5, 1909.

SIR,

I have the honour to submit, in triplicate, a memorial from the Chilaw Association, to be graciously forwarded by His Excellency the Governor to the Secretary of State for the Colonies.

I have, &c.,
JAS. A. ERNEST COREA,
Honorary Secretary.

---

*Memorial referred to.*

To the Right Hon. the Earl of Crewe, K.G., His Majesty's Principal Secretary of State for the Colonies.

The humble Memorial of the Chilaw Association (Ceylon).

Respectfully Showeth,

Your memorialists are an Association of the inhabitants of the District of Chilaw, in the North-Western Province of Ceylon, which has been graciously permitted by Your Lordship's predecessors in office and the Government of Ceylon to represent the people of the said district in the expression of public opinion.

2. The said district is one of the most important districts in Ceylon, as being the chief centre of the coconut industry, which can reasonably claim to be the staple industry of the country since the decay in recent times of rice cultivation. The Registrar-General of the Government in his last Census report (1901) placed on record the following high testimony as to the importance of the District and the progressiveness of its inhabitants:—"The District of Chilaw.....'s a model district, the richest perhaps of the purely native districts of the Island, and owes its wealth not like.....most other districts to foreign capital and enterprise, but mainly.....to the energy of its own small farmers and labourers, who are among the most industrious and prosperous in the Island." In respect of the social and moral condition of the people, the Government statistics show "an absence of really serious crime in the district." (*Vide* the Assistant Colonial Secretary's Report on the Blue Book, 1907).

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

3. As representing the views of so deserving a class of His Majesty's subjects, who have also, in common with the rest of the inhabitants of Ceylon, always preserved the most steadfast loyalty to the British Crown, the memorialists respectfully venture to express to Your Lordship their sense of deep dissatisfaction that the paramount right of the people of Ceylon, both as an ancient nation of free citizens and as subjects of the most liberal of modern governments, to a free constitution has been so long unrecognized.

4. The Sinhalese nation had, for 2,000 years before the first Europeans arrived in the Island in the sixteenth century of the Christian era, been ruled under a native Government based on constitutional principles such as modern political science recognizes to be the only sure foundation for a good government. Mr. A. C. Lawrie, who was some time one of the Justices of the Supreme Court of Ceylon, and had spent many years in the Island and made himself more conversant with its ancient history than almost any other European of modern times, said in a farewell address on the eve of his departure to the chiefs of the Central Province (Kandyan) :—"A brighter history of the Kandyan kingdom than that which was known might be written. Europeans and other nations thought of the Kandyan kingdom as it had been in the last Kandyan days..... About 150 years before the last century.....the Kandyans were a happy people. Before..... the deposition of the last Kandyan king the Kandyans were a happy, well-governed people. He said that, because he knew that the ancestors of many of the chiefs present took part in that Government."

5. On the occupation of the Island by the Sinhalese, an Aryan race from Northern India, under a prince named Vijayo, about 400 years before Christ, "the followers of the prince formed an establishment each for himself all over the country" (*Mahavansa*, chapter VII.). Those establishments were the origin of a village community system, which has survived up to the present time. The Sinhalese village, called *gama*, was under the ancient constitution a self-governing municipality, whose affairs were administered by a village council, *Gansabhawa*, composed of "the head of every family residing within its limits, however low his rank or small his property" (*Eleven Years in Ceylon*, by Major

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Forbes, 78th Highlanders). These villages were grouped into districts administered by district councils, *Rata-Sabha*, "which consisted of intelligent delegates from each village" (*Eleven Years in Ceylon*). The president of each district council had, *ex-officio*, a seat in the Supreme Council of the State, called the *Maha Vasala Maha Amapta Mandale* (the Great Council of the Ministers of the State), in which was vested all the legislative and executive functions of the Government. At the head of the Great Council of State was a *Maharaja* (erroneously translated as "king"), who, it should be particularly noted, did not derive his authority from any hereditary or other personal right, as in a monarchical form of government, but was elected by the people. That it was a fundamental principle of the ancient constitution that the Maharajah as the head of the State had to obtain election from the people clearly appears from all the historical chronicles of the country, as to which Dr. Reginald Copleston, late Bishop of Colombo, wrote (in a paper read before the Ceylon Branch of Royal Asiatic Society in 1892) : "It is one of the peculiar distinctions of the Island that from early times it has possessed historians. The Sinhalese stand alone, or almost alone, among Indian peoples, as having had an interest in history. Their chronicles are the oldest, I believe, and for centuries the only instances of histories in the Indian world." And of the chief of them, the *Mahavansa*, its learned translator, Mr. Turnour, who was Colonial Secretary of Ceylon about sixty years ago, said that, "that history is authenticated by the concurrence of every evidence which can contribute to verify the annals of any country." European and other writers, from the earliest times, corroborate the native chronicles as to the election of the so-called kings of Ceylon. Major Forbes states, "The kings of Ceylon.....appear to have admitted the necessity of election.....even the last king of Kandy."

A Sinhalese historical work of the highest authority (*Nikaya Sangrahava*), compiled about the year 1397 A.D., gives the following list of the members of the Great Council as constituted so far

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

back as the year 1153 A.D., when the great Parakrama Bahu was *Maharajah*:—

| | | | |
|---|---|---|---|
| 1. | *Adhikara* | ... | Prime Minister. |
| 2. | *Senevirat* | ... | Commander-in-Chief of the Forces. |
| 3. | *Epa* | | Lieutenant-Governor; Aide-de-Camp to the Maharajah. |
| 4. | *Mapa* | ... | Second Aide-de-Camp. |
| 5. | *Mahalena* | ... | Secretary of State. |
| 6. | *Maharetina* | ... | Minister of the Interior. |
| 7. | *Anuna* | ... | Second Minister of the Interior. |
| 8. | *Sabhapatina* | ... | Presidents of District Councils. |
| 9. | *Situna* | ... | Director of Commerce. |
| 10. | *Siritlena* | ... | Chief Legal Adviser. |
| 11. | *Dulena* | | Under Secretary and Keeper of the Rolls. |
| 12. | *Viyatna* | ... | Chief Intelligencer. |
| 13. | *Mahawedana* | ... | Chief Medical Officer. |
| 14. | *Mahaneketna* | ... | Chief Officer of the Calendar. |
| 15. | *Dahampasakna* | ... | Minister of Education.* |

6. From the above description of the ancient native State Council, it will clearly appear that the Sinhalese nation may justly claim a hereditary right to a free and liberal Constitution.

7. Politically, the Sinhalese are not a conquered race. The Portuguese in the sixteenth century occupied some of the maritime parts of the Island, not by right of conquest, but by virtue of a solemn compact of treaty entered between the Portuguese Captain-General and the inhabitants. The Portuguese historian Ribeiro relates that the natives sent two *delegates* from each district (*Corla*: *Korale*) to confer with the Portuguese authorities, and that between them was drawn up "a public act confirmed on solemn oaths on either side," the terms of which appear to have been in effect that while the people elected to acknowledge the king of Portugal as their *Maharajah*, the Portuguese promised, "in the name of His Majesty, always to preserve for his dominions

* PLINY, 44 A.D. : "For a king they chose among the people one who was venerable for his years and humanity.....The Sovereign had a Council of thirty persons assigned him by the people."

EDRISI (Abu-Abdallah-Mohamed), 1154 A.D.: "The king is a prince who loves justice and the interests of his subjects. He has sixteen Viziers..... Learned persons are appointed to assist them."

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

and subjects in *Ceilao* all their laws, rights, customs, without any change or diminution whatever."

The territory held by the Portuguese was, after their defeat in war by the allied forces of the Sinhalese and the Hollanders, whom the former had invited to their assistance, ceded to the Dutch East India Company under an instrument of treaty, to which the members of the Sinhalese Council of Ministers subscribed in terms which admitted of no doubt as to their sovereign rights in the government of the country, as will appear from the following extract:—

"On this Thursday, the 11th day.....of the month of Medindina, in the year 1688 of the *Saka* era,.....

" Know all men. The exalted (*utum*), powerful, and illustrious States-General of the free United Provinces of Holland and the illustrious powerful company of Hollanders in the East on the one part, and the exalted (*utum*), illustrious, and powerful chief Rajah, the exalted (*utum*) the Principal Members of Great Council of Ministers of the State on the other part, have agreed together to bring to a close warfare carried on between the two powers.....

"The articles hereunder detailed were proposed with the mutual consent of the two parties and adopted:—

"*First Article.*—In future friendly relations shall be inviolably maintained between these two parties.....

"*Second Article.*—The exalted Lord, the Chief Rajah, and the exalted the Principal Members of his Great Council of Ministers.....recognize and acknowledge the powerful company of Hollanders.....to be.....the lord paramount of the several districts of this Island of Lanka which had been held by.....the Company before the war. Moreover, the exalted Chief Lord and the exalted the Principal Minister of State hereby relinquish government and claim which they heretofore had or claimed over the aforesaid districts."

During the war which broke out between Great Britain and Holland in 1782 the Dutch possessions in the Island were ceded to the British Crown at the capitulation of Colombo in 1796. Meanwhile the rest of the Island remained under the ancient native Government till 1815, when the last Maharajah having committed

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

"manifold deeds of wickedness, the Sinhalese were incensed against him.....and they all joined together and took the wicked and unjust Maharajah captive" (*Mahavansa*). Thereupon, on the 2nd March, 1815, "a solemn conference was held in the Audience Hall of the Palace of Kandy, between His Excellency the Governor and Commander of the Forces on behalf of His Majesty.....on the one part, and Adigars, Disavas, and other principal Chiefs of the Kandyan Provinces on the other part, on behalf of the people.....A public Instrument of Treaty prepared in conformity to conditions previously agreed on for establishing His Majesty's Government in the Kandyan Province was..... unanimously assented to." (*Official Bulletin*).

In the said Instrument of Treaty it is stated that "the Dominion of the Kandyan Provinces is vested in the Sovereign of the British Empire.....saving.....to all the classes of the people.....their civil rights and immunities, according to the laws, institutions, and customs established and in force amongst them."

8. Your memorialists beg leave to submit, in all loyalty, that to the people of Ceylon, who rendered themselves of their own will to British rule, under the safeguard of the above treaty condition, it is and has always been a just cause of dissatisfaction that an autocratic form of Government in which the people of the country have no real part or share, and which, it was believed, was established only provisionally, in the exigency of the time, has been so long continued.

9. Not only does the present form of Government afford reasonable ground for dissatisfaction, but has been responsible, in actual fact, for grievances and hardships to the native peasantry in particular, which it is to be feared may bring discredit on the fair name and repute of British rule, and which are inevitable when legislation is inspired by officials who (as the Colonial Secretary very recently admitted in Council) "are out of touch with the native population." As instances of laws subversive of the ancient rights of the people, the memorialists would respectfully mention the various Ordinances or Statutes which have created in favour of the Crown presumptive title to lands which, under the ancient laws, were the absolute property of native agriculturists. These Ordinances, and particularly the latest, called

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

"The Waste Lands Ordinance," contravene fundamental principles of justice by arbitrarily restricting ordinary rules of evidence and judicial procedure. Through the instrumentality of these laws large numbers of the native peasantry have been and continue to be evicted from their ancient holdings—an industrious and well-deserving community of agriculturists being thus reduced into an irresponsible proletariat, not merely of wage-earners, but criminals and vagabonds, as is painfully evident from the enormous increase of crime all over the Island, dating from the time when the fictitious Crown claims, founded on these Ordinances, began to be strictly enforced.* The Government asseverates repeatedly and in the most solemn manner that it had by no means any intention, in this legislation, to alter or curtail rights conceded by the ancient native (Kandyan) law. This gives a complete illustration of how the present defective system of legislation, by officials more or less ignorant of the native laws, institutions, and customs, which the British Crown is pledged to save inviolate, leads to gross error, for the highest judicial authority of the land, the Supreme Court of Judicature, has solemnly declared that these laws "have now made a change in the Kandyan law."

10. Your memorialists humbly conceive that it is essential, in order to correct such legislative blunders as the above, and to prevent similar errors in the future, that the existing form of Government should be re-formed on constitutional lines, and respectfully beg to submit that:—

(1) Racial representation and the appointment of Non-official Members of Council on the Governor's nomination should be discontinued.

(2) The number of Official Members should not exceed that of Non-official Members.

(3) The Non-official Members should be elected by the people to represent each Revenue District and each chief town of a Province. Provision may be made for more than one member to represent important centres, such as the city of Colombo, Kandy, &c.

---

* The Surveyor-General, in a letter to the Government in 1899, said: "*Patnas* and *jungles* adjoining villages are too often sold without due regard to.....the village rights of the villagers, who, squeezed into a corner, are tempted to sell their *chenas* and fields, and, after spending their money in gambling and drink, become vagabonds."

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

The representation of minorities may be provided for by means of electorial associations, approved by Government, such as the Planters' Association, Chamber of Commerce, &c.

(4) *Qualifications of Non-official Members.*—Every male subject of the age of 21 years and upwards having a competent knowledge of the English language, who does not hold any office of emolument under Government, and who has not been convicted of any infamous crime, shall be eligible as a Non-official Member.

(5) *Qualifications of Electors.*—Every male subject of the age of 21 years and upwards possessed of immovable property, which in the case of residents in towns shall be of the value of not less than Rs. 1,000, in his own right or in that of his wife, or who shall have an annual income, in the case of village inhabitants of Rs. 150 and in the case of town residents of Rs. 300, or draw a pension of Rs. 150 per annum, and who shall be able to read and write one of the vernacular languages or the English language, shall be entitled to vote at any election of Non-official Members for the district or town where he resides.

11. The memorialists are firmly convinced that the concession of privileges such as the above will be appreciated by the people as a just recognition of their deep and abiding loyalty to the Throne, will promote the efficiency of the Administration, increase the happiness and contentment of the people, and strengthen the foundations of British rule.

And Your Lordship's memorialists, as in duty bound. will ever pray.

JAS. C. H. SENEWIRATNE, Mudaliyar,
Chairman.

---

SECTION C.—*Despatches.*

**1.** Governor Sir H. E. McCallum, G.C.M.G., A.D.C., to the Right Hon. the Earl of Crewe, K.G.

Miscellaneous.—No. 346.

The Queen's House, Colombo,
Ceylon, May 26, 1909.

My Lord,—Referring to Your Lordship's despatch No. 561 of November 6 last,* forwarding copies of a question asked in the House of Commons on the subject of suggested changes in the

* Vide note on p. 64.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Constitution of this Colony and of the answer returned thereto, and referring further to Your Lordship's subsequent despatch No. 66 of February 9, 1909, enclosing copies of a letter from Mr. James Peiris on the same subject, I have the honour to transmit for your information five memorials addressed to Your Lordship praying for the "reform" of the Legislative and Executive Councils.

2. The first of these documents is signed by Mr. H. J. C. Pereira and certain other native inhabitants of this Island; the second by the Chairman and Secretary of the Low-Country Products Association; the third, fourth, and fifth on behalf of the Jaffna Association, the Chilaw Association, and the National Association, respectively.

3. The Low-Country Products Association came into existence in 1907, ostensibly to do for the planters of the low-country districts what the Planters' Association of Ceylon has long done for the interests of the planting community as a whole. It has not, however, been joined by the European planters in the low-country; it has from its inception been a purely native institution; and of late it has evinced an inclination to concern itself largely with questions of a wholly political character. Its members are many of them landed proprietors, but, so far as I am aware, no property qualification or direct connection with agriculture is insisted upon as an essential condition of membership.

The Jaffna Association is composed of Tamils, most of whom are resident in the town of Jaffna, and are engaged in commercial or professional pursuits. 1398

The Chilaw Association is composed for the most part of the commercial and professional native residents in and around Chilaw. Many of the members are, I believe, possessed of land. The Association has chiefly made itself notorious by its opposition to the Waste Lands Ordinance, the object of which is to define the landed property of the Crown.

The National Association, most of whose members are drawn, I understand, from the professional and commercial classes in the Western Province, is a debating society, which interests itself largely in local political questions. I am aware of nothing in its organization or membership which gives it any claim to the title which it assumes.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

4. All these memorials, and with them I include the letter from Mr. James Peiris referred to above, are drawn upon approximately the same lines, the differences between them being matters of detail, which do not call, in my opinion, for particular examination or discussion. That the schemes which they propose have not always been thought out with any great knowledge of the facts or consideration of the numerous interests involved is illustrated by the suggestion made by Mr. Peiris that "the qualification which is now adopted in the case of jurors, with certain modifications, might be made the basis of the franchise." In this connection it is perhaps hardly necessary to point out to Your Lordship that, without making any deductions on account of European jurors, there were only 4,795 names on the jury list for the Western Province in 1908, when the population of the Province was returned at 920,683 at the last Census. Similarly, the Eastern Province, with a population of 173,602 has a jury list containing 135 names; the Southern Province, with a population of 666,736, a jury list of 540 persons; the Northern Province, with a population of 340,936, a jury list of 100. In other words, it is seriously proposed, for example in the Western Province, to entrust the representation of a million people to a small group of 5,000 persons mostly belonging to the professional and commercial middle classes. The result would, of course, be the establishment, not of representative, but of oligarchical class government, even assuming that the jury lists are not in all cases as full as they might be.

5. I would further invite Your Lordship's attention to the fact that all these memorials emanate, not from "the people of Ceylon," as is claimed by the memorialists, but from certain well-defined classes of the native population—classes, moreover, which represent a very small minority of the whole. I refer to those of the natives of Ceylon who have assimilated an education of a purely Western, as opposed to Oriental, type, and who are to be regarded, not as representative Ceylonese, but as a product of the European administration of Ceylon on lines approved by British tradition. As Your Lordship will presently perceive, this is a point of cardinal importance in my opinion, and it must be steadily borne in mind in considering the questions with which, in this despatch, I attempt to deal.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

6. The main contentions set forth by the authors of these memorials are:—

(*a*) That the Constitution of Ceylon, as it at present exists, is antiquated and unsatisfactory;

(*b*) That the European communities are over-represented;

(*c*) That the European communities have a larger voice in the selection of the representatives nominated by His Majesty to sit in the Legislative Council on their behalf than is accorded to the native communities;

(*d*) That election, not nomination by the Crown, should be in future the means whereby the representatives of the native communities should be selected to fill seats in the Legislative Council; and

(*e*) That one or more Unofficial Members should be appointed to seats upon the Executive Council.

7. Incidentally, too, it is contended by the memorialists that the native populations of Ceylon ought to be regarded as forming a single "nation," and that the present system whereby members are designed especially to speak for various races in the Legislative Council should cease.

8. Before examining the contentions enumerated in paragraph 6, I propose to offer a few remarks upon the last-named proposition.

9. In the first instance, it is important to note that the memorialists, though they profess to speak for "the people of Ceylon," are for the most part the inhabitants of the Provinces on the western seaboard or of the Jaffna peninsula, and are mainly drawn from the populations of towns. The latter description also applies to the members of the Jaffna Association. Many of the signatories, doubtless, possess landed property, but many more are employed in professional capacities, as lawyers and the like. Hardly any of them, to the best of my information, have any wide or intimate experience of the Colony as a whole, any close and authoritative knowledge of the rural populations which form the bulk of the native inhabitants, and few, if any, have visited every part of the Island or have made any prolonged sojourn in more than one or two districts of the Colony. This, apart from all other considerations, renders void, in my opinion, the claim which they put forward to speak for the inhabitants of Ceylon as a whole.



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

10. The population of the Colony is composed, as Your Lordship is aware, of a number of different races; the Sinhalese, who are divided into Low-Country Sinhalese and Kandyans, differing from one another in habits, customs, traditions, and to a minor extent even in the idiom which they employ; Tamils of Jaffna and the Tamils of the Wanni and the Eastern Province, who again differ materially from one another in character and customs; Muhammadans (Moormen, as they are locally called), who are of Indian extraction but long resident in the Colony, and who, it should be noted, have not associated themselves with the present agitation for an alteration of the Constitution by means of any collective memorial or representation to Government; and the Tamil immigrants, who are free labourers, who supply the labour of the tea, rubber, and cacao estates, and who form a portion of the population which is essential to the economic well-being and prosperity of the Colony. Even my short residence in Ceylon and the visits which I have paid to almost every portion of the Island have sufficed to show me that the needs of the various Provinces and of their heterogeneous populations differ widely according to race and to locality, and I have seen and learned enough to be able with confidence to assure Your Lordship that any attempt that may be made to represent "the people of Ceylon" as forming a single entity, welded together by common interests to an extent sufficient to nullify these differences, is to the last degree misleading, and argues a radical misconception of local conditions and ignorance of the Colony regarded as a whole.

11. I do not wish to be understood as in any way impeaching the good faith of the memorialists, in spite of the erroneous nature of their statements anent Ceylonese "nationality." It is precisely because these gentlemen belong to and are representatives of, not the bulk of the population, but a particular class of it—the class which has assimilated an education and training of a distinctively European type—and because their acquaintance with the Colony is for the most part confined to a few of the more highly advanced districts, that they have been betrayed into pinning their faith to this misconception. Among the classes to which they belong, and for which alone they speak, the tendency unquestionably is for educated men born in the Colony to pay progressively less and less attention to the racial, religious, and caste distinctions by

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

which their fellows are still rigidly divided. Even among them, however, the welding process is not yet by any means complete, more especially in the matter of caste distinctions; but in considering these classes, if their members would have it so, I am prepared to waive the point and to regard those Ceylonese who have obtained an education and training of a distinctively European character as forming, for administrative purposes, a separate portion of the population, irrespective of race, creed, or caste.

12. Before examining in detail the contentions which I have enumerated in paragraph 6 above, I propose, in the first instance, for facility of reference, briefly to outline the present Constitution of this Colony.

13. The Government of Ceylon is administered by a Governor, aided by an Executive Council and a Legislative Council. The former is composed of the Governor, the Officer Commanding the Troops, the Colonial Secretary, the Attorney-General, the Controller of Revenue, the Treasurer, and one Member (who is usually an *ex-officio* Member of the Legislative Council) nominated for the purpose. The Legislative Council is composed of the Members of the Executive Council, the Government Agents of the Western and Central Provinces, two heads of Departments nominated for the purpose, and nominated Unofficial Members selected to represent respectively the Mercantile, Planting, General European, Burgher, Low-country Sinhalese, Kandyan, Tamil, and Muhammadan communities. The Governor presides over both Councils. The Official Members of the Legislative Council, exclusive of the Governor, therefore number nine, and the Unofficial Members eight.

14. The names of candidates for nomination to represent the interests of the Mercantile and Planting communities are submitted to the Governor by the Chamber of Commerce and the Planters' Association, respectively, similar action being taken with regard to the General European representative by a public meeting convened for the purpose. In the past it has often occurred that one name only has been submitted to the Governor, but since my arrival in the Colony I have insisted upon at least two names being sent up by these public bodies, since I consider that the right of selection should continue to be vested, in practice as well as in theory, in the Crown, with whom, by the Constitution, it abides.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

15. In the absence of any similar machinery among the native communities, the selection of the native representatives has rested always at the discretion of the Governor.

16. Taking now the propositions maintained by the memorialists in the order in which I have enumerated them in paragraph 6 of this despatch, I am unable to subscribe to the opinion that the Constitution of this Colony as it at present exists has, in fact, proved to be unsatisfactory. The increased wealth and prosperity of the Island, and the moral and intellectual advance of its inhabitants, upon which the memorialists very rightly lay so much stress, appear to me to prove beyond dispute that the administration of the affairs of Ceylon has been well and wisely conducted by the aid of the existing form of Government, and that due regard has been paid to the requirements of the native population, who, under British rule, have prospered in so conspicuous a degree. In my opinon, no valid argument can be based upon the contention that the present prosperity of Ceylon, the growth of its revenue, the increase of its trade, and the moral and intellectual advancement made by certain classes of its people, point to a necessity for the alteration of the form of administration under which these highly satisfactory results have been achieved. It is true that certain other Crown Colonies of the Empire have long been ruled by institutions in the constitution of which the election of members has played a part; but in every instance of which I have any knowledge, the population is less heterogeneous and far less numerous than that of Ceylon, their interests far less extensive and diverse than are our own, and the degree of material and moral advancement attained much less conspicuous. From the existence of elective institutions in the Colonies referred to, therefore, I deduce an argument which opposes rather than supports the contentions of the memorialists.

17. On the other hand, I am prepared to admit that the seventy years of progress which have supervened since the Constitution of the Colony was framed, have had the effect, among other things, of bringing into being an important section of the native community, whose members have been trained and educated on European lines, and in many instances have actually gotten their education in Europe. This section, as a natural result of its training, has imbibed a desire to exercise (after the model of European

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

electors) a more individual influence in local affairs. Hitherto a voice in the election of representatives has been accorded to it only in the selection of members to sit upon the Municipal Councils. It now aspires to exercise similar privileges in connection with the choice of representatives to fill seats on the Legislative Council.

18. This, as I have said, is a natural result of the, to them, exotic training and education to which this class of the native community has been subjected, and, in so far as it is the logical outcome of an educational system for which the Government is responsible, it is, I consider, deserving of sympathy. It is when, however, this limited class of the native community puts forward a claim for recognition of its right and ability to speak, not for itself alone, but for "the people of Ceylon," *i.e.*, the bulk of the native population, with which it is by no means to be confounded, that I am unable to accept its assumptions or to admit the soundness of its position.

19. The proposition that the memorialists represent, not the bulk of the Asiatic population of the Colony, but a small section of it, is important, and at the risk of being thought unduly to labour the point, I would insist upon the fact that what is really being asked for is not, as the memorialists doubtless believe, a larger share of direct representation on behalf of the entire native community, but special representation for the small minority of educated Ceylonese, to the exclusion of the vast majority of their fellow-countrymen.

20. I have expressed the opinion that this is a truth of which the memorialists themselves are, at best, only dimly aware. I am none the less prepared to maintain its essential accuracy.

21. Speaking broadly, the native population of the Island (if the small section of Ceylonese who have been educated on European lines be excepted) has undergone small change, save in material prosperity, in a more general acquaintance with reading and writing the vernacular and with arithmetic, an occasional smattering of English, and possibly in a certain increased respect for law and order during the past seventy years. To them, now as then, the *village* is their principal conception of a political entity; the native headman and the Government Agent, with the Governor with his Executive Council in the dim background, are

SPECIAL COLLECTION
JAFFNA PUBLIC LIBRARY
Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

to them the embodiments of administrative authority. Of the Legislative Council they know little, and with its doings they have even less concern. Their desire is to be suffered to till their fields in peace and security and to be saved from exaction and oppression. They would fail, in the vast majority of instances, to understand the late Sir Henry Campbell-Bannerman's dictum that good government cannot be regarded as an adequate substitute for self-government; and those of them who could be brought to understand that proposition would unhesitatingly reject it.

22. In a word, the intellectual and political development of the peasantry of Ceylon—and the peasantry form the vast majority of the population—is not such as to enable them, in my opinion, wisely or usefully to exercise the power to elect persons to repre- them in the Legislative Council, nor have they ever evinced any desire to possess or exercise this privilege.

23. Nominally the Low-country Sinhalese, the Kandyan, and the Tamil peasantry are represented in the Legislative Council by native members selected from the educated classes of these races; but in actual practice I regard their real representatives in the Council as the Government Agents of the Western and Central Provinces and the other experienced Civil Servants, the best part of whose lives has been passed in Ceylon, who occupy seats at the Council board. These gentlemen usually have served in many parts of the Island, and their work for years at a time has brought them into daily and intimate touch with the peasantry. It will be admitted by all impartial persons that they take a deep interest in the welfare of the Colony with which their life work has identified them, and that their advocacy of the claims of the native population are at once fearless and disinterested. The Executive looks to these tried and experienced officers, and to the other Civil Servants of standing who have no seats in the Council, to give at all times frank and independent advice upon any matter calculated to affect the interests of the inarticulate sections of the native population with whom they are well acquainted, and such advice is always received with the respect which it deserves.

24. For this reason, therefore, I would submit that the statements contained in the memorials as to relative representation of the various races of which the population of the Colony is composed are inaccurate, in that they ignore the very valuable and

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

quite impartial representation which the Civil Servants upon the Council are able to secure for the inarticulate masses of the people.

25. The durbars of Native Chiefs which I have caused to be held since my arrival in Ceylon—meetings over which I have myself presided, and at which my principal Executive Officers and the Government Agents of the Provinces have been present—also afford to the native population, through their chiefs, an additional means of making their wishes and opinions known to Government.

26. I have already said that I regard the contention that the existing system of Government is unsatisfactory as untenable; but I am prepared to admit that in a sense it may justly be described as antiquated. The present Constitution was drawn up in 1833, and, with but one important modification, has been in force for seventy-six years. These years, as has already been noted, have been years of quite phenomenal progress, and they have synchronized with a period during which great changes have been wrought in Asia. These changes have been mainly due to vastly improved means of locomotion, which have been instrumental in familiarizing a certain section of the native population with Europe, with European methods and ideas, and latterly with European theories of popular government. At the same time, even for many who have not found it possible personally to visit Europe, education of a purely European type has become more easily accessible and has been sought with eagerness. This has led, in my opinion, not to the working of any marked transformation in the bulk of the native population, but to the creation of, or, at any rate, to a great extension in the matter of numerical strength of, a class of natives which formerly was almost a negligible quantity. In so far as this class of natives is a new factor in the political situation, and inasmuch as no special provision for its representation is contemplated by the existing Constitution, in so much, and in no other respect, do I regard as a tenable and admissible proposition the contention that the Constitution is antiquated.

27. Turning next to the contention of the memorialists, which in paragraph 6 above I have marked (*b*), that the European communities are over-represented, I must say at once that I am unable to subscribe to it. There are in Ceylon three distinct

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

European communities,—the mercantile, the planting, and the professional and resident European population. Each of these has interests of its own which claim and deserve separate representation. The Civil Servants on the Council hold no brief for planter or for merchant, as I maintain they do for the natives, among whom the greater part of their lives has been spent, and the promotion of whose welfare is their daily occupation. Thus the three European communities are left to take care of their own interests, and this they can only do if each of them is represented in the Council by at least one member. Were more than one member allowed to any of these communities, then, and then only, would it be possible, in my opinion, successfully to sustain the proposition that the European population is over-represented upon the Council.

28. In this connection I conceive that it is hardly necessary for me to emphasize to Your Lordship the importance of the interests which are in the hands of the European sections of the community, nor to dwell upon the part which European capacity, enterprise, and energy have played in the development of the resources of the Colony. Ceylon was the possessor of a long and eventful history, and its inhabitants had attained to a comparatively high standard of civilization before the beginning of the Christian era, but peace, prosperity, the development of its resources, and the material and educational progress of its people date from a period subsequent to the British occupation. It is essential that the race whose sustained efforts have wrought in less than a century changes and improvements, which in all their long history the natives of Ceylon had unaided been unable to effect, should be, and should continue to be, ably and adequately represented upon the Legislative Council of this Colony.

29. With regard to (*c*), the contention that the European communities have a larger share in the selection of their representatives than is accorded to the native population, I am prepared to admit the force of this plea in so far as it affects those sections of the Ceylonese who have been trained and educated upon European lines. To represent the bulk of the native population, however, I am of opinion that the Governor should continue to select native gentlemen of standing and experience, since, for reasons which I have explained above, I do not consider that the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

masses of the people are in a position to perform this duty wisely or efficiently for themselves.

30. I repeat that the best representation of the masses of the native inhabitants is furnished by the experienced Civil Servants who fill seats at the Council board; but for the rest I maintain that nominated, not elected, members are the more likely to prove effective spokesmen of the people.

31. It is maintained by the memorialists that the nominated Unofficial Members do not command the confidence of the community; that they represent no one but themselves; and that members returned under some form of popular franchise would be more truly representative. To none of these propositions do I find myself able to subscribe, and their soundness is even disputed by a certain number of thinking men drawn from the very class to which the memorialists belong. It has been the invariable practice to select for appointment to the Council leading men of the communities which they are to represent, and on the whole the selections have been wisely made. The records of the Council show that these nominees have discharged their duties honestly and fearlessly, and that they have manifested an independence of character worthy of all praise. Under an elective system it is probable the services of many of them would have been lost to their fellows, since they hardly belong to the type of professional politicians whom an elective system would bring into existence to stump the country in periodical campaigns, and they would for the most part be reluctant to offer themselves as candidates in competition with such persons.

32. The means whereby I propose to meet the difficulty of the representation of the sections of the native population whose members have been transformed by European training and education will be explained in a later paragraph of this despatch.

33. Turning next to (*d*), the contention that representatives of the native communities should be selected to sit upon the Legislative Council by appeal to popular franchise, I am unable to recommend the suggestion for Your Lordship's favourable consideration.

34. The vast majority of the native population have never evinced any desire to vote for their representatives; to many of them a vote would be meaningless; and the power to record a

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

vote is a privilege which very few of them, I am convinced, would be capable of exercising with judgment or intelligence. An objection of even greater moment, if possible, is to be found in the fact that the class of persons who would be likely to present themselves as candidates for election would be in no sense truly representative of the native masses. They would be drawn exclusively from the ranks of those natives who have received a European training and education, and they would be able to speak with authority for that small class alone. Moreover, I am of opinion that the introduction of the elective principle would speedily lead to the creation of a class of professional politicians, to whom self-advertisement and agitation would be essential necessities of existence, whose election campaigns would cause unrest and distraction among the ignorant masses, whose minds are hardly attuned to appraise at its proper value the worth of promises and statements made upon the hustings, and it can certainly not be disputed that their presence on the Council would contribute neither to the despatch of business nor to the tranquillity of the Colony.

35. Your Lordship will note that my main objection to the adoption of the elective principle for the selection of members of the Legislative Council is based upon the conviction that it would lead, not to the more efficient representation of the native population as a whole, but to the exclusive or, at any rate, vast over-representation of a single small class of natives—the Ceylonese who have acquired a training and an education of a purely European type. This, I conceive, would be to inflict upon the bulk of the native population a serious injustice, and would go far to jeopardize hteir best interests. I hold to this latter opinion, because it is precisely the acquisition of European ideas and the adoption of European in preference to Ceylonese civilization that differentiate this class of the Ceylonese from their countrymen, and while they have bred in them certain political aspirations (of which the present memorials are an expression), they have also caused them to become separated by a wide gulf from the majority of the native inhabitants of the Colony. Their ideas, their aspirations, their interests are distinctively their own, are all moulded upon European models, and are no longer those of the majority of their countrymen. Accordingly any claim which this class of the native

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

population may put forward to a title to speak for those from whom their whole training and education has sought designedly to divorce them is, in my opinion, altogether inadmissible. In other words, the Oriental who has studiously forced himself during all the most malleable years of his life to discard the native tradition in favour of that of the European, who has consciously taught himself to think as Europeans think, to adopt theories of life and government which are the exclusive product of the European intellect, character, and civilization, has gotten something which may or may not be of profit to him, but it must be recognized that he has at the same time ceased to be in any sense a typical Oriental, and thereby has forfeited his right to speak with authority on behalf of the typical Orientals who form the immense bulk of his fellow-countrymen. This is a point which, I venture to think, is in danger of being overlooked when questions such as the present are under discussion, and unless it be kept steadily in mind, the granting of what, on the face of it, might be thought to be more liberal political institutions may, in actual practice, result in giving to a small and peculiar class of the native population, alien in training, education, civilization, and interests to the bulk of the people, rights and privileges whch it is fondly imagined are being bestowed upon the natives of the land as a whole.

36. I am, therefore, strongly of opinion that, in the best interests of the Colony, and especially of those of the bulk of the native inhabitants, appointments to seats upon the Legislative Council should continue to be made, as at present, by means of nomination, and not by recourse being had to popular franchise.

37. At the present time, as I have already mentioned, names from which the Governor can select a nominee are submitted when a vacancy on the Council occurs by the various European communities by means of associations which are self-organized by those communities. I am in favour of extending this privilege to the Burgher community, whose members as a whole are well educated, and propose, with Your Lordship's sanction, to do so as soon as this community has organized to my satisfaction a really representative association.

38. I consider that a new member should be nominated in future to represent upon the Council those Ceylonese (other than Burghers) who have received a training and education of a

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

European character, this class having greatly increased in importance during the past seventy years, and being, under the present Constitution, without the special representation to which I consider it is entitled.

39. In view of the attestations of the memorialists (who belong to this class and are entitled to speak for it) to the effect that differences of race, creed, and caste no longer separate its members, I consider that the selection of their representative should not be ruled by any of these considerations, the choice falling as far as possible upon the individual who, for the time being, chances to be the most suitable spokesman of this particular class. In this connection I would refer Your Lordship to the opinions which I have expressed in paragraphs 9, 10, and 11 of this despatch.

40. For the present I consider that the member selected to represent this class of the Ceylonese should be nominated by the Governor in the usual way; but at the same time I think it should be made known that whenever the Ceylonese have organized any body or association which the Government is able to recognize as being truly representative of these sections of the population which have received a European training and education, the privilege of submitting names to the Governor, now enjoyed by the Chamber of Commerce and the Planters' Association, will be extended to it. In view of the broad and liberal spirit of Ceylonese nationality by which the memorialists claim to be inspired, there should be no great difficulty in organizing an association for the purpose.

41. I consider that in every case in which names are submitted to the Governor from which to make his selection by any body or association, it should be laid down that not less than two names should be so submitted, and that this rule should be rigidly enforced.

42. I also consider, in view of the great preponderance in numbers of the Low-country Sinhalese over all other nationalities, and the ever-increasing diversity of classes and interests among them, that the time has come to appoint a second nominated member to represent the Low-country Sinhalese in the Legislative Council.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

43. I am, however, of opinion that it is necessary that the existing official majority should be retained, and to this end I would make the Government Agent of the Southern Province, which has a Sinhalese population of over half a million souls, and the Principal Civil Medical Officer, *ex-officio* Members of the Legislative Council. The presence of the Government Agent of the Southern Province would give the Government one additional member, whose work is almost wholly in connection with the native population, while the presence of the Principal Civil Medical Officer would be useful, since matters with which his Department is designed to deal are frequently before the Council. I am aware that these proposals will have the effect of making the Legislative Council somewhat unwieldly, but I am unable to make any other suggestions which, in my opinion, will satisfy all legitimate demands for reform.

44. I have said that I regard the retention of an official majority upon the Council as advisable, my reason being that in the event of a question affecting Imperial policy being under discussion the necessity for its use may possibly arise, and the lack of an official majority might be the occasion of considerable embarrassment. As regards local questions, I attach to the possession of an official majority by Government a much smaller importance. I have never had occasion to make use of it, and were any question to arise concerning which official and unofficial opinion were so sharply divided that the vote of the Unofficial Members was given unanimously against any Government proposal, I should hesitate greatly before deciding to pursue the policy proposed in the face of such united disapproval. Even a measure that was wise and good in itself should, I consider, be dropped if possible in such circumstances, the united opposition of the Unofficial Members being, at any rate, a clear indication that the collective opinion of the local public was not yet ripe for its reception.

45. Finally, referring to (*e*), the proposal that an Unofficial Member should be added to the Executive Council, I am strongly of opinion that no such appointment should be made, at any rate at the present time. The races inhabiting this Island are numerous and diverse; the interests and the industries of the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Colony are manifold, and are governed by widely different conditions. No single Unofficial Member could be supposed to be qualified to speak for all races and for all interests. It would therefore be necessary to appoint not one, but several Unofficial Members to seats upon the Executive Council if the principle of unofficial representation thereon were to be conceded and to be carried into logical and effective practice. Moreover, even if such unofficial representation were desirable in theory, I question whether it would prove to be practical. The Members of the Executive Council in this Colony have a great number of official papers, many of them of a highly important character, sent to them almost daily for perusal and for the preparation of considered written opinions. The persons who would here be available to act as Unofficial Members of the Executive Council are busy men, who could ill spare from their own private concerns the time which would be required if their duties as Councillors were to be efficiently and punctually performed, and this consideration alone appears to me in the light of an insuperable objection to the proposal. I am aware, of course, that in Hong Kong, for example, Unofficial Members have seats upon the Executive Council, but this, I believe, is found necessary because the town of Hong Kong, which is practically the whole of the colony, has no Municipality. It must be remembered, however, that the work of the Executive Council must of necessity be less heavy than that of Ceylon, where the population and area to be administered are much larger, and where also, for instance, an appeal lies to the Executive Council from the decisions of every Village Tribunal.

46. A further objection which I entertain to the proposal is that many matters are discussed in Executive Council long before any hint of proposed action is given to the public. Such action may not infrequently have an effect upon commercial enterprises, and I do not think that it would be wise or proper that some individual members of the public, who, though they chanced to be upon the Executive Council, would primarily, since there is no leisured class in Ceylon, be concerned in commercial or industrial avocation, should be placed in possession of exclusive information which might quite conceivably have a money value. Moreover, the Governor and the Members of the Executive Council are always able to procure information and advice of a special or

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

technical nature should the need for such advice arise, and I do not therefore think that the presence of Unofficial Members on the Council would sensibly add to its strength, while, for the reasons which I have given, I regard the proposal as one that is open to grave objection. I should add that since the proposal to appoint an Unofficial Member to the Executive Council was supported by Sir West Ridgeway, the power of Unofficial Members of the Legislative Council has been considerably increased by the creation of the Standing Finance Committee, which scrutinizes all items of expenditure for which supplementary provision is proposed.

47. Before concluding this despatch, for the length of which I ask Your Lordship's indulgence, I desire to direct your attention to statements contained in the memorials to the effect that there is at the present time "widespread dissatisfaction," "seething discontent," &c., among the people of this Colony with the existing form of Government. I am in a position to state that, as regards the bulk of the population, these statements are to the last degree inaccurate and misleading. The people of the Colony as a whole, I am glad to be able unhesitatingly to declare, are profoundly contented. On the other hand, I am prepared freely to admit that the small class of Ceylonese whose members have conducted the present agitation and have appended their signatures to these memorials are not contented with the existing Constitution. That they, in abrupt contrast to the immense majority of the people, should declare themselves to be the victims of a "seething discontent" illustrates once more, if further illustration were needed, the truth of the contention which, as I fear at somewhat inordinate length, I have maintained in this despatch—the contention that the natives of Ceylon who have received a training and an education of a European type constitute a distinct class by themselves, can speak with authority for themselves alone, and neither understand nor can faithfully interpret the opinions, aspirations, or feelings of the bulk of their fellow-countrymen from whom that training and education have served completely to divorce them.

48. If the proposals which I have submitted for Your Lordship's consideration meet with approval, this educated class will henceforth be specially and adequately represented upon the Legislative Council, while the Low-country Sinhalese will obtain additional representation through the appointment of a second mem-

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

ber, additional representation to which, in my opinion, their numbers entitle them. I am of opinion that by this means all legitimate claims and aspirations will be satisfied, while the bulk of the native population will be saved from the injustice of having their interests entrusted to a small class with which they have increasingly little in common.

I have, &c.,
HENRY McCALLUM.

---

This despatch of 28th May, 1900, was sent by the Governor Sir Henry McCallum to the Secretary of State the Earl of Crewe. It represents the impatient hostility and uninformed opposition of the local government to any political advance, however moderate. It was generally believed that the despatch was written by the Colonial Secretary, Sir Hugh Clifford, and embalmed his characteristic prejudices against any devolution of political rights to non-English subjects.

The following are the questions asked and the answers given. (Sessional Paper 2 of 1910). Vide para 1. p. 46.

*Sir Henry Cotton*:—To ask the Under Secretary of State for the Colonies whether his attention has been drawn to the Constitution of the Ceylon Legislative Council, which does not contain a single elected member; whether he is aware of the dissatisfaction which prevails in the Island on account of this absence of representation; and whether His Majesty's Government will take into consideration the advisability of giving to Ceylon such an elective Legislative Council as other Crown Colonies possess, and of appointing one or more Ceylonese to the Executive Council.—(Thursday, October, 15, 1908).

*Colonel Seely*:—The Secretary of State does not propose to introduce changes in the Constitution of Ceylon, which, I may say, appears to give as much satisfaction as can reasonably be expected of any form of Government.

*Sir Henry Cotton*:—Is the right hon. gentleman aware that considerable dissatisfaction is expressed and felt in the Island of Ceylon ?

*Mr. Rees*:—In what manner has it been manifested ?

*Colonel Seely*:—I am aware that dissatisfaction is expressed with all Governments. I cannot say what amount of dissatisfaction is felt in this case: perhaps the hon. member for East Nottingham can inform the hon. member for Montgomery Boroughs.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

**2.** The Right Hon. the Earl of Crewe to Governor Sir H. E. McCallum, G.C.M.G.

Ceylon.—No. 664. Downing Street, Dec. 24, 1909.

Sir,

In your despatch No. 346 of May 26 you forwarded to me memorials from a number of the inhabitants of Ceylon praying for reforms in the constitution of the Legislative and Executive Councils of the Colony. I have also had the advantage of discussing the matter with you personally while you were in this country, and Colonel Seely has received on my behalf a deputation of Ceylonese gentlemen* whose views were in general accordance with those expressed in the memorials.

2. I regret that I have not been able to reply to your despatch at an earlier date, but, as the memorialists will readily understand, a matter of so much importance to the Colony has required prolonged and careful consideration. I am now in a position to inform you of the conclusions at which I have arrived, after carefully weighing the suggestions that have been put before me.

3. I will deal first with the question of the constitution of the Executive Council. In four of the memorials it is suggested that one or more Unofficial Members should be added to this Council. On this point I regret that I cannot see my way to meet the wishes of the memorialists. The objections set out in paragraphs 45 and 46 of your despatch are, in my opinion, insuperable.

4. I turn now to the question of the constitution of the Legislative Council, which is the principal subject of the memorials. The memorialists agree in asking for the introduction of an elective element into the Council, and in advocating the abolition of the present system of racial representation in favour of representation by districts. After full consideration I have come to the conclusion that the latter change would not be to the advantage of the community.

5. No doubt, if it were possible to introduce adult suffrage or some other very wide franchise, the system of local representation would be satisfactory, but it will scarcely be contended that Ceylon is yet ripe for so radical a reform.

With a restricted franchise, based on an educational qualification, the power of election would necessarily fall into the hands

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

of a very small section of the community—a section composed of men who by the very education which qualified them to vote would have acquired views divergent from, or even antagonistic to, those held by the great majority of their fellow-countrymen. It seems obvious also that the qualified electors would be found mostly among the professional and trading classes, who can have little in common with the agriculturists, who form two-thirds of the population.

Members of Council elected in such circumstances would have no claim to voice the popular opinion, and would, in my opinion, be less representative than the Unofficial Members nominated under the present system, which secures that every race in the Island should be represented in the Legislature.

6. I consider, therefore, that the principle of racial representation should be maintained, but it does not follow that the introduction of an elected element into the Council is impossible. In present circumstances I do not think that (even with the safeguard that there shall be representatives of every race on the present lines) it is possible to devise any satisfactory system by which the Kandyan, Low-country Sinhalese, Tamil, and Muhammadan Members could be elected by the different sections of the population belonging to their respective races.

For the reasons which I have suggested above, the members of these races who would be qualified as electors, under any system of franchise which could conceivably be adopted at present, must necessarily be few in number and not representative of their fellow-countrymen, and I consider therefore that the members who are to represent these communities must continue to be nominated until Ceylon is ripe for a wide extension of the franchise on democratic lines. I am, however, prepared to agree, in view of the considerations put forward in the 42nd paragraph of your despatch, to the appointment of an additional representative of the Low-country Sinhalese.

7. The objections which I have suggested do not apply to the representation of the European and Burgher communities, and I consider that the system of election might be introduced with advantage in these cases. At present the European community, which at the last Census numbered only 6,300 persons, including

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

a considerable number of Government servants, have three representatives in the Legislative Council, and it is difficult to find sufficient justification for such an arrangement. I consider that the present system by which members are nominated to represent the Planters' Association, the Chamber of Commerce, and the General European community should be abolished, and that, instead, two representatives should be elected by the European community as a whole. The Burgher community should also be allowed in future to elect their own member.

8. These arrangements will provide for the adequate representation of the various native races and of the European and Burgher communities, but they will not provide for special representation of the class of Ceylonese whose education has to a considerable extent dissociated them from their fellow-countrymen, and has at the same time enabled them to take an intelligent interest in political affairs. In paragraph 38 of your despatch you have expressed the opinion that this class of the community is entitled to separate representation in the Legislative Council, and I concur in your view. I consider, however, that their representative should not be nominated, as you suggest, but should be elected. The best method of deciding who should have a right to a vote in the election of such a member would seem to be to lay down that any person who possesses certain educational qualifications, and who is on account of his nationality not entitled to be placed on the register of European or Burgher voters, should be placed in the roll of electors for this post in the Council.

9. The effect of adopting these proposals would be to increase to nine the number of the Unofficial Members of the Council, and thus, if no further change were made, to abolish the present official majortiy. I agree in your view that the official majority must be retained.

In ordinary circumstances, as you point out in the 44th paragraph of your despatch, the existence of an official majority is a matter of very little practical importance, for the Government would not persist in a proposal which was unanimously opposed by the Unofficial Members, unless the question was one affecting Imperial policy, or unless, in the opinion of the Government, the proposed measure was essential to the efficient administration of the Colony. In such cases the Government must have the means

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

of carrying out the policy upon which it has decided, and on that account the present balance of power must in the public interests be maintained.

10. I propose therefore that, when the changes suggested in this despatch have been effected, another Official Member should be added to the Legislative Council. In view of the great importance to a tropical community of matters of sanitation and medical administration, I consider that the new member should be the person for the time being discharging the duties of Principal Civil Medical Officer.

11. I fear that these proposals will not fully satisfy the memorialists, and that section of the community for which they speak, but, for the present at any rate, I do not consider that it is possible to introduce any more far-reaching reforms. It now remains to consider the detailed arrangements which are necessary in order to give effect to my suggestions.

These are matters which must be dealt with locally, and I have therefore to request that you will at an early date appoint a Commission to consider in what manner provision is to be made for the election of the European and Burgher members and the new member who is to represent those Ceylonese who have been educated on European lines.

12. The Commission should consider, among other matters, the qualifications to be required for membership of the Council, the basis on which the franchise is to be given, and the arrangements which should be made for the registration of voters and for recording their votes. When these matters have been settled, I will advise His Majesty the King to amend the Royal Instructions so as to permit of the election of members and of the proposed increase in the numbers of the Council. It will probably be most convenient to deal with details such as the qualifications of members and electors by an Ordinance of the Legislative Council.

13. Pending the receipt of the report of the Commission, I will express no views as to the basis on which the franchise should

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

be given, but I think it well to state that I am strongly of opinion that no person in the employment of the Government should be allowed a vote, as I consider that Government servants are adequately represented in the Council by the Official Members.

I have, &c.,

CREWE.

---

For the early history and the composition of the Legislative Council vide the memorandum of Mr. (now Sir) James Peiris, page 5.

*The Deputation of Ceylonese gentlemen, referred to in para 1 of the despatch consisted of Messrs. H. J. C. Pereira, F. H. M. Corbet (later Advocate-General of Madras), E. W. Perera, J. W. de Silva, Dr. S. G. Kirkby-Gomes, Dr. David Rockwood, M.M.C., was introduced by the Right Hon. Lord Courtney of Penwith, and was received in 1909 by Col. J. B. M. Seely, Under Secretary of State for the Colonies.

As a result of the agitation certain changes were made in the constitution notably the introduction of the Legislative Council franchise for the first time (Vide Ord. 13 of 1910, Appendix A.).

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

CHAPTER II.

1917—1919.

SECTION A.—*Addresses.*

# OUR POLITICAL NEEDS.*

BY

SIR PONNAMBALAM ARUNACHALAM, KT., M.A. (CANTAB). C.C.S. (retd.)

" At certain periods in the history of a people," said Cobden, " it becomes necessary to review its principles of domestic policy for the purpose of adapting the Government to the changing and improving conditions of the people." Such a period has now arrived in our history. There is a general feeling that we have outgrown our system of administration, however suitable and useful it may have been in the past.

We are a " Crown Colony," which is defined in the *Colonial Office List* as one "not possessing responsible government and in which the administration is carried on by public officers under the control of the Secretary of State for the Colonies." His control is nominal. He is among the busiest of the King's ministers. Not to speak of Parliamentary duties, the concerns of a vast Colonial Empire, with its varied, intricate and delicate problems, especially in connection with the self-governing Colonies, now grown so imperious and touchy, leave him little time or opportunity to think of so insignificant a dot as Ceylon, except when sensational events occur, such as those of 1915. Recognizing the inherent difficulty of governing us from a distance of 7,000 miles under these conditions, he entrusts the administration to a carefully selected officer and gives him a free hand.

In the House of Commons discussion last August on the events of 1915, the Secretary of State, Mr. Bonar Law, said: " You cannot really control the Government out there except on general principles..... We must trust in these cases largely

*This address was delivered by Sir P. Arunachalam at the request of the Ceylon National Association at its Annual General Meeting on 2nd April, 1917, at the Victoria Masonic Hall, Colombo, Mr. E. J. Samerawickreme being in the Chair.



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

to the character of the men who represent the British Government." As to "general principles," I am not aware of any public declaration of the Secretary of State beyond such commonplaces as he uttered in the House of Commons: "We have always made it a rule that those who govern a country should first look to the interest of the country they govern and not to the interest of the mother country." Ceylon is, in this respect, in marked contrast to India, where the lines of policy are from time to time laid down by the Viceroy and the Secretary of State and sometimes even by the Sovereign in person.

We are thus practically under a benevolent despotism wielded by a Governor who is responsible only to Downing Street; and he exercises his powers through a bureaucracy predominantly European. The Governor changes about once in five or six years, of late oftener. There is no settled policy for him to follow, and therefore no continuity of policy. Each Governor makes a policy for himself. He generally spends the first year of his administration looking round and studying local matters and conditions with the help of his Executive Council and heads of departments. He prepares a programme and sends it to Downing Street for sanction. Having got it, he subordinates everything to his programme and carries it through the Legislative Council with the help of an official majority. What is left of his programme generally goes by the board, for his successor has his own policy and programme.

The Governor is often blamed for being so autocratic. But the critics forget that the assumption underlying the whole system of our administration is that we are children unable to judge for ourselves and that he is *in loco parentis*. Having conscientiously decided on what is good for us and having only a short time to see it through, he would be shirking his duty if he allowed himself to be turned from his purpose by the ignorant criticism of "children." It is for us to show that we are grown up and are competent and determined to have a say in the management of our affairs.

We have certainly made great strides, materially and morally, under this system. How great, may be seen from a comparison of the Blue Book figures, say, for 1834 (the first year of the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

establishment of the Legislative Council) with those of 1915, the latest year for which figures are available.

| Year | Population | Revenue | Expenditure | Imports | Exports | Tonnage entered and Cleared | Schools | Scholars |
|---|---|---|---|---|---|---|---|---|
| | * | Rs. | Rs | Rs. | Rs | Tons | | |
| | * | * | * | * | * | | | |
| 1834 | 1,167,700 | 3 779.520 | 3,348,350 | 3,727,260 | 1,458.340 | 153,510 | 1 105 | 13 891 |
| | | | † | ‡ | | § | | |
| 1915 | 4,106,350 | 51,545,472 | 50,148,001 | 168,446,038 | 273,377 180 | 10,524.897 | 4,303 | 384,353 |

For this progress we have to thank a long succession of good Governors and public servants and educationists (official and unofficial), and the capacity of our people to make good use of opportunities. But while we have changed, our system of administration has not changed. We are still, as we were over a hundred years ago, a Crown Colony and have little scope or opportunity for the management of our affairs In some respects, of late years, we have been distinctly stagnating, if not retrograding. The last two years have shown how little we could do to avert disastrous mistakes on the part of Government—mistakes which His Excellency Sir John Anderson is laboriously endeavouring to repair by wise and sympathetic rule—and how much the British officials, who are the eyes and ears of the Governor, have got out of touch with the people. Ceylon, the pride of the Colonial Office as a model administration, has become discredited; and an administrator and thinker of the distinction of Sir Harry Johnston is, in spite of his official predilection, obliged to speak of "our rich but somewhat misgoverned dependency of Ceylon."**

With the increasing complexity of the administration, the concentration of all power in the hands of the officials and the

* At two shillings to the rupee.

† Actually Rs. 53,578,015, including expenditure from loan funds and from revenue pending loan.

‡ In 1913, the year before the war, 199,640,797 rupees.

§ In 1913, 16,126,254 tons.

** "India and Imperial Federation" in the *New Statesman*, by Sir H. H. Johnston, G.C.M.G., K.C.B.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

demands on their time and labour, the best of them can only keep pace with the day's work and are unable to look around or ahead. Important questions affecting our permanent welfare are inevitably neglected. Urgent measures of public safety take their time. Colombo, one of the world's great ports, is ill provided with means to help ships in distress and has seen large steamers sink in sight of her harbour. The city is a nest of foul slums and misery and the abode of plague and tuberculosis. Malaria, which modern science has shown can be mastered, claims its victims throughout the Island by tens of thousands. The conditions of labour are a scandal. While every civilized State is grappling boldly with drink and putting it down, here its clutch is growing tighter and its baneful influence more wide-spread.

A large proportion of our population is without the opportunities of even elementary instruction. As much as 73·6% of the population is illiterate, and in the case of females 89·4%. The percentage of illiteracy is in some provinces as high as 98 for women and 85 for both sexes.* Even in our capital city there is total lack of provision for the masses. About 12,000 children are left to shift for themselves, many wandering wild in the streets. Those who have worked in the few night schools in the city and seen the bright, intelligent faces and the yearning for knowledge in the starved bodies of our poor children, wring their hands over the utter neglect and waste of such splendid capacities. Higher education—money spent on which Mr. Joseph Chamberlain declared to be "the best of all possible national investments"—is in as sorry a plight. After twelve decades of British rule we have got no further than secondary schools, which under the high-sounding name of Colleges hide the poverty of our educational equipment. The University College, which Sir Henry McCallum decided upon and which was to be the preparation for a Ceylon University, is still in the distant future. An Indian State like Mysore, administered exclusively by Indians and having scarcely half the revenue of Ceylon, has its own University. There is something in our atmosphere which necessitates a more than ordinarily long period of gestation for such schemes. Meanwhile, successive

* Ceylon Census Report, 1911, pp. 401 and 403, Tables A. and B.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

generations of our youth, deprived of the opportunities of education during the formative years of life, pass into the adult population with irremediably stunted powers and narrowed outlooks, adversely affecting the whole quality of the national life.

As to industrial or scientific training, the thing scarcely exists. Our enforced ignorance closes the scientific departments of Government to us in large measure. Far worse, it makes us useless to our country for the development of her industrial and agricultural resources. We are exploited by European nations, and now also by Japan and America. We have become their milch-cow. Much of our wealth goes abroad. What is left imparts an air of prosperity to the professional and commercial classes. The real makers of the country's wealth—the peasant and the labourer—are steeped in poverty. The big capitalist and landowner are growing bigger. The small farmer, the *goiya*, who was the glory of Ceylon, is fast becoming a landless vagabond and hireling,—this race of whom Robert Knox, after living among them twenty years, said* that the ordinary ploughman had the elegant speech and the elegant manner of the courtier.

Of what other people in the world could this be said ? Widespread and deep-rooted must have been the national culture, unlike the culture of modern nations, which seldom penetrates beneath the upper levels of society. "Take a ploughman from the plough, wash off his dirt, and he is fit to rule a kingdom," is the peasants' saying which Knox quotes. What superb self-confidence! What height might not such a people attain under the leadership of statesmen moving with the times! Then the Tamils who, with a civilisation going back to the days when they traded with Babylon and Egypt, have still some of the ancient vigour and keenness, and have largely contributed to the material and moral well-being of Ceylon; the Burghers whose example and influence have been invaluable in acclimatising western knowledge and methods in the Island, and who have produced one of the greatest of our leaders and patriots, Charles Lorenz; the Moors with their simple, hardy lives and commercial aptitudes; and the Malay with his military instincts;—what might not be done with such peoples under a proper system of education !

* An Historical Relation of the Island of Ceylon, 1681.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

By a properly organized system of education our resources could be immensely developed. This has been done in agriculture by a small country like Denmark, and in industry as well as agriculture by another small country, Switzerland. A Swiss statesman said: "Most of our children are born in poverty, but we take care that they shall not grow up in ignorance." With a population smaller than Ceylon, Switzerland spends more pounds sterling than we spend rupees on education, which is admirably organized from her primary schools to the seven universities which attract students from all the world. The agricultural college at Copenhagen receives a yearly grant from the State of three and a half lakhs of rupees, and there are twenty-one other agricultural schools for an agricultural population half that of Ceylon, to supply whose needs we have but one small school of recent date at Peradeniya. Switzerland and Denmark have by education so made up for the poverty of their natural resources that their trade is greater per head than that of Great Britain, being respectively £23 4s. and £33 against £22 16s. for Great Britain.* If our resources had been similarly developed, what prosperity and strength would be ours and at the service of Great Britain!

Take again Irrigation, a subject of vital importance to the vast majority of our population. Throughout twenty-four centuries rice cultivation was the principal concern of King and people and among the noblest of callings. Kings themselves drove the plough. To construct and to maintain tanks and water courses were deemed the wisest and most beneficent acts of a good ruler. "The plougher is the linch-pin of the world," said Tiruvalluvar of old; again, "however it whirl, the world followeth still the plougher's team." The French have a saying, "Pauvres paysans, pauvre royaume." Sismondi asked, when people were extolling the wonderful developments of manufacture and commerce in Europe last century, "What have you done with the peasants?" Having neglected agriculture, Britain to-day, in spite of her immense industrial and commercial wealth and power, finds in that neglect the chief source of her weakness and anxiety. Modern industrial nations are learning by painful experience how essential agriculture is to national power and even national existence. "Kingdoms many under the shade of his throne he will

* Whitaker's Almanack, 1917, p. 107.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

see, whose fields are shaded by the waving corn," sang Tiruvalluvar.

Irrigation received earnest and sympathetic attention from some Governors,—notably Sir Henry Ward, Sir William Gregory, Sir Arthur Gordon, Sir West Ridgeway. They recognized the duty of the State to provide facilities for the hundreds of thousands of persons dependent on agriculture and the necessity for growing our own food as of old and reducing our dependence on India. But for some years past there has been a change of policy, unnoticed by the public of its leaders. An expert was imported from India at great expense, and after elaborate inquiries made a report which is understood to have been exhaustive and to disclose serious defects in the administration. The Report was never published. A Bill is now before the Legislative Council. It has taken nearly a decade to hatch, but shows little appreciation of the needs and conditions of agriculture. What a new day for Ceylon there might be, if we could but hope for such a Minister as Denmark found in her dark hour after the war of 1866 in Cla Hansen! Himself a peasant-farmer bedding his own cows each night after his ministerial duties were done and one of the greatest experts in Europe in cattle breeding and scientific milk-farming, he organized that splendid scheme of agricultural education and of co-operation among the working farmers and between them and the national railway, canal and banking systems, which has made that little country what Lord Selborne called it the other day, "the leader of agriculture in the world."

Good or bad, when the Government have once made up their minds on a measure, it can scarcely help passing unchanged in essence through the Legislative Council owing to the official majority in it, the very small elective element and the ineffectiveness of the majority of the nominated members. The Legislative Council, as at present constituted, hardly answers a useful purpose. It provides, no doubt, seats of honour to a few unofficials and an arena for their eloquence or for their silence. But they are little more than advisory members, and their presence on this Council, as in lesser bodies—Municipal Councils, Local Boards, &c.,—serves to conceal the autocracy under which we live. Without the unofficial element and the semblance of popular representation, the sole responsibility of the officials would be patent.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

They would be more keenly alive to it; so would the Secretary of State, and he could hold them more strictly to account.

But the inherent defects of a Crown Colony administration will remain. It answers well enough so long as you have only to police a country, collect taxes, make roads, administer justice, &c. But much more is needed if Ceylon is to be a self-reliant, self-respecting unit in the British Empire. Tied as we are to the apron strings of a bureaucracy and deprived of all power and responsibility, our powers and capacities are dwarfed and stunted, we live in an atmosphere of inferiority, and we can never rise to the full height to which our manhood is capable of rising. We have hypnotised ourselves into thinking that we are weak and inferior. No greater disaster can overtake a people. We must regain our self-confidence. We must feel that nothing can daunt us, nothing is beyond us.

The swaddling-clothes of a Crown Colony administration are strangling us. They have begun even to disturb the equanimity of our European fellow-subjects. Engrossed each in his business, looking forward to frequent trips home and to the time when the dust of Ceylon will be shaken off their feet, they ignored the duty present to earlier generations of their countrymen under the inspiration and leadership of such men as George Wall, remained indifferent to their reponsibilities as citizens of Ceylon, and were rather pleased to see the Ceylonese "kept in his place." But none are safe until all are safe.

The discontent of our European friends is of good omen for the future, for we need their co-operation in reforming the administration. Its continuance is inconsistent with the great traditions of England. It is in having to do things that one learns how to do them and develops a sense of duty in regard to them. Denied the opportunity of training in governing ourselves even in the smallest matters, we are told that we are unfit for anything better than a paternal despotism. But time after time England has shown in her own history, as in her dealings with dependent peoples, her staunch faith in the healing and ennobling power of popular institutions and has found in them the only sure remedy for the ills of the body politic.

Hon'ble Mr. Sri Nivasa Sastri, member of the Supreme Legislative Council of India and worthy successor of Mr. Gokhale

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

in the office of President of the Servants of India Society, has done well in drawing prominent attention to this in his recent publication, "Self-government for India under the British Flag." He has shown, for example, from official publications, how the French Canadians, at a stage of development, when according to every criterion now applied to India and Ceylon they were unfit for popular institutions, were on the advice of a far-sighted statesman granted full responsible Government. Hear what Lord Durham says about their condition at the time: "The continued negligence of the British Government left the mass of the people without any of the institutions which would have elevated them in freedom and civilisation." "It is impossible to exaggerate the want of education among the inhabitants. They are almost entirely destitute of the qualifications even of reading and writing." "They possess neither municipal institutions nor popular initiative. Accustomed to rely entirely upon Government, they have no power to do anything for themselves, much less to aid the central authority" "They have made little advance beyond the first progress in comfort which the bounty of the soil absolutely forced on them; under the same instititions they remained the same uninstructed, inactive and unprogressive people." "I found two nations warring in the bosom of a single state. I found a struggle not of principles, but of races."

It was to such a people, and after they had risen in armed rebellion, that not merely representative institutions but responsible government was given. Eleven years afterwards, in 1849, the British Canadians had so little reconciled themselves to the change that, when a Bill was passed giving compensation to innocent sufferers from the rebellion, the most violent opposition was organized, the Governor-General who gave his assent to the Bill was insulted, and the Parliament House at Montreal was burnt down. But the faith of Britain in responsible government as the solution of Colonial administration did not falter. It has been amply justified and rewarded. To-day Canada is among the most loyal, prosperous and progressive of His Majesty's dominions and a tower of strength in this terrible war. Like happy results have followed from a like policy in the Australian Colonies. The success of the policy has been even more marked

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

in South Africa, where the Boer, who fought the British fifteen years ago, is now fighting in defence of the British Empire.

The liberalising of our administration, therefore, in the direction of a representative and responsible government and of giving the people a real and effective share in the administration of the country, is in the best interests of the Empire no less than of Ceylon. But a bureaucracy is slow to part with power, especially when it believes itself to be exercising that power for good, slow also to believe that its wards have come of age. Nor can we expect hard-worked officials to think out these matters for us and to grant us these boons unasked.* It is for us to meet and deliberate, to formulate a scheme, and to work strenuously and earnestly for its realization.

Circumstances have arisen which make it of the utmost importance that we should do so without delay. Now that the war is happily drawing to a close and in an assured victory for the cause of our Sovereign, great changes in the political constitution of the Empire are on the point of being made which will affect us vitally. It is our duty as well as our interest to submit our views to the Imperial Government in time. Silence or delay may prove disastrous, and it may be our lot to exchange the benevolent, if sleepy, rule of Downing Street for the domination of the self-governing colonies, to have the stamp of an inferior race branded on our forehead, and to be the victims of their ignorant prejudice and selfish greed.

In India vast numbers of the people have shown themselves alive to their duties and responsibilities as citizens and to the needs of the hour. By public discussion, by meetings and congresses, by memorials, by deputations to the Viceroy and the Secretary of State, by permanent agencies in England, India has

---

* Mr. H. A. L. Fisher (Vice-Chancellor of the University of Sheffield and now Minister of Education in England) says: "It may be questioned whether a life spent in the Indian Civil Service is calculated, except in rare cases, to stimulate that provision of political talent which consists in the study and guidance of political opinion or in the framing of large legislative measures from time to time needed in actively thinking political communities."

Nor are our officials encouraged to think beyond the task of the day. I have known men who worked out big schemes of far-reaching usefulness and spent years in trying to convert successive Governors and Colonial Secretaries, and when at last they were won over and even legislative sanction obtained, the accident of a change of Governor or Colonial Secretary has hurled the structure to the ground and brought to nought the labour of perhaps two decades. The Registration of Titles Ordinance No. 3 of 1907 is an example.

SPECIAL COLLECTION
Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org
JAFFNA PUBLIC LIBRARY

set an example and has achieved results which should rouse us from our apathy. Thanks to a well-organized and sustained campaign and to the wisdom of British statesmen, the Legislative Councils of India, which were established thirty years after ours, have been so improved that they are largely elective and contain in every Legislative Council, except the Supreme Council of the Viceroy, an unofficial majority. The Executive Councils of the Viceroy and of the various Governors of Presidencies, and even the Council of the Secretary of State, contain one or more unofficial members. The country is dotted with Municipalities and other local bodies, urban and rural, mostly elective and presided over by unofficial Chairmen. The administration is amenable and sensitive to public opinion to a degree unknown in Ceylon. Yet India is not satisfied, and the National Indian Congress and the All-India Muslim League have joined in the demand presented to the Viceroy by nineteen members of his Council for a further extension of power, in order to secure "not merely good government or efficient administration, but government that is acceptable to the people because it is responsible to them," and to make India occupy "a position not of subordination but of comradeship with England."

In Ceylon the Legislative Council contains a permanent official majority. Only four out of ten unofficial members are elected. Of the four two represent the Europeans, who are a small minority of our population and whose interests should be safe enough in the hands of the twelve official members who are all Europeans. There is not a single unofficial in the Executive Council. A seat in a Council of the Secretary of State has been beyond our wildest dreams. Municipalities were first established in Ceylon in 1865 in Colombo, Kandy and Galle. Though half a century has passed, neither their number nor their powers have been increased. The Councils remain practically departments of Government administered by officials of the Civil Service, with councillors who have little more than consultative powers; while the city of Bombay, with many times the population and revenue of Colombo, has for years had an elected Chairman and fifty-six elected to sixteen members (official and unofficial) nominated by Government. Local Boards, established in 1876, remain equally

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

ineffective for the purpose of training people in the art of managing their affairs, and still more the Sanitary Boards established under the Ordinance 18 of 1892. The ancient system of Village Councils was revived in 1871 with the declared intention of resorting to the people the administration of village affairs. But so little has this intention been carried out, that the elective system provided for by law has become a farce, elections are seldom notified, and the councillors are usually nominees of the District Mudaliyar and carry out his orders. On the judicial side these councils have been allowed to degenerate into petty police courts without their safeguards, and the idea of the village court has so far been lost sight of that the proceedings are recorded in English, a language unknown to the suitors.

There has thus been no real attempt to train the people in self-government, and we have fallen far behind even India.* A bitter commentary on the expectations of the Royal Commissioners on whose recommendation our political and judicial system was organized in 1833: "The peculiar circumstances of Ceylon, both physical and moral, seem to point it out to the British Government as the fittest spot in our Eastern dominions in which to plant the germ of European civilisation, whence we may not unreasonably hope that it will hereafter spread over the whole of those vast territories."†

There is, however, no lack of criticism of our incapacity and want of initiative, very much as the Canadians were criticised and condemned in the last century. Yet the Blue Book figures quoted above, and facts patent to every unprejudiced person, show that we are fitter for representative institutions than Canada was at the time she was granted responsible Government. If the Philippines with a heterogeneous population (Malay, Chinese, Spanish, Negro and hybrid; Mohammedan, Christian, Buddhist and animist; tree-dweller, head-hunter, and cannibal), a population neglected through three centuries of Spanish misrule, can be so elevated by

* In point of literacy the population of Ceylon is ahead of India. At the Census of 1911 the proportion of literates per 1,000 in Ceylon was for males 404 against 106 in India; and for females 106 in Ceylon against 10 in India (Ceylon Census Report, 1911, p. 423, Table M.). Not much for us to boast of, our population is so small, 4¼ millions against over 300 in India.

† Report of Royal Commissioners, 31st January, 1832, *Ramanathan's Law Reports*, 1820-33. page 274.



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

the rule of the United States as to be fit within a decade for an Upper House of eight Commissioners (four Americans and four Philippinos) under the presidency of the American Governor-General and a Legislative Assembly of eighty-one elected members, an elected Governor for each of its thirty-eight Provinces, and elected Presidents and Councillors for its 730 towns—an administration changed last October, within another decade, to full self-government with promise of independence in the near future—, to say that Ceylon, the home of an ancient civilisation, is after more than a hundred years of British rule fit for nothing better than a Crown Colony administration is absurd and, if true, would be discreditable to the British administration. But it is not true.

Most of the reform schemes and discussions that I have seen begin and end with the Legislative Council. This, no doubt, is important, as also the reform of the Executive Council. But of far greater importance is the improvement of the rural and urban administration. A thorough reform of this system will enable us to share in the actual administration of the country and to train our people to self-government on a wider scale. Our Village Committees, of which there are now about three hundred, should be increased in number and spread far and wide over the Island. They should be elective in fact as they are in name, and should share with the District Mudaliyar, and later have exclusive control of, the administration of the village affairs—schools and sanitation, roads and canals, irrigation, agriculture, fisheries, etc. The village headman should not be a nominee of the Mudaliyar or the Government Agent but should be elected by the villagers, as they were found to be even so late as 1831 by the Royal Commissioners, who recommended the continuance of this old custom and that the office should be subject to renewal every three years.* The Assistant Government Agent should have a District Council, mostly elected, to share with him the administration of all matters affecting his district and to absorb the functions which now dissipate the energies of Road Committees, Education and Excise Committees and other bodies and of the Police, Excise, Irrigation, Postal and other departments. The Government Agent should have a similar Provincial Council for all matters affecting the province, until in due course the administration is transferred to Provincial and District Councils presided over by elected officers.

* Ibid, pp. 227-8.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

The Municipalities and Local Boards should have, as usual in India, an elected majority and elected Chairmen, and should have their own Bench of magistrates to deal with municipal and local offences. The Sanitary Boards, of which there are about a hundred and containing only nominees of Government, should be multiplied and consist mainly of elected members and have elected Chairmen. As the Government of India said in their Resolution of 18th May, 1882: "There appears to the Governor-General in Council to be great force in the argument that so long as the chief Executive Officers are, as a matter of course, Chairmen of the Municipal and District Committees, there is little chance of these Committees affording any effective training to their members in the management of local affairs, or of the non-official members taking any real interest in local business. The non-official members must be led to feel that real power is placed in their hands and that they have real responsibility to discharge. It is doubtful whether they have, under the present arrangement, any sufficient inducement to give up their time and attention to the transaction of public business."* "The true principle to be followed," in the opinion of the Government of India, "is that the control should be exercised from without rather than from within."†

Extension of local self-government on these lines will be a valuable education to the people. It would give every man a share in the power, which under our native sovereigns he had, of guidance over the things which he understands, beginning with the small and simple interests of his village, and would train him anew in habits of co-operation for public purposes and in Western methods. It would find an outlet for energies now wasted among the masses in idleness, or misused in feuds and litigation, drink and crime. It would enlist in the service of the community and turn to good account the intelligence and public spirit of the large educated class whom it is bad policy as well as sheer waste of power not to utilize. It would lighten the growing burden of administration on British officials and stop the clamour for increased establishments. It would provide Government Agents and Assistant

* Resolution of the Governor-General in Council, during the Viceroyalty of the Marquis of Ripon, on Local Self-government, 1882: *Indian Constitution*, by A. Rangaswamy Aiyangar, Appendix, p. cxiii., para 18.

† Ibid. p. cxii., para 17.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Government Agents (until, as in the Philippines, they are replaced by elected officers) with trustworthy channels of information and advice other than the headmen. It would check the notorious abuses of the Headman system, the odium of which falls on Government in spite of all its efforts to grapple with them,—a Sisyphean labour. It would rescue the efficient Civil Servant from the pitiful drudgery which wastes his abilities, narrows his outlook and cripples his usefulness. It would leave him time and opportunity to consider and devise large measures of public policy and to carry them out with the co-operation of the people, no longer an autocrat and task-master, but in the finer rôle of guide, colleague and friend. It would convert idle spectators and carping critics of the administration into men with interest in and responsibility for good government and with experience of its difficulties, would promote self-confidence and self-respect, breathe new life into the people and gain for them dignity at home and abroad.

The local administration will thus be greatly improved and benefited. Even if at first there is no improvement, and even though mistakes will be committed, it must be remembered that only through such mistakes can experience be gained and progress made, while no serious harm can result, as the central authority will retain the power to interfere in case of gross abuse. "It is not primarily," says the Government of India, "with a view to improvement in administration that this measure (of local self-government) is put forward and supported. It is chiefly desirable as an instrument of political and popular education. His Excellency in Council has himself no doubt that in course of time, as local knowledge and local interest are brought to bear more freely upon local administration, improved efficiency will in fact follow. But, at starting, there will doubtless be many failures, calculated to discourage exaggerated hopes and even in some cases to cast apparent discredit upon the practice of self-government itself. If, however, the officers of Government only set themselves, as the Governor-General in Council believes they will, to foster sedulously the small beginnings of independent political life; if they accept loyally and as their own the policy of the Government and if they come to realize that the system really opens to them a fairer field for the exercise of administrative tact and directive energy than the more autocratic system which it supersedes, then it may be

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

hoped that the period of failure will be short, and that real and substantial progress will very soon become manifest."*

The chief concern of the local administration should be the spread, far and wide, of education, for it is the root of national life and progress. Education should be free, both elementary and secondary, vernacular and English, industrial and scientific. There is a great deal of lee-way to be made up. Instead of a paltry four or five per cent. of our revenue we must spend at least thirty per cent., as the Philippine Government has done. An American administrator, explaining the policy of the United States in the Philippines, said: "We stake our whole job on the education of the people."† Let us take the United States, Japan,‡ France and (among the smaller States) Scotland § Switzerland and Denmark for our model, and organize a system of education that shall, from the primary school to the University, be within

---

* Ibid, p. cvii., para 5.

† The actual expenditure on education in the Philippines is seven million dollars out of a revenue of twenty-two million dollars or 31·8 per cent. The expenditure in the U.S.A. itself is 20 per cent. of the State revenue and 80 per cent. of the local taxation. The rate of literacy in the U.S.A. is 7·7 per cent., inclusive of Negroes and immigrants.

‡ Japan has in 40 years reduced her rate of illiteracy to zero, the whole of her child population of six and a half millions, male and female, between 6 and 14 years being under instruction in over 26,000 schools. For secondary and higher education there are 303 middle schools, 177 high girls' schools, 78 normal schools, 5,682 special and technical schools, 3,128 other schools, and four Universities. The Tokyo University (says the English scientific journal, *Nature*, envious of the opportunities enjoyed by Japanese students), a generation ago a high-class school, is now (July, 1915) a highly organised University where scientific research lives and thrives. It consists of six colleges—law, medicine, engineering, literature, science, agriculture; employs close on 400 professors, assistant professors and lecturers. Among the science professors are included 4 in mathematics, 3 physics, 2 theoretical physics, 4 chemistry, 3 geology, 3 botany, 2 geology, 1 each in mineralogy, geography, seismology, anthropology. The Technological Institute in Tokyo is probably without a rival in the world.

§ In Scotland, which is the best educated portion of the British Isles, education, elementary and secondary is so widespread and higher education so well provided for, that one boy in four goes to the University. No wonder that, in every part of the Empire, Scotsmen hold a position quite out of proportion to their population. Education is taken more seriously in Scotland than England. The Bishop of Birmingham, speaking some time ago in the House of Lords, deplored the fact that Oxford and Cambridge were far too much merely plutocratic playgrounds. "The plain and present fact,' 'said Mr. G. K. Chesterton commenting on the Bishop's statement, "is that our upper classes regard the University as a lark." It is interesting to note, as evidence of educational keenness in a self-governing Colony, that the State of Western Australia has an absolutely free University at Perth, probably the only free University in the Empire.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

the reach of every child. This vital question will, I am convinced, never be solved until the administration is in our hands.

With local self-government properly developed we should, in the course of a few years, have all over the Island men conversant with the details of rural and urban life and experienced in administration and able to take their part efficiently in the bigger affairs of government that are dealt with by the Executive and Legislative Councils. Side by side with the improvement of local administration, we must reform these Councils too, having for our goal a time, not, I hope, far distant, when we shall have the fullest control over the affairs of Ceylon within the Empire, have the same powers and privileges as Australia, Canada or little Newfoundland, and like them take our place in an Imperial scheme of federation as comrades, not dependents, of Great Britain.

We ought to have at once a large increase in the number of elected members of the Legislative Council. While the general principle should be local representation, there must be adequate safeguards for minorities. The Burghers, for example, the Europeans and the Mohammedans should have special electorates. Municipalities, Local and Sanitary Boards, Provincial and District Councils should have their elected representatives, also the commercial and planting interests and the learned professions. The Governor should, for some time, have the power of nominating a limited number of unofficials to represent interests that may be left unrepresented at the elections. But the elected members should have a clear majority. As the Secretary of State for India said in the House of Lords, when explaining his reason for dispensing with the official majority: "An official majority directly, palpably and injuriously tends to deaden the interest and responsibility of non-official members."

The Executive Council should include two unofficials. An old colonist, Mr. John Ferguson, in his *Ceylon in the Jubilee Year* says: "The farce has been seen even in recent years of a Governor and his five Executive advisors in Ceylon not counting half a dozen years of local experience between them." That great Governor, Sir West Ridgeway, saw the danger of it. In May, 1903, he recommended to the Secretary of State the appointment of two unofficials to the Executive Council, as "tending to satisfy public opinion which is in favour of more effective representation in the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

government of the Colony," and as "it would formally place at the disposal of the Government advice and information which it is not always possible to obtain from official sources." He was overruled by the Secretary of State. How invaluable would such information and advice have been in May and June, 1915! Two members have, indeed, been added to the Executive Council since Sir West Ridgeway's time, but both officials. The addition has not improved the Council, but rather the reverse. The additional members are the chief administrative officers in the Island, whose acts it is the duty of the Council to supervise and sit in judgment on.

The details of the constitution and franchise of the new Legislative Council will have to be worked out. At present there are twenty-one members, besides the presiding Governor: in all 12 officials and 10 unofficials, of whom 4 are elected and 6 nominees of the Governor. I should be disposed to raise the whole number to at least thirty-two, of whom eighteen to be elected and fourteen nominated (11 officials and 3 unofficials) Nothing is gained by increasing the number of officials. It was my experience when I was an official member of the Legislative Council, and it is the experience of others, that attendance at the Council interfered with our duties as heads of Departments. It is hardly seemly and almost humiliating to be there mainly to say ditto to the spokesman of Government. A certain number of official members must, no doubt, be on the Council to serve on Committees and help the Government and the unofficial members with information, advice, etc. But this number should be reduced to a minimum to avoid the dislocation of public business outside the Council. Other officers can always be consulted without being given seats in the Council. An official majority is not indispensable to Government. The Secretary of State for India said in his Despatch of 27th November, 1908: "With a Council representing divergent interests and realizing, together with its increased powers, greater responsibility, a combination of all the non official members to resist a measure proposed by Government would be unlikely, and some non-officials at least would probably cast their votes on the side of Government. If, however, a combination of all the non-official members against the Government were to occur, that might be a very good reason for thinking that the proposed measure was

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

really open to objection and should not be proceeded with."* Should the non-official majority press legislation of a character disapproved by Government, the Secretary of State was of opinion that it should be met by the exercise of the power to withhold assent possessed by the head of the Government

I would further, in accordance with the recommendation of the Royal Commission of 1831, provide that the Governor should take no part in the deliberations of the Council. Free discussion is, as the Commission anticipated and as experience has shown, impeded by his presence, especially as the great majority of the members owe their appointments and their continuance therein to him. When the discussion is free, it sometimes puts him in an awkward position. Mr. William Digby in his *Forty years in a Crown Colony* (Volume II., page 189) says: "It is lowering to the dignity of the Queen's representative to take part in the often rough give-and-take style of oratory of such institutions. Mixing in petty matters the Viceregal office is not raised in esteem. Governors are but men, and they naturally take much interest in measures for which they are responsible. Among the traditions of the present House (1875) is one which tells of a Governor, highly offended at persistent opposition to a Government Bill, deliberately turning his chair round and sitting with his back to an honourable Member during the whole time that he was speaking. Further, the same President became very wroth broke the rules of the House in regard to the Bill, and was only restored to his wonted composure by asking the senior member temporarily to occupy the Chair while he went to one of the open windows and watched some military sports being carried out on a *maidan* near." In the last House (1912) an unofficial member came into conflict with the Governor and was nearly expelled

The reform of the Civil Service is no less urgent. It should be recruited on the judicial side almost exclusively from the Bar. Competent men should be selected by a Board on which the judges of the Supreme Court have a predominant voice, and, having served a period of probation, should be drafted permanently into the service with prospects of rising to the highest class. The highest judicial and legal appointments, including the Chief Justiceship

* Lord Morley's Despatch of 27th November, 1908. (p. lxxxvii. of Appendix to A. Rangaswamy Aiyangar's *Indian Constitution*).

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

and the Attorney Generalship, should be open as a matter of course to the leaders of the Bar and the existing barriers of race-prejudice swept away. On the administrative side the facilities for the admission and advancement of the Ceylonese should be greatly extended. Throughout the public service efficiency and character should be the tests. The employment of Europeans should gradually be reduced to cases of clear necessity. Only Europeans of outstanding ability and merit should be appointed, and they should be well paid. Men like the late Chief Justice Sir John Phear and the late Sir Alexander Ashmore and Mr. F. C. Fisher of the Civil Service were worth to the Island double and treble their pay.

"In countries like India and Egypt," says that great administrator whom the Empire has just lost, Earl Cromer, in *Modern Egypt*, "the best policy to pursue is to employ a small body of well-selected and well-paid Europeans. Everything depends on finding the right man for the right place If he can be found, it is worth while to pay him well. It is a mistake to employ second or third-rate Europeans on low salaries. They often do more harm than good." In India and Ceylon second and third-rate Europeans are employed, on salaries by no means low, in posts many of which can be quite as efficiently, if not more efficiently, filled by indigenous talent. These countries have long ceased to attract first class men except occasionally. Where there is free competition, as in the professions of law and medicine, Indians and Ceylonese have easily distanced European rivals. In the Bar of the Presidency towns of India as well as of Colombo European barristers are few and far between; in Madras and Calcutta they are rare even in the highest legal offices. In the medical profession Ceylon has produced men of European reputation, and there is scarcely a European physician or surgeon here or in India who commands the confidence and prestige that the best of our doctors do. In the Civil Service itself many Ceylonese have, in spite of heavy handicaps, gained distinction. If they have not done so in the purely technical departments, it is mainly because they have been denied the opportunity. The Government should give them every facility of training (if necessary, abroad) in order to qualify themselves and, as vacancies arise, should replace Europeans by Ceylonese. Any other policy would savour of the spirit of that

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

M. P. who was so little in harmony with British ideals and traditions as to maintain that India (and the Crown Colonies) existed mainly to provide markets for British goods and places for British boys.

The number of high appointments held by Ceylonese is lamentably low. Of 44 appointments in the Civil Service of the annual value of £900 to £2,000, only three are held by Ceylonese (including Burghers), a proportion of barely 7 per cent., the highest among them drawing £1,150. (I take the figures throughout from the *Ceylon Civil List*, 1916). In the Treasury, out of three officers (£400 to £700)—leaving out the Treasurer who is a European Civil Servant—not one is a Ceylonese; nor in the Audit office out of three officers (£500 to £1,000). In the Public Works Department, out of 10 Provincial Engineers only one is a Ceylonese; of the 12 officers in the Headquarter's Staff and Government Factory (£300 to £1,400), not one is a Ceylonese. Among the District Engineers (£300 to £600), 19 out of 60 are Ceylonese. In the Survey Department, which during the 117 years of its existence has for some occult reason been a European sanctuary, out of 21 appointments of the value of £500 to £1,200, not one is held by a Ceylonese; of 10 Assistant Superintendents (£300 to £500), but 2 are Ceylonese; and—a striking proof of the persistence of a bad policy—out of 18 probationers (£300 to £325) not one is a Ceylonese. The Forest Department and the Irrigation Department, though of recent origin, follow the very bad example of the Survey Department. Out of 11 appointments in the Forest Department (£350 to £1,100) and 21 appointments in the Irrigation Department (£300 to £1,200), not one is held by a Ceylonese. Of the 11 former offices five are held by Europeans, locally selected and after some years' service sent abroad to be trained at the public expense. Why our own youth should not have been given these facilities, is a mystery. In the Railway Department out of 14 officers (£500 to £1,400), not one is a Ceylonese; out of 18 officers (£300 to £400), two are Ceylonese. In the Police Department, out of five officers (£550 to £1,200) only one is a Ceylonese; and of 16 officers (£350 to £500) four. Seven others—all Europeans—are shown as temporarily appointed (£225 to £800), and among these is one of the officers laboriously trained for the Forest Department at public expense. The Police authorities are

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

apparently not satisfied. Recently they have been issuing more invitations to European planters to offer themselves for appointments. In the Postal and Telegraph Department, out of 13 appointments of the value of £300 to £900 (other than the Postmaster-General who is a European Civil Servant) only 4 of the lower appointments are held by Ceylonese. It is superfluous to go on to other departments. Enough has been said to show the extent to which Ceylonese are excluded from the higher appointments. One has only to go over the way to Mysore, a great Indian state administered from top to bottom by Indians, to see that the administration has not gone to rack and ruin by the pursuit of a different policy. On the contrary, you will find the administration highly efficient. You will see an enlightened ruler working through Indian ministers in the highest offices, through provincial Governors with jurisdiction and responsibility at least as large as our Civil Servants, with engineers executing works not less important than in Ceylon, and every department run by Indians.

This is not a question of loaves and fishes. A just distribution of places of honour and emolument in the community is the mark of a wise ruler, as by satisfying legitimate ambitions it largely contributes to the contentment of the people. We claim the right to take full part and to gain full experience in every branch of the administration. The experience and knowledge gained in the higher branches of the public service is carried away by every retiring European official and is absolutely lost to Ceylon to its great detriment, its administration being perpetually in the hands of new-comers. If the Ceylonese were largely employed in the higher posts in all departments, an accumulating wealth of precious experience would remain in the Island and bear fruit in the training of younger generations, in the counselling of the powers that be, in the guiding of public discussions and measures, in the maintenance of a continuity of policy, and generally in the advancement of good government. What would the administration of Great Britain be like if, say, all its experienced officers over the age of fifty-five were sent away from the country and the administration was left in the hands of a perpetually shifting generation of new men? What, if those men were strangers to the country, knew the English language but slightly, knew less of English history and traditions, kept aloof from the people except during

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

business hours, felt themselves in exile while they lived in England, and looked forward to furlough at frequent intervals and to quitting the scene of their labours for good at the earliest pensionable age?

Unless we have at once an effective share in and control of the administration, I see no prospect of quickening its snail-like progress and of securing early the numerous measures vital to our welfare. While we claim to exercise the rights and duties of British citizenship, we should bear in mind that the fundamental requirement of that citizenship is the right and duty of fighting in defence of our King and Country. We should deem it a high privilege to do so, nor indeed can national character be duly developed except by the discharge of the duty. We ought, therefore, to welcome compulsory military service in the Island, and to demand that we should be trained for it, so that Ceylon might no longer be dependent on English or Indian regiments for its defence. It is many years since a British regiment was stationed here. The last Indian regiment has made way for our own volunteers. British or Indian regiments will be less and less available with the increasing strain of Empire on Great Britain. Nor is it right that we should add to her burdens by our helplessness. The splendid stand that the Sinhalese made against Europeans for three centuries, until they voluntarily surrendered the Island to the British Sovereign with full reservation of their rights and liberties, is matter of history. The Tamils formed the bulk of the army which helped Lord Clive to conquer India. Though, like the Sinhalese, they have been obliged to run to peaceful pursuits, Tamils drawn from the class of rickshaw-wallas and coolies have fought splendidly in the present war, as the *Ceylon Times* recently pointed out.

In regard also to the defence of our seas, which has of late had to be shared with Japan, we must give relief to England by seeking service in the navy and qualifying ourselves. When the Indian ocean was infested by the Arabs, then sharing the maritime supremacy of the world with Venice, Ibn Batuta, travelling from Tangiers, found (1347 A.D.) the Ceylon seas protected by the navy of Arya Chakravarti of Jaffna, under whose protection he made his pilgrimage to Adam's Peak and travelled over a great part of Ceylon. Sixty years later another king of that line sent

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

a great army by sea and land against Korte and Gampola. Two centuries earlier Parakrama Bahu the Great not only held the command of the sea, but carried his victorious standards to South India, Siam and Cambodia. With proper training in modern methods our men will prove no less effective for the present and future defence of Ceylon. Japan has shown that, given equal opportunity, Asiatics are in no way inferior to Europeans in any branch of human activity, civil, military, or naval, scientific, industrial or commercial.

Our immediate concern, however, is with the civil administration. I have given in bare outline the reforms which I submit for your consideration as worthy of your immediate attention. But to achieve success we must be prepared to work strenuously and systematically. It is not enough to hold spasmodic meetings, make long speeches and go to sleep. Let us have a minimum of talk and maximum of action, action well weighed and resolutely persisted in. Let us have an earnest body of men to form a "Ceylon Reform League," with a good working Secretary and Committee, a competent staff, a central office, a reading room and library and a place for us to meet daily and exchange thoughts and help to maintain each other's enthusiasm. This central office should be the brain of an organization extending over the Island and by means of branches and affiliated societies in every town and district, by means of lectures and publications, carrying on a propaganda for educating the people in their rights and duties as citizens. We shall need competent agents in England to keep the claims and needs of Ceylon before the British Government and public. All this requires money as well as zeal. It will be necessary to raise a fund to which, I trust, our wealthy men will make liberal contributions. There should be a subscription of, say, Rs. 10 a month to meet current expenses which will be heavy. Persons able and willing to help the cause by personal service, but unable to pay this subscription, might be admitted by the Committee as members on reduced subscription or without subscription during such service.

Work, work, work must be our motto, work on constitutional lines, with loyalty to our Sovereign, with disciplined efficiency, tenacity and enthusiasm. On us alone depends success or failure. Nobody else can help us. Think of what Japan has

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

achieved. The whole system of government and administration of Japan was revolutionized by 32 young men—no more. They held aloft new national ideals and broke the conceptions of control derived from the days of chain armour. They were all obscure, without official rank, social distinction or influence. Our task is lighter, because, in spite of the vagaries of individuals here and there, England is a free nation; no nation greater and nobler than she in her age-long assertion of liberty, no warmer Champion of small nations, to her fugitives of liberty all over the world have come and found an asylum; all her traditions, ideals and instincts, her imperial policy declared through responsible statesmen and the Sovereign himself, are on our side. We have only to convince her that we are in earnest, and our wishes will be granted. But let us lose no time. The Imperial Federation scheme will soon be under discussion, and our fate may be decided before many months are over. If we organize at once and submit our views in time, we must succeed, for the moment is propitious. Failure should only be a spur and an incitement to us to renewed and more intense effort until we reach our goal.

Meanwhile, I would like to recall to our British fellow-subjects, official and unofficial, the words of a great Englishman breathing the true English spirit. Macaulay said of India, and every word of his applies to Ceylon:—"We are free, we are civilized, to little purpose, if we grudge to any portion of the human race an equal measure of freedom and civilization. Are we to keep the people of India ignorant in order that we may keep them submissive? Or do we think that we can give them knowledge without awakening ambition? Or do we mean to awaken ambition and to provide it with no legitimate vent? Who will answer any of these questions in the affirmative? ..... The path of duty is plain before us, and it is also the path of wisdom, of national prosperity, of national honour." "It may be that the public mind of India may expand under our system till it has outgrown the system; that by good government we may educate our subjects into a capacity for better government: that, having become instructed in European knowledge, they may in some future age demand European institutions. Whether such a day will ever come, I know not. But never will I attempt to avert or to retard it. Whenever it comes, it will be the proudest day in English

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

history. The sceptre may pass away from us. Unforeseen accidents may derange our most profound schemes of policy. Victory may be inconstant to our arms. But there are triumphs which are followed by no reverses. There is an empire exempt from all natural causes of decay. These triumphs are the pacific triumphs of reason over barbarism, that empire is the imperishable empire of our arts and our morals, our literature and our laws."

That the same spirit animates British statesmen still, is clear from the address of Lord Hardinge, the Viceroy of India on the occasion of a farewell dinner given him by the United Services at the United Service Club, Simla:—"England has instilled into this country the culture and civilization of the West with all its ideals of liberty and self-respect. It is not enough for her now to consider only the material outlook of India. It is necessary for her to cherish the aspirations of which she has herself sown the seed, and the English officials are gradually awakening to the fact that, high as were the aims and remarkable the achievements of their predecessors, a still nobler task lies before them in the present and the future in guiding the uncertain and faltering steps of Indian development along sure and safe paths. The new rôle of guide, philosopher and friend is opening before you, and it is worthy of your greatest efforts. It requires in you gifts of imagination and sympathy and imposes upon you self-sacrifice, for it means that slowly but surely you must divest yourselves of some of the power you have hitherto wielded. Let it be realised that, great as has been England's mission in the past, she has a far more glorious task to fulfil in the future in encouraging and guiding the political self-development of the people. The goal to which India may attain is still distant and there may be many vicissitudes in her path, but I look forward with confidence to a time when, strengthened by character and self-respect and bound by ties of affection and gratitude, India may be regarded as a true friend of the Empire and not merely as a trusty dependent. The day for the complete fulfilment of this ideal is not yet, but it is to this distant vista that the British official should turn his eyes, and he must grasp the fact that it is by his future success in this direction that British prestige and efficiency will be judged."

May this spirit guide and animate our own officials! However, let us have the courage of our conviction, courage which

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Plutarch defined as "being resolutely minded in a just cause." When we know what we want and desire it determinedly and work for it strenuously, we must obtain our object. We seek to help in the realization of the conception of the British realm as a sisterhood of free nations. We ask to be in our own country what other self-respecting peoples are in theirs—self-governing, strong, respected at home and abroad; and we ask for the grant at once of a definite measure of progressive advance towards that goal. Ceylon is no pauper begging for alms. She is claiming her heritage. The unity and solidarity of the Empire itself will become a real, living fact when it is based on and derives its strength from the most complete local autonomy and respect for the rights and privileges of all its subjects.

The London *Times*, in the course of a leading article reviewing Lord Hardinge's Viceroyalty, said last April: "Lord Hardinge, speaking at Madras in November, 1913, of the treatment of Indian emigrants in South Africa and of their passive resistence to laws which they considered invidious and unjust, said: "In all this they have the sympathy of India—deep and burning—and not only of India, but of all those who like myself, without being Indians themselves, have feelings of sympathy for the people of this country." He touched the hearts of the people and thenceforth they trusted him implicitly. Other Viceroys had fought for the financial and administrative rights of India, but here was a Viceroy who was willing to champion in all sincerity the rights of the people themselves. A great new principle lay behind this simple speech. Whatever form the relations between Great Britain and India may eventually assume, it is reasonably certain that future Viceroys and future Governments of India must more and more identify themselves with Indian interests, even though they seem to conflict at times with the policy of the Home Government. They must be truly Indian Governments, which implies some change of spirit and outward attitude. It also implies a gradual lessening of Whitehall control. The whole secret of his great influence is that it was instinctively felt that he was the forerunner of some such change."

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

So do we in Ceylon desire that our Government shall be a Ceylonese Government, that our rulers shall identify themselves entirely with Ceylonese interests and, in the striking words of the *Mahawansa*, "be one with the people."

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## THE CEYLON REFORM LEAGUE

## 2. ANNUAL REPORT

For the year ended 30th April, 1918.

---

On the 2nd of April, 1917, on the invitation of the Ceylon National Association, an Address was delivered by Sir P. Arunachalam on "Our Political Needs." In it he voiced the general feeling of dissatisfaction with the system of Crown Colony administration of this Island and urged the necessity for its reform on lines which he indicated.

2. On the 17th of May the Ceylon Reform League was inagurated with the object of "securing such reform of the administration and government of Ceylon as will give the people an effective share therein and of encouraging the study of questions bearing on their political, economic and social condition."

3. The Rules of the League were passed on that day and the Office-bearers and Committee appointed, with Sir P. Arunachalam as president. The Office of the League is at No. 12, De Soysa Buildings, Slave Island, from the 1st of November last.

4. The Executive Committee held 22 meetings during the year. Three of them were held jointly with the Committee of the Ceylon National Association.

5. The President and other members of the Committee held conferences with members of other political associations in various parts of the Island. During the year new associations were formed at the following centres:—Kandy, Galle Kalutara, Kurunegala, Negombo, Kegalla, Matara and Ratnapura.

6. On the 20th June the League addressed a letter, through the Ceylon Government, to the Secretary of State for the Colonies on the reform of the administration, forwarding at the same time a copy of Sir P. Arunachalam's Address. The League also appointed Messrs. D. B. Jayatilaka and E. W. Perera, Barristers-at-Law, as its representatives in Great Britain, to promote its objects, and especially to interest members of Parliament and the Press and to arrange for a deputation to the Secretary of State.

7. In August the Imperial Government announced, in Parliament and through the Viceroy of India, their policy in regard to

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

India as "an increasing association of Indians in every branch of the administration and the gradual development of self-governing institutions with a view to the progressive realisation of responsible government in India as an integral part of the British Empire;" that substantial steps would be taken to give effect to this policy and that the Secretary of State for India, Mr. Montagu, would proceed there at once to confer personally with the local governments and representatives of the people.

8. In order not to lose the opportunity of presenting our case personally to a member of the Imperial Cabinet, this League, in conjuction with the Ceylon National Association, telegraphed to the Prime Minister and the Secretary of State for the Colonies on the 17th September, requesting that Mr. Montagu be authorised to receive in India, on behalf of the Imperial Government, a deputation from Ceylon.

9. The Imperial Government was not able to accede to this request, but informed the League, on the 10th October, that the Secretary of State for the Colonies would discuss personally with the Governor, Sir John Anderson, during his forthcoming visit to England, the whole question of the Constitution of Ceylon.

10. As the Governor was expected to sail immediately, a joint Memorandum, dated 29th October, from the League and the Ceylon National Association, containing a definite and detailed scheme of the measures of reform urgently needed, was forwarded for the consideration of His Excellency the Governor and the Secretary of State. The Governor was, however, prevented by illness from leaving the Island.

11. On the 15th of December a Public Conference on Constutional Reform, convened by the League and the Ceylon National Association, was held, at which 144 delegates from various political associations were present. A Memorial setting forth the reforms prayed for was considered and adopted. The Memorial was forwarded to the local Government for transmission to the Secretary of State for the Colonies, and its receipt has been duly acknowledged by him.

12. Sir John Anderson's illness unhappily terminated fatally

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

on the 24th of March last. The League forwarded to the Government and to the members of his family a vote of condolence expressing its sense of the great loss sustained by the people of Ceylon.

13. On the 6th of April last the League addressed a letter to the local Government, protesting against the appointment of an officer from outside Ceylon as Attorney-General when thoroughly competent Ceylonese are available.

14. The League also sent a cable to the Secretary of State deprecating the suggested appointment of Sir Hugh Clifford, late Colonial Secretary, as Governor of Ceylon. Brigadier-General Sir William Manning has since been appointed Governor and is expected to arrive in the Island shortly.

15. The Accounts of the League for the year ended 30th April last are appended (pages 133-4).

16. A sum of Rs. 2,628·11 was received, of which Rs. 2,451·09 was spent, leaving a balance in hand of Rs. 177·02. The outstanding liabilities on the 30th April were Rs. 488·50, and the arrears of subscription due were Rs. 1,714·95. There was also a sum of Rs. 180 (since paid) due from the Ceylon National Association. The number of members on the roll was 40 (now 39), paying a subscription of Rs. 10 a month.

17. The question of reducing the subscription has from time to time been raised, but has been left open for consideration at this Annual Meeting. Considering the nature of the work undertaken by the League and the heavy expenditure it involves, it is important to ensure a sufficient income. While an increase in the number of members would be welcome, it is doubtful whether a reduction in the subscription would lead to such an increase in the number of paying members as would make up the deficiency of income.. The subscription for Associate members is Rs. 15 a year, but was taken advantage of by only one member.

18. A Year-book of the League, containing a full record of the history of the Reform movement with all the necessary documents is now in preparation and will be shortly published.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

3

# FIRST

# CONFERENCE ON CONSTITUTIONAL REFORM.*

---

Minutes of the Conference on Constitutional Reform convened by the Ceylon Reform League and the Ceylon National Association and held at the Victoria Masonic Hall, Colombo, on Saturday the 15th December, 1917, at 2 p.m. Present 144 Delegates, whose names appear in pages 111 to 115 from various Political Associations in Ceylon.

Proposed by Mr. P. B. Godamune, late Ceylon C.S., President (Kandy Association), that Sir Ponnambalam Arunachalam do take the chair. Seconded by Mr. W. M. Rajapakse (Negombo Association) and unanimously carried.

Proposed by Mr. C. S. Rajaratnam (Kandy Association) and seconded by Mr. G. E. Abeyewardene, President (Galle Association) that Mr. W. A. de Silva, J.P., and Mr. D. R. Wijewardene be joint Secretaries of the Conference.—Carried.

## Presidential Address of Sir P. Arunachalam.

The Chairman, in addressing the Conference, said: I thank you for the honour you have done me by electing me Chairman. On behalf of the Ceylon Reform League and National Association, I offer a hearty welcome to the Associations and the gentlemen who have accepted our invitation to take part in the Conference. You have assembled in large numbers, many of you travelling great distances and at much personal inconvenience, and all animated by a spirit worthy of the occasion It is an event of unique interest. This is probably the first Political Conference which has met in Ceylon for at least a hundred years and will be a landmark in the history of the Island.

You may remember the words of Lord Macaulay. He spoke of India, but his words apply equally to Ceylon:

---

* The Conference was convened by the Ceylon Reform League and the Ceylon National Association and held at the Victoria Masonic Hall, Colombo, on 15th December, 1917. Vide para 11. p. 99.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

"It may be that the public mind of India may expand under our system till it has outgrown the system, that by good government we may educate our subjects into a capacity for better government, that having become instructed in European knowledge they may in some future age demand European institutions. Whether such a day will ever come, I know not. But never will I attempt to avert or retard it. Whenever it comes, it will be the proudest day in English history."

That day has come. In fact it came at least ten years ago, when our people demanded very much what they are now demanding. But the reactionary Government, then at the head of affairs in Ceylon defeated our wishes and the intentions of a sympathetic Secretary of State. We are now fortunate in having a liberal-minded and sympathetic Governor. He has seen the tragic blunders and inefficiency of our officials and is doing his best to heal the wounds and restore the impaired confidence of the people.

A few weeks ago, the *Ceylon Times* urged us an objection to our claims.

"the rumours in connection with the anchylostomiasis campaign, that the Government has set out to kill and exterminate all the children in the country, which resulted in the parents withdrawing their children from school in many districts."

I had not heard of these rumours. But assuming the *Times'* report to be correct, it would only show that since those disastrous mistakes there are people in this Island who are prepared to believe anything about the officials. Certainly before 1915 there was no readiness to think evil of them. On the contrary, there was a real and deep-rooted confidence in their good intentions and good work. How shall His Majesty the King reward those who have shattered the structure of confidence, sympathy and affection built by the patient efforts of generations of his servants?

I said, we were fortunate in our present Governor, whose clear vision and courage have seen these flaws and will remedy them. We are fortunate, also, in that the people and Government of Great Britain are more than ever dominated by the spirit

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

of liberty and democracy and by the determination that all peoples shall have the fullest opportunities of self-development on national lines. The changed angle of vision is manifest even in the writings of the *Ceylon Times*, an organ by no means favourable to our cause. In a leading article on the 1st of this month, the *Times* said:—

> "That considerable changes will be made sooner or later, there can be no reasonable doubt, whether the people of this country, taking them as a whole, desire such changes or not. One of the avowed ends of our colonial policy being, rightly or wrongly, to encourage the progress in the direction of ultimate self-government, the Colonial Office is likely to see that the people of this and other Colonies are set on the path of political development, whether they wish it or not."

The time is therefore auspicious, and it is our duty to see that our wishes and views are clearly and unmistakably placed before His Excellency the Governor and the Imperial Government to help them to a right decision and to win for ourselves as large a measure of constitutional reform as possible. To those people who, like the *Celyon Observer* and Mr. Francis Beven, are urging the War as a reason why we should make no move, it is enough to recall what Lord Curzon said quite recently to his fellow peers in the House of Lords in reply to similar objections in regard to India. He said it was idle to make the War an excuse for not raising such questions as the administration of India. His warning with regard to the forces that the War had unchained and the repercussion of new ideas fairly startled them. He was emphatic that the Government of India was right to discuss the question of constitutional reform *now*. So it is for us in Ceylon.

We are not so foolish as to think that, with the granting of our wishes, even if responsible government were conceded to us at once, the milennium would come. It may be that our own administration may not prove more efficient, may prove even less so, though, I think, it will be hard to beat the inefficiency which culminated in the blunders of 1915 But, in the memorable words of Prime Minister Campbell-Bannerman, "Good government can never be a substitute for government by the people themselves." We shall certainly never learn how to manage our affairs if we are always kept in leading strings.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

We are not unused to representative institutions. Maine and other historians recognise the fact that democratic institutions spread from India to Europe with the immigration of Aryan peoples. Lord Metcalfe, Governor-General of India, said to a Select Committee of the House of Commons in 1832:—

> "The village communities are little republics, having nearly everything they can want within themselves and almost independent of any foreign relations. They seem to last when nothing else lasts. Dynasty follows dynasty, revolution succeeds revolution. Hindu, Pathan, Moghul, Mahratta, Sikh, English, are all masters in turn. But the village community remains the same."

In Ceylon itself every village (*gama*) had its Council (*gansabhawa*) for the administration of its affairs. The Village Council has survived through all the vicissitudes of twenty-four centuries, and is part of our modern constitution, though, alas! sadly crippled by official control. In England village councils, under the name of Parish Councils, were created only in 1894, by the Local Government Act of that year. If you go to Sea Street in this city, you will find the Nattu-Kottai merchants administering their affairs, involving in value many hundreds thousands of rupees, by a democratic institution called the *Nagaram*—"the City"—which is the linear descendant of representative institutions over 2,000 years old.

In the 5th century B.C. the Capital city of Anuradhapura had a fairly complete and efficient municipal organisation, giving evidence of no mean administrative capacity as well as sanitary knowledge, and presided over by a Mayor of the city, *Nagara guttika.* "From that time," says our ancient chronicle, the *Mahawansa*, "there have been Nagara guttikas in the capital." Every Village Council sent its delegates to the District Council (*Rata sabhawa*), which continued to exist within living memory. Above these stood the Supreme Council of the Ministers of State, and the King who was considered the elected Supreme Magistrate. The form of election of the King was gone through, even in the most reactionary times, and down to the last of Ceylon's kings a hundred years ago. All this system,—the continuance of which (but with the substitution of the King of Great Britain for King

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Sri Wikrama Raja Sinha) was pledged to the people of Ceylon at the great Convention of 1815 at Kandy,—disappeared under the rough and ready rule of officials, well-meaning but ignorant of local conditions and history, careless of popular sentiment and tradition, impatient of everything that seemed to conflict with their notions of what was right and proper. It was different with the early generation of British officials. In 1809 Sir Alexander Johnstone, Chief Justice and First Member of the King's Council in Ceylon, after making a careful inquiry, at the request of the Governor, into the history and conditions of the people, recommended to the Secretary of State *inter alia* the creation of a Legislative Assembly, including representatives elected by each province. Those recommendations were accepted by the Secretary of State, and would have ben given effect to but for a change of Government in England.

That was indeed a grave misfortune to Ceylon. For a hundred years we have been deprived of all power and responsibility and tied to the apron strings of a bureaucracy. Even the petty village headman, who was formerly the elected servant of the village, has become its master and tyrant. Our powers and capacities are dwarfed and stunted, and there has been a gradual atrophy of political genius and an indifference to public matters. We live in an atmosphere of inferiority and can never under this system rise to the full height of which our manhood is capable of rising. Denied the opportunity of training in governing ourselves in the smallest matters, we are told that we are unfit for anything better. To have been deemed fit in 1809 by the responsible advisers of the Crown for such a constitution as Sir Alexander Johnston recommended and the Secretary of State approved, and to be now in 1917 deemed fit only for the paternal despotism of an irresponsible Crown Colony Administration, is the measure of our fall and of the blighting influence of an unprogressive bureaucracy, however excellent their intentions. Some of our own people, who ought to know better, have been so demoralised by this influence that they actually maintain that we ought to be quite content with the present state of things. Well, there is no accounting for tastes. We have heard from our grandfathers that, when domestic slavery was abolished, many slaves refused to be enfranchised and looked down with scorn on those who wished to be free.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

The National Missionary Council of India, of which the Metropolitan of Calcutta is the Chairman, said recently in its Open Letter to the Missionaries of India:

> "It is as much an ideal of good government to provide for everyone of its subjects the opportunity for the development of this personality as it is to provide for the whole body politic the blessings of order, peace and justice .....Nothing adds more to the richness of man's life and to the development of his personality than responsibility." "One result of our work," adds the Missionary Council, "will be to make men fit for, as well as desirous of, taking their share in the burden of responsibility for their country's welfare."

We demand the liberty to take our share in the burden of this responsibility, to manage our own lives, make our own mistakes, gain strength by knowledge and experience, and acquire that self-confidence and self-respect which are indispensable to national progress and success. We seek to be in our own country what other self-respecting people are in theirs, self-governing, strong, respected at home and abroad, and we ask for the grant at once of a definite measure of progressive advance towards that goal.

It was under the impulse of some such feeling as this that a number of leading men, representative of various communities, began to meet about a year ago and to discuss the position and future of our country. They did this in a quiet way, being reluctant to embark on a wide-spread political propaganda which might lead to undesirable public excitement during this time of war. While these deliberations were proceeding, the Imperial School who aim, *inter alia*, at giving the Self-governing Dominions an effective share in the administration of the Crown Colonies with a view to controlling their inhabitants and resources, gained a triumph in the summoning of an Imperial Conference in which Ceylon had no voice or representation.

As a High-priest of this school, Lord Milner, has said:—

> "The population and resources of the Dependent Empire represent a direct addition to the defensive strength of the Empire as a whole and, at the lowest, a withdrawal from the potential resources of our rivals. It affords a great market

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

for our industries and a source of supply for raw materials; and in both respects its capacities can be enormously increased. From the economic point of view, indeed, the Dependent Empire, which is also the Tropical Empire, is an essential and indispensable correlative to the Self-governing Empire which lies almost wholly in the temperate zone. At present it is mainly the United Kingdom which benefits by this integral connection between its industries and raw materials and consuming power of its tropical dependencies. But the other self-governing States of the Empire are rapidly passing from the purely agricultural to the industrial state and, as that process develops, will become increasingly conscious of the value of the Dependent Empire, which, indeed, in many respects is the biggest asset which the United Kingdom will contribute to the common stock when it enters into real partnership with them. Again the administration of the Dependent Empire not only provides a career for thousands of Englishmen to-day, but creates a class of men whose official experience and high standard of public duty are undoubtedly an addition to our national life. Here, too, partnership in the Empire has something to offer to the junior States, something well worth acquiring."

The recent proposals of the Empire Resources Development Committee have been condemned by organs of liberal English public opinion such as the *Edinburgh Review*, the *Manchester Guardian*, the London *Daily News*, as a policy unworthy of Great Britain and as

> "almost wholly pernicious. Legislative development of the Crown Colonies is among the greatest needs of the Empire, but it will consist of educating the natives, not of exploiting them; turning them into independent producers, not into forced labourers."

In these circumstances inaction on our part, or delay, in organising and publishing our views and making our voice heard, would have been highly detrimental to the interests of Ceylon. The Ceylon National Association, therefore, invited me to address them at their annual meeting on the 2nd April last. I did so, and my Address was published in pamphlet form under the title Our

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Political Needs, and distributed throughout the country. It was accompanied by a circular letter, intimating that it was proposed to form a Ceylon Reform League for the purpose of effecting reforms in the general administration of the Island and in the Legislative and Executive Councils on the lines suggested in the Address, and inviting those who were in sympathy with the movement to join the proposed League.

When replies had been received, the Ceylon Reform League was formed on the 17th of May last. On the 20th of June a carefully considered Memorial was submitted to the Governor for despatch to the Secretary of State, setting forth in outline the measures considered immediately necessary for the remedying of the evils under which the people of Ceylon labour. I need not detail those measures. The Memorial has been widely published and is known to you. But, briefly, we asked for the reform of the Legislative Council by the abolition of nominated members, of racial representation and of the official majority and the creation of elected members on a territorial basis with an elected majority and an elected President or Speaker; the reduction of the number of official members in the Executive Council from 8 to 3, and the appointment of two elected unofficial members; the full development of Local Self-government in town and country through councils with elected majorities and elected chairmen; the greatly increased employment of Ceylonese in the higher branches of the public service now almost monopolised by Europeans; the wide extension of education, elementary, secondary and higher, the immediate establishment of a University, and the appropriation of at least 25 per cent. of the revenue for educational purposes; and the appointment of a Ceylonese to the Imperial Council when it is formed.

It was necessary to submit the Memorial promptly to the authorities in order to counteract as far as possible the mischievous activities of the Imperialists at the Imperial Conference so far as they affected the interests of Ceylon. At the same time steps were taken to promote the formation of political associations throughout the Island with a view to organising public poinion and submitting a public memorial to the Secretary of State. At this juncture the Imperial Government made an important

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

announcement to the people of India. The Government declared its policy as

> "the increasing association of Indians in every branch of the administration and the gradual development of self-governing institutions with a view to the progressive realisation of responsible government in India as an integral part of the British Empire;"

and stated that they had decided to send the Secretary of State for India, Mr. Montagu, to confer personally with the local governments and the people's representatives and to concert measures to give effect to this policy. The Ceylon Reform League and the Ceylon National Association wired to the Prime Minister and the Secretary of State for the Colonies to authorise their colleague, Mr. Montagu, to receive in India on behalf of the Imperial Government a deputation from Ceylon on the subject of constitutional reform. It was intended, if the reply was favourable, to have delegates appointed by associations throughout the Island to form the deputation.

His Majesty's Government replied that they were unable to accede to the request and that the Secretary of State proposed to confer personally with His Excellency the Governor during his forthcoming visit to England on the whole question of the Constitution of Ceylon. It became then necessary to prepare and submit a definite scheme to Sir John Anderson before he sailed. That was done by the Ceylon Reform League and the Ceylon National Association, with such consultation as could be held with the various district associations. The Memorandum containing the scheme and the reasons therefor were submitted to him early last month. That Memorandum has been circulated among the various associations and published in the Press, and steps were taken to convene this Conference to consider the scheme and the question of a public Memorial to the Secretary of State. The Draft of the proposed Memorial has been circulated among you, and it will be for you to decide on the adoption of the Memorial with such modification as you may approve of. You will find in para 11 of the Memorial the scheme that has been suggested for the reform of the Legislative Council. We have received representations from various Associations, in deference to which we

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

have revised the scheme. The scheme, as revised, is also before you.

You will see that its main principles are the total abolition, in the Legislative Council, of the nomination of unofficial members by the Governor, and the provision for a large increase in the number of elected members and for an elected majority with an elected Speaker of the Legislative Assembly; and in the Executive Council a reduction in the number of official members and the introduction of an elected unofficial element. The system of nomination has been so worked in this Island that it has proved injurious to its interests. The average type of nominated member has almost reduced unofficial representation to a farce in spite of a few brilliant exceptions; and for one person who is nominated to a seat there are dozens scheming and scrambling for it under conditions which have poisoned the whole atmosphere of our political life. Another main principle is the elimination of racial representation. But certain important minorities—the Europeans, Burghers and Mohammedans—are wedded to it and fear that, if they are deprived of it, they may not secure faithful representatives of their interests in Council. We do not share those fears, but we have thought it desirable to yield to their wishes and to acquiesce in their continuing to have racial representation. We have little doubt that, in course of time, they will consent to join the general electorate. In this connection I may read to you a letter I have received from an esteemed member of the Burgher community, Mr. Wille, a member also of the Ceylon National Association, who is unable to be present to-day. (*Reads Mr. Wille's letter*). Mr. Wille's suggestions have been anticipated and met in the scheme. Apart from the three minorities, each province will have one member and in some cases more according to the importance of its population in numbers, education, wealth, etc. Including the representatives of the three minorities, there will be altogether 21 elected members as against the present number of 4 elected and 6 nominated unofficials, and the number of official members will remain at 12. In the Executive Council, provision is made for the reduction of official members to three and for the appointment of two elected unofficial members.

No scheme can be perfect or satisfy everybody. This has been prepared after careful consideration of all the conditions of

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

the problem, and I recommend its adoption by you as a good working scheme. We must all give and take, we must sink our differences and present a united front to achieve our object, which is to obtain immediately the beginning of responsible Government. Any defects in the scheme can be remedied later, for of course this is not a final scheme. Our goal is Responsible Government in full measure, such as prevails in the Self-governing Dominions. We have specially asked in para 17 of the Memorial, that this be declared to be the goal of British policy in Ceylon, as it has been declared in India.

I have no doubt that this Conference, so representative and influential, will arrive at a satisfactory solution of the difficulties that have been raised, without prejudice, however, to the main principles of the scheme. We all feel that racial representation is pernicious and has operated to widen cleavages in the community and to obstruct that unity and harmony which we should all do our best to promote. I cannot see that any question can come up before the Legislative Council which is likely to be decided to the detriment of any particular community. If such a decision should ever be arrived at, it will be promptly reversed by the veto expressly vested in the Governor and the Secretary of State. We may, I think, look forward with confidence to the grant of substantial reforms in our constitution by the Imperial Government, and I am sure that our people will make such use of them as to hasten the establishment of Responsible Government, which we all earnestly desire as essential for the efficiency of the administration, the happiness of the people and the stability of British rule. (*Applause*)

## LIST OF DELEGATES AT THE CONFERENCE ON CONSTITUTIONAL REFORMS, 15th DECEMBER, 1917.

| | | |
|---|---|---|
| V. L. D. Abeygoonewardena | ... | Galle Association |
| J. de S. Abeyratne | ... | Galle Association |
| A. C. Abeywardene | ... | Ceylon National Association |
| G. E. Abeywardene | ... | Galle Association |
| M. T. de S. Amarasekera | ... | Ceylon National Association |
| Peter Amarasekera | ... | Chilaw Association |

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

| | | |
|---|---|---|
| William Amarasekera | ... | Chilaw Association |
| D. L. E. Amarasinghe | ... | Negombo Association |
| Sir P. Arunachalam, Kt. | ... | Ceylon Reform League |
| W. N. S. Aserappa | ... | Ceylon Reform League |
| R. N. Asirwathan | ... | Sabaragamuwa Association |
| C. Batuwantudawe | ... | Ceylon National Association |
| W. E. Bastian | ... | Ceylon National Association |
| Don C. Bertus | ... | Kalutara Association |
| M. B. A. Cader | ... | Muslim Young Men's Assn. |
| C. D. Carolis | ... | Ceylon National Association |
| M. Kamer Cassim | ... | Muslim Young Men's Assn. |
| P. Chelliah | ... | Chilaw Association |
| C. Chitty | ... | Chilaw Association |
| S. S. N. Caiglimanam Chitty | ... | Ceylon Indian Association |
| G. L. Cooray | ... | Ceylon Reform League |
| C. E. Corea | ... | Chilaw Association |
| C. E. V. Corea | ... | Chilaw Association |
| J. A. Corea | ... | Chilaw Association |
| G. S. C. Corea | ... | Chilaw Association |
| Dr. J. A. E. Corea | ... | Chilaw Association |
| A. L. J. Croos Dabrera | ... | Negombo Association |
| E. S. Dassenaike | ... | Sabaragamuwa Association |
| N. de Alwis | ... | Galle Association |
| Lionel de Fonseka | ... | Matara Association |
| L. St. V. de Rosairo | ... | Kurunegala Association |
| D. L. de Saram | ... | Ceylon National Association |
| Andrew de Silva | ... | Kalutara Association |
| B. F. de Silva | ... | Ceylon Reform League |
| E. T. de Silva | ... | Ceylon National Association |
| George E. de Silva | ... | Ceylon National Association |
| G. V. de Silva | ... | Negombo Association |
| J. K. de Silva | ... | Kalutara Association |
| J. W. de Silva | ... | Ceylon Reform League |
| J. W. de Silva | ... | Kalutara Association |
| Timothy de Silva | ... | Ceylon National Association |
| V. A. de Silva | ... | Ceylon Reform League |
| W. J. de Silva | | Galle Association |
| Dr. W. T. de Silva | ... | Negombo Association |
| A. de Souza | ... | Ceylon National Association |

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

| | | |
|---|---|---|
| L. W. A. de Soysa | ... | Ceylon National Association |
| Francis de Zoysa | ... | Ceylon National Association |
| J. E. de Zoysa | ... | Negombo Association |
| Bertram de Zilva | ... | Negombo Association |
| Rev. Sri Dhammissara Thero | ... | Chilaw Association |
| A. M. C. Dias | ... | Ceylon Reform League |
| C. E. A. Dias | ... | Ceylon Reform League |
| H. Napier Dias | ... | Galle Association |
| J. F. Dias | ... | Kalutara Association |
| H. Dinshaw | ... | Indian Ceylon Association |
| Arthur V. Dias | ... | Ceylon Reform League |
| W. Duraiswamy | ... | Jaffna Association |
| C. Ellawala | ... | Ratnapura Association |
| C. H. Z. Fernando | ... | Ceylon National Association |
| Solomon Fernando | ... | Ceylon National Association |
| S. A. Fernandez | ... | Ceylon Indian Association |
| P. B. Godamunne | ... | Kandy Association |
| A. B. Gomes | ... | Ceylon National Association |
| V. I. V. Gomis | ... | Kurunegala Association |
| Edwin Gooneratne | ... | Galle Association |
| W. D. A. Gooneratne | ... | Kurunegala Association |
| D. J. Goonetillake | ... | Kalutara Association |
| Edwin Goonetillake | ... | Matara Association |
| F. L. Goonewardene | ... | Kandy Association |
| Herat Randeni | ... | Chilaw Association |
| Dr. E. V. Ratnam | ... | Ceylon Reform League |
| S. Rodrigo | ... | Negombo Association |
| S. Rodrigo | ... | Ceylon National Association |
| A. F. R. Goonewardene | ... | Kegalla Association |
| Dr. C. A. Hewavitarne | ... | Ceylon Reform League |
| John Halangoda | ... | Kandy Association |
| J. W. R Illangakoon | ... | Matara Association |
| M. C. Ismail | ... | Ceylon National Association |
| T. B. Jayah | ... | Muslim Young Men's Assn. |
| B. A. C. W. Jayasekera | ... | Galle Association |
| O. A. Jayasekera | ... | Ceylon National Association |
| E. G. P. Jayatillake | ... | Ceylon National Association |
| M. H. Jayatillake | ... | Kalutara Association |
| A. St. V. Jayawardene | ... | Ceylon National Association |



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

| | | |
|---|---|---|
| Daniel Joseph | ... | Ceylon National Association |
| C. W. W. Kanangara | ... | Galle Association |
| E. M. Karunaratne | ... | Galle Association |
| M. D. T. Kulatillake | ... | Matara Association |
| R. Mahase | ... | Ceylon National Association |
| Amadoris Mendis | ... | Ceylon Reform League |
| Arthur H. E. Molamure | ... | Sabaragamuwa Association |
| J. Moonesinghe | ... | Ceylon National Association |
| F. A. Obeyesekera | ... | Kandy Association |
| C. V. M. Pandittasekera | ... | Chilaw Association |
| L. C. Patiratne | ... | Chilaw Association |
| G. K. W. Perera | ... | Negombo Association |
| Martinus C. Perera | ... | Ceylon National Association |
| W. E. Peries | ... | Sabaragamuwa Association |
| Charles Peiris | ... | Ceylon Reform League |
| James Peiris | ... | Ceylon National Association |
| L. H. S. Pieris | ... | Kandy Association |
| Dr. D. B Perera | ... | Ceylon National Association |
| W. M. Rajapakse | ... | Ceylon National Association |
| C. S. Rajaratnam | ... | Kandy Association |
| Tudor Ranasinghe | ... | Negombo Association |
| M. L. M. Reyal | ... | Muslim Young Men'-s Assn. |
| Baron Perera Rupesinghe | ... | Chilaw Association |
| D. W. Samaratunge | ... | Negombo Association |
| A. R. De Samarawickrema | ... | Ceylon National Association |
| W. T. Samaraweera | ... | Ceylon Reform League |
| E. J. Samarawickrema | ... | Ceylon National Association |
| H. A. P. Sandrasagara | ... | Ceylon Reform League |
| V. M. Saravanamuttu | ... | Kandy Association |
| D. C. Senanayake | ... | Ceylon Reform League |
| D. S. Senanayake | ... | Ceylon National Association |
| J. A. Sethukavaler | ... | Galle Association |
| Dr. Simon Silva | ... | Kalutara Association |
| S. T. Spenser | ... | Colombo |
| P. Sunderam | ... | Ceylon National Association |
| D. J. Subasinghe | ... | Galle Association |
| D. W. Subasinghe | ... | Galle Association |
| A. P. Thambiah | ... | Ceylon National Association |
| F. Thambaiyah | ... | Chilaw Association |

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

| | | |
|---|---|---|
| G. C. Thambaiyah | | Jaffna Association |
| P. Thambiah | ... | Kurunegala Association |
| J. N. Vethavanam | ... | Kandy Association |
| E. L. Wijegunewardene | ... | Kandy Association |
| D. E. Wanigasuriya | ... | Ceylon National Association |
| R. H. Weerakoon | ... | Paiyagala |
| D. E. Weerasuriya | ... | Ceylon Reform League |
| Q. A. Wickremasinghe | ... | Ceylon National Association |
| E. A. P. Wijayaratne | ... | Ceylon Reform League |
| W. Wijeykoon | ... | Chilaw Association |
| J. A. Wijesinghe | ... | Kegalla Association |
| A. Wijetillake | ... | Sabaragamuwa Association |
| D. R. Wijewardene | ... | Ceylon National Association |
| C. H. Wickramanayake | ... | Galle Association |
| J. S. Wirasinha | ... | Matara Association |

## OFFICE OF THE CEYLON REFORM LEAGUE AND THE CEYLON NATIONAL ASSOCIATION.

**4.**

12, De Soysa Buildings,
Slave Island, Colombo,
13th September, 1918.

SIR,

You are aware that a Conference on Political Reforms was held at Colombo on the 15th of December last, on the invitation of the Ceylon Reform League and the Ceylon National Association. It was attended by 144 delegates from various political associations in the Island. At that Conference a Memorial to the Secretary of State for the Colonies was adopted, asking for certain reforms in our Constitution. The Memorial was in due course despatched to the Secretary of State and acknowledged by him.

2. In reply to a question asked early last month in the House of Commons as to the action taken upon the Memorial, Mr. Hewins on behalf of the Colonial Office made a statement, on

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

which the following telegram was despatched on the 6th of that month by the Ceylon Reform League and the Ceylon National Association jointly :—

> "Mr. Hewins' reply House Commons subject Ceylon Reforms has caused great disappointment. Unable understand why time deemed inopportune and decision postponed, when Indian Government has dealt with far more complex and difficult problems of Indian Empire and propounded Reform Scheme. We deplore continued indifference Ceylon's needs and earnestly request early declaration liberal reforms."

3. This was followed up on the 28th ultimo by another cable as follows from the two Bodies :—

> "Our cable 6th instant. We beg invite attention House Commons debate Indian Reforms and principle of self-government accepted for India. We request application same principle to Ceylon and grant of reforms not less liberal than granted to India, to which Ceylon is akin in race and culture but conditions more favourable for political development. We beg early declaration of policy and broad outlines of reform, with instructions to new Governor to adjust details. We specially ask enlarged Legislative Council on wide franchise with substantial elected majority, Ceylonese members Executive Council, Ceylonese Ministers in charge of Departments, substantial percentage superior posts for Ceylonese, complete popular control Municipal Councils and other local bodies, urban and rural, with elected Chairmen, all which have been conceded to India."

4. It is proposed to hold on Friday and Saturday, the 13th and 14th December next, a Conference of all political associations in the Island, in order (*a*) to pass resolutions re-affirming the principles and repeating the demands contained in the second telegram and (*b*) to make provision for the holding of a Conference annually.

5. You will observe that we have asked the Secretary of State for the Colonies to declare the policy and broad outlines of reform and to instruct the new Governor to adjust the details. The Secretary of State for India and the Viceroy have, as you

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

know, done this for India in the Report recently published on Indian Constitutional Reforms; and the local authorities in the various provinces of India are now engaged in adjusting the details. The Report may be purchased at this Office for one rupee.

6. It is desired to make the forthcoming Conference as representative as possible; and with this view a Committee consisting of the following gentlemen has been appointed to organise the Conference, viz., Sir P. Arunachalam, Messrs. James Peiris, E. J. Samarawickrame, A. St. V. Jayawardene, W. A. de Silva, E. T. de Silva, J. W. de Silva, F. R. Senanayeke, M. A. Arulanandan, Francis de Zoysa and Amadoris Mendis, with Mr. D. R. Wijewardene as Honorary Secretary.

7. Members of existing political associations, and of other associations that may be formed before the Conference, will be eligible to participate in it. The Committee feels that the time has arrived for every person interested in the welfare of Ceylon to put himself in a position to further the progress of the Island. The Committee, therefore, urges that those who are not already members of existing associations should promptly join one, such as the Ceylon National Association or the Ceylon Reform League or any local association, and in the absence of a local association form a new association, which fact should be communicated to me as early as possible.

8. Your co-operation and presence at the Conference are earnestly requested. I will thank you to inform me if you are a member of any political association and, if not, whether you propose to join an existing association or a new one. I attach a form of application for admission to the Ceylon National Association or the Ceylon Reform League, in case you desire to join either Body.

I remain,

Yours faithfully,

D. R. WIJEWARDENE,
Honorary Secretary
of the Organising Committee.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## 5 SECOND CONFERENCE ON CONSTITUTIONAL REFORM.*

The Second Reform Conference organized by the Ceylon Reform League and the Ceylon National Association met at the Public Hall on the 13th December, 1918, at 2 p.m. Long before that hour delegates, visitors, and members of the general public began to assemble and as the hour of the meeting arrived a very large gathering filled the body of the Hall and extended even to the gallery. The delegates from the political associations of the various provinces were accommodated in the fore front of the Hall. A good number of ladies were also provided with reserved seats. The lower portion of the Hall was set apart for the accommodation of the visitors who came in great force. Sir Ponnambalam Arunachalam, on his arrival was received by Mr. James Peiris, Chairman of the Reception Committee, and other members of the Committee who escorted him to the platform. The entrance of Sir Ponnambalam into the Hall was the signal for prolonged and enthusiastic applause.

### The Presidental Address.

Sir Ponnambalam Arunachalam, Kt., M A., then addressed the gathering, in words punctuated with frequent and loud applause. He said:—I thank you for the honour you have done me in electing me to preside over this great National Conference The first duty we have to discharge to-day is to submit to the Throne our sentiments on the glorious success of the British and Allied arms in the desolating war which has just reached a happy ending. Words fail to express our relief and joy. Our hearts are so full and the occasion so solemn that any language would be inappropriate and paltry. The hundreds of thousands of gallant men who have fallen, the still larger number that have endured agonies worse than death, in championing the cause of

* Messrs. W. A. de Silva, M. A. Arulanandan and D. R. Wijewardane were appointed joint Secretaries of the Conference, and among others the following were accommodated on the platform:—The Hon. Dr. H. M. Fernando, Mr. James Peiris, Messrs. G. A. Wille, H. A. P. Sandarasagara, C. E. Corea, E. W. Jayawardene, A. St. V. Jayawardene, C. H. Z. Fernando, Nevins Selvadurai, Francis de Zoysa, the Rev. Simon de Silva, Forrester Obeyesekera, P. B. Godamune, Dewan Bahadur Kesava Pillai (Secretary), of the Indian National Congress), and Mr. R. L. Pereira. For the manner in which this Conference originated vide pp. 115-117.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Righteousness and Freedom and the right of all peoples, small and great, to self-development and self-determination, have not died and suffered in vain. The Central Powers have been shattered for ever, and the world's peace and liberty have been made safe. The monstrous brood of Imperialism, Militarism, and Capitalism, which have long oppressed the earth, culminating in this deluge of blood, have received their death-blow. We are on the Threshold of a New and a Better World. In the words of Mr. Asquith, the Allied victory guarantees to all nations security against sinister and predatory ambitions and the full right of self-determination: or, as President Wilson has put it, the interest of the weakest is in the eyes of the Allies as sacred as the interest of the strongest. Small nations may now breathe freely and may unmolested live their own lives, work out their own development and make their own contribution to the world's civilization and happiness. Ceylon is proud to have borne her share in this crusade of imperishable glory. The memory of the achievements of this war will be an inspiration to generations yet unborn and will live for all time as a treasured possession of humanity. It is meet that we lay our loyal devotion and Congratulations at the Feet of the Sovereign, who is the symbol of a free, united and unconquerable Empire. The motion which I am privileged to submit to you is as follows. I have no doubt you will pass it enthusiastically and with acclamation.

> "This Conference tenders its loyal homage to His Majesty the King and respectfully submits its joyful congratulations upon the success of the British and Allied arms in overthrowing the Central Powers and in upholding the British ideal of liberty, self-development and self-determination for all peoples, great and small."

The motion was passed with acclamation, all standing.

The President, continuing said:—I now proceed to the main business which has brought us together. It is a great satisfaction to those who have organized the Conference to see so large and representative a gathering drawn from all parts of the Island in spite of to-day's engagements and attractions elsewhere. This, the second Annual Conference, will, I trust, put the seal on the work of the first, which was held last December and over which

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

it was my happiness to preside. The usefulness of these conferences in co-ordinating public opinion and political thought and work is now so obvious, that it is proposed to ask you before you separate to provide a Permanent Organization for Convoking a National Congress Periodically and carrying into effect its resolutions. At the last Conference, which was attended by 144 delegates, a public Memorial was adopted, asking for much needed reforms in our constitution and administration. The Memorial was duly forwarded to the Secretary of State. You may remember that, two months earlier, in October, 1917, he informed us in reply to a joint cable from the Ceylon Reform League and the Ceylon National Association, that he proposed to discuss personally with His Excellency Sir John Anderson, during his forthcoming visit to England, the whole question of the constitution of Ceylon. That meeting unfortunately did not take place. The Governor's illness prevented him from leaving Ceylon, nor did he live to complete his report on the reforms to the Secretary of State. His beneficent administration was cut short before the close of its second year. He died on the 24th of March last to the infinite sorrow of our people. Their feeling about him was well expressed in a resolution of the Ceylon Reform League which was forwarded to the Government :—

"The Ceylon Reform League desires to place on record its grief on the death of His Excellency the Governor, Sir John Anderson, G.C.M.G., K.C.B., its sense of the great loss sustained by the people of Ceylon, its admiration of his character and personality and heroic discharge of duty, its gratitude for his wise and beneficent administration distinguished by courageous justice and impartiality,, by sympathy and self-sacrificing devotion to the people's welfare. The League begs to express to Captain and Mrs. Anderson and other members of His Excellency's family its sincere sympathy in their bereavement, and to assure them that his memory will be enshrined in the hearts of a grateful people."

Immediately after the funeral, at a representative Ceylonese meeting, it was decided to raise in Sir John Anderson's Memory a fund for the promotion of higher education and research in the Island, and a sum of two lakhs of rupees was subscribed on the spot. The scheme, when it becomes a *fait accompli*, will be

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

a memorial in every way worthy of that great Governor. It will go some way towards supplying a crying need and will, I hope, rouse the Government from its apathy in regard to higher education.

The political atmosphere has since June last changed for the better by the publication of Mr. Montagu's and Lord Chelmsford's Report on Indian Constitutional Reforms. The Report is the fruit of exhaustive personal investigation and careful consideration by the Secretary of State for India in concert with the Viceroy. It recommends the immediate grant of reforms in pursuance of the policy announced by His Majesty's Government in the House of Commons on the 20th August, 1917:—viz., the policy of the increasing association of Indians in every branch of the administration and the gradual development of self-governing institutions with a view to the progressive realization of responsible Government in India as an integral part of the British Empire." These recommendations, which are supported by arguments of irresistible force, have been the subject of much discussion and criticism, and a large volume of Indian public opinion holds that the pledges of the Imperial Government have not been fully redeemed in these recommendations and that they must be amended in many respects before they can be acceptable to India. However that may be we in Ceylon feel, and feel most strongly, that the reforms offered to India are not adequate for Ceylon and that the reforms for this Island should be of a more liberal character to suit our conditions. Resolutions on these lines will be submitted to you.

Sir Ponnambalam then proceeded to review the history of the Island, to show how a country governed on democratic principles for 20 centuries had forgotten her faculties under he conditions of the Crown Colony System of Government. He then dwelt on the need for education and said:—

Education is the most vital question with us, but the apathy and indifference of the authorities in regard to it is reminiscent of the spirit of the ruling classes of 100 years ago in England towards the masses of the English people. In Ceylon, primary education, inefficient, ill-organised, advances slowly and languidly. Secondary education is in a worse state and higher education is non-existent, though twenty years ago Mr. Joseph Chamberlain declared that "money spent on higher education is the best of all

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

possible national investments." Instruction in science and manual arts is generally crude and feeble and vocational training wholly absent. The University College, which was decided on, a dozen years ago, by Sir Henry McCallum and was to be the preparation for a University, is still in the future. The latest official pronouncement, if I have understood it aright—I sincerely hope I have not—is that, if we by private subscription find the money for erecting the buildings for a University and for endowing it, the Government will do its share. (Laughter). It is not clear what share will then remain to Government except fixing the curriculum and appointing the professors to be paid by us. This is not the encouragement and support we have been led to expect from solemn declarations of previous Governors, nor will it help to discharge the obligations of the Government to the people.

Regarded not merely as an Instrument of National Culture and for the production of good citizens, but even from a purely material point of view, education, especially scientific and technical education, is of vital importance to us. Science is the most important factor of modern life, and the renaissance of Japan has shown how the life and character of a people may be revolutionized by scientific study conducted in the proper spirit and manner. This is in my view no more pressing need than the development of Ceylon's industrial resources, a great store of wealth to her people and an imperial asset. Such development is impossible without scientific and technical education vigorously promoted by the Government. Without it Ceylon will continue to be a helpless victim to economic exploitation by other countries.

Is it creditable to Ceylon, after over a hundred years of British rule, to be behind even Indian States like Mysore, with less than half the wealth and resources of Ceylon and no panoply or highly paid British officials, but manned by Indian officers from top to bottom. Our Director of Education, Mr. Denham, has visited Mysore. Ask him what he thinks of that progressive state, with her great educational and industrial activities. They should make us blush with shame. The other day, in organising a series of what would in Ceylon, and nowhere else, be called advanced lectures for students, we borrowed a lecturer from the Mysore University. All remember the benefit derived from the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

lectures on economics delivered by Mr. Subbha Rao. Why had we to go to Mysore for a lecturer on a subject of this kind? Why, too, has Ceylon not such men as Mr. Ramanujan, a poor Tamil clerk of Madras who has just been elected a Fellow of Trinity College, Cambridge for a Mathematical research, which had previously gained him the highest scientific distinction in the British Empire, a Fellowship of the Royal Society, at the youngest age since Huxley? There are hosts of others in India distinguished in every department of knowledge. We have not such men in Ceylon, not because we are inferior in capacity, but because we have not the opportunity and the training.

In July last when one of the band of noble Englishmen, who have espoused our cause and are determined to see British ideals and principles vindicated by being applied to Ceylon, asked in the House of Commons what steps had been taken by the Colonial Office on the memorial sent to it by the Public Conference of December last, the reply given by Mr. Hewins for the Secretary of State was dilatory and unsatisfactory. He said that the time was inopportune for fully considering the question and that the report of the new Governor would be awaited. The Ceylon Reform League and the Ceylon National Association, on receiving telegraphic intimation of this answer, cabled at once on the 6th of August, expressing their disappointment and their inability to understand why the time was deemed inopportune, when the Indian Government had dealt with the far more complex and difficult problems of the Indian Empire and propounded a Reform Scheme for India. In a later cable of the 28th August the League and the Association again jointly invited the attention of the Secretary of State to the debate on Indian Reforms in the House Commons and to the principle of self-government accepted by it for India; they requested application of the same principle to Ceylon and the grant of Reforms not less liberal than granted to India, to which Ceylon is akin in race and culture but with conditions more favourable for political development; they begged for an early declaration of the policy and broad outlines of reform, with instructions to the new Governor to adjust the details; and especially asked for (a)

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

an enlarged Legislative Council on a wide franchise with a substantial elected majority, (b) for Ceylonese Members of the Executive Council, (c) for Ceylonese Ministers in charge of departments, (d) for a substantial percentage of superior posts in the public service for Ceylonese, (e) for complete popular control of Municipal Councils and other local bodies, urban and rural, with elected Chairmen; all which have been conceded to India.

The resolutions that will be submitted to-day for your acceptance proceed on these lines, and have for their aim to express the vital principles and broad outlines which are considered essential by a vast mass of public opinion in this Island. These being accepted, the details on which opinions naturally differ, will need to be adjusted by committees appointed for the purpose and consisting of representatives of the people as well as officials. The wisdom of our request to the Secretary of State has been demonstrated by the course of the debate that was raised in the Legislative Council last Wednesday by Mr. Ramanathan the Ceylonese Member. There was not a dissentient voice as to the need for reforming our administration, though speakers differed as to details. It is much to be regretted that the Government gave no indication of their views and deferred an announcement of them until the Governor had had the time and opportunity to ascertain the views and wishes of all sections of the community and to study the question thoroughly. As the Governor is quite new to Ceylon and its conditions, this means a very long delay which the people of Ceylon, already put off too long, will find it hard to brook. The delay would have been greatly curtailed if the Secretary of State had first laid down for the Governor's guidance the principles and broad outlines as requested. Until this is done, the Governor would be rather floundering in the dark, and his investigations will be long and may be abortive. It is not fair to him or to the people and is certainly not conducive to an early and satisfactory decision of the very important questions involved. It would have to some extent softened the bitterness of popular disappointment if His Excellency the Governor had given in his reply to Mr. Ramanathan's motion some hint of the spirit in which these questions were going to be tackled. Is it realized that the war has changed and is changing the whole world fast and deep, that it

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

has put the clock of time hundreds of years forward and that our outlook can never be what it was before 1914? Has the new spirit, which the war has spread over the world and which has been the chief factor in winning the victories we are celebrating, found a sympathetic echo in the hearts of our authorities—the spirit of liberty and of self-development on national lines, on which Mr. Balfour dwelt in addressing the Canadian Parliament at Ottawa in May, 1917:—

"Wherever you find democracy and the spirit of liberty abroad and that great spirit of self-development on national lines, there you find the friends of the Allies and the enemies of the Central Powers. We are convinced of only one form of Government, by whatever name it may be called, viz., where the ultimate control is in the hands of the people. We have staked our last dollar on this; and if democracy fails us, we are bankrupt indeed. But we know that democracy will not fail us."

Mr. Balfour's confidence has been justified. Democracy has not failed us. Is the Government going to grant to the people of Ceylon the small instalment of freedom they have asked for to manage their own lives, make their own mistakes gain strength by knowledge and experience and acquire that self-confidence and self-respect which are indispensable to national progress and national success? The answer of the Imperial Government has been given as to India with no uncertain sound in the Report of Mr. Montagu and Lord Chelmsford on Indian Constitutional Reforms and again in a recent speech of Mr. Montagu.

"Was not" he asked "the principle of the British Empire the principle of a Commonwealth of free nations? Was the ideal of our Empire geographical and not moral? What if we said that to our American Allies? What if, when we talked of the British ideal being self-governing institutions, we drew a line somewhere in the Indian Ocean and said 'Thus far and no further'?"

We are glad to know from the European member Mr. Williams' statement in Council that his community is in sympathy with our aspirations (applause). We expected that sympathy from them. We remember with gratitude for what their leaders

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

such as Mr. George Wall (applause), the greatest name in the Ceylon history of the 19th and 20th centuries, did for us, and we know that those splendid traditions have been continued by such men as William Digby, John Ferguson and Harry Creasy. Last night's *Times* however, I am sorry to observe, has struck a jarring note. It seemed to attribute the attitude of the European Member to a desire to prevent by conciliation the entry of Bolshevism into Ceylon. Well, if in asking for what the Viceroy of India and the Indian Secretary of State have conceded to India, we are drifting into Bolshevism, we are in very good company (applause). I should not be surprised if a small section of illiberal Englishmen are opposed to reform. The Chairman of the Calcutta Chamber of Commerce, Sir Alexander Birkmyre, declared recently that for years, if not generations past, the Europeans in India abstained from politics, from habit, and he added.

"There has been no need and we have always felt that our interests were being safeguarded by our rulers who after all are kith and kin with ourselves." (Laughter and cheers). We have no objection to their interests being safeguarded, but we certainly object to this being done at our expense (applause). In Ceylon the British Merchant and the British Planter exercise too great an influence over public policy and measures. A chat over the dinner table, at the Club, or the Golf-links, does more than bushels of argument or months of agitation. Is not every head of a department, every member of the Government, every member of the official majority of the Legislative Council, the kith and kin of the British merchant and planter? Think of the recent schemes of taxation which have made a handsome present of the public revenue to the rubber merchant and broker. This relief, though acknowledged by themselves to be unnecessary, is persisted in and made the occasion for increasing the taxation of classes unable to bear it. I suppose it is deemed a sign of strength not to yield to the public opinion of Ceylon. Is it not rather a sign of weakness, the fear of acknowledging a mistake?

The relation between England and us requires the magic touch of sympathy and the alchemy of imagination. These qualities are not conspicuous features of our administration here or in India, His Majesty the King, when he visited India as Prince of

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Wales, with his wonderful insight noted the lack and publicly impressed on British officials the need for cultivat ng sympathy. We have in Ceylon some admirable officials, but as an English Journal said the other day: "We must get away from the idea that we are something of the nature of the agents of Providence doing everything solely for the good of the people. Sometimes it happens in life that people prefer to learn from their own experience and even pay the penalty of mistakes rather than have their lives and affairs directed by another, no matter how well informed and good intentioned."

It is fortunate for us that the final decision of the great questions, we have assembled to-day to find a solution of, rests with the British People. The old forces of oligarchy and re-action will be swept away by the elections that are now going on, and Democracy will for the first time in English history be predominent, if not supreme. They have had bitter experience of a ruling caste through the centuries, and can sympathize with us. It is to them that we shall make our appeal and, I am sure, not in vain. The great Labour organ, the *Herald*, said recently of the Montagu —Chelmsford Report:

"These proposals are the reply of His Majesty's Government to the demand for Home Rule in the British Commonwealth which is put forward by the Indian National Congress representing every sect and party in that great country. We are supporters of self-determination for all nations, big or little, consistent with the general well-being of all other nations. It is for Indians to determine whether these proposals offer a reasonable start towards Self-Government. (Loud applause). We are not at all anxious to know what Englishmen say or think about them. (Renewed applause). Our view is that the people of India shall themselves be left quite free to choose whether to accept or reject. We shall support organized Indian opinion in its struggle for freedom, for we are convinced that all people who desire freedom, as we do, must be willing to concede the same measure of freedom to others."

The resolutions which have been framed by the Committees of the Ceylon Reform League and the Ceylon National Association in consultation with delegates from provincial Associations will be

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

explained to you by the gentlemen who are in charge of the various motions and will, I have no doubt, be unanimously accepted by you.

Resolution 4, you will observe, asks for the enlargement and reconstitution of our Legislative Council so that it shall contain a majority of members elected upon the basis of a territorial electorate. This leaves it open for the minority to be selected in any other way that may approve itself to the Government and the minorities concerned. In the present state of feeling of some of the minorities it is not practicable to abolish special representation for them, but I trust this is only a temporary expedient and that the working of the new system will convince the minorities that it is to the general interest of the whole Island as of themselves that special representation should in the end give way to one common electorate for the whole Island.

Resolution X. is one of considerable importance. It provides for the appointment of delegates to proceed to England when necessary and submit our case to the Secretary of State and to the British Parliament and people. As the Governor's report on the Reforms will apparently be delayed, it will I think be necessary to send two batches of delegates. The first should proceed almost immediately and with the help of our political agency in London and of our numerous British friends in and out of Parliament prepare the ground for the second batch of delegates who will go after the Governor's Report is published. I trust the Report will not be long delayed. I consider the despatch of delegates to England indispensable for the fruition of our efforts.

After repeating at some little length the words of a message to the Press previously published, Sir Ponnambalam concluded :— But this Reform movement and the Ceylon Social Service League have wrought a great change. This very Conference is a standing proof of it. I make a special appeal to the young men and women of Ceylon. The youth of a nation, said Lord Beaconsfield, are the trustees of posterity. I have an unquenchable faith in the youth of Ceylon. Youth is the time of noble impulses and generous aspirations and our youth have behind them centuries of inherited culture and great traditions. I believe that they will

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

soon find their souls and, leaving mere money-making and wallowing in ease to the baser sort, will revert to the ideals of their forefathers and establish an Aristocracy of Intellect, Character and Selfsacrificing Service. Until this is achieved, political reforms and power are of little use. Suppose Ceylon won even such a place in the world as Japan has, what would it profit us, with the canker of materialism gnawing at our vitals? I look to our youth to spiritualise public life, and I believe they will do it. They will each seek his own well-being in the well-being of all, will identify his own life with the life of all and his own interest with the interest of all. They will lay at the feet of our dear Motherland the love-offerings of passionate service. They will work in unity that, in the words of Dante, all the intellectual and spiritual forces diffused among men may obtain the highest possible development in the sphere of thought and action. With our youth inspired by such a spirit and such ideals, I look to see our country rise with renewed splendour, paling the glory of Parakrama Bahu the Great and a beacon-light to all lands (loud and prolonged applause).

---

## The Chief Resolution.

Mr. James Peiris proposed the following resolution:—

"This Conference is of opinion that the system of Crown Colony administration which has prevailed in this Island for over 100 years, is unsuited to its needs and conditions and inconsistent with British ideals, hinder the development and progress of the people and is detrimental to their welfare; and that a reform of the constitution and administration is imperatively required, and a vigorous development of self-governing institutions, with a view to the realisation of responsible government in the country as an integral part of the British Empire."

He said: At the very outset of my remarks I wish to point out that our complaint is not that Ceylon is a Crown Colony, but that the system of Crown Colony administration which has existed in this island for over 100 years without any material change hinders our progress and is not suited to our requirements. That is the first point I wish to make in moving this resolution. You

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

are aware that Crown Colonies have various systems of administration, and that some of them have constitutions far in advance of Ceylon and far more liberal than ourselves; so that there is nothing unconstitutional on our part in asking that our constitution be so changed as to give us free scope for development and progress. The time allotted to me is short, and therefore I wish to take as little time as possible in considering the different aspects of the question raised by this resolution. I will ask you to consider for a moment what our present constitution is. This island is administered by a Governor and Executive Council under the control of the Secretary of State for the Colonies. They have associated with the, I use the words advisedy, a Legislative Council consisting of 12 officials, including the Governor, 4 elected members, 2 of whom represent European interests, and 6 members nominated by the Governor to represent what may be called the native communities. Now, this system of Government and its constitution, although it has existed for the last century, has undergone no material change. It is true that in certain respects the composition of the Council has been changed really as a sop to the aspirations of certain communities; but our Council remains unchanged in other respects and is no more than a Semi-Consultative Body.

Now, that is the constitution of our Council, Executive and Legislative. Although the Council has remained stationary, there have been immense changes in other institutions in the Colony and great advance has been made by the Island in different directions, in education, in material progress and in other ways. Now, let us for a moment consider what the actual working of this constitution is. With regard to legislation, it is a fact that all important Bills are drafted on the instructions of the Executive Government and that they are first submitted to the Secretary of State for his sanction and then introduced into the Legislative Council to go through the usual formalities of the first, second and third reading, and they are eventually passed with the aid of the official majority. That is the system of legislation that exists in this Colony. No doubt in theory our Legislative Councillors have large powers, but this is how legislation is carried on in Ceylon. Now the power of Legislative Councillors, I mean the unofficial

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

members, to influence the Government in matters of administration or in schemes for which the Colony is asked to undertake immense burdens, is even feebler than in matters of legislation. I do not wish to draw your attention to the numerous instances in which large measures have been carried through by Government by the use of this official majority, but I should like to ask you to remember one such case which occurred within the last few years, and that is the Excise scheme which was carried through by Government in all its essentials sometime ago. You remember what strong opposition this Excise scheme met with not only on the part of the unofficial members of the Legislative Council, but also on the part of the general public and bodies interested in temperance. Now, the Government persisted in carrying this measure through without any alterations or without accepting the suggestions made by the public; and what is the result? After a few years we see that the Government has been forced to adopt many of the safeguards which were suggested by the public, and there has been a very large reduction in the number of taverns against the increase of which there was strong opposition at the time. There are many other instances of legislation of a similar nature, but I do not want to weary you with mentioning them. You yourselves would probably remember many. Then, with regard to this system of legislation through the help of the official majority, and very often I may say with the help of the European representatives in Council. I wish to show you how this system is considered by eminent authorities in India and in England. Therefore I take the opportunity of quoting you a passage from this Report on Indian Constitutional Reform which has been issued lately. I may in passing say that there is no publication in recent times which has such a masterly analysis of the political situation in India as this document, and I would advise all those who are interested in reform in Ceylon to study this Report carefully. The passage to which I wish to draw your attention contains an extract from the opinion expressed by the distinguished Anglo-Indian Chas. Aitchison during a discussion which led to the passing of the Indian Councils' Act in 1892 and it is as follows. Speaking of the Provincial Councils in India, this is what he says:

"There is no room for local councils while the Government

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

of India and the Secretary of State practically retain everything of importance and interest and even much that is trifling and unimportant, in their own hands. If councils are to be of any use, a sphere must be provided within which their influence can be felt and their opinion will be potent in the settlement of affairs. As a mere arena of *ex post facto* debate councils will be little less than mischievous. Such debates avowedly lead to no practical action and are apt to degenerate into acrimonious invective. As a means of expounding and explaining Government policy and measures, councils have no doubt a limited use, but such as will never satisfy the requirements of the day. More harm indeed than good may be done if the explanations are blundering and especially if they are not perfectly frank and unreserved."

I will next quote to you a passage which contains the opinions of Mr. Montagu, Secretary of State for India and the Viceroy. This is with regard to the constitution in India, which I may remind you is very much better than the constitution in Ceylon, because under the present system of Government the Indian Councils in very many cases have an unofficial majority. The Government have the opportunity of using the official 'block,' that is very often through the help of the nominated members. This is what they say. It is a long quotation:

"Upon the Indian members of the Legislative Councils the effect is frankly irritating. It prejudices in their view the position of the official members who form the "bloc." Indian members may share in a debate in which the majority of speakers, and in their eyes the weight of argument, are arrayed against the Government. The Government having only one view to present often contents itself with doing so through a single mouthpiece. But when a decision is taken the silent official phalanx effectively carries the Government measure or votes down the private member's resolution. The Indian member's views are therefore rarely placed on record as the opinion of the council, because the council's decision is in a majority of cases the decision of the Government. We may add that most Governments dislike the use of the official "bloc" and that most of the men who compose it dislike the position in which they find themselves. The fact that Indian officials in the councils are rare, and that the few English

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

non-official members as a rule vote with the Government, helps not merely to exacerbate the cleavage, but to give it an unamiable character. It tends to stimulate the discussion of racial questions and to give an edge to the debate."

Now, you will observe how accurately this passage describes the constitution in Ceylon, and that is the constitution we want remedied. It is primarily by a change in our Executive and Legislative Councils and by our getting an elected unofficial majority in Council that we can ever hope to develop, properly develop, the resources of this country (applause). Now, so much as regards the Legislative and Executive Councils. Let us for a moment consider the ordinary administration of the colony. The local administration is, as you know, in the hands of the Government Agents. They practically control the affairs of all local bodies with perhaps the exception of the Municipality of Colombo. They direct the affairs of the two Municipalities of Kandy and Galle, of all Local Boards, Boards of Health, Road Committees and all such Bodies. They do this by the official position they fill as Chairmen of these insitutions, and where they are not chairmen their deputies and nominees control the affairs of these Bodies. The elected or nominated Bodies are mere cyphers. Even with regard to Gansabawas, which had large powers in former times, they are controlled by Government Agents through Mudaliyars and other Headmen. That is the system by which our local administration is carried on. What is the outstanding characteristic of that system? I say the outstanding characteristic of that system is that the people of the country have little or no voice in the conduct of the affairs of these Bodies. Now, is it not a sad thing that after over a century of British rule that we should have such little power to influence the administration of purely local affairs? Now, let us turn to India for a moment. What do we see there? In the Morley-Minto Reforms I think you know that in India they have Indian members in the Executive Council in several of the Provinces and in the Viceroy's Council. They have, as I have already told you, unofficial majorities, and some of them very substantial, and they have elected Chairmen of Municipalities. They have Ministers with portfolios. These are some of the Reforms which we are asking for after a

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

century of British rule, although we were at one time considered to be far in advance of India politically and far better adapted for the exercise of political privileges. Allusion has been made in another place to the promise held out by the Commissioners who drafted out the Constitution in 1833: "The peculiar circumstances of Ceylon, both physical and moral, seemed to point out to the British Government as the fittest spot to plant the germ of European civilisation whence we may not unreasonably hope that it will hereafter spread over the whole of the vast territories." India has got very far in advance of us, and we are now begging the Secretary of State to give us something of what has been given to India and what has been promised her. Although India got these reforms under the Morley-Minto recommendations, yet you will see that they are expecting a large instalment in the future, but we are told that the time is inopportune for the consideration of our case and we are asked to wait indefinitely for that reform which should have been granted to us at least 50 or 60 years ago. Now, let us in the next place consider what the effect of this system of Government has been on the development of the country. You know that it is a well-accepted maxim, although perhaps repeated so often, that the chief object of a Government should be the promotion of the greatest happiness to the greatest number. All of you are aware of that. Let us examine how this system of government, which we had all these years, has brought about that object. It cannot be denied that Ceylon has made immense progress in a variety of directions. A very large acreage in Ceylon has been planted with rubber, tea, coconut, and other products. The planting enterprise has progressed immensely. Trade has progressed with it. Our income has advanced by leaps and bounds and our harbour has become one of the most important ports in the world. A large mileage of railways has been constructed, and there has been certainly some progress in education. But, when we ask ourselves the question "How far has the great bulk of the people of this Island shared in this prosperity and progress?" We are bound to admit that they have had very little share in it at all. Now, look at the peasantry, the agricultural population, who form about two-thirds of the whole population of this Island. Have they in

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

any way progressed materially or even morally under this regime? Look at the cultivation of rice, the staple food of the country. While these large acreages are being planted with commercial products, has rice cultivation extended at all? I do not speak from statistics, but I speak from certain knowledge of the country, and I may say that the acreage under rice cultivation, with perhaps some extensions in the fields supplied by the tanks, has diminished year by year. These fields have been put out of cultivation by various causes, and to-day when the price of imported rice has gone up the people of the country have to starve for the want of fostering of this important industry in this Island. That has been the way in which the administration has been carried on in the past. The result of this system of administration has been that Ceylon has become a vast plantation, the greater part of which is owned by people residing outside the country, and in trying to foster this planting industry, which I say is very important, we should get every help the Government can give. I myself am a planter, and I say that the planting industry does want support, but in trying to foster the industry and in getting attention paid to the different measures connected with that industry, the happiness of the great bulk of the people has been left in the background. I do not want to weary you by taking you over ground to prove the proposition contained in this resolution, but I think I have told you enough to convince you that we have not sought anything too much in our resolution and that our assertions are completely borne out. With regard to the remedy, you will ask "What remedy is there for this state of things?" All I can say is that the remedy we ask Government to introduce is the remedy which is indicated by the Imperial Government itself in the pronouncement made by the Secretary of State for India, which has been already referred to and which I quote for purposes of showing that our resolution follows exactly on the lines of what is indicated in that statement by the Secretary of State. This is the statement: "The policy of His Majesty's Government, with which the Government of India are in complete accord, is that the increasing association of Indians in every branch of the administration and the gradual development of self-governing

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

institutions with a view to the progressive realisation of responsible government in India as an integral part of the British Empire." And that is just what we ask them, that a reform of the constitution and administration is imperatively required, and a vigorous development of self-governing institutions, with a view to the realisation of responsible government in the country as an integral part of the British Empire. We may be called revolutionaries. We may be called all kinds of names, but as our President has pointed out, we are only asking the British Government to carry out what they have solemnly promised. I ask you to accept this resolution, which is really based on the recommendations made by responsible Ministers in England, and to pass it unanimously. (Applause).

Mr. George Wille on rising to second was greeted with loud cheers. He said:—Mr. Chairman, ladies and gentlemen, I have very great pleasure in seconding the resolution, which has been so ably proposed by Mr. James Peiris. A good deal has been said in favour of the proposal from the point of Indian Reforms. Now, unfortunately, I have not had much time to go into the question of the Indian Reforms; but I have considered the question of the reforms which we are asking for—from the point of view of English History (applause)—that inspiring record of progress, politics and liberty (applause). From the point of our own conditions of the present and the trend of things in the world generally, I have no doubt that you are quite convinced of the truth and the soundness and justice that underlie the resolution which is now before you. (Applause). But we have still critics and opponents to meet. The Chairman has told you how last night's *Times* referred to us as almost Bolshevist. Well, ladies and gentlemen, every reform in this world has been accompanied by the pelting of hard words; every reform has had its terrible birth pangs. I am afraid that out reforms will not see the light without strenuous efforts on our part (applause), though when they do see the light, and have practical effect, many of our critics and opponents will acknowledge, as in the case of so many other reforms which have been passed, how good these reforms are (applause). You have alreay heard something about the different

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

classes of colonies that England rules. There are the great self-governing Colonies, that have not only their representative institutions, but responsible Government; and in these colonies, there is no control on the part of the Home Government of any public officer except the Governor. Now, what is the position with us? You will be surprised to hear that we are at the bottom of the Scale of Colonies. Our officers are all controlled by the Home Government. The Home Government has the veto on legislation. We have not only no responsible Government, but no representative institutions worthy of the name. We have lived during one hundred years—what is often referred to as a marvellous and glorious epoch in the history of the world—there has been movement of time; there has been growth of society. But this colony, politically speaking, has stagnated. We have prejudiced and timid souls amongst us, who do not see any incongruity in all this. It is true that we have made some advance since this Conference met last year, and when I read the speeches in the Legislative Council two days ago, it struck me that a good many of our old opponents, must be inclined to see, as Sir Andrew Fraser said in connection with Indian Reforms,—that there is something after all in this unrest with which we must sympathise. But we still have a battle to fight.

13982 cc

Our opponents have admitted that they are all reformers, but when we come to discuss the extent of our reforms, I am afraid we shall have some opposition and therefore it is my object this evening to offer a few remarks and try to meet some of the objections, which are likely to be put forward against us. Now, these objections, I must assure you, are nothing but stock objections, which have been brought throughout the whole of the XIX. century, even in the strong-hold of enlightened reform--England. Perhaps I must make one reservation—it was said against us that we were clamouring for reforms when the Home Government was too seriously pre-occupied with the vital concerns of the war. Our critics were forgetting that the most astonishing political reforms even for England were carried out during the war and during its most critical phases. As our Chairman has pointed out, millions and millions have been added this year to the voting

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Register of England. But let us take some of the old Stock-Objections: I admit that there is sincerity behind them—because at the back of all those objections is selfish fear (laughter). Well, if those in authority amongst us entertain any fears as to the safety of authority from granting the reforms we ask for, I would request them to consider not only the practical effect of the reforms in England, but also to consider what a great English statesman whose authority they are not likely to belittle, has said in regard to fear in political matters. Our respected Chief Justice recently delivered a lecture on Edmund Burke as an Orator What this Conservative statesman said was that magnanimity in politics is often the greatest wisdom (applause). What was still more pertinent, he added, was that Great Empires and Little Minds go ill together (applause). Ladies and gentleman, this is not the statement of a doctrinaire politician, or a theorist, which has not not been verified in history. What has been recorded in regard to the first Reform Act? What we are asking for are the first instalments of reform. It is very useful and instructive to follow both the history and the results of that epoch-making Act. The most ignoble fears were entertained by men of consideration in England as to the effect of granting the reforms which were asked for in 1830. What did they fear? Nothing less than the deposition of the King of England, nothing less than the abolition of the House of Lords, and nothing less than the conversion of the English Kingdom into a republic! (Laughter). Did fears ever prove more chimerical? The great opponents of the English Reforms at that time also said that the tone of Parliament would be lowered by the entry of uneducated people into the Parliament. But what is the truth? However lively the House of Commons may be at the present day, it is far more decorous than it was in the first generation of the XIX. century (applause). From a study of English history, you will find that the language bandied in Parliament then would not be tolerated to-day, as worthy of anyone who professes to be a gentleman. Then it was stated that bribery and corruption would grow as the result of the reform movement. What is the truth? Bribery and corruption were rampant in 1830, but to-day in England, there is purity in public life—comparatively (applause). These

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

things were said not by ignorant men. They were said by some of the greatest minds in England. To-day, for instance, if our Chief Justice were disposed to condemn our reform movement, some might think that a conclusive argument against it. But let me tell you that Lord Eldon, whose intellect was equal to that of all the Supreme Court Judges of the present day, and who was the bitterest enemy of the Reforms in England, said, he feared a terrible calamity. Then there was the great Duke of Wellington, who would not hear of the reform movement. In spite of his fears and in spite of the prophecies, Great Britain did not stop at that reform movement, but since 1833 she has been progressing very quickly in the same path. And as the Chairman has already pointed out, this year there has been added millions of voters, and why? Because England has learned the practical lesson which is true not only for Englishmen but for us Ceylonese —that the exercise of power brings with it serious and sober responsibility (applause). I may tell you, ladies and gentlemen, that our late Sovereign, King Edward VII. recognised in his Proclamation to his Indian subjects that as regard the claim for equality of citizenship, and for a greater share in legislation and Government, the grant of that demand would not weaken but strengthen his power (applause). Our present King, King George V. has impressed upon his Ministers the value of wider sympathy with the subject races. And if you want further lessons as to the effect of a reform, we have got before us the classic object lesson which Europe supplies to-day, how bureaucratic measures resulted in disaster (applause). It might be said by our critics and opponents that we are not so educated as the people of England when they got the reforms. But the people who say such things hardly know what they are talking about. To begin with, the argument is hardly sincere, because in England itself, notwithstanding the supposed education, when the reforms were urged, there was the strongest opposition (applause). Our Chairman has this evening picked the bubble of the superior English education. He has pointed out how it was forty years after the First Reform Act that the English Elementary Education Act making education compulsory was introduced. Then there was in 1867 a second reform act, which enfranchised the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

illiterate artisans. Then again in 1884 the franchise was given to the agricultural labourers. To-day, the suffrage has been scattered far and wide in England. Some of you may remember that even Disraeli, who was responsible for the English Reform Act of 1867, regarded it as a leap in the dark, but that leap in the dark brought light to England—and why? Because behind it was faith in the people (applause). There was another statesman, Sir Robert Lowe, to whom our Chairman referred, when this Reform Act was passed. He thought that the deluge was coming. He said: "Let us now educate our masters." If we have not the right to tell that to the Government, even supposing we are not educated enough, we can say: Give us now our political privileges and we will make good the education which you have neglected (applause). This lack of education seems to be a mere shibboleth. There is such a thing as political education, which will come, when we exercise responsibility. In fact strength, greater strength, to any institution is derived through participation in legislation and Government by the humblest unit of society. Though it may be said that we are not fit for the franchise, I might remind my critics that it was in 1872 that the Ballot Act was passed. Why was that great measure passed? Because there was bribery and corruption, intimidation and violence and so the people of England required to be protected. I do not think there is anybody here who is prepared, if he considers the matter carefully, to deny that we should no longer as a matter of bare justice be kept under tutelage. It is not in accordance with England's professed mission. Her great mission has been to lead her subjects along lines of development similar to her own, including political liberty. We cannot consider ourselves justified in referring merely to security of life and property or even to the slight education that we have. One of the greatest of Liberal statesmen of modern times Sir Henry Campbell-Bannerman, has told us that no good Government is a substitute for Seif-government (applause) and that political liberty involves something more than mere security of life and property. In fact, there is no concern in which man is more vitally interested, next to his religion, than politics. Our critics might tell us that the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

majority of our people do not want reforms. Of course, Englishmen are accustomed to receive other proofs of political aspirations. Whenever they wanted reforms in their country, there were great mass meetings held in which brick-bats played a great part. (Laughter). There were riots attended with the greatest excesses. There were acts of violence and incendiarism. As a counter-blast to these, there were enforced Press laws, prohibition of meetings, suspension of the Habeas Corpus Act and the like. But we have advanced to such a stage that our Government hardly require to be threatened. Another statesman once stated that if reforms were given, the result would be that tribunals would be defied, taxes would be refused, property would be destroyed. I feel sure that we have an equal right, and undeniable right to speak for those less educated in this country than those who are educated but who as Government servants are not in a position to declare their views. The noblest reformers have always had to face the arrows of narrow-minded critics. Lord John Russell for instance who was in favour of the first Reform Act, was considered to be not only a bold man but a very wicked man: and John Bright, that exemplar of purity in public life, was regarded as a dangerous demagogue. Then, we are told in regard to these reforms—to let well alone. But when I am told this, I think of some memorable words used by King William IV., when the Reform Bill was about to be passed. He advised his subjects to think of the unspeakable blessings of the institutions which then existed. Well, we are not unmindful of the blessings of British Rule (applause). I am prepared to say here most advisedly that it is the best rule that we can have in this world. (applause). But I am afraid we are here in the position of a step-son at the hands of a kind but not very progressive parent—a parent who has got very many children of his own to look after, in preference to his step children. The step-son has been given some pocket money in the form of prosperity and a little education; but his father would still have the son tied to his apron strings. The father cannot realise that prosperity and education mean progress and change. You will see to-day this father telling this step-son. "Now, I have never allowed you to go into the water, so that you don't know how to swim; and I can not

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

now allow you to go into the water, because you cannot swim" (Laughter). That is the position in which we are placed to-day. We have been deprived of the opportunity of exercising our political aptitudes. We have not been given the opportunity of showing that we are capable of some degree of self-Government. Yet the Government turns round and says; "You are not fit for these great privileges for which you are clamouring." It is high time that we were relieved from all this despotism, benevolent though it may be. It is high time England did something through us. It may be said that England is England, Ceylon is Ceylon. I am convinced that there is no difference between the great struggles which were made by Englishmen to have greater extensions of their political rights, and the strivings which we are making now in the same cause. Only we have been somewhat apathetic in the past, so that our offorts are somewhat belated. There is no question of our loyalty. In fact, as I have already pointed out, our loyalty will be increased by the granting of a more liberal measure of reform (applause). There can be no objection in there being so many races amongst us, though it is made a sort of pivotal argument, simply because it is a very cheap one. I do not see, ladies and gentlemen, what there is in this argument. Our interests as Ceylonese are all bound up with Ceylon (applause). We breathe the same atmosphere; the material conditions that Government makes apply to all alike, European as well as native; our needs, our burdens, our aspirations, owing to the common inspiration we have had for 120 years, are all the same. Our respected Burgher Member said in Council two days ago that he feared that if territorial representation were granted, there might be results inimical to some of the other communities. Now, I wish to state that if I at all anticipated there would be the slightest chance of one community profiting or losing owing to what another community gains, I should not be standing here this evening to advocate the cause of reform (applause). I firmly believe that if all our communities from the members of the ruling race downwards join hands together, there would be a good time coming both for Government and the people of Ceylon (applause). It has been said that timely reform saved England. Well, we need not say such a thing of Ceylon, because there is

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

not the slightest chance of revolution or anarchy or sedition here. (Cheers). But I only hope that England will raise Ceylon by some timely reform and that we shall soon have a measure of reform which will not represent that scanty penurious justice which often amounts to a great wrong (applause).

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

1. SECTION B.—*Memorials.*

## REFORM SCHEME SUBMITTED ON 29TH OCTOBER, 1917, TO H. E. THE GOVERNOR BY THE CEYLON REFORM LEAGUE AND THE CEYLON NATIONAL ASSOCIATION.

The following Statement was submitted on the 29th October, 1917, to His Excellency the Governor Sir John Anderson by the Ceylon Reform League and the Ceylon National Association, setting forth for his and the Secretary of State's consideration at their conference a definite and detailed scheme of reform :—

## THE REFORM OF THE CONSTITUTION OF CEYLON.

The Hon'ble the Colonial Secretary having, by his letter of the 10th instant, conveyed to us the telegraphic communication of the Prime Minister and the Secretary of State for the Colonies, —that they are unable to accede to the request made by the Ceylon Reform League and the Ceylon National Association to authorize Mr. Montagu, on behalf of His Majesty's Government, to receive in India a deputation from Ceylon on the subject of the reforms prayed for in the League's Memorial of the 20th of June to the Secretary of State, and that he proposes to discuss personally with the Governor, during his forthcoming visit to England, the whole question of the Constitution of Ceylon,—we are instructed to submit, for the favourable consideration of His Excellency the Governor and of the Right Hon'ble the Secretary of State, the following statement which sets forth, in continuation and explanation of paragraph 9 of the Memorial, a more definite and detailed scheme of the measures of reform which are urgently needed for the remedying of the evils of the antiquated system of administration which prevails in this Colony.

2. The adoption of such a scheme will help and strengthen the work begun under the wise and sympathetic rule of His Excellency Sir John Anderson to restore the confidence of the people, which had been for many years impaired by the increasing lack of sympathy and disregard of public opinion culminating in the unfortunate blunders of 1915. According to the principles of British rule, the only justification for entrusting officials with

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

autocratic power is efficiency of administration and the contentment of the people. Events have clearly shown that these ends have not been attained. No Government can be really efficient and stable without sympathy, mutual understanding and co-operation between rulers and ruled.

3. Ceylon was in advance of India in its constitution. The Ceylon Legislative Council was established in1833: not till 1861 did similar institutions come into existence in India. Ceylon, which 85 years ago was expected by the Royal Commissioners of 1831* to become more and more the model for India and the other Eastern dominions of the King, has been permitted to lag so far behind that we do not possess even the constitution which is about to be abandoned as inadequate for India. Yet in all the qualifications of good citizenship Ceylon is far ahead. Whether the intelligence and wealth of the people, their loyalty, the volume of trade per head of the population, the stability of the public finances, or the expansion of the general revenue, be taken as the standard of comparison, Ceylon has an incontestable superiority. In point of literacy Ceylon has nearly four times as large a proportion of male literates and ten times as large a proportion of female literates as India. (Indian literates, 106 per 1,000 males, 10 per 1,000 females; Ceylon, 404 per 1,000 males, 106 per 1,000 females). Nor is the question complicated here by vast and intricate administrative, political and imperial problems such as the Government of India has to face. The people of Ceylon, free from turbulence, which is even at this moment distracting and perplexing the responsible authorities in India, free too from the taint of political crime,—"their loyalty," as His Excellency the Governor publicly testified last year at Chilaw, "has never been doubted"—are disappointed and grieved that their just claims have been ignored. On reference to the Memorials from Ceylon to the Secretary of State published in the Sessional Paper No. II. of 1910, it will be seen that reforms on the lines now asked for were then claimed as overdue. It is well known that the then Secretary of State would have conceded these claims in large measure but for the attitude of the local Government which was then peculiarly reactionary and unsympathetic.

* See quotation from their Report in para. 3 of the Ceylon Reform League's Memorial of 20th June last (p. 38 and p. 14 *supra*).



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

4. In the Ceylon Legislative Council, there are three sources of weakness and dissatisfaction,—the official majority, the racial basis of representation and the nomination of the majority of the unofficial members by the Governor. Even if racial representation was considered necessary by reason of something in the conditions prevalent in the Island nearly a century ago, it has no justification now and only operates to widen cleavages in the community and to obstruct that unity and harmony which it is the essential object and mission of British rule to promote. The majority of the unofficial members owe their appointment and continuance in office to the Governor, and have been usually selected during the past 30 years (except during the present administration) with little regard to their ability to voice the feelings and guard the interests of the people whom they are supposed to represent. No wonder that, with rare exceptions, they have commanded little or no public confidence and have only swelled the official majority, giving official measures the semblance of popular assent and thus misleading and putting off their guard the supervising officials in Downing Street.

5. The official majority has been abandoned in India in every Legislative Council, except the Viceroy's. For example, the unofficial majority is 10 in Bombay and 11 in Bengal, and is about to be increased; in the Viceroy's Council the unofficials are nearly equal to the officials (32 to 35). The reason given for the change by the Secretary of State for India in Parliament was, that "an official majority directly, palpably and injuriously tends to weaken, and even deaden, the sense both of trust and responsibility in the non-official members." Crown Colonies such as Jamaica, far less important than Ceylon, have long had an official majority. It is not possible to add to the number of official members in the Ceylon Legislative Council without increasing the detriment to public business already experienced by the absence of Heads of departments from their legitimate duties. Nor is an official majority indispensable to the Government. As the Secretary of State for India observed "With a Council representing divergent interests and realizing, together with its increased powers, greater responsibility, a combination of all the non-official members to resist a measure proposed by Government would be unlikely, and some non-officials at least would probably cast their votes on the side

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

of Government. If, however, a combination of all the non-official members against the Government were to occur, that might be a very good reason for thinking that the proposed measure was really open to objection and should not be proceeded with." Should legislation of a character disapproved by Government be pressed, it should, he thought, be met by the exercise of the Governor's power of veto. This policy has been in force in India during the last decade.

6. Public opinion in Ceylon demands, in the interest of good government, a large increase in the number of elected members and the abolition of the official majority, of racial representation and of nominated members. Provision for this has, accordingly, been made in the scheme herein submitted, retaining, however, for the present the representation of certain minorities—Europeans, Burghers and Mohammedans—who might feel aggrieved, if what they consider their vested rights were taken away abrupty. The representation will be mainly according to the provinces, the general principle being to give each province a member, and in some cases more than one when the importance of the population in numbers, wealth or education demands it. In one or two instances a grouping of districts is suggested, based on community of interest. The geographical distribution of the people of Ceylon lends itself to a grouping which will render the departure from the racial basis less abrupt. The Western, North-Western and Southern Provinces are mainly inhabited by the Low-Country Sinhalese; the Central, North-Central, Uva and Sabaragamuwa Provinces by the Kandyan Sinhalese; the Northern and Eastern by indigenous Tamils; while the bulk of the Indian Tamil population is to be found in the Kandyan Provinces. Of the three districts of the North-Western Province, Kurunegala, the most populous, has a population largely Kandyan, and the districts of Chilaw and Puttalam are mainly Low-Country Sinhalese. It is, therefore, proposed to join the Kurunegala District to the North-Central Province (which is predominantly Kandyan, with a Kandyan population one-fourth that of Kurunegala), and to join the Chilaw and Puttalam Districts to the adjoining district of Negombo. This will group the divisions according to their race affinities, commercial relations and the facilities of rail and other communication. Provision is made for a separate member for

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

the Capital city of Colombo with its mixed population of over 200,000 and for 2 members to represent all other urban areas. These consist of two Municipalities (Kandy and Galle) and 21 Local Board Towns, with a population of 265,000, which would be increased by about 150,000, if 103 "Small Towns" under the Ordinance 18 of 1892 were added. If the recommendations of the Local Government Commission (Sessional Paper VI. of 1917) are adopted, the number and importance of Local Bodies would be increased and would necessitate an increase in the number of their representatives in the Legislative Council.

7. The population of Ceylon at the last Census (1911) was 4,106,350, of which (in round numbers) 1,717,000 were Low-Country Sinhalese and nearly a million Kandyans; a little over a million were Tamils, about equally distributed between indigenous and Indian; and 280,000 Mohammedans of whom 12 per cent. Indian. The Europeans numbered 7,600, of whom 90 per cent. were British; and the Burghers 27,000. The Europeans and Burghers will retain under the scheme their special electorates and members. The Mohammedans will also retain their special representative, but elected and not nominated. These three sections of the community, numbering 314,000, will have, as at present, 2 representatives for the Europeans, one for the Burghers and one for the Mohammedans. For the remainder of the population, numbering 3,800,000, racial representation will be replaced by territorial, and on the basis of a single electorate. It is hoped that the three minorities will, in time, consent to join this electorate.

8. The elected members, it is suggested, should be as follows. Opposite each electorate is stated its population according to the last Census. The asterisk indicates that the figure is exclusive of Europeans, Burghers and Mohammedans.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## PROPOSED LEGISLATIVE COUNCIL

| PROVINCE | No. of Members | POPULATION CENSUS OF 1911 |
|---|---|---|
| Western Province, City of Colombo ... ... | 1 | 211,274 including 43,533 Mohammedans<br>„ 13,485 Burghers<br>„ 2,742 Europeans<br>„ 36,717 Indian Tamils |
| W. P. (exclusive of Colombo City and of Negombo District) ... ... ... | 2 | 698,496* „ 41,976 „ |
| Southern Province ... ... | 2 | 604,964* „ |
| Central Province ... | 1 | 715,060* „ 265,911 „ |
| Northern Province ... | 2 | 355,829* |
| Eastern Province ... | 1 | 111,254* |
| Uva Province ... | 1 | 207,845* „ 69,873 „ |
| Sabaragamuwa Province ... | 1 | 394,489* „ 83,332§ „ |
| Kurunegala District of N. W. P. with North Central Province ... ... | 1 | 292,438*<br>76,073* } 368,511* |
| Chilaw of N. W. P. ...<br>Puttalam „ ...<br>Negombo of W. P. ... | 1 | 83,644*<br>27,590*<br>163,294* } 274,528* |
| Local Bodies (other than the Colombo Municipality) *i.e.* Municipalites of Kandy and Galle and 21 Local Board Towns ... | 2 | 264,083 |
| Europeans... ... ... | 2† | 6,801 British Subjects |
| Burghers ... ... | 1† | 26,663 |
| Mohammedans ... ... | 1† | 279,675 including 32,724 Indian Mohammedans |
| **Total Elected Members** ... ... | 19 | |
| Official Members ... ... | 11 | |
| President (Elected)** ... | 1 | |
| **Total Members in the Legislative Council** ... | 31 | As against the present number 22, of whom 4 elected, 12 official (including President**) and 6 nominated unofficials. |

* Exclusive of Europeans, Burghers and Mohammedans.

† Present number of members.

§ 69,891 are distributed in five other provinces, making a total Indian Tamil population in Ceylon of 530,933.

** Now, Governor (ex-officio).

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

9. The President, it is submitted, should not be the Governor, but should be elected by the Council. The Royal Commissioners of 1831 specially recorded their disapproval of the Governor being President, as "involving him in the discussions of the Council and exposing its members to influences unfavourable to the independent discharge of their legislative functions." The wisdom of this recommendation has been proved in the history of the Council.* It needs exceptional detachment and breadth of view, tact and courtesy, such as Sir John Anderson has shown, to reconcile the people to a Governor, or any *ex-officio*, President.

10. As to the Qualifications of electors and members, the following recommendations are submitted.

ELECTORS: i. Male British subject of not less than 21 years, and not European, Burgher or Mohammedan.

ii. Able to read and write English, Sinhalese or Tamil.

iii. Resident for not less than one year in the electoral area.

iv. (*a*) Annual income or salary of not less than Rs. 600.

or (*b*) Occupation, either as proprietor or tenant, of a house in the electoral area of the annual value or rent of Rs. 200 (if in a rural area) or Rs. 400 (if in an urban area).

or (*c*) Ownership of landed property in the electoral area, in his own or his wife's right, of the value of Rs. 1,000.

v. The owner of landed property of the value of not less than Rs. 6,000 to have a vote in the electoral area in which such property is situated, though he may not be resident therein.

---

* See page 20, Sir P. Arunachalam's Address on "Our Political Needs," which accompanied the Ceylon Reform League's Memorial of 20th June (*cf.* 22 *supra*)

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

MEMBERS: Male British subject of not less than 25 years, who is on the list of voters in any electoral area in the Island, is able to read, write and speak English and is not in the service of the Crown.

The same qualifications may be adopted for the Mohammedans, except that the electors and the member would be Mohammedan.

11. As to the Executive Council, we would invite your attention to the recommendation made in May, 1903, to the Secretary of State by so able and experienced a Governor as Sir West Ridgeway for the appointment of two unofficials to that Council, "as tending to satisfy the public opinion which is in favour of more effective representation in the Government of the Colony," and "as it would formally place at the disposal of the Government advice and information which is not always possible to obtain from official sources." How invaluable would such information and advice have been during the events of 1915 ! Two members were added in 1912, but both officials. The Council now consists of 8 officials,—an unwieldy number and scarcely making for efficiency; it includes executive officers, whose act it is the duty of the Council to supervise and control. One cannot understand why Ceylon needs double the number of members deemed sufficient for the government of the vast and populous territories of Madras, Bengal or Bombay, and why not a single Ceylonese is included in the Council when the Executive Councils of India, and even the Secretary of State's Council, are incomplete without Indian members. It is recommended that the number of members in the Ceylon Executive Council be reduced to four, exclusive of the presiding Governor, and that two of the four be unofficials elected by the members of the Legislative Council.

12. Turning to the question of Local Self-government, to which we attach the greatest importance, we beg to invite attention to para. 6 and para. 9 (3) and (4) of the Memorial* of the Ceylon Reform League and to pages 12-16 of the Address† thereto attached of Sir P. Arunachalam on "Our Political Needs." The Local Government Commission appointed by His Excellency

* pp. 40 and 42 *supra*.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Sir John Anderson has recently made its recommendations (Sessional Paper No. VII. of 1917) in regard to Local Bodies other than Municipalities and Village Councils. The recommendations, if adopted, will add to the number and responsibilities of those bodies, but they perpetuate the fatal defect of keeping all real power and authority in the hands of officials. We are of opinion that the local bodies should have elected majorities and elected Chairmen. This is largely the case in India. It is there recognized that otherwise there is little chance of these institutions affording any effective training to the people in the management of local affairs or of promoting real interest in local administration; that there is no sufficient inducement to good men to give up their time and attention to the transaction of public business; that Government control should be exercised rather from without than from within; and that this system opens to officials a fairer field for the exercise of administrative tact and directive energy than the more autocratic system which it supersedes.‡

13. So much is this the settled policy of the Indian Government that the city of Bombay, for example, with many times the population and revenue of the city of Colombo, has for years had an elected Chairman and a large elected majority, 56 elected members to 16 nominated. We would ask that like privileges be given to our Municipalities. Village Councils, too, are much in need of reform. They were revived in 1871 on an elective basis with the express object of restoring to the people their ancient and free institutions for the administration of village affairs. That object has been thwarted, elections being seldom notified and the councillors being usually nominees of the chief headman of the district. These institutions should be rescued from paralysing official control, and should be fostered and developed according to the original policy of Government. The Central Authority or Local Government Board should not, as proposed by the Local Government Commission (para. 49 of their Report) be restricted to officials and nominees of the Governor, but should have a fair proportion of members elected by the Local Bodies.

---

† pp. 13-18 *supra*.

‡ Resolution of the Governor General in Council, 1882, quoted by Sir P. Arunachalam in pages 14 and 16 of "Our Political Needs" (pp. 16 and 17 *supra*).

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

14. In conclusion, we would briefly, but earnestly, invite the attention of H. E. the Governor and the Right Hon'ble the Secretary of State to the serious deficiencies, pointed out in the Memorial of 20th June and in Sir P. Arunachalam's Address, in the vital matter of Education and in the employment of Ceylonese in the higher ranks of the public service, and we beg that those deficiencies may be remedied as suggested in para. 9 (5) and (6) of the Memorial, † and that Ceylon be represented by a Ceylonese in the Imperial Council, when it is formed.

P. ARUNACHALAM,
President of the Ceylon Reform League.

E. J. SAMARAWICKRAME,
President of the Ceylon National Association.

29th October, 1917.

---

## 2. MEMORIAL TO THE SECRETARY OF STATE FOR THE COLONIES ADOPTED AT THE PUBLIC CONFERENCE ON CONSTITUTIONAL REFORMS.*

Colombo, Ceylon,
15th December, 1917.

To

The Right Hon. WALTER H. LONG, M.P.,
His Majesty's Principal Secretary of State for
the Colonies.

The humble Memorial of the undersigned inhabitants of the Island of Ceylon respectfully sheweth:

1. Your Memorialists, gratefully acknowledging the blessings of British rule, beg leave to submit that the system of Crown Colony Administration, which has prevailed in this Island for over a century, is unsuited to its present conditions and needs and is detrimental to its welfare and progress. The only justification

† pp. 42-43 *supra*.

* This Memorial was adopted at the first Conference on constitutional reforms held on 15th December, 1917.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

for entrusting officials with autocratic power is efficiency of administration and the contentment of the people. Events—especially those connected with the riots of 1915—have clearly shown that these ends have not been attained, and that for years there has been a lack of touch between the British officials and the people and a disregard by the former of public opinion and sentiment. These circumstances render it necessary that there should be greater control over the officials than can be exercised by the Secretary of State for the Colonies, who must largely rely on "the man on the spot." The Memorialists are, therefore, convinced that the welfare of the Island demands that the people should have an effective share in the administration and government of the Island

2. The Memorialists also view with concern the demands, made by the Self-governing Dominions and supported by the new Imperialist School and by the Empire Resources Development Committee, to have a share in the government of the Crown Colonies and to control their inhabitants and resources. This policy has been provided with an effective machinery in the Imperial Conference, in which Ceylon has no voice. It has created new masters for her in the Dominions, whose Premiers are to take part along with the Home Government in determining her fate. The Memorialists feel that the only safeguard against this policy, as well as the only security for efficient administration, for the welfare and progress of the people and the stability of British rule, is the obtaining of Responsible Government as early as possible and, meanwhile, a substantial and progressive advance towards that goal.

3. The Legislative Council of Ceylon was established, on the recommendation of a Royal Commission, in the year 1833, when the population was about one-fourth of what it is now and the country was undeveloped and its trade inappreciable. "Such a Council," the Commissioners admitted, "is not proposed as an institution calculated in itself to provide effectually for the legislation of the Island at a more advanced stage of its progress..... ..... It would eventually constitute an essential part of any colonial legislature for which the Island may be prepared." They added: "The peculiar circumstances of Ceylon, both physical and moral, seem to point it out to the British Government as the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

fittest spot in our Eastern dominions in which to plant the germ of European civilisation, whence we may not unreasonably hope that it will hereafter spread over the whole of these vast territories." (*Report of the Royal Commissioners*, 1832). It was not till 1861 that Legislative Councils were first established in India

4. It will be observed from the figures hereafter given that Ceylon has, even under its present constitution, made progress in many directions during the last 84 years, in trade, education, wealth and in institutions, private and public, that mark the advancement of a people. Whether the volume of trade per head of population, the stability of the public finance, the expansion of the general revenue, or the progressive wealth and consequence of the people, be taken as the standard of comparison, Ceylon is in advance of the neighbouring continent. Tried by the important test of education, the position of Ceylon is far superior. According to the Census of 1911, she has nearly four times the proportion of male and ten times that of female literates which India has. (Indian literates 106 per 1,000 males, 10 per 1,000 females; Ceylon 404 per 1,000 males, 106 per 1,000 females).

5. Ceylon, through no fault of her people, has been permitted to lag so far behind that she does not possess even the constitution which India is about to abandon as inadequate. Indian Legislative Councils have a large number of elected members, and all except the Viceroy's Council have substantial unofficial majorities, while no Executive Council, nor the Council of the Secretary of State for India, is complete without Indian members. These reformed councils have worked for a decade with success. While India and Egypt, despite unrest and political upheavals, have steadily received liberal concessions, and while India is to receive a still more generous measure of representative government, the claims of loyal Ceylon alone have been ignored and her hopes delayed and disappointed.

6. British Rule stands pledged to extend to the people the widest measure of political influence which they are by education and other claims qualified to exercise. A glance at the tabular statement given below will show that Colonies far behind her in size, population and wealth, such as Jamaica and Mauritius, enjoy

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

privileges of election and representation to an extent denied to Ceylon

| | Jamaica. | Mauritius. | Ceylon. |
|---|---|---|---|
| Area in sq. miles ... | 4,450 ... | 720 ... | 25,000 |
| Population ... | 890,000 ... | 380,000 ... | 4,450,000 |
| Revenue ... | £1,318,000 ... | £800,000 ... | £3,500,000 |
| Trade ... | £4,500,000 ... | £6,500,000 ... | £29,000,000 |
| Legislative Council: | | | |
| Total Members ... | 30 ... | 27 ... | 22 |
| Elected Members ... | 14 ... | 10 ... | 4 |
| Executive Council: | | | |
| Officials ... | 5 ... | 4 ... | 8 |
| Unofficials ... | 4 ... | — ... | — |

7. In respect of the Legislative Council the reforms sought by the Memorialists are the abolition of the official majority, of racial representation and of the nomination of unofficial members by the Governor, and, in their stead, a large increase in the number of the elected members on a territorial basis. The existing division of the Island into provinces lends itself to this departure from the racial basis without abruptness. The Western, Southern and North-Western Provinces are mainly inhabited by the Low-Country Sinhalese; the Central, Sabaragamuwa, Uva and North-Central Province by the Kandyan Sinhalese; the North and Eastern by indigenous Tamils, while the bulk of the Indian Tamil population is to be found in the Kandyan provinces.

8. Ceylon is not unused to representative institutions. Her historical records, among the most ancient and authentic in the world, testify that under her own native Kings for two thousand years the Island enjoyed a popular constitution resting on a representative basis. Every village (*gama*) had its own council (*gansabhawa*), which has persisted through all the vicissitudes of foreign dominion and remains a part of the modern constitution. The Village Councils in a district (*rata*) returned delegates to the District Council (*rata sabhawa*), which lingered in the Island till 1830. Above these stood the Supreme Council of the Ministers of the State, and the King who was considered the elected supreme magistrate. In the year 1809 Sir Alexander Johnstone, Chief Justice and First Minister of His Majesty's Council in Ceylon, after a personal investigation at the request of the Governor into

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

the history and conditions of the people, recommended to the Secretary of State, *inter alia*, the creation of a Legislative Assembly on the lines of the British Parliament, including representatives elected by each province. Sir Alexander Johnstone's Note, published in the *Ceylon Literary Register*, Vol. I., page 263, shows that his recommendations were accepted by the Secretary of State and would have been wholly given effect to but for a change of government in England. At the present time there are representative institutions in the Island with elected members, such as Municipal Councils, Local Boards, District Road Committees, Village Councils, etc., which are vested with important functions including the expenditure of money. The capacity to assimilate Western culture, methods and institutions has been a striking feature of the people of this Island, and has frequently been the subject of notice in books on Ceylon.

9. The present constitution of the Legislative Council remains, with slight modification, what it was in 1833. The elective element is practically non-existent. It is true that there are now two elected members to represent Europeans, one for the Burghers and one for the Ceylonese educated on Western lines. But there remains a vast population of over four millions without a single representative chosen by the people. The helplessness of unofficial members, in a Council with a majority of officials, to give effect to the people's views was emphasised in Parliament by the Secretary of State for India, and has been frequently illustrated in Ceylon. On the other hand, nominated members have often served to give a semblance of popular assent to unpopular government measures and to defeat the vigilance of Downing Street.

10. The Memorialists submit for your favourable consideration the following scheme for the constitution of the Ceylon Legislative Council. The population of Ceylon at the last Census (1911) was 4,106,350, of which (in round numbers) 1,717,000 were Low-Country Sinhalese and nearly a million Kandyans; a little over a million were Tamils, about equally distributed between indigenous and Indian; and 280,000 Mohammedans, of whom 12 per cent. Indian. The Europeans numbered 7,600, of whom 90 per cent., were British; and the Burghers 27,000. The Europeans, Burghers and Mohammedans together number

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

314,000. They will under the scheme keep their distinctive representation, as they might feel aggrieved if what they consider their vested rights were taken away abruptly. The Europeans and Burghers will accordingly retain their special electorates and members; the Mohammedans their special representative, but elected and not nominated. For the remainder of the population, numbering 3,800,000, racial representation will be replaced by territorial, and on the basis of a single electorate. It is hoped that the three minorities will, in time, consent to join this electorate.

11. The elected members, it is suggested, should be as follows. The electorate for the provinces (except in the City of Colombo) would exclude Europeans, Burghers and Mohammedans; and the qualification would be literacy in English, Sinhalese or Tamil, with a small property qualification varying according to the conditions of each province.

## PROPOSED LEGISLATIVE COUNCIL.

| PROVINCE | No of Members | |
|---|---|---|
| Western Province, | | |
| City of Colombo ... | 1 | |
| The rest of the Province ... | 3 | |
| Southern Province ... | 2 | |
| Central Province ... | 2 | |
| Northern Province ... | 3 | |
| Eastern Province ... | 1 | |
| Uva Province ... | 1 | |
| Sabaragamuwa Province ... | 1 | |
| North-Western Province ... | 2 | |
| North-Central Province ... | 1 | |
| Europeans ... | 2 | |
| Burghers ... | 1 | |
| Mohammedans ... | 1 | |
| **Total Elected Members** ... | 21 | |
| Official Members ... | 12 | |
| **Total Members** ... | | |
| (elected and official) ... | 33 | as against the present number 22, of whom 4 elected, 12 officials (including the Governor President) and 6 nominated unofficials. |

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

12. The President, it is submitted, should not be the Governor, but there should be a Speaker elected by the Council. The Royal Commissioners of 1831 specially recorded their disapproval of the Governor being President, as "involving him in the discussions of the Council and exposing its members to influences unfavourable to the independent discharge of their legislative functions." The wisdom of this recommendation has been proved in the history of the Council. It needs exceptional detachment and breadth of view, tact and courtesy, such as Sir John Anderson has shown, to reconcile the people to a Governor, or any *ex-officio*, President.

13. As for the Reform of the Executive Council, it was in 1903 the subject of a unanimous resolution of the Legislative Council and of a Despatch to the Secretary of State from Governor Sir West Ridgeway, who recommended the appointment of two unofficial members to the Executive Council "as tending to satisfy the public opinion which is in favour of more effective representation in the government of the Colony," and "as it would formally place at the disposal of the Government advice and information which is not always possible to obtain from official sources." How invaluable would such information and advice have been during the events of 1915! The Executive Council now consists of 3 officials, an unnecessarily large number and not making for efficiency; it includes executive officers whose acts it is the duty of the Council to supervise and control. The Executive Councils of the vast Presidencies of Madras, Bengal and Bombay have only four members each. The Memorialists are of opinion that in Ceylon the number of members should be reduced to four, exclusive of the presiding Governor, and that two of these should be unofficials elected by the unofficial members of the Legislative Council.

14. The Memorialists beg to be permitted to make a brief reference to the important subjects of Local Self-government, Education, and the Employment of Ceylonese in the higher ranks of the Public Service. On the subject of Local Self-government they would point out that the Commission recently appointed by His Excellency the Governor has in its recommendations failed to provide what the Memorialists consider essential for the due working and usefulness of local bodies (including Municipalities), viz.,

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

a majority of elected members and an elected Chairman. In India it has been long recognised that without these essentials there is little chance of the institutions affording any effective training to the people in the management of local affairs or of promoting real interest in local administration, that there is no sufficient inducement to good men to give up their time and attention to the transaction of public business, that Government control should be exercised rather from without than from within, and that this system opens to officials a fairer field for the exercise of administrative tact and directive energy than the more autocratic system which it supersedes.

15. The Memorialists desire to draw special attention to the highly unsatisfactory condition of Education in the Island, though it is the root of all national life and progress, and to the necessity for wide extension of elementary and secondary education, the immediate establishment of a University and an adequate contribution from the Island's revenue to carry out these objects effectively.

16. As to the Employment of Ceylonese in the higher ranks of the Public Service, the Memorialists complain that, though in theory the Ceylonese have equal and even preferent rights to high appointments, in practice Europeans are almost invariably preferred. The Memorialists beg that steps may be taken to ensure that the practice conforms to the theory. It is not merely that a just distribution of places of honour and emolument, by satisfying legitimate ambitions, promotes the contentment of a people. The experience and knowledge gained in the higher branches of the Public Service is carried away by every retiring European official and is absolutely lost to Ceylon to its great detriment.

17. The Memorialists, in conclusion, beg that Ceylon may be represented by a Ceylonese at future meetings of the Imperial Conference to enable her to safeguard her position in the conflict of interests among the members of the Empire, and that the Imperial Government will be pleased to declare to the people of Ceylon, as they have declared to the people of India, that the goal of British policy is the establishment of Responsible Government in Ceylon as an integral part of the British Empire, and to grant the reforms asked for as a first step towards that goal.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

18. It is the hope and prayer of the Memorialists that the terrible war which is now being waged will end in a complete victory for Great Britian and her Allies. In the world-wide Empire of our Sovereign, with all its vast and varied interests in every part of the globe, there are many matters which press for consideration, and various schemes of political reconstruction are engaging the attention of the governments and peoples of England and other parts of the Empire, and the Memorialists have deemed it their duty to submit to you their views and prayers.

19. The Memorialists are grateful to you for the assurance given to the Ceylon Reform League and the Ceylon National Association, that you will discuss personally with His Excellency the Governor the whole question of the Constitution of Ceylon. They are firmly convinced that the granting of their prayers will be deeply appreciated by a loyal and progressive people conspicuous for their devotion to the Throne, and will promote the efficiency of the administration, increase the happiness and contentment of the people and strengthen the foundations of British Rule.

And your Memorialists, as in duty bound, will ever pray.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

3.

# CASE FOR CONSTITUTIONAL REFORM IN CEYLON.

BY

THE JOINT COMMITTEE OF THE CEYLON NATIONAL ASSOCIATION AND THE CEYLON REFORM LEAGUE.*

---

Ceylon Reform League,
Colombo.
29th September, 1919.

Sir,

I have the honour to forward herewith a copy of the "Case for Constitutional Reform in Ceylon" as prepared by the Ceylon National Association and the Ceylon Reform League.

I am, Sir,
Your obedient servant,
(Sigd.) JAS. W. DE SILVA,
Hony. Secretary.

The Hon'ble the Colonial Secretary.

---

## AUTONOMOUS CEYLON

1. Ceylon enjoyed for twenty centuries autonomous government and a high degree of civilization and is the spiritual leader of the Buddhist world of Asia. The Sinhalese and Tamils, who form over 90% of the population, have lived here from of old in amity or at feud but now for over four centuries in friendship and

*The Joint Committee consisted of the following:—Messrs. A. C. Abeywardene, M. T. de S. Amerasekera, LL.B. (Lond.), M. A. Arulanandan, B.A., Sir P. Arunachalam, Kt., M.A. (Camb.), Messrs. C. L. H. Dias Bandaranaike, M. B. Abdul Cader, B.A., LL.B. (Camb.), G. E. Chitty, G. L. Cooray, A. E. De Silva, B.A. (Camb.), M.M.C., E. T. De Silva, J. W. De Silva, W. A. De Silva, J.P., Armand De Souza, L. W. A. De Soysa, Francis De Zoysa, C. E. A. Dias, C. H. Z. Fernando, B.A., LL.B. (Camb.), C. Gnanasakaram, J.P., Dr. C. A. Hewavitarane, M.R.C.S. (England), L.R.C.P. (Lond.), M. Cassim Ismail, M.M.C., A. St. V. Jayewardene, E. W. Jayewardene, Amadoris Mendis, Charles Peiris, James Peiris, LL.M., B.A. (Camb.), J.P., Dr. E. V. Ratnam, F.R.C.S. (Edin.), M.M.C., E. J. Samarawickrame, H. A. P. Sandrasagara, D. C. Senanayake, F. R. Senanayake, B.A., LL.B. (Camb.), M.M.C., G. A. Wille, S. R. Wijemane, D. R. Wijewardane, B.A. (Camb.).



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

harmony, the Tamils reinforced during the last seven decades by streams of immigrants from South India who are the mainstay of the tea and rubber industry of the Island. Parts of the coast were occupied by the Portuguese in the sixteenth century under trading concessions afterwards repudiated. But the inhabitants maintained a fierce and continuous struggle with the foreigner, drove him out with the help of the Dutch and compelled the latter to enter into treaty with the King of Ceylon, whose capital was at Kandy, and to hold the territory under him.

### 1796, BEGINNING OF BRITISH RULE.

In 1796 this maritime territory passed, with his co-operation, from the Dutch to the British, while the bulk of the Island remained under his rule.

### 1809. ELECTIVE PARLIAMENT FOR CEYLON.

2. In 1809 Sir Alexander Johnstone, Chief Justice and First Member of the King's Council, having been deputed by the Government to make an enquiry into the history and conditions of the people, recommended the creation of a Legislative Assembly on the lines of the British House of Commons, with elected representatives for each province. This recommendation was accepted by the Secretary of State and was about to be given effect to, when a Cabinet change occurred in England and the measure was shelved.

### 1815. CONVENTION AT KANDY.

### PLEDGES OF THE BRITISH GOVERNMENT.

3. In 1815 the people, dissatisfied with their King, invited the British to the capital. At the great Convention held at Kandy on the 2nd of March, 1815, between the Governor and Commander-in-chief, Sir Robert Brownrigg, as representative of King George III., and the Chiefs and representatives of the people, the King of Ceylon was deposed and the Island was surrendered to the British Government with full reservation of the people's rights and privileges, laws and institutions, which were guaranteed by the Government, the King of Great Britain being substituted in the Constitution for King Sri Vikrama Raja Sinha and his descendants.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## CONSTITUTION GUARANTEED BY THE BRITISH GOVERNMENT.

4. The Constitutional rights thus guaranteed were as follows :—

(i) Every village administered its affairs through its Council composed of the head of every family within its limits, however low his rank or small his property. The Ceylon village was a true type of the Village Community that has been discovered by the researches of Maine, von Maurer, Nasse and others among the peoples of Europe and Asia. Nowhere in the world was it found flourishing so vigorously and so recently as in Ceylon. It provided fully for internal government, for police, for the administration of justice, for the cultivation of land, for public works, for the appointment of taxes and public duties, for protection against the aggression of outsiders, etc. The Village Council is still part of our Constitution, but greatly shorn of its powers and a mere puppet in the hands of the officials.

(ii) Each Village Council sent its delegate to the District Council, which continued to exist within living memory.

(iii) Above the Village Council and the District Council was the Supreme Council of the Ministers of State, and

(iv) The King, who was considered the elected Supreme Magistrate, the form of election being gone through even in the most reactionary times and down to the last of Ceylon's Kings.

## 1829-31. ROYAL COMMISSION.
## 1833. ESTABLISHMENT OF EXECUTIVE AND LEGISLATIVE COUNCILS.

5. The Royal Commissioners of Enquiry of 1829-1831 after careful investigation framed a Constitution for Ceylon, which came into force in March, 1833. It consisted of an Executive and a Legislative Council, the latter comprising official and unofficial members nominated by the Governor. This was expressly put forward by the Commissioners as a temporary measure. "Such a Council," they said, "is not proposed as an institution calculated in itself to provide effectually for the legislation of the Island at a more advanced stage of its progress..... It would eventually

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

constitute an essential part of any colonial legislature for which the Island may be prepared at a future period." They added: "The peculiar circumstances of Ceylon, both physical and moral, seem to point it out to the British Government as the fittest spot in our Eastern Dominions in which to plant the germ of European civilization, whence we may not unreasonably hope that it will spread to the whole of those vast territories."

PRESENT CONSTITUTION.

6. There has been a continuous demand from the last century for a substantial reform of the Constitution. But little or no change has been made. In the eighties two unofficial members nominated by the Governor were added. In 1910, for the first time, provision was made for election, one elected member representing the permanent inhabitants (over 4,000,000), two members for 7,500 Europeans, and one member for 12,000 persons of mixed European descent. The Legislative Council thus consists of twelve officials (all Europeans), four elected members and six unofficial members nominated by the Governor. The Executive Council consists of eight officials, all Europeans. Local self-government has received little encouragement and is represented by three Municipalities created in 1865 and a number of Local Boards, Village Councils, etc., which are all entirely under official European control and in which the unofficial members have little power.

EUROPEAN BUREAUCRACY AND MONOPOLY OF POWER.

7. The administration of the affairs of the Island is thus, even in the smallest matters, in the hands of European officials and their army of subordinate native officials, ill paid or, more often, unpaid, who lord it over the people,—a sad contrast to the powers and privileges which, as shown in para 4 above, they enjoyed under their own Kings.

CHARACTER OF THE PEOPLE.

8. Robert Knox, after living 20 years among the Sinhalese in the latter part of the seventeenth century, speaks highly of their education, refinement, independence, and self-confidence. The ordinary ploughman, he says, had the elegant manners and the elegant speech of the courtier, and he quotes with approval

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

the peasants' saying: "Take a ploughman from the plough, wash off his dirt, and he is fit to rule a kingdom." The splendid stand which the Sinhalese made against European armies for three centuries, maintaining their independence to the end and voluntarily choosing the King of England as their sovereign, is matter of history. Tamil soldiers have recently shown in Mesopotamia, in the words of a British officer, that "they can be put by the side of the best British infantry and stand the test" and "they can hold their heads as high to-day as when under Clive and Wellesley they won India for England and blazoned on the standards of the Madras army an imperishable lustre."

## THEIR DECLINE UNDER THIS RULE.

### PRICE OF EFFICIENCY.

9. The people of Great Britain cannot view with satisfaction the decline of such a people under their administration. Certain classes have, no doubt, prospered greatly—the merchant, the broker, the lawyer, the capitalist, the big land-owner and others. But the masses, the peasant and the labourer, who produce the Island's wealth, have had little share of this prosperity and have been reduced to a struggle for a bare existence. If for them and for all there were a tenfold more plenteous harvest of material wealth and comfort, could it or anything compensate for the dwarfing and stunting of their powers and capacities, for the weakening of their native wit and fibre, for the loss of manliness and self-respect? How far does this fulfil the first maxim of British statesmen, that British administration should operate as an elevating force on the character of the people? Even admitting the claim of efficiency made on behalf of the administration, the people cannot live on efficiency alone, and (in the words of Lord Chelmsford and Mr. Montagu) "efficiency may be too dearly purchased at the price of moral inanition."

## "ONE WITH THE PEOPLE."

10. In the ancient chronicles of the Island it is said of a South Indian Prince elected to the throne and of his brothers who were sub-kings under him, that "they made themselves one with the people." This is recognized by every nation as an essential qualification for a ruler, but under existing conditions is scarcely

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

possible of realization in Ceylon. Not only are the Governor and the highest officials, administrative and judicial, ignorant of the language, literature and traditions of the people, but even the permanent Civil Service is, with rare exceptions, out of touch with the people. Nor has the bureaucracy the saving grace of a true sympathy with the high ideals and principles of British administration.

1915. MISRULE AND OUTRAGE.

11. In 1915 the bureaucracy thoroughly misunderstood some local disturbances such as occur in every part of the British Empire, saw in them a deep conspiracy against British rule, and resorted to violent measures under Martial Law, resulting in the summary execution of scores of innocent persons and the punishment by Courts Martial of hundreds of others. The Governor responsible for these measures and his successor Sir John Anderson both declared that there was not the slighest stain on the loyalty of the people, and the latter added that some of the repressive acts had been Hunnish in their violence and injustice and "deserve the loathing and disgust of every decent Englishman." Yet the offenders were not punished, being protected by an Act of Indemnity secretly obtained from the Imperial Government; and the Royal Commission of Enquiry, demanded by the people as well as by 40 Members of Parliament (including three Bishops) and others of the standing of the Master of Balliol, has not yet been granted. The loyal and long-suffering people of Ceylon have thus been left with serious grievances unredressed, the fair name of Britain has been dishonoured by the conduct of her servants, and the system of administration which made their misrule possible remains as vigorous as ever.

OFFICIAL HELPLESSNESS.

12. The events of 1915 showed in a striking manner the inefficiency and unwisdom of the Government. This is illustrated also by the gravity of the present food situation, in reference to which the *Times of Ceylon*, the leading organ of the English community, said:—"The Government has failed most lamentably to rise to one of the gravest situations with which the administration of the Colony has been confronted since the beginning of British rule. It has not merely failed to rise to the occasion—any body

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

would forgive a glorious failure—it has made nothing but the most pitiably feeble attempt to do so, and we are now confronted with the sorry spectacle of one of the richest and most fertile countries in the world, completely organized administratively and economically, quailing abjectly before the menace of famine because another country withholds its supplies." Less glaring instances may be adduced from the every-day administration, which, in the words of a European resident, is characterized by "decades of ineptitude, *laisser-aller*, lack of method and initiative, and superannuated systems which have kept Ceylon back half a century." The *Times*, glancing back at the administration of the last five years, speaks of it as "a record with the word failure written across it," and concludes that "no popular form of Government could possibly have failed so completely to rise to the new situations and emergencies," etc.

MATERIAL AND MORAL PROGRESS, 1834-1917.

13. The Royal Commissioners, when in 1831 they declared Ceylon to be "the fittest spot" in the British Dominions of the East for the realization of British ideals, could hardly have anticipated the slow rate at which those responsible for the administration of Ceylon have carried out that policy. To say that Ceylon, the home of an ancient civilization, is, after more than a hundred years of British rule, fit for nothing better than a Crown Colony administration is absurd, and, if true, would be discreditable to the British rule. But it is not true. The following figures show the progress, material and moral, which Ceylon has made since 1834, the first year of the establishment of the Legislative Council, compared with the figures for 1917, the latest year for which the figures are available:

| Year | Population | Revenue | Expenditure | Exports | Imports | Tonnage Shipping entered and elacred | Schools | Scholars |
|---|---|---|---|---|---|---|---|---|
| | | £* | £ | £ | £ | | | |
| 1834 | 1,167.000 | 377,952 | 334,835 | 145,834 | 372,726 | 153,510 | 1,105 | 13,891 |
| 1917 | 4,475,922 | 1,465,458 | 4,289,044 | 20,462,996 | 12,343,058 | 6,153,778 | 4,213 | 395,810 |

* £1 is taken as equivalent to Rs. 10 in 1834 and R.s 15 in 1917.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

### BRITAIN'S IDEALS AND PLEDGES.

14. Nevertheless the political status of Ceylon has not changed. By granting her a liberal constitution Great Britain will be redeeming not only the pledges given to the people of Ceylon when they came under the British Crown, but also the pledges given to the whole world during the war to carry into effect the ideals she has championed of liberty, self-development, and self-determination for all peoples, great and small, whether within the Empire or without. Those ideals the British Government has unfortunately not been able to realize in India, to the great disappointment of a large section of the Indian people, resulting in a wide-spread propaganda of suspicion of the sincerity of the Government and constituting a political danger. The difficult and complicated problems with which the Government is faced in India do not exist in Ceylon, and the fulfilment of those ideals here will prove to India and the world Britain's good faith, besides satisfying the pressing needs and claims of Ceylon.

### CEYLON AND THE PHILIPPINES: POLITICAL STATUS COMPARED.

15. Compare with her the Philippines under the United States rule. A heterogeneous population (Malay, Chinese, Spanish, Negro and hybrid; Mohammedan, Christian, Buddhist and Animist; tree-dweller, head-hunter and cannibal), a population neglected through three centuries of Spanish misrule, was so ruled as to be deemed fit, within a decade, for an Upper House of eight Commissioners (four Americans and four Philippinos) under the presidency of an American Governor-General, a Legislative Assembly of 81 elected members, an elected Governor for each of its 38 Provinces and elected Presidents and Councillors for its 350 towns. This Constitution was changed in 1916, within another decade, to full self-government with promise of independence in the near future.

### REFORMS NOW ASKED FOR.

16. Ceylon does not ask for independence. Her history and civilization, the practice of self-government through the centuries, the progress she has made even under the present cramping conditions, and her loyalty to the British Throne, would entitle her to claim full self-government as an integral part of the British Commonwealth of Nations along with Canada, Australia, South Africa or Newfoundland. As a provisional measure she asks that

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

the Constitution which Lord Willingdon, the Governor of Bombay, has recommended for that Presidency be granted to her with necessary modifications. (See Letter of his Government dated 11th November, 1918,* to the Government of India and included in the Indian Reform Papers presented to the House of Commons). A Constitution which is recommended by responsible authorities for the Presidency of Bombay should be the minimum for Ceylon. The leading features of it suitable for Ceylon are as follows :—

(*a*) The Executive Council to consist of four members in addition to the Governor; and of the four, three to be Indians (two being chosen from the elected members of the Legislative Council) and to be in charge of Departments. (For "Indians" substitute "Ceylonese" in the case of Ceylon).

(*b*) A largely increased Legislative Council with a substantial elected majority of four-fifths (instead of two-thirds as in other Presidencies), the remaining one-fifth consisting of official members and of unofficial members nominated by the Governor to represent important minorities and other interests.

(*c*) No division into reserved and transferred subjects either in the Executive Council or in the Legislative Council.

(*d*) All legislation and resolutions to be subject to the veto of the Governor in cases in which he considers the peace, order and safety of the State is at stake.

(The Indian Reform Bill now before the House of Commons has, according to Mr. Montagu, been so drafted as to enable progressive governments, like that of Lord Willingdon, to give effect to their liberal policy). The following modifications are necessary for Ceylon :—

(*e*) The members of the Legislative Council should be elected on the basis of a territorial electorate with a wide franchise (say, male adult) and a restricted female franchise.

(*f*) The number of elected members should be about 40 (*i.e.*, in the ratio of about one to every 100,000 inhabitants) and of the nominated official and unofficial members about ten.

---

* Pages 178 *et seq.* of the volume on Indian Constitutional Reforms (published in 1919 by the Superintendent, Government Printing, Calcutta) containing the Government of India's Despatch of 5th March, 1919 and connected papers.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(*g*) The Council should elect its own Speaker, the present arrangement under which the Governor is *ex officio* President having proved, as anticipated by the Royal Commissioners, detrimental to the independence and efficiency of the Council and to the dignity of the office of the King's Representative.

(*h*) The Council should have full control, as at present, over the Budget and over the administration.

(*i*) The veto of the Governor in (*d*) should not be operative for more than twelve months and should not be repeated if on the expiration of that period the measure or resolution vetoed is passed in substance by the Council.

(*j*) The Governor should be one who has had parliamentary experience and training in English public life and be thus qualified to discharge the duties of a constitutional, not as hitherto autocratic, ruler and to help in the smooth working of the political machinery under the altered conditions.

## HIGHER APPOINTMENTS.

17. The higher appointments in the Ceylon Civil Service and other branches of the public service are now almost exclusively filled by Europeans, though there is an abundance of Ceylonese talent and efficiency. Not only are the people thus denied the satisfaction of legitimate ambitions and a just distribution of places of honour and emolument, but the experience and knowledge gained in the higher branches of the public service is carried away by every retiring European official and is absolutely lost to Ceylon to its great detriment. It is therefore urged that a percentage of 50% rising to 75% of these appointments be reserved for Ceylonese.

## A RESPONSIBLE BUREAUCRACY.

18. It is not, however, desired merely to substitute a Ceylonese for a European bureaucracy. Though the substitution would secure in the administration knowledge, sympathy and efficiency, it would not, so long as the ultimate control of the officials is not in the hands of the people, advance that spirit of liberty and self-development, that truly responsible government, which is the desire of Ceylon and the glory of England and of her

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

self-governing Dominions. Therefore Ceylon demands the reform of the Executive and of the Legislative Councils on the lines indicated.

## LOCAL GOVERNMENT.

19. She demands also that in merely local administration—which is of great importance to the average citizen and especially to the poor man, with whose life it is inter-twined at every turn—there should be complete popular control, that Municipal Councils and other local bodies, urban and rural, down to the village councils, should be multiplied throughout the Island, with elected chairmen and elected majorities and full control of local affairs.

## CONCEPTION OF CEYLON'S FUTURE.

20. Each person thus taking his share in the burden of responsibility for the country's welfare, men's lives will be enriched, their personality developed, they will recover the self-confidence and self-respect they have lost under the baneful influence of a Crown Colony Administration. Ceylon will become again self-governing, strong and respected at home and abroad, will be knit to Great Britain in still closer bonds of affection and will be a source of strength to the Empire, whose unity and solidarity will become a real, living fact when it is based on complete local autonomy and respect for the rights and privileges of all its subjects.

Colombo, Ceylon,

1st September, 1919.

This Memorandum was prepared by the Ceylon Reform League and the Ceylon National Association in September, 1919. Copies were sent to the Colonial Secretary, the Attorney-General and others.

A copy was also sent to Lord Crewe with the following covering letter from Sir P. Arunachalam which will prove of great interest:—

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Ponklar,
Horton Place,
Colombo.
15th September, 1919.

Dear Lord Crewe,

On the 14th July I ventured to send you on behalf of the Ceylon National Congress Committee the following cable:—

"Ceylon gratefully remembering your Reform despatches as Colonial Secretary begs you will use your influence Lord Milner grant real self-government under Imperial supervision. Ceylon conditions favourable, excellent field full realization British ideals and pledges of liberty, self-development and self-determination. Concession of self-government will show India and world genuineness of Imperial Government's desire to fulfil the pledges, fulfilment in India being hindered by complicated and difficult problems which are absent in Ceylon."

I send herewith "The Case for Constitutional Reform in Ceylon" as prepared by the Ceylon National Association and the Ceylon Reform League, setting forth concisely with reasons the reforms now asked for. These fall short of self-government, but will be accepted as a step towards it. When you were Secretary of State for the Colonies you were prepared to deal with Ceylon liberally, but your intentions were defeated and your gifts whittled down by a reactionary Governor and bureaucracy, as little in touch with the people of Ceylon as with the spirit and ideals of British administration. The slight amendment made on that occasion in the Constitution left Ceylon behind India (of which she had been in advance for three-quarters of a century) and caused keen disappointment and has kept alive the agitation for substantial reforms.

The attitude of the local Government and of Downing Street, has scarcely been happy; it is one of vexatious delay and mystery, so unlike the methods of Mr. Montagu and Lord Chelmsford. After repeated questions in the House of Commons it has at last been elicited that the Governor has made a report to the Secreary of State, but the purport of it is kept secret. The Secretary of State has refused the House of Commons information about it on

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org
SPECIAL COLLECTION
JAFFNA PUBLIC LIBRARY

the ground that it is under correspondence with the Ceylon Government. He has aggravated public discontent by refusing to receive a Deputation appointed by the Ceylon National Congress, the Ceylon National Association and the Ceylon Reform League.*

It is difficult for poor Ceylon to argue with the master of legions. We have not a rebellious population as in Ireland or Egypt, nor sullen and angry millions as in India. We would not use such weapons if we could. Our strength is in the justice of our claims, in our loyalty, in the knowledge that we may count on the help of British statesmen like Your Lordship and in our faith that England will be true to her ideals and pledges. We earnestly beg that you will use your great influence with the authorities in England to grant our moderate demands as set forth in "The case for Constitutional Reform in Ceylon," of which copies are being sent to the Colonial Office through the local Government. I have asked my son Padmanabha to supplement it with any further information you may want.

May I also bring to your notice the serious harm done to Ceylon by the too frequent changes in the Governorship of the Island (there have been of late as many as four Governors, besides Acting Governors, in six and half years), and by the appointment to that office of men past their prime, trained mostly in semi-savage tropical regions or in the red-tape of Government office at home, impervious to new ideas and out of sympathy with the high ideals and traditions of England. Ceylon urgently needs one who has had parliamentary experience and training in English public life and who can instil some of its spirit into our administration and fulfil the duties of a constitutional, not as hitherto autocratic, ruler.

I remain,

Yours sincerely,

P. ARUNACHALAM.

The Most Hon'ble The Marquess of Crewe, K.G.,

Crewe House,

Curzon Street,

London.

* Mr. H. J. C. Pereira who was leader of the Deputation in England vigorously combated the refusal of the Colonial Office to receive them and after considerable correspondence the Deputation was ultimately received. (Vide p.271 seq.)

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

# QUESTIONS IN PARLIAMENT.

SECTION C.—*Questions in Parliament.*

HOUSE OF COMMONS,

Wednesday, July 24th, 1918.

1. MR. MORRELL asked the Secretary of State for the Colonies whether a memorial had been received from Sir P. Arunachalam and Mr. E. J. Samarawickrame on behalf of the Ceylon Reform League and the Ceylon National Association asking for certain reforms with a view to the grant of a measure of responsible Government for Ceylon; whether an answer, and, if so, what answer had been returned to the memorialists; and whether the Government would meet the demand for responsible government put forward by the people of Ceylon by extending to Ceylon the same reforms as were now proposed by the Secretary of State and the Governor-General for India.

MR. HEWINS: I duly received the memorial, but only a formal acknowledgment was made pending the receipt of the observations of Sir John Anderson, which he did not live to complete. I have also received memorials from other sections of opinion in Ceylon, supporting different proposals. I shall give all these views my careful consideration, but I do not propose to form any conclusions until the time is more opportune for a full examination of the difficult questions involved and until I have received the views of the new Governor.

MR. MORRELL: Will the Hon. gentleman say whether there is anything which makes a consideration of reforms in Ceylon at the present time any less opportune than the consideration of reforms in India's administration.

MR. HEWINS: I do not think that question is involved in the question or the Paper and I do not propose to answer it.

The following Cablegram was sent by the Ceylon Reform League and the Ceylon National Association on hearing of the questions and answers in the House of Commons.



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## TELEGRAM FROM THE CEYLON REFORM LEAGUE AND THE CEYLON NATIONAL ASSOCIATION TO THE SECRETARY OF STATE.

"To Secretary State Colonies, London.

6th August, 1918.

Mr. Hewins reply House Commons subject Ceylon Reforms has caused great disappointment. Unable understand why time deemed inopportune and decision postponed when Indian Government has dealt with far more complex and difficult problems of Indian Empire and propounded Reform Scheme. We deplore continued indifference Ceylon's needs and earnestly request early declaration liberal reforms.

---

## CEYLON REFORMS IN PARLIAMENT.

London, November 1.

**2.** In the House of Commons MR. MORRELL asked on the 30th ultimo: If the Ceylon Reform League and Ceyon National Association cablegrams, expressing disappointment at the announcement that the time was inopportune for considering reforms, were received? Why Ceylon demands should not receive the same consideration as the Indian demands? Whether the Governor will be asked to furnish a report like Mr. Montagu's?

MR. HEWINS, Under-Secretary of State for the Colonies, replied: The cablegrams were received. The Governor was instructed to inform him of his views, which will be considered, but no definite conclusions will be arrived at till a more opportune time. after examination of all the proposals the Governor will report.

MR. MORRELL asked: When.

MR. HEWINS could not say.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

# PART II.

# CONGRESS PERIOD.

## CHAPTER I.

### December, 1919 — December, 1921.

### SECTION A.—*Origin of the Ceylon National Congress.*

The Ceylon National Congress orginated at the Second Conference on Constitutional Reform held on 13th and 14th December, 1918, the eighth resolution proposed at which was "That a permanent organization be formed for the purpose of co-ordinating public opinion and political thought and work in Ceylon by periodically convoking a representative Congress and carrying out its resolutions."

MR. E. W. JAYEWARDENE, K.C. in moving the resolution said: he saw around him faces of men, who were ready, if necessary, to strike a blow, he meant in a constitutional manner, for their country's good (applause). Around him he saw men who were prepared to sacrifice their ease for the sake of a constitutional fight. *Inter arma silent leges.* It was not possible for him in his armour to take part in controversial politics. But he had found it very difficult to turn a deaf ear to the still small voice of the people of this country (hear, hear), the voice which was indistinctly heard, the voice which was insistent. He assured them he had been away not because he chose to, but because he was constrained to. The resolution that he had to submit to them was, he thought they would admit, a most important one. From the region of criticism and suggestion they had come to the region of actual, practical politics within their own power of accomplishment. It consisted of laying the foundation stone truly and faithfully of what he hoped would be the greatest organization for the good of the Country (applause). He was asking them to lay the foundation stone of nothing less than the



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

National Congress of Ceylon. He felt with the Latin poet, and a quotation from Horace would not be inappropriate in an assembly of that kind, that they were building a

"Monumentum aere perennius"
" Regalique situ pyramidum altius "

which freely translated meant: "We are building a monument more durable than brass, more lasting than the tottering thrones of Kings." (Applause). It would be a dull, unimaginative mind that would not see the dawn of a new light since the war, a new light bringing freedom and emanicipation to subject races and smaller nations (hear, hear). It might be asked where was the call for a National Congress? Were they ripe for reform? He thought they were. In fact he thought the educated people had reason to be ashamed of themselves. It was time indeed that they woke up from their torpor (hear, hear). India had progressed but they had lagged behind. India had advanced by leaps and bounds, since the formation of its National Congress, thirty-three years ago, but Ceylon had been stagnant. Ceylonese political life was almost extinct. They would have to mobilise their public men (loud cheers). Their public men had floated about like disintegrated units. They had had no definite platform, no common programme. They had the men. They had in their worthy President, Sir Ponnambalam Arunachalam, a member of a family, distinguished in the annals of Ceylon (applause). He would call him a creative man, one who believed in real work, in practical progress. He was himself the head of a great Government department and knew what real practical work was (hear, hear). They should have a National Congress and they should send delegates to England (applause). In an assembly like that he needed only mention the name of the Hon. Mr. P. Ramanathan (applause), the worthy brother of their President, their political "rishi" (cheers) who in the seclusion of "Sukhastan," worked out problems which embarrassed the Colonial Secretary very much (laughter) and when he took upon himself to admonish the members of the Legislative Council from the Colonial Secretary downwards (laughter), he assured them that the Ceylonese Member was absolutely irresistible (cheers). It was a very cheering sight for me to see

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

the third generation represented on that platform,—he was including the late Sir Muttucumaraswamy—in his friend Mr. Mahadeva (hear, hear). It must have been a cheering sight for the father to see his son entering the arena in which he had been a doughty champion. There was nobody whom the Sinhalese would support more readily than the members of the Tamil Community he had mentioned. They were not wanting in leaders. He saw before him Mr. James Peiris (cheers). He always felt that it was a disgrace to Ceylon that Mr. James Peiris had not been called upon to assist Government with his sagacious advice and counsel (cheers). The President of the Cambridge Union would have been most welcome as a political leader in England and might have held a portfolio, (hear, hear), but in Ceylon every attempt was made to hide him. "Let him not be put forward for there may be danger working behind him. The free atmosphere of Cambridge ought not to thrive in Ceylon" (shame). The previous day they had the Hon. Dr. Fernando there. He did admit that when Dr. Fernando left Government service and joined the band of politicians "mark the word politics which in Ceylon has a sinister significance, politics is supposed to be the refuge of the destitute" (laughter)—he did not know him so well as he did at present. In the Legislative Council, Dr. Fernando, he was bound to confess, had proved himself worthy of holding a portfolio and even to lead a Cabinet. (applause). They had got delegates from Jaffna. The people of Jaffna were born politicians (hear, hear). They were like the Bengalis, politics was the very breath of their nostrils. He did not attach much significance to the desire of the Hon. the Tamil Member to have racial and proportional representation in the new Council. To him he would only say as Mr. Ramanathan said in the discussion on pilgrimages to the Hon. Mr. Balasingham, that his knowledge was but meagre. Knowing the people of Jaffna as he did, if Mr. Balasingham had made a mistake, the people of Jaffna would put him right when they saw that he was wrong (hear, hear). When the history of that National Congress came to be written after a quarter of a century the name that will be in the forefront of the movement would be that of his friend, Mr. Arulanandam (hear, hear). Like Sir Edward

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Carson, who gave up his practice for Irish politics, Mr. Arulanandam had even allowed his practice to suffer for the sake of the Conference. Then they had got delegates from Chilaw. He saw his friend Mr. C. E. Corea there. If the people of Jaffna were born politicians, the people of Chilaw were born fighters. (laughter). Whether it was a scrap of paper that was torn up or whether it was a treaty unobserved, they are ready to fight and they did not measure their words. They had delegates from Kurunegala, Kandy, Galle, Tangalle, Matara, etc., and that was the occasion in which they should form a National Congress, because not only had they got the various parts of Ceylon represented, but also Indians represented in Mr. Dadhabhoy who represented the Parsees. But it was necessary to educate even public men to take a large view of public and political questions and drown all local sectional interests, place such interests in the back ground, and awaken political consciousness in the less favoured brethren (applause). Communal Electorates were a grave hindrance to self-governing principles. They wanted unity in the country. It might be necessary to make small concessions for a limited period to recognized minorities, but it was only a weak community that would seek such protection. Britain helped those who helped themselves. (cheers). He did not blame the British altogether, he blamed himself. He blamed his own community who with their little interests and their little sectional differences, had been fighting their little social battle leaving the larger questions which had been fought out in India, severely alone. They must now take the larger vision. It had been suggested to add to the National Anthem what was called the Empire verse, which was as follows and which they should be able to sing with heart and soul, but could they?

Wide o'er the linking seas
Polar and tropic breeze,
Our song shall bring,
Brothers of each Dominion
Bound but by Freedom's chain,
Shout, as your Sires, again--
"God Save the King!"

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Could they take part in the singing of the National Anthem as "brothers of each dominion, bound but by "Freedom's chain?" Now was the time to mobilize their forces, their men and their resources and form a National Congress on the lines of the Indian National Congress which has done so much for India (applause).

MR. E. T. DE SILVA in seconding the resolution said :—

This resolution has been proposed not by a mere novice in the art, but by a trained and skilful speaker whom we welcome back into the active political arena freed, from his military fetters. So the task of the seconder is easy and in view of the fact that other gentlemen are to follow me, I will condense my remarks. I confess to a sense of peculiar elation in having this particular resolution allotted to me. Five years and some months ago on my return from England against my will and personal inclination I stood on this very platform to support a resolution at a public meeting at the imperative bidding of the much lamented Hector Jayawardene. At the time certain criticism was being levelled at the frequency of public meetings. I, for my part ventured to hail as many meetings as possible culminating some day in an Annual Congress in which the events of the year would be brought under review. Since then the short space of five years has been crowded with momentous events. Abroad world war has shaken the accepted opinion of men to their very foundations and we are on the threshold of what the historian of the future will call the Wilsonian Age of Liberty and self-determination (applause). At home cruel proposals of taxation, callous indifference to distress caused by pestilential epidemics, mismanagement of our national concerns, have revealed to us the helpless and galling state in which we live under the present Constitution of Ceylon. Therefore it is we want an organisation representing the united body of the various associations scattered throughout the land to speak with no uncertain voice and to formulate our demands—the undoubted, the unquestioned and the accredited mouthpiece of the people of Ceylon on all matters political (applause). It is true the wisdom of a good Governor has given us a splendid Council just at present, but that is an accident not likely to recur again. In future both the Government and Public will have to look to our Annual Conference for the expression of the wishes of the people.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

When reforms come, like the Labour or Irish Convention this Conference will direct official representatives in our local Westminster. Ever so long ago as a school boy I believed in entering a prohibited area. I heard Mr. Dornhorst say in this very hall at a great indignation meeting "We will shew the Government the Ceylonese Worm can turn." (applause). Well, gentleman, there is no Ceylonese worm now. We shall no doubt ask for reforms and continue to ask for reforms in the language of sobriety in a spirit of self-restraint, but we shall do so with a full consciousness of our rights and of our place in the scheme of things. We are no longer a worm which can occasionally turn, we are not even political mendicants but educated citizens.—(applause) some of whom have seen with their own eyes and heard with their own ears the greatest British Statesmen—speaking on behalf of themselves and their uneducated brethren whom the niggardly educational policy of the Government keeps in ignorance still. Be it remembered Mr. Montagu has conceded the right of the educated citizens to speak on behalf of their uneducated fellows. Yet a certain newspaper with the hypocritical unction of the German Kaiser says it is the sacred duty of the British Government to save the common people from the educated section. But perhaps someone of you will say no practical good will result, our discussions will be futile and our resolutions useless. History—particularly that of India—proves that it is not so. The late Marquis of Salisbury said every Government, however organised has to listen to public opinion. This month a certain Treasurer had to beat a hasty retreat perhaps according to plan and in good order under the fire of the financial survey of the Island by an unofficial member and a certain Bill is to be withdrawn (applause). We can carry our grievances to England, to the Indian Congress as we have been invited to do last evening but I do not wish to poach on the subjects of the other resolutions. But there is a more cogent reason. The British Empire is founded on justice and is going to last through the ages to come. Unjust Empires, deaf to reason and building their sway on might have their day and cease to be. It is true this resolution speaks of a periodical Conference, but I hope it will be an annual Conference with standing committees engaged throughout the year in active propaganda.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

We have gone to the town— we have to go to the villages as well. We have to undertake the political education of the masses and make straight the path of self-government. It is a huge task but we cannot flinch—We have turned over the page of spasmodic agitation and the resolution is meant to ensure continuity of action, An accusation has been brought against us that few of our public men leave a permanent mark in public life. That must be so till we are associated in the work of administration—But I believe this Conference will encourage political research, the tabulation of facts and figures, and the writing of political treatises. I confess we are far behind India in this respect. There the statesmen have dived deep into political problems and are masters of statistics I hope also this Conference will destroy what the Chairman described last year as the main paralysing influence of our public life, the scramble for nominated seats. (applause). Some men of remarkable talents but greedy of honours run with the hare and hunt with the hound to stand well with Government and people. Let the prize of public life—if some people care for a prize—till reforms and elections come and aye after that—be the presidentship of the Congress. This year by unanimous consent we have elected the revered leader—the scion of a distinguished house which has always championed the people's interests (loud applause)—and on behalf of the younger generation we thank him for giving up the ease of retirement at our call to fulfil the strenuous duties of leadership. The convocation of a periodical Conference will achieve great results. The experience of age and the enthusiasm of youth will re-act on each other. During these years I have observed a certain restlessness in the younger generation—they have been sheep without a shepherd. They will have work to do now and your words, Sir, with reference to the youth will strike a responsive chord. I assure you, Sir, the young men will respond to virile leadership (applause). Again the Conference will achieve this grand result—it will lead to the growth of a genuine democracy and the stimulation of the political imagination. You will have noticed this Conference was open to the public and any member of a political association could take part in its deliberations. This is not a game of leaders nor have the organisers of the Congress any desire like Cato to give their senate laws and

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

sit attentive to their own applause. If anyone has anything of public import—no matter his position or his wealth—he is welcome to participate in political debate with due regard to the conveniences of time and the conduct of the meeting. As time goes on, differences of opinion may arise. Some may be too slow—others may want to go too fast. In our deliberations we shall not descend from the plane of chivalry—(applause). We shall not get wild like a certain Official—but will realise our mutual obligations. In the long run the weight of the majority will prevail. I wish to say one last word. You referred to it correctly last evening, Sir. It is very well to have a permanent organisation; it is well for our generals to plan the campaign and evolve the lines of strategy. We can rely on the constructive brain of an Arunachalam, the studied caution of a Peiris or a Samarawickrama, and in a moment of danger a Jayawardene will come to the rescue. But we want the guns, the ammunition, the paraphernalia of warfare (applause)—the poisoned gas we shall leave to the reactionary champions of bureaucracy. In short we want the sinews of war. In India the merchant friends and the great landowners subscribe lakhs and lakhs for political purposes. I want every one to realise that material prosperity follows in the wake of political freedom and that even from a commercial point of view it is good business to support us. But there is also the larger cause of our children. I hope that before we meet next year we shall have collected a lakh of rupees the interest of which will keep our Conference going. A noteworthy example has been set us by the gentlemen who will throw the doors of his mansion wide open to us in appreciative hospitality (applause). With the greatest pleasure in the world I beg to second this resolution, calling into being a periodical Conference in the germs of which I see the beginning of our Home Rule Parliament. (Loud applause).

MR. M. A. ARULANANDAN in supporting the resolution said :—

Mr. Chairman, fellow delegates, ladies and gentlemen. In the first place I desire to strike a personal note. I am thankful to my friend and fellow delegate of the National Association, Mr. E. W. Jayawardane, for the generous appreciation of the little spade work that I was able to accomplish in connection with this Conference under the guidance of the organising committee drawn

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

from various associations throughout the length and breadth of this beautiful island. The subject of the resolution is as large as our love of our ancient land, but the time allotted to a mere camp follower of the reform movement like me, is exceedingly short. The papers have said that the Reform Conference meets under the happiest auspices. But that is not altogether true, for the forces of reaction have reared their hated heads in the sentiments expressed by the Burgher Member in Council. He insisted that racial representation should be perpetuated. He was further of opinion that the official and unofficial members of the Legislative Council should be equalised. But we know what the result of the equalisation would be. Let us be clear about the ideals of our reforms. We want the unofficial members to have a potential voice in the administration of the country. Racial representation had been condemned in the most unmistakable terms by the distinguished authors of the Report on Indian Constitutional Reforms. I desire to appeal through you and the recording angels of the Press to my Burgher fellow-countrymen to approach the consideration of this all important question with the old warning of the Church "Sursum Corda" (lift up your hearts) I desire the Burghers to lift up their eyes and to consider the position of the Parsee community in India. How is it the paltry 100,000 Parsees among 350 million of Hindoos and Mohammedans are possessed of such political influence and power that they have a hundred times more members on the elected Indian Councils, than their numbers entitled them to (applause). It is because at least for political purposes they have made the cause of the Hindoos and Mohammedans, their own, and have been in the forefront of the fray, fighting for the amelioration of the people. Was not the Grand Old Man Dr. Dadabhoy Naorojie worshipped as a National hero by the Hindoos and Mohammedans? And was he not a Parsee? (Applause). Was not Perosha Mehta returned repeatedly by an overwhelming majority of Hindoos and Mohammedans? Let us hope that the large-hearted patriotism of a race which gave us a Lorenz—aye gave the Ceylonese a Charles Ambrose Lorenz—is not altogether dead. Do you remember the familiar lines :—

"Will you walk into my parlour
Said the spider to the fly."

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

The Hon. Mr. Vanderwall seems to think that all the communities of the island including the Europeans, are spreading out a web to catch the unwary Burgher fly and eat him up. Cannot the Burghers understand how nonsensical all this pusillanimity is? We must therefore point out to them the error of their ways, as to a brother who would wreck the family by his selfish perversity.

Reverting strictly to the subject of my motion, now that you have approved of all the principal resolutions, it follows as a necessary corollary that we must pass this resolution which I have pleasure in supporting. Why are we fostering the reform movement which we have all gathered here to bless? In the adapted words of the late Mr. Gokhale it is because, we want our men and women to be in their own country what other people are in theirs (hear, hear). It is because we want our men and women without distinction of race, caste, or creed to have opportunities to grow to the full height of their stature, unhampered by cramping and unnatural restrictions (applause). It is because we want our country to take her rightful place politically, industrially, in religion, in literature, in science and in arts in the great British Commonwealth of Nations (loud applause). Do any of you believe that this high destiny can be accomplished under the present ante-diluvian Bureaucratic system of Crown Colony administration? The facts, figures and arguments marshalled out so learnedly and eloquently by our worthy President in his luminous address delivered some time ago before the National Association entitled "Our Political Needs" answer the question emphatically in the negative (hear, hear).

The world is progressing so rapidly, said Mr. Lloyd George, that it is covering at one bound the space of many centuries. I hope we are in this world and not in the world of political Rip Van Winkles, like the dear old Burgher member of our "whited sepulchre" the Ceylon Legislative Council (applause). What is the goal of our ambition? What are we out to claim for ourselves and our children? We want everything that any other nation may claim for itself; to be free in Ceylon, as the Englishman is free in England. To be governed by our own men, freely elected by ourselves; to make and break ministers at our will; to have

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

our own army and navy; (hear, hear) to levy our own taxes; to to mine our own ores; to mint our own coin; and be not unworthy of our own ancient tanks (hear, hear); to irrigate our own lands; and be no unworthy partner in the British Commonwealth of Nations, sending our sons to the Imperial Council of the British Sovereign (hear, hear). A large claim you say! But does the Englishman ask less for himself in England? Do the Australians, a nation of yesterday, who in 1821 consisted of a paltry 30,000 people mostly descended from convicts, ask for less in the country of their adoption? Are the Americans, perhaps the only nation in the world whose principles and practice coincide, content to concede less to the polyglot population called the Philippinos? Why then should we, with 25 centuries of civilization as great in many respects as that of India, ask less for ourselves in our ancient land? (Hear, hear). It is to accomplish these objects, worthy of the noblest human endeavour, that I stand here to commend to your acceptance this resolution which has been so ably proposed and seconded? The path of duty lies clear before us. Those who are dissatisfied with the present conditions must speak out truly, sincerely and firmly—as my redoubtable friend Mr. H. A. P. Sandrasagara has done to-day (hear, hear)—not to destroy but to mend. Let us pray with the poet Wordsworth.

"Give unto me made lowly wise
The spirit of self sacrifice."

Self-sacrifice is the only pathway to freedom, and everyone of you here present to-day can do something, however little, to popularise the ideal we are determined to reach in the not distant future. There are some who think that, because they can do but little, it is useless to do even that little. No idea can be more fatal. Do your little, however apparently unfruitful, for it is those who work, every man according to his ability, indifferent as to whether the result be great or small, or even apparently nought—it is such as these who are true Nation Builders. Yes, every brick has its place, and even the stone which the builders rejected may become the head of the corner (Cheers).

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

The strength and endurance of the edifice depends upon the smallest element that enters into its construction.

Work therefore as if you alone are working for, no true work can want long for labourers, if but one true workman remains at his post. The British Empire itself depends upon the continual self-sacrifice of its citizens upon the altar of their ideals. The present war which has happily ended victoriously for the Allies, has shewn that Britain is still capable of self-sacrifice for the sake of principles, and that the spirit which led to the abolition of slavery still flourishes in Britain with redoubled vigour. We need not therefore despair. The grant of responsible Government will come to us from Britain, whatever local bureaucrats may say. When has a bureaucracy willingly divested itself of power? And when have those who have fattened on the favours of the bureaucrats, ceased cursing the rising tide of popular liberty? History records no such miracle. '*The Times*, has already begun to entertain fears of Bolshevism in Ceylon and is setting up the bogey of "sedition, disorder and anarchy." Let us not be deterred by such camouflage. Macaulay has taught us that England and all other countries owe "to agitation a long series of beneficient reforms which would have been effected in no other way." You all know the beautiful Bible story of the pool of Bethesda. The placid waters brought no healing. An angel went down at a certain season into the pool and troubled the water. The season is upon us.

How many of you are willing manfully and fearlessly to play the part of the angel to bring political health and national self-respect to our deformed country waiting for the moving of the water (cheers). I have been condemned in certain quarters as an impatient idealist. Let, Sir, Dr. Rash Bihari Ghose answer these carping critics. After setting forth to an audience of 5,000 people the ideal of self-government for India in the Madras Congress of 1908, the learned Dr. proceeded "we are not impatient Utopians filled with ecstatic visions; for we know of no Talisman which can make a nation in an hour. We know that our hopes are not likely to be realised in a day. We know that for years we may not have even a Pisgah sight of the promised land. But to blot out the ideal is, according to the Greek saying, to take

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

the Spring from out of the year. It is at once our solace and our inspiration, our pole-star to guide us. Our triumph may be remote, but depend upon it we can never suffer permanent defeat. We are determined to fight the good fight with inextinguishable faith, with unwavering hope and strenuous patience, nerved and sustained by the conviction, that a just cause can never fail with the people of England (applause). In quietness and confidence shall be our strength and persuasion and discussion shall be our only weapons." This was in 1908; but now within a decade India is in sight of the promised land. I therefore support this resolution with all my heart, in the full hope and confidence that the Ceylon National Congress which we are inaugurating to-day shall be the outward and living symbol of the demand of United Ceylon for the realisation of full responsible Government within the British Empire. It is no use holding a session for a day or two and going to sleep, the rest of the year. Let us here and now resolve in our hearts to take a vow, and enter into a solemn league and covenant before God and man that we shall not rest from these labours until we have secured for ourselves and our children the great and inestimable blessing of self-government. (Prolonged applause). Let me recommend to you as our war cry the trumpet note of Allan Octavian Hume aptly called the father of the India National Congress;

"What avail your wealth your learning
"Empty titles, sordid trade?
"True self-rule were worth them all
"Nations by themselves are made."

(Applause).

Mr. C. W. W. Kannangara in supporting the resolution said:—The case for the establishment of a permanent Congress, Convention or Conference, call it by whatever name you like, has been so well made out by the proposer and the seconder of this resolution that hardly any words are necessary from me to support it. Resolutions Nos. 2 to 7 that have been discussed at this Conference are in themselves proof of the necessity for a permanent organization. That very liberal reforms should be introduced into our constitution, that our Legislative and Executive Councils should be enlarged, that there should be elected majorities in our

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Council, more popular control of Municipal Councils, larger employment of Ceylonese in the more responsible and higher branches of the Civil and other Public Services, larger grants for education, greater support and encouragement to agriculture and local industries, abolition of the iniquitous and inequitable poll-tax are a few of the more important matters that require our attention. Even in these matters, it may be that, although we are agreed as to the general principles, we differ as to the minor details. Moreover, we may not see eye to eye as to the best ways and means to be adopted for the realization of these objects. In political matters, as in all other things, the saying *quot homines tot sententiae* is as true as it is familiar. Each man has his own views and opinions. Every village, district and provincial association has its own. If we, therefore, individually and independently of each other ask for what we think best, it would, in the ears of the Local and of the Home Governments, be like the confusion of tongues at Babel of old, and the tower of our political aspirations must crumble to the dust. If we are to succeed, it is essentially necessary, that we should meet on a common platform, as we have done at the last Conference and this, and put our heads together and discuss these matters. The greatest fellowship and best understanding should prevail amongst all who desire to work for the political regeneration of their country. An organized body like this Conference tends to bring about unity and arouse interest and selfless devotion in the members for the preservation of the whole and the more so if it becomes a permanent body. This will be the primary duty of a Congress. We must know each other better, consult each other's views, find out each other's wants and submit all our united prayers in a loyal and constitutional manner (hear, hear). United we stand, and the united prayers of four million inhabitants of the Premier Crown Colony of the British Empire are bound to be granted. It may only be a question of time and perseverance. As you see from Resolution No. 10 on this programme, we might have to carry our agitation far beyond the confines of this our native isle to that sea-girt home of freedom and unrestricted civil and political rights, where dethroned Kings and Emperors seek refuge, and lay our grievances at the feet of His Majesty and before his

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

trusted Councillors (applause). Half-hearted, sporadic and occasional efforts will never suffice. We must knock and keep on knocking until the door shall be opened unto us. We shall require large funds and self-sacrificing able men for this task, but nothing is impossible to organized effort which alone will be able to gather the funds and pick out the men. The organization should be a permanent one with a constitution to be strictly followed and officers to discharge their respective functions. If it is not permanent it will lack in unity, wane in interest, and deteriorate in vitality, and sustained effort will become impossible for want of cohesion of the different parts. Ours is though technically speaking, a cosmopolitan community, comprising units of different colours, races, castes and creeds. What is good for one may not in each and every little detail be good for the others, and therefore there is need for the best men of a most representative character of the type you find in this assembly to unite in a permanent body irrespective of caste, colour or creed. From year to year and right through every year they must consult each other, eradicate what is harmful, eliminate what is unnecessary, assimilate what is essential, and submit in a thoroughly loyal manner the result of their labours and deliberations for the greater good of the community. Moreover, the voice of an organized body can never exist by the side of even a most stubborn and autocratic Government for any length of time without influencing it for good and rectifying its errors (applause). It may perhaps be that at the first a deaf ear will be turned to our cry but then, if we keep on crying in a body, we shall soon convince those in authority that our demands are just and well-deserving. The Great Congress of the neighbouring continent met with repeated failure as the result of very strong opposition from several quarters and it was laughed at and taken no notice of, but they worked persistently and systematically, and now they have outlived the days of scorn and derision, overwhelmed their enemies and been recognised by the Government. Their efforts are about to bear fruit, for as is well-known to every one, they are on the eve of getting a very substantial measure of what they have persistently been asking for since its inauguration in 1885 for the ast 33 years. The secret of its success is that it is a permanent

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

and thoroughly representative body, well organized by the best brains out of a population of about 350 millions. They work on a common basis irrespective of all social, racial, and religious differences. They have appointed various bodies to work in unison with them. There are Congresses, Committees and other political bodies in the different districts and provinces of India itself, and they have even appointed a permanent British Committee to enlist the sympathies of the liberty-loving and good-hearted people of Britain, and sent out from time to time capable Indian representatives to agitate for them in England, and place their case in person before the British public who can then judge the type of man that educated on Western lines, craves for Western institutions (applause).

I might refer here to the remarks of a great Englishman who after hearing the famous Indian Patriot, Surendranath Bannerjee, said that, if there were ten men like him in India, they were deserving of self-government. I am sure, if they heard an address from Sir Ponnambalam of the type of the Presidential address of yesterday, they will say that for his presence alone Ceylon was deserving of self-government. Our way, too, may be long and dreary. We may also have to take the same constitutional steps. We require guidance, help and sustained effort to reach the goal. There is no alternative, a permanent Congress must be formed on a constitutional basis, and it will be the pillar of cloud by day and the pillar of fire by night which will lead the masses of our countrymen to the blessed life of political freedom and equal rights and liberties under the glorious and ever-victorious British flag. Gentlemen, I have very great pleasure in supporting the motion (applause).

Mr. D. S. Senanayaka moved that a Committee consisting of the following gentlemen be appointed to draft the Rules and Constitution of the said organisation, viz:—Messrs. James Peiris, A. St. V. Jayewardena, E. J. Samarawickreme, G. A. Wille, Francis de Zoysa, F. R. Senanayaka, D. R. Wijewardena, M. A. Arulanandan, C. E. Corea, Sir A. Kanagasabai, Hon. Dr. H. M. Fernando, Hon. Mr. A. Sabapathy, Messrs. P. B. Godamune, F. A. Obeyesekera, G. A. Abeyewardena, H. A. P. Sandarasagara, A. V. Dias, J. W. de Silva, L. W. A. de Soysa, W. M. Rajapaksa,

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

E. T. de Silva, M. B. A. Cader, J. W. Silva (Panadura), Dr. E. V. Ratnam, Messrs. S. J. K. Crowther, W. A. de Silva, H. L. de Mel and D. C. Senanayaka (with power to add to their number).

DR. HEWAVITARNE seconded.

Before putting the resolution to the vote the Chairman explained that in that Committee they had only one Burgher member. At present they could think of no other but the Committee had the power to add to their number and they would remedy that difficulty as soon as possible. Further there might be names which had escaped their attention, but all those difficulties could be remedied.

The resolution was then unanimously carried.

Mr. Roland Perera suggested that the names of Mr. C. H. Z. Fernando and Mr. M. T. de S. Amarasekera should be added to the Committee.

THE CHAIRMAN said that the resolution had already been passed, but that recommendation would be carefully and favourably considered.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## The Presidential Address of Sir Ponnambalam Arunachalam, Kt., M. A. Cantab.

AT THE FIRST SESSION OF THE

CEYLON NATIONAL CONGRESS,

11TH DECEMBER, 1919.

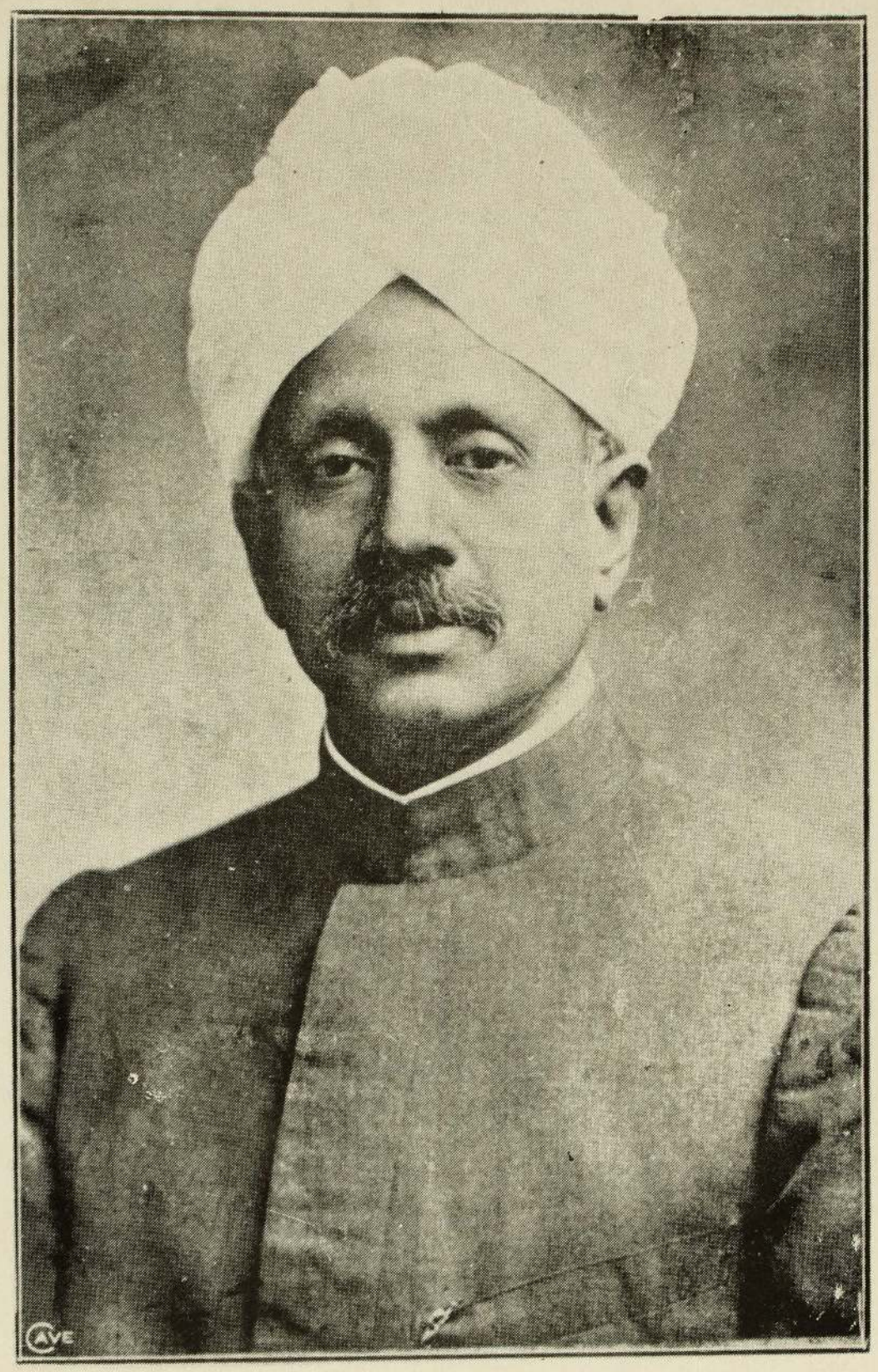
---

BROTHER AND SISTER DELEGATES,

To-day Ceylon has realized the hopes and wishes of many years and hails the birth of the Ceylon National Congress. It is no small privilege for us to have lived to take part in this great gathering, which marks a memorable epoch in the history of our Island. You, who have worked for it with zeal and devotion, cannot but feel the liveliest satisfaction and joy. By the inauguration of this Congress we proclaim that we have done once for all with our petty differences and dissensions and that, whatever one's creed, race or caste may be, if only in the memorable words of our Island Chronicle the *Mahawansa,* he "makes himself one with the people," he is a true son of Lanka, a true Ceylonese, and entitled both to serve our dear Motherland to the best of his power and to enjoy in the fullest measure the advantages and benefits she offers.

To me the Congress is the fulfilment of dreams cherished from the time I was an undergraduate at Cambridge. During those never-to-be-forgotten days it was my good fortune to be a member of a College which has maintained the great traditions of Milton and Darwin, to live in intimate communion with youths of high ideals and intellectual calibre, to come under the influence of thinkers such as Sir John Seely whose insight and learning have illuminated and fertilized modern history and political science. In the clash and interaction of minds from daily intercourse and discussion with fellow students and teachers—the most precious gift of a university to its alumni—and under the spell of the vision of Italy newly risen from the torpor of centuries, there dawned in the minds of us Oriental students the idea of a national Renaissance of India and Ceylon. The seed

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org



SIR PONNAMBALAM ARUNACHALAM

(President 1919—1920)

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

was then sowed which one of the noblest sons of India, Ananda Mohan Bose, with kindred souls nurtured till, a decade later, it blossomed into the great Indian National Congress with which the world is familiar. Under the same beneficent influence another dear friend, the late Justice Syed Mahmood of the Allahabad High Court, laid the plans of the great Mohammadan College of Aligarh, which is imperishably associated with the name of his illustrious father Sir Syed Ahmed Khan and has proved so potent a factor in the intellectual and political regeneration of the Mussalmans of India. Ceylon, which had become "a fen of stagnant waters," was scarcely accessible to those ideas. The enthusiasm of one or two youthful Ceylonese, who had been touched by the breath of that spirit, was quenched in an atmosphere where comfortable moles with their barren optimistic sophistries ruled.

About the year 1876 a young Englishman from a small town in the neighbourhood of Cambridge, William Digby, joined the staff of the *Ceylon Observer*. He was poorly equipped with the world's goods, but was gifted with a large heart, a far-seeing vision, a profound faith in England's mission as the guardian of liberty, "a bulwark of the cause of man," whom "no guile seduced, no force could violate" and with an indomitable resolution to help as far as he could in that mission. Taking up the mantle of another great Englishman, George Wall, the friend and champion of the peasantry of Ceylon and the sturdy defender of public rights, Digby became an ardent advocate of constitutional reform. He set forth his views eloquently, together with a constructive scheme, in a pamphlet entitled "An Oriental Colony ripe for Representative Government." It was published in 1877, but to his bitter disappointment fell utterly flat on the Ceylon public. Shortly afterwards Digby left Ceylon to take up the editorship of a leading newspaper in Madras, and during the terrible Madras Famine rendered invaluable service which earned for him from the Sovereign the honour of a C.I.E. Transferring his activities to England, he edited influential journals, founded the Indian Political Agency

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

in London, conducted *India*, the organ of the Indian National Congress, was Secretary of the National Liberal Club, London, and was made an Honorary Member of the Cobden Club in recognition of his successful efforts, in co-operation with George Wall and Governor Sir Arthur Havelock, in securing the abolition of grain taxes and revenue-farming in Ceylon. He died prematurely in 1904, to our and India's irreparable loss. Four years later, when the reactionary administration of Sir Henry McCallum and his lieutenant Sir Hugh Clifford had at last roused Ceylon from her sleep, Digby's pamphlet being republished received its first meed of public recognition and appreciation. The history of these later days, in which Mr. James Peiris, Mr. H. J. C. Pereira and others played so prominent a part and wrested from a reluctant Government a slight measure of reform in the constitution of the Legislative Council, is well-known. The popular discontent was not stemmed by this niggardly concession, and later received a vigorous impetus from the tragic events and misrule of 1915. The wave of constitutional agitation has marched on, and we are now almost on the crest. When our goal is reached and we rear our Valhalla, the names of these two Englishmen, George Wall and William Digby, will ever hold honored places in that hall as now in our hearts.

It is difficult for us to understand the opposition of some of their countrymen in Ceylon to our Reform demands, which seek only to substitute for one form of British administration, which we have outgrown and which is impeding our development, another form more suitable to our needs and conditions. Our destinies are indissolubly bound up with England. We have the most perfect confidence that within her fold we can attain the fullest development of our national life, and that the obstacles placed in our path by officials and others, who are out of harmony with the great ideals of the King and his statesmen, will be swept away when once the true facts are placed before them by a united people. Is not our very demand a proof of that confidence and a tribute of our affection? Three quarters of a century ago Lord Macaulay said: "It may be that the public mind

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

of India may expand under our system till it has outgrown the system, that by good government we may educate our subjects into a capacity for better government and that, having been instructed in European knowledge, they may in some future age demand European institutions. Whether such a day will ever come, I know not. But never will I attempt to avert or to retard it. Whenever it comes, it will be the proudest day in English history." That long-looked-for day has arrived and should be welcome to every true Englishman as it is to us. The whole of our Reform movement is designed to impress this fact on the Government and people of Great Britain and on their servants here, and to indicate how best to utilize it for the happiness and contentment of the people of Ceylon and the stability of the Empire.

During the last five years it has fallen to me to speak and write often and at length on our aims and endeavours. My views are well-known to you all and scarcely need repetition. They are in harmony with the "Case for Constitutional Reform in Ceylon" published last September and submitted to the Imperial and local Governments by the Ceylon National Association and the Ceylon Reform League. On the 20th of that month I addressed a monster Sinhalese Conference at Colombo and again on the 24th I spoke on the Present Political Situation. To-day I must be brief, as we have a very heavy programme to go through and there is a large number of ladies and gentlemen of talent to address you. When I last spoke, we were under a cloud of disappointment and our hearts were vexed—but, I am glad to say, by no means daunted—by the attitude of the authorities. Our repeated memorials and demands had been evaded and put off; questions in the House of Commons met with no better response; not an inkling was given of even the outlines of the Government policy in regard to Reform; the delegates whom we appointed to submit our views to the Secretary of State personally were refused a hearing. But we persevere, and our perseverance prevailed as it was bound to prevail. Viscount Milner, as soon as he was put in possession of the true facts as regards the representative character of the delegates, received the Deputation most

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

courteously. It was headed by Mr. H. J. C. Pereira, who put our case so forcibly and eloquently as to impress Lord Milner and to elicit from him well-merited compliments. We cannot be sufficiently grateful to Mr. Pereira. Nor must we omit to express our deep gratitude to Mr. D. B. Jayatilaka and Mr. E. W. Perera for the invaluable service rendered to the people of Ceylon as their delegates during four years in England. We rejoice to welcome them all back home and to see them here to-day among us to inspire and invigorate us by their presence and example.

Lord Milner has deferred a final decision until he has had an opportunity of personally conferring with the Governor Sir William Manning in the spring. By one of the resolutions which will be put before you, you will be asked to take steps to nominate a fresh Deputation to proceed to England and keep in touch with the Secretary of State, the Parliament and the British people while the Reform measures are receiving their final shape in Downing Street. This is a very necessary precaution. Of what avail is all the labour of ploughing and sowing, of manuring and watering, if the growing corn is not guarded and made safe until it is reaped and garnered ? You will also be asked to appoint a Deputation to wait on His Excellency the Governor and enlist his sympathy and support.

The delay that we have been deploring on the part of the local Government and of Downing Street is not without its compensations. The Indian Reform Bill has passed through the furnace of examination and criticism by an influential Committee of both Houses of Parliament. It is now in its final stage and is expected to be law before Christmas.* From the official telegraphic summary available to us, the Bill appears to have been improved in Committee, but not sufficiently to satisfy Indian public opinion. Indian administration is beset with difficult and complicated problems, which have been successfully used by reactionaries to frighten the Committee. None of these difficulties exists in Cey-

*According to cables received from London, the Bill passed both Houses of Parliament and received the Royal assent on the 19th December, 1919.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

lon. She has, moreover, enjoyed for centuries the inestimable advantage of autonomous and ordered rule. It has always been our contention that we are fit for, and ought to have, a far more liberal constitution than India, and that no part of His Majesty's Eastern dominions is so well fitted for the realization of the British ideals of liberty, self-development and self-determination. The Royal Commissioners of 1829-30 expressly declared that they wished to see Ceylon a political model to the rest of Asia. Twenty years earlier, in 1809, the creation of a Legislative Assembly on the lines of the British House of Commons was recommended by Sir Alexander Johnstone after a careful investigation and was approved by the Secretary of State, and only failed to become law by the accident of a Cabinet change in England. A strange destiny has hung over Ceylon, and she has ever since been wandering in the desert, and the British authorities are still pondering over the granting of a constitution less liberal than was deemed suitable over a hundred years ago. Can it be a matter of surprise that the people of Ceylon, with a knowledge of these facts of early British history in Ceylon, a knowledge of the history of their own civilization and autonomous government for over twenty centuries, a knowledge of the pledges given for the preservation of the people's rights and privileges, laws and institutions, by the British Government at the great Convention at Kandy in 1815, when the people chose the British Sovereign as their Sovereign,—can it be a matter of surprise that the people are impatient at the long-drawn-out delay in reforming their antiquated form of administration ?

The following statistics show the progress, material and moral, which Ceylon has made even under the present cramping conditions. How much greater might have been her progress, if she had not been during all these years kept tied to the apron-strings of bureaucracy !

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

| Year | Population | Revenue | Expenditure | Exports | Imports | Tonnage Shipping entered and cleared | Schools | Scholars |
|---|---|---|---|---|---|---|---|---|
| | | £* | £ | £ | £ | | | |
| 1834 | 1,167.000 | 377,952 | 334,835 | 145,834 | 372,726 | 153,510 | 1,105 | 13,891 |
| 1917 | 4,475,922 | 1,465,458 | 4,289,044 | 20,462,996 | 12,343,058 | 6,153,778 | 4,213 | 395,810 |

Many of us are firmly convinced that Ceylon is ripe for responsible government, such as Australia, Canada, South Africa, Newfoundland enjoy, and would make a good use of the powers if they were granted to her, though no doubt blunders will occur as even under the present form of government. But we are at present asking for much less than responsible government; we are asking for a step, but a substantial step, towards the realisation of responsible government by Ceylon as an integral part of the British Empire. The first Resolution, which will be submitted to you by Hon. Mr. P. Ramanathan, the elected representative of the Educated Ceylonese in the Legislative Council, states the minimum that will satisfy us—a Legislative Council of about fifty members, of whom at least four-fifths to be elected according to territorial divisions on a wide male and restricted female franchise and the remainder to consist of official members and of unofficial members representing important minorities; the Council to be presided over by an elected Speaker, and to continue to have full control over the Budget, and without any such strange division as is proposed for India of reserved and transferred subjects; an Executive Council consisting of the Governor assisted by official and unofficial members, of whom at least one-half to be chosen from elected Ceylonese Members of the Legislative Council and to be responsible for the administration of Departments; and the Governor to be one trained in the parliamentary and public life of England.

* £1 is taken as equivalent to Rs. 10 in 1834 and Rs 15 in 1917.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

We venture to hope that our moderation will be appreciated and will be met in a friendly and sympathetic spirit. The country has been for many years in a state of ferment. It needs no great gift of statesmanship to realize the imperative need of ending it by the prompt carrying out of a wise and sympathetic policy. The highest authorities in India have repeatedly declared that "time is a factor of vital importance in the Reform question," and are pushing the Indian Reform Bill through Parliament to make it law before Christmas. In Ceylon there has not been even a declaration of policy. As to the details of the Re forms, a mere increase of elected members in the Legislative Council will not be enough. It would only make the Council more of a debating society than ever and add to the opportunities of friction. Nor is it for the mere loaves and fishes of higher appointments we are hungering. Ceylonese officials would doubt less be more in touch with the people than Europeans, more sympathetic and more amenable to public opinion. But they would be a bureaucracy still and liable to all the failings of a bureaucracy not responsible to the people. A Ceylonese bureaucracy has no special attractions for us; it would be scarcely less detrimental than a European bureaucracy to the development of the spirit of freedom and of responsible government in Ceylon. In order to check the paralysing influence exercised over the life of the people by the army of subordinate Ceylonese officials responsible only to European officers, the first Resolution also demands complete popular control of purely local administration by a wide extension throughout the Island of Municipalities, urban and rural District Councils and Village Councils, with elected chairmen and substantial majorities of elected members.

The second Resolution deals with the Local Government Bill now before the Legislative Council, and urges the necessity for amending it as well as the Municipal Councils Ordinance of 1910. The Central Local Government Board under the Bill is an official-ridden body without any responsibility to the people, and is invested with powers the exercise of which will strangle all local initiative and autonomy. We ask that this Board should have a

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

large elected majority; that its powers should be restricted to guidance and advice, to giving the local bodies the benefit of centralized experience and specialist knowledge and of independent inspection and audit, and thus secure the indispensable minimum standard of efficiency; that the Rural District Councils should have the same elective constitution as the Urban; that Municipalities should be extended throughout the Island and be subjected to complete popular control by means of a four-fifths elected majority of members and an elected chairman. The Village Councils, democratic institutions based on adult suffrage, which have come down to us from time immemorial, but are now woefully crippled under a highly centralized British administration,—we ask that they should be restored to their ancient power and prestige and made efficient and thoroughly popular in fact as in theory.

The third Resolution deals with the very important question of the present System of Taxation, which is highly inequitable and falls heavily on the masses of our people. We ask for a Commission to undertake a comprehensive revision of the taxation with a view to lighten their burden. This important question has always been shirked by the Government. Sir West Ridgeway, it is true, appointed a Commission, but it never sat. The inquiry we demand is an indispensable preliminary to any change of taxation. But successive Governors have without it embarked on radical changes, springing them on the public to meet so-called emergencies, rushing them through the Legislative Council with the help of an obedient official majority against the wish of the people. Such hand-to-mouth legislation, especially in the realms of finance and taxation, is very detrimental to the public interest.

The Resolutions on Education will have your hearty support. Resolution IV asks that a much larger proportion of the public revenue than is spent at present should be set apart to provide adequate funds for the vigorous prosecution of education, in view of the deplorable amount of illiteracy in our population, the decline of indigenous industries and agriculture

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

and the poverty of the masses. Scarcely 5 per cent. of our revenue is now spent on education—a most inadequate recognition of the State's responsibilities, which puts Ceylon to shame by the side of the American Colony of the Philippines where over 32 per cent. is spent, and by the side even of purely Indian-governed states like Mysore and Baroda. There should be universal compulsory education up to the age of 14, and an efficient system of industrial, agricultural, commercial and technical education.

Resolution V deplores the neglect of Higher Education in this Island, the failure to establish the Ceylon University long asked for, or even the long promised University College. It is disheartening to think of the little impression made on the Ceylon Government by the agitation which has been going on for nearly a quarter century for the establishment of a Ceylon University. The strong public feeling on the subject led to the establishment of the Ceylon University Association in January, 1906. In spite of all its efforts we are not much nearer our goal, though there is no dearth of professions and promises. In fact the indifference of the Government in the matter of Education is one of the chief arguments in favour of constitutional reform. It is strongly and widely felt that there is little hope of substantial improvement until the people of Ceylon have full control over their affairs. Education is vital to our welfare and progress and we can no longer consent to leave it to the pleasure of officials who flit across the stage of the Education Department with scarcely a policy and are permitted under our strange system of administration to change at will solemn declarations of Governors and Secretaries of State. Promises and professions, even when embodied in statutes, have not always been redeemed. You know that compulsory elementary education has been on our statute-book for many years, but how little progress has been made! Even in the capital city of Colombo this provision of the law has remained a dead letter, and thousands upon thousands of children are allowed to roam wild in the streets and to swell the criminal population. It

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

needed four years of sustained agitation on the part of the Ceylon Social Service League to rouse the authorities to a sense of their duty. They have at last established three little free schools for the whole city of Colombo.

The very important question of Food Supply is also on our Agenda. We propose to urge upon Government the necessity of taking immediate and effective steps to increase the production of food crops in the Island and to reduce the dependence of the people on India for their food supply. You are aware of the cruel sufferings they have undergone for many months past owing to the restrictions placed by the Indian Government on the export of rice. The pathetic efforts of the people to meet the emergency by increased cultivation have unfortunately been frustrated by heavy rain and flood, which has brought once more to the front the urgent need of protection against these oft-recurring and desolating floods. The Ceylon Government is now at last alive to the importance of the food question. But it is questionable if anything effective will be done until we, whom it most deeply concerns, are in a position to deal with it ourselves after we are invested with the power and responsibility we are asking for. Vast sums of money have been spent in the past by great Governors from Sir Henry Ward to Sir Arthur Gordon and Sir West Ridgeway on the restoration of our ancient irrigation works, but with little benefit to the people. An expert imported from India by Sir Henry McCallum made elaborate inquiries, and wrote an exhaustive report which was shelved and never published. The officials of our newly created Agricultural Department are more interested in tea and rubber than rice, and are little competent to deal with its cultivation; and the future of our food supply is dark and ominous.

This Congress will be memorable, if for nothing else, as the first occasion on which the voice of Labour will be heard in assertion of its rights and with the full sympathy and support of all Ceylon. This is in the fitness of things. The war has taught many lessons: one of the most useful is the value of

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

co-operation. The successful outcome of the conflict was largely the result of the most complete co-operation. Irrespective of race, colour, or creed, men worked and fought and suffered and died, side by side. The kinship of Humanity has come to be understood as never before. To-day we stand at the threshold of the period of reconstruction. The solution of the grave problems which now confront the world depends for its success on a continuance of this spirit of co-operation and brotherhood. Among those problems none is more important than that of Industry, none more menacing to the world's welfare. All over the world a grave unrest has arisen among the workers and been aggravated by the immense increase in the cost of the necessaries of life. Strikes and conflicts have ensued on a large scale, from which Ceylon has not been quite free. It behoves us to take judicious and timely steps to prevent labour becoming as intractable as in Europe and America.

Whatever may have been the view in the past, it is not to be denied that civilized nations no longer cling to the conception of Industry as an institution, primarily of private interest, enabling certain individuals to accumulate wealth, too often irrespective of the well-being, health and happiness of those engaged in its production. The modern view-point is rather that Industry is a form of Social Service, and that for its permanent success there must be ensured to Labour adequately remunerative employment under proper working and living conditions, to Capital a fair return on the money invested, and to the Community a useful service. Labour is, like Capital, an investor in industry. But the labourer's contribution, unlike that of the capitalist, is not detachable from the one who makes it, since it is in the nature of physical effort and is a part of the worker's strength and life. There is another party to industry with a vital interest in it, often ignored, and that is the Community. But for the Community's contribution in maintaining law and order, in providing agencies of transportation and communication, in furnishing systems of money and credit and

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

in rendering other services, all involving continuous outlay, the operations of industry would be enormously hampered, if not rendered impossible. The Community, moreover, is the consumer of the products of industry and ultimately provides the wages, salaries and profits distributed among the employers and employees. For these reasons, and because the labourers form the bulk of the population of a country and are ill able for want of organization and education, especially in countries like Ceylon, to protect their interests, it is the duty, as it is the right, of the Community to do so and secure the labourer against exploitation and injustice. There are many good employers in Ceylon, but even they will be glad to be protected against their meaner selves, against the unconscious promptings and temptations of self-interest. All have to realize that labour is not a mere article of commerce, a commodity to be bought and sold, that human life is of infinitely greater value than material wealth, that the health, happiness and well-being of the individual, however humble, is not to be sacrificed to the aggrandizement of the more fortunate or more powerful.

These principles have now been sealed with the approval of the Peace Conference and been embodied in the Peace Treaty. It has taken long to win this recognition. The life of the labourer through the centuries, in the West as in the East, has been indeed a *Via dolorosa*. His sufferings have forced him to form powerful organisations which are now able to protect him in Western Countries. But our own labourers are disorganised, weak and helpless, and it is our duty to protect them until they are able to protect themselves. For some years past this duty has been in some measure realized in Ceylon, and we have attempted to discharge it by means of various organizations such as the Ceylon Social Service League and the Ceylon Workers' Welfare League, which seeks to bring the conditions of labour in Ceylon into conformity with the requirements of the Peace Treaty. You are aware that an Immigrant Labourers' Bill is now before the public, being the fruit of a Commission

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

which inquired into the subject of immigrant labour. The Bill is a laudable attempt to deal boldly with some of the difficult problems of labour and to promote its well-being. But it can hardly be said to have freed itself from the old conception of industry which I referred to, and treats labour mainly as a commodity to be imported by Government and handed over to the employer. It retains in full force the barbarous provisions which subject men and women to imprisonment with hard labour and to fines for breaches of civil contract and other acts which are not offences under the ordinary law. The Bill contemplates the employment of child labour from the age of 10 and makes no provision for the regulation of that labour nor for the education of children. It has nothing to say as to the fixing of a remunerative minimum wage or of reasonable hours of labour, but leaves these and other important matters to the inexorable laws of supply and demand. These and other laws must disappear before the proposed law can be accepted by us or approved by the conscience of the civilized world.

I have trespassed on your time longer than I intended. I pray that the blessing of Heaven may rest on your labours and crown them with success, with happiness and prosperity to every class and section of the people of our dear Motherland, and with strength and stability to the Throne of Our Sovereign. May that beautiful Chant of Universal Love, the *Karanîya Metta Sutta,* be realised :

Sukhinô vâ khêmino hontu
Sabbê sattâ bhavantu sukhitattâ
"Let all living beings be joyous and safe,
May it be theirs to dwell in happiness."

---

## Resolution I.

### REFORM OF THE CONSTITUTION AND ADMINISTRATION.

This Congress declares that, for the better government of the Island and the happiness and contentment of the people, and as a step towards the realization of responsible government in Ceylon as an integral part of the British Empire, the Constitution and Administration of Ceylon should be immediately reformed in the following particulars, to wit :—

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

1. That the Legislative Council should consist of about 50 members, of whom at least four-fifths should be elected according to territorial divisions upon a wide male franchise and a restricted female franchise, and the remaining one-fifth should consist of official members and of unofficial members to represent important minorities, and the Council should elect its own Speaker as President.

2. That the Legislative Council should continue to have full control over the budget, and there should be no division of reserved and transferred subjects.

3. That the Executive Council should consist of the Governor as President assisted by official and unofficial members, of whom not less than half should be Ceylonese unofficials chosen from the elected members of the Legislative Council. With the view of affording them administrative experience, such Ceylonese members should be made responsible for the administration of Departments placed in their charge.

4. That the Governor should be one who has had parliamentary experience and training in the public life of England, the better to fit him to discharge the duties of a constitutional ruler and to help in the smooth working of the political machinery under the altered conditions.

5. That there should be complete popular control over the administration of local affairs in the provinces, districts, towns and villages, by a wide extension throughout the Island of Municipalities, Urban and Rural District Councils and Village Councils, with elected Chairmen and substantial majorities of elected members.

6. That a proportion of not less than 50%, rising up to 75%, of the higher appointments in the Ceylon Civil Service and the other branches of the public service should be reserved for Ceylonese.

---

Moved by Hon. Mr. P. Ramanathan, K.C., C.M.G., M.L.C.
Seconded by Mr. A. St. V. Jayewardene

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Supported by Mr. G. A. Wille, Mr. E. J. Samarawickreme, Dr. Miss Nallamma Murugesan, Mr. E. W. Perera, Dr. J. A. E. Corea, Mr. A. F. Molamure, Mr. M. W. H. de Silva, Mr. C. W. W. Kannangara, Mr. Donald Goonetilleke, the Revd. J. S. B. Mendis, Mr. Victor Corea and Mr. P. Chelliah.

---

## Resolution II.

### LOCAL GOVERNMENT.

That the Local Government Bill now before the Legislative Council and the Municipal Councils Ordinance 6 of 1910 should be amended in conformity with Resolution I. 6. as follows :—

(*a*) Municipalities should be extended to all the principal towns of the Island and should have a four-fifths elected majority of members and elected Chairmen.

(*b*) That the Rural District Councils provided for under the Local Government Bill should have the same elective constitution as Urban District Councils, with a substantial majority of elected members and an elected unofficial Chairman; and the qualifications for members and voters should in the Urban and General District Councils be not higher than now required in the Local Boards; and in the Rural Districts there should be adult suffrage and the members should not be required to possess a knowledge of English nor to own landed property of the value of more than Rs. 300.

(*c*) That Village Committees (Gansabhawas) should be extended throughout the Island, should continue to be elected on adult suffrage and should have a four-fifths majority of elected members and an elected Chairman, with full control over the administration of village affairs subject to the guidance of the Local Government Board referred to in the next paragraph.

(*d*) That the Local Government Board provided for in the Local Government Bill should consists of not less than two-thirds majority of members elected by the Municipalities, District and Village Councils and should have an



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

unofficial President appointed by the Governor; and its powers should be restricted to the allotment of grants-in-aid to District and Village Councils and to the supervision and guidance of those bodies in the discharge of their duties, with a view to giving them the benefit of centralized experience and specialist knowledge and of independent inspection and audit and ensuring the indispensable minimum standard of efficiency without detriment to the development of local initiative and autonomy.

---

Moved by Mr. H. A. P. Sandrasagara.
Seconded by Dr. E. V. Ratnam, M. M. C.
Supported by Mr. G. E. Abeyewardene, M.M.C., Dr. H. I. Fernando, Mr. M. E. Jayatilleke and Mr. K. C. Nathan.

---

## Resolution III.

### TAXATION.

This Congress is of opinion that the present system of taxation is unsatisfactory and its incidence inequitable, and urges on the Government the appointment of a Commission to undertake a comprehensive revision of the taxation with a view to lighten the burden that falls heavily on the masses.

---

Moved by Mr. James Peiris, B.A., LL.M., J.P.
Seconded by Mr. Armand de Souza.
Supported by Mr. A. V. Dias.

---

## Resolution IV.

### EDUCATION.

(1) That, in view of the vital importance of education and of the inadequate provision now made therefor, this Congress is of opinion that a much larger proportion of the public revenue than at present should be set apart to provide adequate funds, increasing every year, for the vigorous promotion of all branches of public education.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(2) That there should be universal compulsory elementary education throughout the Island up to the age of 14 years.

(3) That having regard to the poverty of the masses of the people and the decline of indigenous industries and agriculture, there should be established in the Island an efficient system of scientific, technical, industrial, agricultural and commercial education.

---

Moved by Mr. D. B. Jayatilaka, B.A.

Seconded by Mr. P. T. Jayasuriya, B.A.

Supported by Mr. A. A. Wickremasinghe and Mr. T. B. Jayah, B.A.

---

RESOLUTION V.

A CEYLON UNIVERSITY.

(1) This Congress, recognising the importance of an efficient and well-ordered system of higher education for the national welfare and adopting the words of the late Mr. Joseph Chamberlain, Secretary of State for the Colonies, that "money spent on higher education is the best of all possible national investments," deplores the neglect of higher education in this Island by the Government and the failure to establish the long promised University College, and is of opinion that the Ceylon University, which has been long asked for, should be established without delay to systematise and stimulate the energies now dissipated in various institutions for general and professional education, to promote higher literary and scientific education and research, and to be a centre of intellectual life and culture combining the highest thoughts and ideals of the East and the West.

(2) The Congress is further of opinion that Colleges on the lines of the proposed University College should be established by the Government in important provincial towns.

---

Moved by Mr. P. de S. Kularatne, B.A., B.Sc., LL.B.

Seconded by Mr. A. Mahadeva, B.A.

Supported by Mrs. R. Sagarajasingam, Mr. A. Ginige, B.A. Mr. C. V. Ranawake, B.A., and Mr. T. N. Velupillai.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## Resolution VI.

### FOOD SUPPLY.

This Congress is of opinion that vigorous and effective steps should be taken by the Government to increase the production of food crops in the Island and deplores the slackness of the Government in taking adequate steps in this direction, which has made the inhabitants dependent chiefly on India for their food supply and is subjecting them to grave hardship and suffering consequent on the restrictions placed by the Indian Government on the export of rice to Ceylon.

---

Moved by Hon. Mr. K. Balasingham, M.L.C.
Seconded by Mr. S. R. Wijemanne.
Supported by Mr. D. S. Senanayake.

---

## Resolution VII.

### LABOUR.

This Congress is of opinion that the conditions of labour in Ceylon should be brought into conformity with the requirements of § 427 of the Peace Treaty, and that the Labour Laws of the Island and the draft Immigrant Labourers Ordinance published by the Ceylon Government in July, 1919, should be accordingly amended by—

(*a*) The elimination of all provisions which do not fully recognise that labour is a form of Social Service and that the labourer's life and well-being are of greater importance than any material wealth;

(*b*) The immediate repeal of the penal clauses, which subject men and women to imprisonment with hard labour and to fines for breaches of civil contract and other acts which are not offences under the ordinary law;

(*c*) The abolition of child labour under 12 years;

(*d*) The provision of compulsory education for children under 12 and of half time education for children from 12 to 14;

(*e*) The fixing of a minimum remunerative wage by a Wage Board appointed for each district and including representatives of the Government, the employers and the labourers;

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(*f*) The regulation by the Board of the hours of labour, so as to provide a liberal allowance of rest and recreation to the labourer;

(*g*) Provision for the care of *enceinte* women and infants;

(*h*) Provision for securing good working and living conditions to the labourer and facilities for prompt inquiry into and remedy of his grievances;

(*i*) Recognition of the right of association of all workers.

---

Moved by Mr. E. W. Jayawardene.
Seconded by Mr. C. H. Z. Fernando, B.A., L L.B.
Supported by Mr. Peri Sundaram, B.A., L L.B.'
Miss J. Ganguli, M.A., Mr. L. Muthukrishna, Mr. E. A. P. Wijeyaratne, Mr. Armand de Souza, Mr. J. E. Gunasekere, and Mr. A. S. John.

---

## Resolution VIII.

### ANTI-ASIATIC LEGISLATION IN THE COLONIES.

This Congress desires to record its protest against the passing of such legislation as the Anti-Asiatic Legislation of South Africa, as tending to discourage Imperial unity and to create unfriendliness among the subjects of the British Crown.

---

Moved by Dr. W. P. Rodrigo, M.M.C.
Seconded by Mr. L. Muthukrishna.
Supported by Mr. R. Sri Pathmanathan, M.A. and Mr. L. Jayawardene.

---

## Resolution IX.

This Congress authorises the following gentlemen to wait on His Excellency the Governor and to submit for his favourable consideration the resolutions of the Congress on Constitutional Reform, viz: Sir P. Arunachalam, Messrs. M. B. A. Cader, C. P. Dias, Francis de Zoysa, C. Gnanasakaram, P. B. Godamune, J. W. Ilangakoon, D. B. Jayatilaka, A. St. V. Jayewardene, A. F. Molamure, James Peiris, H. J. C. Pereira, E. J.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Samerawickreme, H. A. P. Sandrasagara, F. R. Senanayake, and G. A. Willie.

---

Moved by Mr. P. B. Godamune, late Ceylon C. S.
Seconded by Mr. S. D. S. Gunasekera.

---

RESOLUTION X.

EXECUTIVE COMMITTEE.

This Congress appoints as its Executive Committee for the ensuing year the undermentioned persons and authorizes them, *inter alia*, (1) to revise as may be necessary the rules of the Congress and (2) to nominate three or more persons as its Delegates to submit personally to the Secretary of State for the Colonies and to the British Parliament and people the demands of the Congress on Constitutional Reform and on the other matters set forth in the above resolutions and to take all measures necessary for the realization of those objects :—

1. Mr. Geo. E. Abeyewardene.
2. ,, D. L. E. Amerasinghe.
3. ,, M. A. Arulanandan.
4. Sir P. Arunachalam.
5. Mr. C. E. Corea.
6. ,, E. T. De Silva.
7. ,, J. W. De Silva.
8. ,, W. A. C. De Silva.
9. ,, Armand De Souza.
10 ,, Francis De Zoysa.
11. ,, A. V. Dias.
12. ,, Harry Ellawala.
13. ,, C. H. Z. Fernando.
14. ,, P. B. Godamune.
15. ,, D. J. Goonetilleke.
16. ,, Dr. C. A. Hewavitarne.
17. ,, J. W. Illangakoon.
18. ,, M. Cassim Ismail.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

19. Mr. T. B. Jayah.
20. ,, D. B. Jayatilaka.
21. ,, M. H. Jayatileke.
22. ,, A. St. V. Jayewardene.
23. ,, E. W. Jayewardene.
24. ,, A. F. Molamure.
25. ,, James Peiris.
26. ,, E. W. Perera.
27. Dr. E. V. Ratnam.
28. Hon. Mr. A. Sabapathy.
29. Mr. E. J. Samarawickreme.
30. ,, H. A. P. Sandrasagara.
31. ,, F. R. Senanayake.
32. ,, Peri Sunderam.
33. ,, Crossette Tambiah.
34. ,, A. A. Wickremasinghe.
35 ,, D. R. Wijewardene.
36. ,, G. A. Wille.

---

Moved by Mr. Francis de Zoysa.
Seconded by Mr. Dadabhoy Nusserwanjee.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

# SPECIAL SESSIONS OF THE CONGRESS HELD ON 16th AND 18th OCTOBER, 1920.

SIR PONNAMBALAM ARUNACHALAM, in welcoming the delegates, said :—

Ladies and Gentlemen,—On behalf of the Reception Committee I offer you a cordial welcome. We are met here under grave circumstances and I am sure you will approach the consideration of them with a due sense of responsibility. A peaceful and loyal people have had, as it were, a bomb thrown among them and been driven into a state of excitement very natural but most lamentable. Let us do nothing to aggravate it, everything to moderate, regulate and calm it. Above all, let us carefully distinguish between the King and his servants. His Majesty has a world-wide Empire and it must needs be that occasionally there are unwise men among his servants doing unwise things. It is then the duty of the people to bring them to his notice and obtain redress.

I offer a hearty welcome to Mr. James Peiris who has been chosen to preside over this Congress and to guide its counsels. No better choice could have been made. It has been my privilege to know him intimately for over a generation. Returning to Ceylon after a very distinguished career at Cambridge, there has been no public movement which has not benefited by his ripe culture, trained and sober judgment, high character and public spirit. His opinions are formed with deliberation; they are based on reason and principle and guided by zeal for the public welfare and loyal attachment to the Throne. Everybody feels that he has nothing up his sleeve; he is proof against official blandishments and knows not how to trim his sails to every wind. No wonder that he enjoys the unstinted confidence of the people of Ceylon without difference of race or creed and even of the Government. It is however not very creditable to the Government that a man



Digitized by Noolaham Foundation
noolaham.org | aavanaham.org

such as he, who would be an honour to any legislative assembly in the world and an acquisition to any Cabinet, has not been utilised all these years in the service of the Crown or even in the Legislative Council. As to these so-called reforms, which have excited such bitter disappointment and resentment, I find it difficult to understand the mentality of the men who devised the scheme. They profess to give a boon to the people of Ceylon and they poison the gift with suspicion and distrust, even insult and contumely. They have not scrupled to drag in the revered name of the King to further their plans. They have avoided the usual channel of legislation and invoked His Majesty's prerogative in defiance of precedent to prescribe the very minutest details of this humiliating project, to impose it upon us without giving us an opportunity of being heard and to silence discussion. They have thus inflicted a shock on the people's faith and reverence towards the King, and in perpetrating this grave political blunder they have grossly failed in their duty to the King. But, as I have said and as we must impress on our people always and everywhere, His Majesty is in no way responsible for these camouflaged reforms. His wise and liberal sentiments are well known, also his deep interest in the welfare of our people. As a constitutional Sovereign he must act on the advice of his Ministers, and he merely signed a document put before him by the Secretary of State. Our case unfortunately never came even before the King's Ministers as a body, and the Colonial Secretary, Lord Milner, himself was far too busy and occupied with graver matters to give it adequate consideration. In spite of the liberal sentiments he expressed, and I believe honestly expressed, at the interview he granted to the Ceylon Reform Deputation, he apparently left the matter entirely in the hands of his Parlimentary Under-Secretary and the Governor. The observations of Col. Wedgwood in the House of Commons debate on Ceylon showed clearly that influential circles in England regard with considerable misgiving the attitude of Colonel Amery towards the non-European inhabitants of the Colonies. But he could have done little without Governor Manning. It is the pernicious policy of Crown Colony administration to be guided on all matters by the man on the spot—a policy which has been the fruitful source of calamity to us.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Whether or not such a policy is suitable for the savage inhabitants of Africa or Fiji, it is quite out of place among a people like that of Ceylon, with an ancient civilisation and culture. It was an unsafe instrument in the hands of an official of the training and temperament of our Governor. As a private individual he inspires respect and even affection. But we are here concerned with him only as a public man. His political ideas are out of harmony with the spirit of the times. Arguments break in vain upon the rock of his prejudices. I have the pleasure of knowing and counting among my friends men of all shades of political opinion in England. It is surprising how little difference there is between a Tory and a Radical M.P., as regards the aims and ideals of British administration. Among our warmest supporters are Tory M.P.'s. But Brig.-General Manning has no faith in these ideals and aims. He openly sneered at them at the dinner given him by his European friends of the Ceylon Association in London to whom he was so profuse in his promise of help. Nor has he the saving grace of sympathy with our people. His Majesty the King, when he visited India as Prince of Wales, noted with his wonderful insight the lack of sympathy between rulers and ruled and publicly impressed on British officials the need for cultivating sympathy. These words have borne fruit in India, but apparently never reached the ears of Brig.-General Manning. He is chary of cultivating friendly relations with Ceylonese, and reactionaries and sycophants have made use of him for their own purposes. The punishment has come soon enough. Look at the public confession made in the Legislative Council the other day that he was grossly misled in regard to the wishes of the Kandyan people by those whom he had trusted. Here is a fourth of the population of Ceylon, degraded and humiliated by the loss of the franchise even in the Provinces in which they form the vast majority and the vote is given to a few new-comers in their midst. While making this confession, he has not the courage and wisdom to remedy it at once by referring back the Order in Council to Downing Street, for amendment. He must needs insist on seeing it work for five years. Meanwhile these and other injustices and grievances, which could have been avoided if he had followed precedent and the dictates of commonsense by publishing the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

scheme for discussion, are to remain festering sores in the people's minds. What statesmanship! But I would entreat you not to despair. Governors and Under-Secretaries of State and Secretaries of State come and go. The people of Great Britain remain and their strong healthy sense of justice and liberty remains, and public opinion in the end tells. That is why British history has been singularly free from violent revolutions. Our political campaign here and in England must be prosecuted with a view to enlighten English public opinion and to continue the education of the masses of our own people. As a sign of the British temper I would call your attention to a leading article in a recent issue of the London *Times* on the Burma Reforms. Now Burma, which is the most backward Province of India, has been offered reforms far in advance of Ceylon, but the people are dissatisfied at getting less than the other Provinces of India and will not have them. The *Times*, which is by no means a radical paper but voices the enlightened public opinion of the upper and middle classes who rule England, supports the Burmese in their objection and protests against their being driven by the folly of officials from their present loyal and peaceful tendencies. How much more can Ceylon count on the support not only of the ruling class which the *Times* represents, but also of the masses of the people represented by the Labour Party who have helped us whole-heartedly both in and out of Parliament. They are even sending out two of their M.P.'s. Col. Wedgwood and Mr. B. C. Spoor, to study the position here and hearten us in our struggle. They will be here early in January. There is no need at all for despair. Let us pursue our work strenuously and constitutionally under the counsels of such men as our worthy President and we must win in the end. I myself never believed that, with the Governor we have at present, we should have any decent reforms, and I often said so publicly. The obstacles and disappointments we have suffered we must regard as a necessary discipline designed by Providence for our good, (applause). In time to come we shall even look on Governor Manning as a benefactor for having made us a united and strong people. Only let us take these trials in the proper spirit. Let us not be content with passing resolutions but put forth all our energies and work. Not only earnest workers but

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

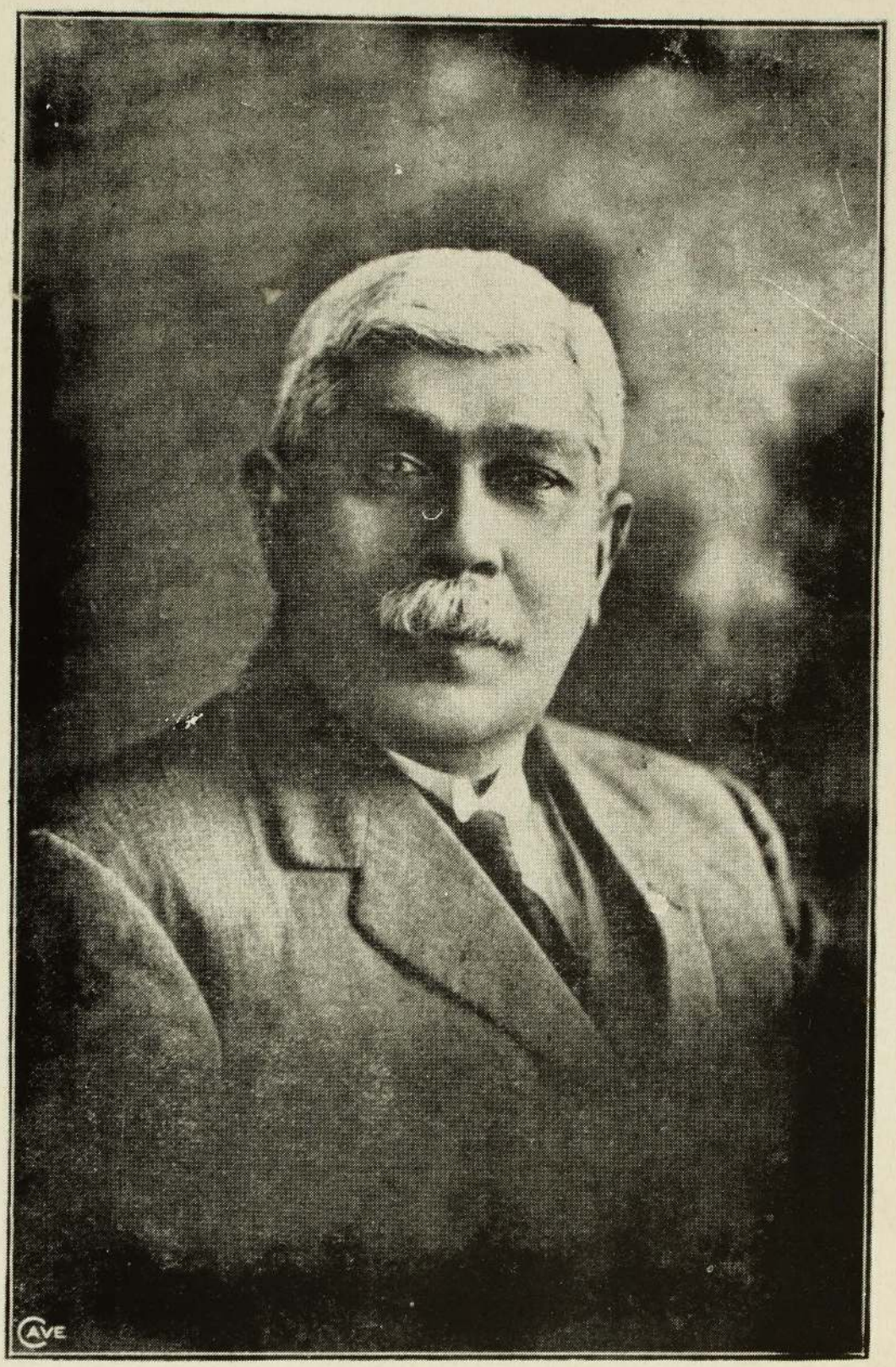
large funds are necessary and I am sure, when I see the spirit which is animating our people that these will be forthcoming. We believe that within the folds of the British Commonwealth we can achieve the fullest development of our national life. The British Government is in no way committed to the silly scheme that is sought to be foisted on us and the best elements of the British people are on our side. If we are true to ourselves and work with earnestness and vigour, our success is certain (applause).

---

## PRESIDENT'S ADDRESS.

Mr. (now Sir) James Peiris addressing the gathering said: Gentlemen, This special session of Congress has been summoned for the purpose of arriving at a decision regarding a matter of the greatest importance to the country. Therefore I think it my duty to review briefly the events which led up to the present situation and to give you some guidance in arriving at a correct decision. For years past we have been carrying on a campaign to secure a reform of our constitution which had remained unaltered in essential particulars for over 70 years. Twelve years ago a liberal-minded Secretary of State and a more liberal-minded Under-Secretary were desirous of granting us a generous measure of reform. Their good intentions were however frustrated by an impetuous Governor whose experience has been acquired in backward Colonies and by a very able and masterful Colonial Secretary whose main endeavour was to bolster up our system of bureaucratic administration which is so dear to the official mind. In reply to a memorandum which I had the honour to submit to the Under-Secretary of State and to a number of memorials presented to the Government by the general inhabitants of the country and by several important associations the local Government forwarded a despatch urging the Home Government not to accede to our demands supporting their recommendations by misrepresentation of facts and the most specious arguments ever used in a state document. That despatch saw the light of day only after the so-called Reforms of 1910 had been finally adopted by the Secretary of State and the public were deprived of the opportunity of criticising it.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org



The Hon'ble SIR JAMES PIERIS
(President 1920—1921)

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

The main demands of the memorialists on that occasion were the abolition of nomination and racial representation and the election of members of Council to represent territorial divisions. The Secretary of State however out of deference to the man on the spot retained the communal principle of representation, gave two extra seats to the Sinhalese and Tamil communities, and created three communal electorates namely, the Rural and Urban European and the Burgher. As a sop to the memorialists what is known as the Educated Ceylonese Electorate was established on the plea that the Ceylonese educated on Western lines alone wished for reform. Though these reforms were utterly inadequate and compared most unfavourably with the reforms which were granted to India about the same time under the Morley-Minto scheme the people of this country accepted them as a very small instalment and continued to urge upon the Government the necessity of granting them a substantial measure of reform in the near future.

Since 1910 the agitation for reform has been continued on strictly constitutional lines. The Reform League was formed with the object of advancing the case of reform and placing full material on the subject for the consideration of the authorities and a number of associations were established in different parts of the country for a similar purpose. The agitation culminated in the meeting of the Ceylon National Congress representing the various political bodies in the Island last year. At that meeting resolutions were passed indicating the reforms which were desired, the most important of which (1) That the unofficial members of the Legislative Council should be elected on a broad franchise to represent territorial divisions; (2) that they should form a substantial majority of the Council; (3) that half the Members of the Executive Council should be selected from the elected members.

These resolutions were forwarded to the Secretary of State and the views of Congress were placed before him by a strong deputation in England. The proposals were discussed fully in the local Press and all communities in the Island expressed their opinion on the suggested reforms. Although there were differences about details there was a general agreement in the country, that reforms as generous as those which were offered to India

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

should be granted to Ceylon. It was believed that H. E. the Governor was in sympathy with the aspiration of the people and that the tactics of 1910 would not be repeated. Naturally the hopes of the people ran high. The demands of Congress and the wishes of the country were well-known, but no information was divulged regarding the scheme which the Governor proposed to submit to the Secretary of State. The Congress therefore appointed a second deputation of which I had the honour of being a member to proceed to England to discuss with Lord Milner the reforms he had undertaken to formulate in consultation with the Governor who had been specially summoned to England by him. Under these circumstances we should have thought that following the precedent adopted in India the fullest opportunity would have been given to the Delegates to consider the proposal of the Government before they took final shape. But what happened? Though the members of the several deputations were granted interviews with Lord Milner, and questions were asked about their proposals we, —I speak for the Congress Deputation—were kept completely in the dark regarding the Government's scheme, in spite of repeated request that we should be given an opportunity of considering it.

We had two interviews with the Governor, one in Colombo before we left, and another in London, at neither of which did he vouchsafe to disclose to us any information regarding the intentions of Government. Now I ask gentlemen, what was the use of our going to England at great personal inconvenience and being kept in suspense for four months if were to be denied the opportunity of discussing the Government proposals?

Our demands as well as the facts and figures on which they were based were placed before the authorities on several occasions. They were clear and required no explanation. The one object of which we went to England was to offer criticism on the Government scheme. Surely out of common courtesy they might place the Government scheme before us for consideration, we might have been given a hint to that effect, before we left Ceylon. Had that been done we would have hesitated to go on such a fruitless mission, although personally I do not now regret having gone as we had an opportunity of educating public opinion in England regarding reform and other questions affecting our Island and of

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

securing a number of valuable supporters both in and out of Parliament. Owing to the persistent efforts of members of the House of Commons belonging to all parties who supported our demands for consistitutional reforms the Government were obliged to lay before the House an outline of the reforms already decided upon by them, but in a shape which prevented useful criticism. What the members thought of the scheme is already known to you, from the reports of the discussion in the House of Commons which appeared in the Ceylon papers. No explanation has been offered why Lord Milner and the Governor departed from the procedure adopted by Mr. Montagu and the Viceroy in regard to Indian reforms. Can the people be blamed if they came to the conclusion that their action was due to a desire either to stifle discussion or to keep inviolate the sacred traditions of Bureaucracy? The scheme outlined in Parliament falling lamentably short as it did of the just expectations of the people did not reveal the most objectionable features of the proposals. They appeared in the Order in Council which was published for the first time in Ceylon without even giving the members of the Legislative Council—whose advise the Governor professed to value so highly—an opportunity of expressing their opinions, a procedure which is rightly made a matter of complaint by the Urban European Member. In view of the facts which I have stated may I ask the apologist of Government who was it that stood out for non-co-operation, the Government or the people? Now let me examine very briefly this scheme which was hatched in secret and offered to the people of Ceylon as one giving them a large measure of popular control and conferring upon the Unofficial Members of Council increased powers and responsibilities—to quote the very words of the preamble in the Order in Council. Does this scheme answer to the description given to it by its authors? Under it the Legislative Council is to consist of 37 members, eleven of whom are to be elected on a territorial basis, five by the European and Burgher Communities, the Chamber of Commerce, and the Low-Country Products Association, four to be nominated to represent the Kandyan, Mohammedan and Indian Communities, and three to be nominated to represent such intersts as in the Governor's opinion are not provided for otherwise, making a total of 23,

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

classed as Unofficial Members. The remaining 14 to be Official members in addition to the Governor who is to have an original and casting vote. It is clear therefore that the substantial elected majority which we claimed and which is provided in the constitution of India, not only as regards the Provincial Council but also in regard to the Council of State and Legislative Assembly is denied to us. Out of a Council of 37 only 16 members including members representing communal and special electorates are to be elected. The Government has been much gratified at the way in which the present nominated members have spoken of the independence shown by nominated members of Council. While admitting that the selection of nominated members has been more judiciously exercised in recent years we know as a matter of fact that on many important questions some nominated members have sided with the Government, and this has specially been the case as regards the European members. Although they vehemently assert that it is wrong to suggest that they side with the officials, it is a fact that cannot be denied that on numerous occasions on matters affecting the interests and the well being of the permanent population, they have by speech and vote supported the Official side. The Montagu-Chelmsford report admits that this has been the experience in India and in the Government of India Act, the Unofficial majority is so arranged that the members elected to represent the permanent population are in a clear and definite majority over a combination of the Official and other members, whether nominated or elected. How is it that Ceylon which is in so many respects in advance of India and is distinctly more loyal has been treated differently? It will be seen also from the statement of the Governor in Council that not one of the three unofficial members, who it is proposed should be appointed to serve on the Executive Council, are to be selected from the elected members. What then becomes of the claim that we are given greater control over our affairs?

Let us now examine the assertion that the new scheme confers upon the Unofficial members increased powers and responsibilities. The mere increase in the number of unofficial members cannot be said to increase their powers in the advance of any provision which confers powers not already possessed by them. On the other

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

hand there cannot be any doubt that the rights and privileges hitherto enjoyed by members of Council are greatly curtailed in the new scheme. This will be seen from the following provisions. (1) the power conferred on the Governor to stop discussion on any bill or resolution; (2) the power to suspend unofficial nominated members; (3) the limitation of speeches to 15 minutes or to 30 minutes in the case of movers of resolution; (4) the power given to the Governor to limit the time of discussion on any resolution; (5) the rule forbidding the introduction of a resolution to impose taxation without the express approval of the Governor. I may also add the right of asking supplementary questions and to move the adjournment of the house to call attention to a matter of urgency provided for in India are not conferred on our members. One cannot therefore see how the claim that increased powers are conferred upon Unofficial Members can be justified.

With regard to the franchise, Lord Milner distinctly states that the franchise and qualifications of candidates follow the proposals of the Ceylon National Congress but the franchise under the Order in Council is very different from the broad franchise suggested by it, and neither Congress nor the Conference held in 1918 nor the memorial from the Reform League and the National Association ever suggested the residential qualifications for candidates. The latter document expressly stated that a candidate who is qualified to represent one constituency should be eligible for any other. It is clear from the words employed by Lord Milner that he was under the impression that the property qualification was suggested by Congress and it is a matter of great doubt whether he would have sanctioned it if he knew that it was not so. Now it is this restriction in the choice of candidates which makes the 11 territorial seats almost valueless and prevents the electors from making an honest effort to give the new constitution a reasonable trial. The Government are now no doubt gratified that one or two members of Council seem to favour the residential qualification, but even they suggest a modification while in outstations such as Ratnapura and Galle where such a provision may be expected to find favour, the opinion seems to be strong against it. To show how this requirement cripples the usefulness of the Legislative Council I need only point to the fact that it will be very difficult to find a suitable

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

candidate for a Province like the North-Central and that out of the large number of men resident in Colombo, who are well equipped to discharge the duties of Legislative Councillors, not only Lawyers whom Col. Amery among others would be glad to keep out of Council, but members of the medical profession, planters, merchants, and others who have had experience of Municipal work or have large interests in various parts of the Island, only one can be elected a member of Council. When we consider how the proposed franchise would affect the Kandyan Provinces, the lack of local knowledge and ignorance of patent facts displayed by the framers of the scheme become apparent. Not only are the educated members of the Kandyan community who had votes under the Ceylonese electorate disfranchised but the people born and bred in these Provinces are deprived of the privilege of representing these constituencies of voting for the election of representatives while a mere handful of people who have settled in them, mainly for the purpose of trade will alone be eligible for the membership or the exercise of the franchise. This anomalous condition of affairs has been brought about by Government accepting the views of a small minority, and disregarding the wishes of the majority of the Kandyan people.

Then again the distribution of seats has not been carried out on any principle recognised in other countries. The Provinces which long ago were selected as units for the purpose of administration have been adopted as electorates without any reference to their size, their importance or their population with the result that the Northern and Southern Provinces for instance with their large population and general advancement, are placed on a par with a sparsely populated and backward Province like the North-Central, and given one member each—So, gentlemen, there cannot be any doubt that apart from the fact that the reforms offered to us give us no real control over our affairs, and confer no larger rights than we now possess, the most glaring mistakes have been made by the framers of the new constitution in regard to the franchise and the distribution of seats and while some of our most cherished rights have been taken away fresh disabilities are imposed on the representatives of the people. It is therefore no wonder that the provisions of the Order in Council have been generally condemned

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

and that the reforms proposed are not acceptable to any community. Under these circumstances the question arises what our attitude to them should be. There are some who advise the country to accept them and after seeing how they work, to ask for a revision at an early date. The Secretary of State for the Colonies and the Ceylon Government seem to admit that there are defects and suggest that it is inexpedient to make any change until the Council has been worked for sometime. You will see however that these suggestions plausible as they are, do not meet the situation. It is admitted on all hands that in regard to the Kandyan Provinces, a great blunder has been committed, that the number of voters will be insignificant and that both candidates and voters will be persons who have no real or permanent interests in these constituencies. I fail to understand how the new scheme can be be given a trial without removing this defect which applies to five out of eleven electorates, and what end is to be gained by working an admittedly faulty constitution for a few years. In view of these facts the Governor cannot carry out the instructions of Lord Milner that he should take steps to have the Kandyan community formed into constituencies so that to quote his words it may presently be possible to have recourse to election in lieu of nomination for the appointment of their representatives for by so doing he will complicate the situation. It is therefore inevitable that the Order in Council will have to be amended at an early date in respect of the Kandyan constituencies which will necessarily involve a redistribution of seats. With such a contingency coming in the near future, what end may I ask, is to be gained by working this faulty constitution for a short time.

Again with respect to the residential qualification, how can a trial of the constitution help the Government to decide whether this is a desirable provision or not. If it is an advantage to give the electors the freedom to choose their representatives according to their wishes, why should you ask them to submit to the restriction of their choice for a number of years? Nor can the trial of the constitution for a time help the Government in the determination of the question whether the power given to the Governor to suppress discussion is necessary or not. If it is not exercised while the constitution is under trial, it does not follow that it will not be

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

exercised in the future. With regard to the rules relating to the time limit of speeches and for the discussion of resolutions, the experience gained in the new Council will not demonstrate their utility or otherwise. If there were no such rules on the other hand, experience in Council might show, whether it is desirable to have them or not. Therefore if I am right in my contention, and you will agree I have given good reasons in support of it, that the removal of these admitted defects does not depend in any way on the trial of the constitution for a limited period, the appeal made to us to co-operate with the Government in working these reforms is founded on a misapprehension of the situation.

I can understand our being asked to show by the manner in which we work the new constitution that we are deserving of an extension of the principle of territorial representation and the grant of an elected majority. That certainly was in the mind of Lord Milner when he suggested that we should give that constitution a trial. His words are "I shall be ready when the new constitution has had a reasonable trial to consider any new proposals for its amendment and should certainly rejoice if the degree of popular control now introduced were productive of such good results in practice as to justify its extension." That however is not the present suggestion and even were it the fact that the people are prevented from sending the best available representatives to Council, that the fittest men will not care to offer themselves as candidates in view of the withdrawal of rights hitherto enjoyed by members, and that those who are selected to serve on the Council would be hampered by vexatious restrictions from doing their best to help the Government in its legislation and in promoting the welfare of the people will prevent us from accepting the advice which is intended to us. To sum up we contend that a trial of the new constitution is not necessary for the removal of its obvious defects regarding which there is almost unanimous opinion in the country and that unless those defects are removed it is not possible to give the constitution a reasonable trial. Therefore we are constrained to decline the appeal made to us to co-operate with the Government in carrying out the reforms. Let it be understood however that we are not as an Honourable member of Council suggested acting like a sulky child who having asked for a cake gets only a

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

slice and refuses to eat it because it has not received the whole. We are not rejecting the reforms because our demands regarding an elected majority and other concessions have not been granted, although we would have been justified in taking up that position, when the pitiful apology of reforms offered to us is compared with the concessions made to India and Burma. We refuse them because the new constitution unless it is immediately amended in certain respects, cannot be given a fair trial and chiefly for the reason that instead of our rights and privileges being increased, we have been deprived of important rights which we have enjoyed for generations.

The Government was given the opportunity when the discussion in Council took place last week, to remove the obstacles—and they are not many—which stood in the way of our accepting these reforms but they have not chosen to avail themselves of it and are now proposing to impose this new constitution on an unwilling people.

In these circumstances we have a right to say that we will not participate in these reforms. We are a long suffering people. We have waited for nearly a three-quarter of a century for the grant of political privileges of which we were deemed to be worthy when our first constitution was created. As loyal subjects we co-operated with the Government in all movements connected with the War at a time when we were smarting under a grave sense of injustice on account of the grievous wrongs done to us in 1915, and we have meeky accepted the most meagre instalment of reform—often of a reactionary character—in the hope that larger concessions would follow. Now when far-reaching reforms are offered to other countries which have not been so consistently loyal as ours, an attempt is being made to force upon us a scheme of reform which far from enlarging our rights and privileges, deprives us of those which we have always enjoyed. Is it not necessary therefore that we should make it clear to Government that we will have none of this Mockery of Reform. In doing this we are only following the example set to us by the members of the Chamber of Commerce, who absolutely refused to vote or seek election in the Urban European Electorate in which they were merged. We are the more emboldened to take this course because they have

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

succeeded in their campaign of non-co-operation and have now regained the seat which they have lost

For the reasons I have given, the Congress have decided to place before you the first resolution which asks you to reject the scheme of reform enacted by the Order in Council. What we recommend is that we neither offer ourselves for election nor vote. We do not recommend the adoption of a policy of non-cooperation with the Government, nay, we would most unhesitatingly condemn such a proposal as contrary to the traditions of the people of this country.

A voice—No No.

Mr. Peiris: That is our opinion, ladies and gentlemen,—the opinion of the Congress Committee. We have carefully considered the suggestion that we should send representatives to the New Council with instructions to them to decline to participate in its deliberations. Although such a policy might commend itself to some people, from a strategic point of view, we think we should deprecate it as it savours of obstruction to Government, and I do hope that members of Congress will be unanimous in supporting the policy we advocate.

The second resolution has been placed before Congress because there has been a strong desire in the country that such a motion should be brought forward. It does not in any way refer to His Excellency the Governor in his capacity of His Majesty's representative. It seeks to give voice to the opinion of the people regarding his administration and feel sure that the speakers to the resolution will be careful to make that clear to the public.

In view of the fact that the annual session of Congress is not likely to be held this year, the third resolution has been placed on the Agenda. It is a very important resolution and I am sure the speakers to it will make out a very strong case for its unanimous adoption by Congress. I need not offer any remarks regarding the other resolutions as they are more or less of a formal character namely responsible government under the British Crown when it will be possible for us to realise the hope which every loyal son of Lanka entertains, the hope that our Island which has had such a glorious history in the past will again hold a prominent place among the countries of the world.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Ladies and Gentlemen, before I conclude, I should like to remind you that we are confronted with a grave crisis and that we should meet it with courage and wisdom. There can be no doubt that owing to the frequent disappointments which the people of this country have had in the matter of reform and the refusal of the authorities to listen to their just grievances there exists at the present time a very strong feeling against the Government and that a certain section of the public is in favour of taking much stronger action than we propose. We have heard of various proposals for non-cooperation which must in the long run bring the people into direct conflict with the Government. I trust that wiser counsels will prevail and all such proposals will be abandoned. Such methods of remedying grievances are always alien to our national character which we must preserve at all costs. You are the leaders of the people and it is your duty to see that every step we take is perfectly constitutional. I feel sure that if you do so, success is certain however discouraging the results of past agitations may have been. Owing to its inherent defects the new constitution cannot be successfully worked and must be amended sooner than people expect. All sections of the community are dissatisfied with its provisions and it is necessary that they should sink minor differences and unite. I would make a special appeal to the Kandyans to come to an understanding with their brethren of the Low-country. If we press our demands as a united people our voice is bound to be heard and we shall assuredly get a constitution which will pave the way towards the attainment of our political goal.

Mr. D. B. Jayatilaka, in proposing The First Resolution, "that this Congress rejects as utterly inadequate and reactionary and as an affront to the people of Ceylon the Scheme of reform enacted by the Order in Council published in the Ceylon Government Gazette of 23rd Sept., 1920, which under the guise of extending popular electional control seriously curtails the power of the Legislative Council, increases the autocratic power of the Governor, restricts freedom of discussion and control of the Executive, imposes humiliating disabilities on the people's representatives, introducing invidious distinctions between communities,

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

creates special representation and denies even the beginning of responsible Government," said :

Mr. President, brother Delegates, Ladies and Gentlemen,— This is a great occasion, I think that will be the verdict of history. This special session of the Congress has been convened as the President has just explained to you for great and urgent national purposes. The fulfilment of that purpose, will, I feel convinced, achieve for us not political progress alone, but a great moral uplifting as well (applause). We have assembled here this afternoon, representatives from all parts of the Island, to assert and vindicate our rights as a self-respecting, enlightened and progressive community, and to repudiate with all the strength we possess, the attempt which has been made to treat us like a wild tribe belonging to a low level of culture, to whom it is the duty of a benevolent bureaucracy in its wisdom to prescribe a measure and mode of progress possibly and permissably at each stage of its development. The committee has entrusted to me the duty of placing before you this main purpose of this present session. It is I feel a serious responsibility but I must at the same time admit that a number of circumstances not the least of which are the eloquent speeches to which we have just listened, of the President and Sir Ponnambalam Arunachalam, have considerably lightened my task.

The people of this country have already given their verdict upon the reforms. The resolution which I have the honour to place before you merely seeks to embody this and the feelings of the people which have been expressd in diverse ways since the publication of the Order-in-Council and I need not therefore take a deal of your time in trying to prove to you that the course of action which this resolution raises before this country is one worthy of acceptance nor do I think it is necessary for me to enter into detailed discussion of the Order-in-Council, when abler minds than mine have analysed these reforms and directed them. The Governor's scheme of reform stands to-day exposed before the public eye with all its ugly excrescences and deformities. I do not, therefore, propose to offer any detailed criticisms of the proposals. I prefer to content myself with a few general observations. I would ask you to consider this scheme, not in regard to any particular details, which is very important indeed, but as a whole, to try to

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

understand the spirit that animates this scheme, to try to find out the object which the framers of this scheme had in view. That is the really important thing. And if you pursue your enquiry along these lines, you will be able to find out what is behind the whole scheme. And you will see when you examine the scheme as a whole that it is a petty thing, a petty performance, unillumined by a single flash of imagination, uninspired by one generous impulse, and unrelieved by one single bold stroke of statesmanship (hear, hear).

Questions, very pertinent questions, have been asked, both here and in England as to the framing of this scheme. It was asked: Why should Ceylon be treated differently from India? The Under-Secretary of State said on the floor of the House of Commons that there was no question of inferiority of the Ceylonese as compared with the Indians. But he did not explain then why different treatment was accorded to Ceylon. In our own Legislative Council, both His Excellency the Governor and the Attorney-General made long speeches trying to explain many details of the Scheme, but they have never, even to this day, condescended to tell us why they have treated Ceylon in this fashion: why they consider Ceylon unworthy of a measure of rule, similar to that which has been granted to India and now offered to Burma. This official reticence is not far to seek. In the course of debate in the House of Commons on 18th August, one of the speakers who gave his whole-hearted support to the official Scheme, made certain remarks in the course of his address, which I think threw a flash of light upon this dark corner of bureaucratic secrecy. Mr. G. A. Talbot, the member in question was I believe a planter in Ceylon, many years ago. On the strength of the experience which he gained, perhaps a quarter of a century ago in the tea plantations up-country, he ventures to talk upon Ceylon affairs in the House of Commons very frequently, always on behalf of his compatriots here, and tries to educate members of Parliament in regard to Ceylon questions. Now on this occasion this gentleman made a long speech. How much he is able to express himself on the present condition of Ceylon you will be able to judge from many of the gems which stud his speech. I will quote only one of them. After referring to the large increase of revenue during

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

the last twenty years Mr. Talbot proceeds thus: "That shows what enormous prosperity the country has enjoyed under the existing Government. The natives of the country (he is very fond of that word) who are the chief element (what in the world he means I don't know) work on the tea and rubber plantations (laughter) good wages are paid to them and they enjoy extreme prosperity, (he means all of us).

Comments are superfluous. Evidently that gentleman is not qualified to speak on Ceylon affairs. But though he may not be in a position to speak on behalf of the people of Ceylon, there is evidence in his speech which makes one think that he is perfectly qualified to speak on behalf of the officials. It seems to me as if he is acquainted with the inside working of the whole reform scheme. Possibly, and it is most likely, he is one of those who entertained His Excellency the Governor at the Association dinner in London to which the President referred and perhaps he had an opportunity of discussing the reform scheme with the authorities. At any rate he speaks very strongly in support of the present scheme and he gives very adequate reasons for the scheme. I shall just quote another passage from his speech which gives us a clue which we are seeking for—the clue to the whole scheme. "There is another point to be brought to the notice of the House and that is the qestion of the Civil Servant. There is no doubt that if popular representation were put into force and if the Government were handed over to the predominant races the status of the Civil Servant would be very much altered. Civil Servants in the British Colonies are a body of men, whom we are all proud of. They live away from their own country, very often in solitary posts (Nuwara Eliya for example.) (Laughter). They undertake great responsiblities, they are uncorrupt and unapproachable (Laughter). In the interests of the native races I must say it would be a very great misfortune if their power and influence were detracted from."

There you find the whole secret to which the President referred in his address. The whole scheme was conceived in that spirit. The whole idea behind the scheme was to keep intact the power of bureaucracy and give to the people as little as possible of control in the administration of the country. (Shame). This is the explanation of the unsatisfactory scheme that has been offered to us.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

It is a mechanical device, soul-less, without a generous impulse in it, of a mind calculated, perhaps not deliberately, but by sheer force of habit to preserve a balance of power. It is a very nicely balanced scheme. If you would only examine the figures and count the number of Europeans that will be in the New Council, again, the number of official and nominated members, that will be in the whole Council, you will see how delicately the whole thing is balanced. To pass on to another thing. This scheme is due to the same bureaucratic spirit and the lack of sympathy and understanding which was responsible for the deplorable occurrences of 1915. The same spirit prevails in this. The officials who framed the scheme could not possibly invite the co-operation of the people in such a scheme. It is I think not quite reasonable for us to expect that they should consult us in regard to a scheme which was purposely meant to retain the power in their hands and to give the people very little. The same sort of thing prevailed in India. For many many years the Indian Congress clamoured for a hearing but the Bureaucracy in India prevented the demands of the Congress being heard until things came to such a pass that the Imperial Government was compelled to take the matter in hand and to offer the Indian people a generous measure of reform. I told you at the very outset that I do not propose to offer any criticism on the details of the scheme. The weighty speech to which we have been listening from the Presidential chair has placed before you all that we need say, with regard to the deficiency of the Bill passed. One thing we must always remember to impress upon the country is not only that we have been refused our legitimate demands—that is bad enough—but the Government has taken away from us the rights and privileges we have hitherto enjoyed, and the manner in which it has been done has passed endurance. The whole scheme has been imposed on us as a gift from above which everybody ought to accept without any complaint and without any criticism and what a hash have these officials made of it! I can only refer to the sorry plight into which the Kandyan Singhalese have been plunged by the Scheme. His Excellency the Governor frankly admitted his share in the segregation of the Kandyans (Laughter). He confessed that he was mistaken. This professed mistake and many others could

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

have been avoided had the officials descended from the heights of Olympic Omniscience and consulted the people. In 1915 the same thing happened. The Officials refused to consult the people; refused to accept the advice of the leaders of the people. In their ignorance of things around them, unacquainted with the true significance of the activities and movements around them they imagined a conspiracy which never existed and brought the country under the horrors of Martial Law in the course of which acts were committed, which according to the late Sir John Anderson every Englishman should be ashamed of (hear, hear). Now this is the part the Government has played. We must now turn to the part which we have to play. This question has been considered most carefully in all its aspects, and after prolonged deliberation and after considering every suggestion that has been made in the Press and by friends the Congress came to the deliberate conclusion that we as self-respecting people cannot participate in giving effect to these reforms (applause). This conclusion is the only one we can arrive at under the circumstances, which the President very graphically described this afternoon. The only thing that we can do is to abstain from exercising the right of voting offered to us and to abstain from standing as Candidates for the Council in any constituency (applause). The question has been raised as regards these matters and I want to make this point very clear. It has been suggested and most members of Congress are of opinion that the suggestion is a good one that every man who is qualified ought to get himself registered. There is a difference of opinion on this point but the consensus of opinion seems to be that it will afford very valuable evidence as to the number of qualified voters who would abstain from voting if everybody qualified should get himself registered; and if we were to ask you and the country to get every qualified man registered, it is not for the purpose of co-operating with the Government in putting the reforms into effect but for the purpose of finding out the exact number of people qualified to vote and who will not vote (cheers). But I want to tell you that we are entering upon a very keen struggle which may last longer than we may expect or hope. It may test

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

us very severely. We must be prepared for difficulties and disappointments. But I have not the slightest doubt that the country is with us. I have not the slightest hesitation in predicting victory (cheers). We are bound to win on one condition—we are bound to win if we sink our petty differences (hear, hear), if we give up our personal considerations, if we prepare to renounce our personal ambitions (cheers), if we prepare to do our best for the common good (Loud applause). The battle has been simplified enormously for us. The whole fight rests with the Low-country Sinhalese and the Ceylon Tamils. We have taken up the challenge on the main point as regards constituencies. The Sinhalese and Tamils can fight shoulder to shoulder (applause). The past few years have shown us that the Sinhalese and the Tamils are one people (cheers). This strugge we are entering to-day will cement that union stronger and stronger. But though the fight is mainly confined to the Sinhalese and the Tamils we ask for the active sympathy and support of the other communities of the Island. We make no discrimination. We ask the Englishmen who are here to remember the ideals of British freedom and British citizenship, we ask them to come to our help and to show their sympathy and support in our struggle for our rights (applause). We have the Burgher community, whose interests I submit are identical with ours. We want them to make common cause with us (applause) and as for the Mohammedan community there can be no question as to their being behind us in this movement. It is hardly necessary for me to refer to the Kandyan Sinhalese. The most violent thing, the most inexcusable thing that is proposed to be done through these reforms is the attempt to divide the Sinhalese people, the people of one race, one religion and one language, how can they be disunited, how can they be separated even at the bidding of His Excellency the Governor (applause). It cannot be done. I am perfectly sure before our fight is over, this unfortunate attempt will have been abandoned and both sections of the Sinhalese community—the Low-country Sinhalese and the Kandyan Sinhalese will be united into one body as they were before (applause). And in this struggle they can be of great service to us, they can be of great help to us. I have not the slightest doubt that the Kandyan Sinhalese will forget all

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

petty differences, forget petty jealousies of all kinds and will unite with the Low-country Sinhalese in trying to obtain our united rights (applause). If as I have said before we are united and work disinterestedly for the common good, we are bound to succeed long before we expect to do.

And what do we propose to do by this movement? In the first place we do certainly wish to express our disapproval of the Governor's proposals and I must say that we do not want to carry out this policy merely for the sake of embarrassing the Government. We have no such desire and that would be a purposeless thing to do. This is the reason why we must be very careful not to carry out this non-co-operation which we propose into any other department of activities. It would be a fatal mistake to do that. I strongly impress upon those whom I see to-day to consider most carefully any action outside the policy which has been formulated by the Congress Committee. That Congress Committee does not claim omniscience or infallibility, but they have considered every proposal dispassionately and impartially and come to this conclusion; and the person whoever he may be, who suggests or who tries to bring in any form of action which is inconsistent with this policy of non-co-operation which is announced and which is the subject of this resolution will undertake a grave responsibility indeed. It may mean failure of the whole scheme for one thing.

A voice: No. no.

MR. JAYATILAKA: I predict that as I have predicted victory for us if we exercise self-restraint and moderation (applause).

A voice: Cowardice?

MR. JAYATILAKA: If I am prepared to accept the challenge from that quarter—

A voice: Cowardice!

MR. JAYATILAKA: I challenge that gentleman to get up and say where he has shown bravery which I have not been equal to (tremendous applause which prevented Mr. Jayatilaka from continuing for several seconds).

Voice: Get up, get up.

MR. A. E. GOONESINHA: We never meant it for you. We

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

acknowledge you as the greatest man who has come forward. When we spoke of.....

MR. JAYATILAKA: Sit down. It is only a distinction without a difference. I came here on this platform and faced this audience and advocated a policy of—

Voice: Withdraw.

A voice: No.

MR. JAYATILAKA: Ladies and gentlemen I thought the interruption was worthy of notice. I am mistaken. It is not worthy of notice (laughter). I pass on. I adjure you. I ask you most earnestly not to follow the advice of people who are not responsible for what they say (applause). Your future is at stake and we shall not allow it to be spoilt by irresponsible persons. To come back to the subject. The Congress Committee has placed before you a certain resolution, and marked out a certain policy which if carried out in its entirety and with your whole-hearted support and sympathy is bound to succeed, and it will gain for us the goal we have in view—it will bring about within a short time a reconsideration of the whole question. I told you a little while ago that we did not propose merely to embarrass the Government. We want to do something better than that. We want to give a mandate to the Government. In regard to these so-called reforms the Governor has acted on his own responsibility without a mandate from the country—and he went wrong. He was misled by his officials and he went wrong. This time we want to give the Governor a mandate from the people. When we refuse to participate in giving effect to the reform, when not one of us, no Sinhalese or Tamil who has any self-respect who is prepared to put the interests of the country above his own personal interests and ambitions, refuses to take his seat in the reformed Council, the Governor will realise that he has been misled into more than one mistake (applause). He will be obliged to report to the Secretary of State that the reform scheme is not working as it was expected to work and he will himself undoubtedly ask for a re-consideration of the whole scheme. And when the re-consideration comes, the Governor himself, whoever may be the Governor, it may be Sir William Manning, or someone else may go to the

SPECIAL COLLECTION
Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org
JAFFNA PUBLIC LIBRARY

Colonial Office in Downing Street with a mandate from the people and tell the Secretary of State "these are the demands of the people; these are what they want," and he will no doubt fight on our behalf; he will do his best to secure for us our rights. That is the principal aim which we have in view.

But as I have said at the beginning of my remarks it is not merely political progress that will accrue to us in this fight. We have to exercise self-restraint we have to put forth our energy, we have to practise self-reliance and we have to work unitedly. The ideals of the Congress have been these. We want to bring together all the communities that live in this Island to form one united people. The scheme of reforms proposed by the Governor deals a heavy blow at this ideal but it must be our endeavour to keep that goal always in view, to keep these ideals in front of us, and if we work with these ideals in front of us, we are bound at the end of the struggle to rise as a great nation again as we have been in the past (applause). We have a history of which we need not be ashamed, but if we only sink the petty differences which divide one section from the other, if we all work unitedly together as we propose to do our future will, I predict, be as great, if not greater than our past. I propose this resolution with the greatest confidence. As to the future we shall win we certainly will win and our future will be much more glorious than it has been in the past. Ladies and Gentlemen the resolution is this:—

"This Congress rejects as utterly inadequate and reactionary and as an affront to the people of Ceylon the Scheme of Reform enacted by the Order in Council published in the "Ceylon Government Gazette" of the 23rd September, 1920, which under the guise of extending popular election and control seriously curtails the powers of the Legislative Council, increases the autocratic powers of the Governor, restricts freedom of discussion and control over the Executive, imposes humiliating disabilities on the people's representatives, introduces invidious distinctions between communities, creates special representation and denies even the beginning of responsible government."

MR. J. W. R. ILLANGAKOON in seconding the resolution said that after the eloquent speech which they had heard he did not think he need say much. He meant to qualify himself to be a

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

member of the new Council by observing a five minutes rule instead of a 15 minutes rule. He had been asked in the absence of Mr. Rajaratnam President of the Kandy Association, to second the resolution. It was hardly necessary for him to add anything to the reasons which had been so eloquently given by the President, Sir Ponnambalam, and Mr. Jayatilaka for condemning the scheme as enacted by the Order in Council. He did not think that there would be one self respecting man amongst them who would not fail to come to the conclusion that they should not touch the scheme with the end of a barge-pole if he might say so. To a certain extent Government had acceded to their demand of territorial representation. As the President had pointed out all the Provinces had been given one seat each. He would point out that that at least in the case of the Northern and Southern Provinces there was under representation.

In the Southern Province they would find that for a population of over 600,000 there was only one candidate given. The Attorney-General and the Governor stated in the Legislative Council that it was the intention of Government to bring local men with local knowledge into close contact with the administration of the Colony. He might venture to ask Government if they could point out a single resident of Matara or Hambantota who could claim to have close touch with Galle. He might similarly repeat the question as regards the Galle residents. What would happen would be that the Galle residents would solidly vote for the Galle representatives, and the Matara and Hambantota residents would vote for their own and the place that had the larger number of names on the register would succeed. If Government had taken the trouble even to consult the Government Agent he would have told them that one candidate was not enough for the Southern Province. He did not want to go over the same ground covered by the other speakers on the different aspects of the Scheme. Practically all the unofficial members of the Legislative Council leaving aside Mr. Ramanathan's act of hero worship at the end, had condemned the scheme. They would ask why in the name of goodness did Government persist in the scheme. His Excellency had said that when he was in Jamaica whenever the elected members came to him and told him that the people did



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

not desire such and such a measure invariably he accepted that advice and said that the responsibility was theirs. Why could he not pursue the same policy here? He could either drop or amend the Scheme and make it more palatable to the people. He did not think that it was impossible to amend the Order in Council.

With regard to the Reform Scheme he thought there was one thing which was quite clear to all their minds and that was that there was something which stood in the way of Government amending the scheme. That, he submitted, was prestige. Government, after having once passed the Reform Scheme into law and said: "Here, you must take it," did not want to go back to the Secretary of State and say "This Reform Scheme is a mistake and it is deficient in these respects and it should therefore be amended." For what would the Secretary of State think of his advisers? Government did not want to do that because of its desire to maintan its prestige and that was what had stood in the way of our progress. It was up to Government now to own its mistakes which had been so clearly pointed out and not try to shelter itself behind vague and indefinite terms. They were not a batch of political agitators, as Government had tried to make out, they were not seeking notoriety nor did they want to get their names into print. They had been brought to that Hall by the unsympathetic attitude of Government when questions of political progress had been mooted. It was, he submitted, that sort of policy which drove those whom the Governor had been pleased to term Moderates into the Extremists' Camp, if there was one. It was left to them to convince the Governor that the Moderates and Extremists would stand shoulder to shoulder and face the present crisis (applause). The other speakers on this resolution were the following:—Mr. (now Hon'ble) W. A. de Silva, Messrs. C. L. Wickremesinghe, M. S. Eliyatamby, Mr. (now Hon'ble) T. B. Jayah, Mr. (now Hon'ble) D. S. Senanayake, Messrs. A. P. Gooneratne, S. D. S. Goonesekere, C. B. Paulickpulle, M. Pinto, H. D. C. Goonesekere and Mr (now Hon'ble) Victor Corea.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

**President's Concluding Remarks.**

Mr. James Peiris said: We have had a very long and interesting discussion on this resolution and we have heard gentlemen who hold different views and I am sure that those who have heard them will give those views their consideration. But I am particularly glad that I had the opportunity of giving Mr. Corea the opportunity of addressing you about his position. We cannot expect all who are gathered here to be of the same opinion but what we expect is that we could unite on a common platform. Now the resolution we put before you is one in which we ask you as a body to reject the Scheme as offered to you by Government. That is the resolution and nothing else. However much has been said by the different speakers as to their particular opinions as to the way this resolution is to be carried into effect, we have counselled a particular course and it is for you to accept or reject it I have no doubt that the majority of you will accept it. It is open to anybody who does not agree with our view not to adopt it, but I ask you to remember that what we ask you in this resolution is to reject the scheme. I hope that you will give it unanimous support.

Mr. Peiris then went on to reply to a question put by a member of Congress as to whether the carrying into effect of the resolution was constitutional. Mr. Peiris said that it was perfectly constitutional. They were doing nothing to obstruct the progress of the Government. Government could get on with its official members and such unofficial members who in the face of public opinion expressed in the country might go into Council. Mr. Peiris repeated that the measure was a perfectly constitutional one.

The resolution was then carried unanimously.

**"At Home" at "Sravasti."**

At the adjournment of Congress—the gathering,—delegates, visitors and the ladies—present, accepted the invitation of Dr. and Mrs. W. A. de Silva to a Garden Party at their spacious residence, "Sravasti," Edinburgh Crescent, where the host and hostess, assisted by many friends and relations dispensed hospitality and provided the several hundreds of people so favoured with a most pleasant ending to a memorable day.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

The following extracts from the Minutes of the Executive Committee meetings of Congress will explain the origin of the Special Sessions:—

(*a*) Considered the question of holding a Special Session of the Congress. Mr. Armand de Souza proposed and Mr. A. A. Wickremasinghe seconded that a Special Session of the Ceylon National Congress be held towards the end of August or the early part of September to discuss what measures should be taken with regard to the proposed Reforms. Ten voted for and nine against. Article 5 of the Congress Constitution requires 60 per cent. of the Executive Committee to be present and vote for the holding of a Special Session.

(Meeting held 6th August, 1920).

(*b*) Ceylon National Congress Committee resolves that an Extraordinary Session of the Congress should be summoned for Friday and Saturday, the 10th and 11th September and appoints the President and Secretaries of the First Ceylon National Congress to be the President and Secretaries of the Extraordinary Session.

(Meeting held 17th August, 1920).

(*c*) Considered telegram from Mr. D. B. Jayatilaka requesting that the Special Session of the Congress be deferred till the arrival of Messrs. James Peiris, Jayatilaka, Molamure and the submission of the delegates' report. Unanimously resolved that this request be acceded to and that the Extraordinary Session be provisionally fixed for Friday and Saturday, the 24th and and 25th instant.

(Meeting of 3rd September, 1920).

(*d*) In view of the expected early publication of Government papers on the Reform Scheme, it was decided that the Extraordinary Session of the Congress fixed for the 24th and 25th September be postponed to about the second or third week of October or suitable dates to be fixed by the President and Secretaries.

(Meeting held 17th September, 1920).

This Session was summoned owing to the general dissatisfaction felt with the nature of the Constitutional Reforms outlined in the Order-in-Council of 1920. (Vide Appendix B.).

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

# GOVERNMENT PLEDGES. *

On Monday, 20th November, His Excellency the Governor received a deputation consisting of Messrs. James Peiris, E. W. Jayawardene, E. J. Samarawickreme, D. B. Jayatilaka, and G. A. Wille at Queen's House.

There were also present the Hon'ble the Colonial Secretary and the Hon'ble the Attorney-General.

The Deputation was introduced by Mr. James Peiris who asked His Excellency for a pronouncement on certain points which he understood had been submitted to him by the Attorney-General; and His Excellency was pleased to communicate to the deputation the following decisions.

I. His Excellency expressed his intention of appointing a Committee of the new Council, soon after its first meeting, to consider the standing orders in Schedule III. to the Order in Council. In particular His Excellency gave an assurance to the Deputation that the matter of the standing orders dealing with the limitation of speeches and of the time allowed for discussion would be left to the decision of the Unofficial side of the Council.

II. With respect to the representations made by the deputation as to the residential qualification for candidates, His Excellency stated:—

(a) He gave the assurance that he was prepared to recommend that the Order in Council should be amended so as to allow of candidates residing in any portion of the Western Province being eligible for any of the constituencies included within that Province.

(b) As regards providing for a property qualification as an alternative to residence, he was prepared to submit the views of the Deputation, and those of the supporters of residential qualification to the Secretary of State, for his decision.

* Vide appendix C.



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

III. As regards Clause 51 of the Order in Council, His Excellency explained that its provisions were only intended to be applied in time of grave urgency, and that therefore it was improbable that these provisions would be ever brought into operation in Ceylon; but as they were regarded as a slur on the loyalty of the colony, he was prepared to recommend to the Secretary of State the elimination of that Clause; provided that it was clearly understood that, if experience in the future proved that it was required, Government would be free to take measures for its re-enactment.

IV. His Excellency stated that as soon as the Amending Order in Council required to give effect to the amendments above referred to was passed, the first Reformed Council should be dissolved, and a general election under the new conditions should take place.

V. The steps for procuring the making of the amendments above referred to would be taken after the Order in Council had been given a fair trial, say one year from the first meeting of the Council. It was clearly understood that all motions with a view to the amendment of the Order in Council would, after discussion in Council, be submitted to the Secretary of State, with His Excellency's recommendations thereon; and that in making such recommendations he would give due weight to the view of the Unofficial Members in Council.

(Sgd.) H. C. GOLLAN,
Attorney-General.

Attorney-General's Chambers,
Colombo, 6th December, 1920.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

# SPECIAL SESSIONS

18th December, 1920.

## THE PROCEEDINGS.

At 1 p m. the gathering had assembled. The members of the Executive Committee had taken their seats on the platform.

Mr. James Peiris moved on to the presidental chair amidst great applause and the proceedings began.

Mr. A. Mahadeva, Secretary, asked the delegates to wear their badges as the votes of those who had no badges would not be counted.

Mr. Arthur Perera, Advocate, of Kandy, inquired whether the voting was by the associations or by individual members.

Mr. Mahadeva replied that the votes of individual members were to be counted.

## THE PRESIDENTIAL ADDRESS

Mr. James Peiris then addressed the gathering as follows:—

On behalf of the Committee I beg to thank you for responding in such large numbers to their invitation to attend this special session of Congress to consider a settlement which the Government is willing to make in regard to our policy of non-participation in the elections under the Order in Council. I know that most of you have come to-day at great personal inconvenience as only two months have elapsed since you attended the last meeting of Congress. Before I deal with the situation which has arisen in consequence of the offer of settlement referred to I should like to make a personal explanation. In the latter part of November I received an intimation that His Excellency the Governor would welcome an opportunity of discussing the question of Reforms with some members of Congress and that there was a probability of his making some concessions. Accordingly I summoned a number of members of Committee resident in Colombo to ask their advice and a fairly large number met me. My intention was to call a meeting of the Committee later if there was any prospect of a settlement before we met His Excellency. These gentlemen



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

agreed with me that our best course was to meet some accredited agent of the Government preferably the Attorney-General in the first instance and come to some understanding as to the matters which we should discuss with His Excellency and it was agreed that we should seek to have Section 51 which gives power to the Governor to suppress discussion deleted, the rules implying a time limit on speeches and on the discussion of any subject rescinded, the anomaly connected with the 3 electorates in the Western Province removed and a modification of the qualification of candidates in the territorial electorates introduced. They further nominated Sir Ponnambalam Arunachalam, Messrs. E. J. Samarawickreme, E. W. Jayawardene, D. B. Jayatilaka, G. A. Wille and myself as members of the deputation to meet Mr. Gollan. We met Mr. Gollan on the 25th November and had a most useful discussion with him and formulated our minimum demands which he took down in writing and which he consented to lay before His Excellency. If His Excellency the Governor was willing to consider our demands favourably and to discuss them with us our intention was to place the matter before the Committee and with their sanction have the interview with the Governor. In the evening of the same day Mr. Gollan telephoned to me that the Governor had fixed the 29th November for the interview and suggested that the same deputation should meet His Excellency. I inquired from him whether he had explained our position to His Excellency and had placed the memorandum which he made in his hands. He answered that he had done so and that the only day available for His Excellency to meet us was the 29th and desired that we should go on that day. I at once conveyed this message to Sir Ponambalam and others and the deputation was fixed for that day. In the circumstances there was no opportunity of securing a mandate from the Committee. We had to act without it. In the morning of the 28th Sir Ponnambalam Arunachalam wrote to me that we should not meet His Excellency until we were assured that he would grant us our minimum demands and intimated to me that he was unable to accompany us to Queens House. So we had to go without him. The assurances given by the Government are embodied in a memorandum signed by Mr. Gollan and submitted to you now. At the interview I informed His Excellency that I would place the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

terms of the settlement before the Committee and if they approved of it, summon a special session of Congress to decide whether the settlement should be accepted. We the members of the deputation have not in any way bound ourselves to accept the terms offered by Government. It is for you to accept the settlement that is offered to us. I made it clear that we in no way bound ourselves to accept the settlement without your sanction (hear, hear). In my address at the session of the 15th October I explained the position I took in regard to the Order in Council and why I advocated non-participation in the elections. Now gentlemen I will quote to you what I said on that occasion because I think that will explain both my position and the position of the number of gentlemen who advocated this policy. This is what I said on that occasion :—The appeal made to us to co-operate with the Government in working these reforms is founded on a misapprehension of the situation. I can understand our being asked to show, by the manner in which we work the new constitution, that we are deserving of an extension of the principle of territorial representation and the grant of an elected majority. That certainly was in the mind of Lord Milner when he suggested that we should give that constitution a fair trial. His words are "I shall be ready when the new constitution has had a reasonable trial, to consider any proposals for its amendment and should certainly rejoice if the degree of popular control now introduced were productive of such good results in practice as to justify its extension." That however is not the present suggestion and even if it were, the fact that the people are prevented from sending the best available representatives to Council, that the fittest men will not care to offer themselves as candidates in view of the withdrawal of rights hitherto enjoyed by members and that those who are elected to serve on the Council would be hampered by vexatious restrictions from doing their best to help the Government in its legislation, and in promoting the welfare of the people, will prevent us from accepting the advice which is tendered to us. To sum up, we contend that a trial of the new constitution is not necessary for the removal of its obvious defects regarding which there is almost unanimous opinion in the country and that unless those defects are removed it is not possible to give the constitution a

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

reasonable trial. Therefore we are constrained to decline the appeal made to us to co-operate with the Government in carrying out the Reforms. Let it be understood however that we are not, as an Hon'ble member of Council suggested, acting like a sulky child, who having asked for a cake gets only a slice and refuses to eat it because he has not received the whole. We are not rejecting the Reforms because our demands regarding an elected majority and other concessions have not been granted, although we would have been justified in taking up that position when the pitiful apology of Reform offered to us is compared with the concessions made to India and Burma. We refuse them because the new constitution, unless it is immediately amended in certain respects, cannot be given a fair trial, and chiefly, for the reason that instead of our rights and privileges being increased, we have been deprived of important rights which we have enjoyed for generations. The Government was given the opportunity, when the discussion in Council took place last week, to remove the obstacles—and they were not many which stood in the way of our accepting these Reforms, but they have not chosen to avail themselves of it, and are now proposing to impose this new constitution on an unwilling people. Ladies and gentlemen that quotation from my address to you at the last Congress states clearly the stand which we took. It is true that some members of Congress would have gone further. I myself, and we all, felt as I have said here that the reforms offered to us were most unsatisfactory, that our demands were not granted so that we had a just case for rejecting those reforms on that ground. We thought that those were matters which it was possible for us to deal with in the new Council itself supported by constitutional agitation in the country and that we might consent to enter Council to work for reforms which we have always advocated. But as I have said here there were difficulties in our way. We felt that no self-respecting man should offer himself as a candidate in this new Council under the restriction imposed upon members of Council, and the fact that something which we had always regarded as our Magna Charta—this freedom of debate in Council, had been taken away. It was under these circumstances that we rejected the reforms offered to us. Let me now call your attention to the resolution

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

which we passed on the last occasion, namely, "the Congress rejects as utterly inadequate and reactionary and an insult to the people of Ceylon the scheme of reform enacted under the Order in Council published in the "Ceylon Government Gazette" of 23rd September, 1920, which under the guise of extending popular election and control seriously curtails the powers of the Legislative Council, increases the autocratic powers of the Governor, restricts the freedom of discussion and control over the Executive, imposes humiliating disabilities on the people's representatives, introduces invidious distinctions and creates special representation and denies even the beginnings of responsible Government." Now gentlemen, that resolution is a comprehensive one and you will see that it lays stress on the very points to which I refer in my address. It lays stress on the fact that these reforms instead of giving us greater control over the affairs of the country had taken away privileges which we enjoyed, and in saying that we referred especially to the power given to the Governor to stop discussion on any question or resolution. Section 51 which is known to you and which has created so much dissatisfaction in the country not only among people who are members of this Congress but even people who do not belong to it. That was the very important matter we objected to, that power given to the Governor. Then it curtails the powers of the Legislative Council and increases the autocratic powers of the Governor. It curtails the powers of the Legislative Council by restricting debate and by allowing the Governor to impose his will on the Councillors. It restricts freedom of discussion and control over the Executive. That I take it refers to the rules in the schedules which imposes a time limit on the speeches of members and gives the Governor the power to restrict the time within which a debate should take place on any matter. Those rules which gave the Governor those powers necessarily restricted the powers of the Councillors and we resented that and that is expressed in this resolution. It imposes humiliating disabilities on the people's representatives. That embraces also what I have referred to already : It introduces invidious distinctions between Communities. Now gentlemen you know that part of this resolution referred to the fact that while the members of the Chamber of Commerce were given a vote

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

in the Chamber as well as in their separate electorates, the members of the Low-Country Products Association were denied that privilege. That was the matter referred to in that resolution. Gentlemen you will see that although we agreed then that we should fight to the uttermost to get the demands the Congress formulated in 1919, our great, our strongest reason for refusing to participate in the election, mind you, was that these rights which we had enjoyed for generations had been taken away and that humiliating restrictions had been imposed upon members in Council and that distinctions have been drawn between communities in the Order in Council. These were certainly the grounds which as you will see actuated me in advocating the policy of non-participation in the elections and advising you to accept that policy. You accepted this policy of non-participation in the elections on the ground that you could not possibly under these circumstances send the best members you could into the Council. There was just one other matter to which we generally referred, that was the restriction placed on the electors as regards the choice of a candidate namely the residential qualification. We felt that under that restriction it was not possible to send the best men into the Council although we recognised that in many of the provinces there are men able and capable to be thoroughly good representatives of the people; (hear, hear) and we felt that under ordinary circumstances we would have local men with local experience going to Council to voice the local sentiment. Still we felt that in the circumstances of the Colony there were other electorates in which there were not men of the same standard. We recognise there are good men, but there are undoubtedly difficulties for selecting stand-out men to represent these constituencies. It may be, gentlemen, that there was no proper distribution of seats and that, the electorates put on a proper footing, there will be found local men springing up everywhere who could represent different localities and nothing would be more welcome to those who have been carrying on this agitation of reform than to see that. But in the circumstances of the Colony at the present time we felt that if in some constituencies there was no possibility of sending men who would be wanted to fight not only to discuss local matters and matters of general interest but press our demands for reforms in

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

the new Council (hear, hear). We want able men to do that and we want leaders to do that (hear, hear). That we felt was a difficulty. That was one of the things we urged on the Government and the ground on which I placed my request to you to reject those reforms. I may say that very many of the other gentlemen who spoke to the different resolutions voiced the same sentiments. Now what happened? Well, we expected the policy of non-participation and I may say to the credit of the members of Congress that they have co-operated whole heartedly with us in this matter (applause). They have helped us and worked with us—and a large proportion in the different constituencies through the agencies of the Congress and local associations; and we have demonstrated to the Government that we are in a commanding position (cheers); and Government has been convinced—it takes a long time for the Ceylon Government to be convinced (applause and laughter). I am glad I have your approbation. Well gentlemen, before we were afraid of Government, we were afraid of the antagonistic Press. The moment the proceedings of our Congress were published in the local papers, the moment they saw how all the members of the Congress sat shoulder to shoulder together, the moment they saw the people were behind the Congress they withdrew all the insinuations they have been making for generations against us (laughter and applause). Gentlemen, in the Council there was an attempt to get the Governor to alter the worse features of the Order-in-Council. That failed. There was another attempt by the European community. That failed, because, gentlemen, you must have followed what appeared in the press with regard to that interview. The assurances by the Governor to Europeans were as vague as the assurances given in Council. I noticed a reporter of one of the English papers coming to me with a great deal of pomp and circumstance and say "now look here, what do you say to this assurance given to you by Government? Doesn't that satisfy you?" I said "not a bit. The Governor has in no way modified or extended what he has said in Council and I do not see it has altered our position." Well gentlemen, subsequently as I already told you, when we had demonstrated our power and when we had convinced that section of the Press and the Government that we the Congress was a

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

power in the land and backed up by the people, then gentlemen, the Government began to reflect (hear, hear). As I already told you I received an intimation that His Excellency the Governor would like to talk over matters with us. This was, gentlemen, to put it at the very lowest not an opportunity that we should dismiss summarily and I was also told that there was reason to believe that certain concessions would be made. Therefore I with, as I have said, certain members of the committee who were available to advise me in the matter took the steps I have already narrated to you. We had what the Government assured us put down in writing in the document which I now present to you. (The speaker here produced the document which had already been printed and circulated among the members). (Vide p.245.)

I present that to Congress for the first time because I felt I should not give this over to the committee or to the press although we gave summaries, I felt it my duty as your Chairman elected by you to present this to you and I do so to-day (hear, hear, applause).

I may say gentlemen as I already said, our minimum demands were reduced to writing and that memorandum was conveyed to Government by the Attorney-General. The result of that interview is given in this document copies of which I think are in your hands. Well what are the assurances given? You already remember what our minimum demands are. They were that clause 51 should be deleted altogether, that any regard to the rules about the time limit and limit for discussion should be left in the hands of a committee of the Unofficial members of the Council among whom the elected members would be in the majority. Under all circumstances, gentlemen, you will remember the importance of that. No self-respecting man who goes there either on election or nomination would try to restrict his own privileges. Therefore we knew Government was going to appoint a committee to consider the rules and we made it a condition in regard to those rules that Government should give us the assurance that it should be decided by the votes of the unofficial members. There are other matters in these rules which also could be discussed and in regard to which unofficials should bring their opinion and influence to bear on Government. But we made it particularly clear that

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

in these two matters they were to have a voice and nobody else. Then, gentlemen, we pointed out to Government the anomaly about the Western Province electorate. With regard to clause 51 it has been unreservedly promised to have it deleted and His Excellency did it for a reason creditable to us. We pressed upon him among other circumstances that this was an insult to the Colony, that it did not recognise the continued loyalty of the people of this country to the British Crown and the disposition they have always shown to co-operate with Government and not to obstruct Government. And he said it would be considered a slur on the loyalty of the Ceylonese and he was willing to ask the Secretary of State to delete this clause although he felt there was reason for its retention in other colonies where that rule exists. Gentlemen, this is a compliment to us Ceylonese who as I said always have instinctively declined to take part in any violent agitation (a voice:—not now). Gentlemen with regard to the Western province electorate he gave us the assurance we asked for. We also asked him to tell us definitely that at the end of the first session of the Council or in about a year all the amendments to the Order in Council which members in Council might propose would be considered and discussed and that His Excellency would send his recommendations to the Secretary of State giving due regard to the opinions of unofficial members. That he undertook to do. We could not ask him to do more, although we may wish it. This is a matter which His Excellency has to do with the sanction of the Secretary of State. But what we felt was that if we sent into Council with these restrictions removed, men who would stand for Congress demands and press them on the attention of the Government and the Secretary of State after debate in Council and backed by a sympathetic decision on the part of the Governor we would be in a position to secure a triumph for the Congress and for the whole hearted way in which Congress men worked during the time that elapsed since the passing of that resolution in October this year. So that we did not take these concessions as the concessions that we want with regard to our reforms. They enable us to send men into Council with our mandate to work for our reforms and also to do their work in Council in such a manner that will prove to the local Government

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

and the Secretary of State that we are fit for greater responsibilities than those given to us under the Order-in-Council. The Secretary of State is an unfortunate man situated as he is, with all the difficulties in England with the Egyptian question on one side, the Irish on the other and all those difficulties would drive the poor man into d straction and it was not possible for him to give that close attention to our affairs as he would have otherwise done. Gentlemen, I believe, although you may call him reactionary that now in his mature age he has got rid of some of the conservative ideas he had, and that he can bring his mind to bear on our questions so that we will have very good hopes of getting a very good scheme of reforms in the near future. Now that is the position. I explained to you the steps we took, the reasons that induced us to take the steps we took. I explained why it was not possible for the Governor to fix a date for the interview. We had to accept that because it was the only day available for him under the circumstances. I say we have acted in your interests, the interests of the Congress. We have made it clear to the Attorney-General that you are the last tribunal who would have to accept it. I say that we felt that we should have taken part in these negotiations and we feel that this has been a triumph for the Congress and the country (applause). We ought to welcome the fact that the Government, as the Colonial Secretary put it the other day, has met us half-way. That is the spirit in which we ought to work. The Colonial Secretary appreciates very highly the action we have taken in this matter and has commended it publicly and fearlessly, and you may be assured that his appreciation would not stop there. He would help us hereafter, (cheers) and help us to achieve our reforms because he has a belief in our sobriety in our inclinations and desires to co-operate and work harmoniously with the Government (applause). Therefore gentlemen I ask you to give this first resolution proper consideration and to confirm by your voting that you are prepared to accept this concession merely as one which would enable us to further the cause of reform better than any other conditions and help us to attain our goal much sooner than we would otherwise do. Gentlemen, there is one other matter which I should like to say. In a campaign like this you must remember that we have not finished our work. We

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

are just beginning. We have got a concession, we have got a foothold and the work lies before us. We have to conduct our vigorous propaganda in this country and in England. We have persistently to put forward our demands in a constitutional way. We have to convince those people who stood aloof from us under the idea that we are going to fail. You will see, gentlemen, now that a good many of them will rally to our standard. Not only in this country but in other countries these are facts of human nature and we can have that support. Not only that, I think we can have the support of those who may be actively opposed to us if we can carry on our propaganda in a proper manner and try to win them by reason. For all that money is needed, gentlemen. After all filthy lucre is necessary for all success in this life. You may live on a plate of rice cunjee but an agitation like this cannot live on that. I must say and I say so with reluctance that the support given us hitherto in this respect financially has been not at all adequate although I candidly acknowledge we have had some for carrying on our work. We thank you for all that. I ask you to do your utmost, everyone according to his capacity to contribute to the common fund for this propaganda Work. You remember how the planters of Ceylon formed a one day pay fund to support their comrades in the war, and is it asking too much from you, gentlemen, the people of the country—the price of rice has gone down (laughter), to give us that margin. I ask you to give your mite. Give according to what you can for this great and glorious work which would end in victory for the Ceylonese (Loud and continued applause).

Mr. C. E. Corea said that on the 2nd December the Hon. Secretary of the Executive Committee sent a statement stating that a memorandum had been given by the Attorney-General giving an assurance. They now found that that paper had been sent by the Attorney-General on the 6th December. He wished to know how a memorandum signed before the 2nd of December and sent on the 6th was materially altered.

Mr. James Peiris said that at the meeting of the committee objection was taken by some members to the word "probably" in the document. That word was not actually intended to cast a doubt on what the Attorney-General had said. Now because

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

there was a general request on the part of the members of the committee he (the speaker) went to the Attorney-General and drew attention to it. The Attorney-General recast that and sent the document presented to the meeting that day. There might be possibly in the recast some verbal difference.

"I can assure you gentlemen," said Mr. Peiris, "that I have in my possession a document given to me in confidence which I can use when the occasion arises, which gives a full report of our conversation with the Governor. Our agreement with the Governor and the Attorney-General was an assurance. But they have put this document in my possession which I may tell you I may unhesitatingly use if it is necessary to do so (hear, hear) I can say and those members who were with me can say that these assurances embody in fact what was promised by the Government. But as I say there may be verbal alterations because the Attorney-General had to transpose some paragraphs in the original document on account of the objections made by members. That is why the date is put as 6th December. I deprecate any discussion on this matter. Certainly it will not be said that the summary given in the papers does not bear out what is in this document. I think you must repose trust in the Attorney-General and the Governor and the Colonial Secretary.

Some discussion then took place.

In course of further discussion Mr. Ariyanayagam, of the Jaffna Association moved that the session of the Congress be adjourned as they had not had sufficient time to consider the Government pledges which had been treated as confidential.

Mr. James Peiris replied that the document had been sent to the Secretaries of the Associations a week ago. It was not issued to the public as it concerned only Congress men. The motion was lost only 30 voting for it.

---

## THE FIRST RESOLUTION.

The Hon. Mr. Sabapathy said: Mr. President, Ladies and Gentlemen, the resolution which I have been asked to move is as follows :—

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

" In view of the assurances of the Government contained in the memorandum of the 6th December, 1920, signed by the Hon. Mr. H. C. Gollan, Attorney-General, and submitted this day to the Congress by the President, this Congress recommends participation in the elections under the Order in Council, unsatisfactory as it is, in order to utilise the opportunity now assured to the Congress of shaping the new constitution and of working for the early realisation of the full Congress demands on Reform."

I would have been glad if this resolution was entrusted to somebody else who would do adequate justice to it. There are here so many able speakers and intellectual giants who ought to have been preferred to me. I am not well equipped to undertake this great task. The request to move this resolution came after my arrival here to attend the last meeting of the Finance Committee of the Legislative Council. I have not had time to prepare a speech worthy of the occasion and the subject. Besides the state of my health soon after recovery from a protracted and serious illness would not permit much exertion and making a speech. For these reasons I asked Mr. Mahadeva one of the Secretaries, who conveyed to me the desire of the Committee, to excuse me and to find some one else to move the resolution, but he stated a reason for my taking it up and I was obliged to yield. I make this statement to prevent disappointment and to ask the indulgence of the house to excuse me if my voice is not loud enough to be heard in all parts of this hall.

I, however, consider it an honour and a privilege to have been asked by the Committee to move the principal resolution of this extraordinary Session of this Congress. Although I very much desired a satisfactory settlement enabling the Congress leaders to co-operate with the Government in the matter of constitutional reforms, settlement which would in the near future secure for Ceylon the demands of the Congress for self-Government as a unit of the British Empire—yet I was no party to the compromise come to between His Excellency the Governor and the deputation which waited upon him—I entered the meeting of the Executive Committee held on the first instant, to consider the assurances given by His Excellency, with an open mind, and after due consideration of all aspects of the question, I came to the conclusion

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

that the acceptance of the assurances was the right thing to do, under the circumstances and that they were a great victory to the Congress cause.

Many of us thought that no self-respecting person could enter the new Council with powers and privileges of unofficial members curtailed and withdrawn although their number was increased by a nominal unofficial majority—soon after the publication of the Order in Council, when I was still very weak and in a state of convalescence, some gentlemen who were interested in candidates for the Northern Province Seat approached me and asked me whether my health would permit my becoming a candidate myself, I told them that health was a secondary consideration and that I would not care to become a member under the new conditions—It was at my instance, as president, a meeting of the Jaffna Association was held which endorsed the first Resolution of the Ceylon National Congress. After the Congress Committee had recommended the acceptance of the assurances, the Jaffna Association has also unanimously decided to accept them after much discussion.

Ladies and Gentlemen, this large assembly comprises the educated and intelligent portion of the permanent population of this Island, who know the details of the new Scheme of constitutional reforms and its obnoxious provisions. I need not therefore detain you by entering into these details. Besides, the President has in his masterly address detailed most of these points and I have no doubt that the seconder and supporters of this motion will amplify them more ably and convincingly than I have done—I therefore commend this resolution to your acceptance.

These are pledges made on a momentous occasion by His Excellency the Governor in the presence of the Hon'ble the Colonial Secretary and the Hon'ble the Attorney-General to some of the most prominent leaders of the Ceylonese community who are also leaders of the Congress, and committed to writing and signed, with the approval of His Excellency, by the Attorney-General. If these pledges will not be observed, there must be an end to all pledges in public life and by Government. I have no doubt whatever about the good faith and honesty of the intention of the Governor in this matter.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Those who know His Excellency more intimately than many of you do will bear me out when I say that our Governor is an honest and straightforward English gentleman who means what he says, although he has erred and grievously disappointed us in regard to the constitutional reforms for which he is responsible. He was badly advised and misled to think that the Congress demands were not the demands of the people and that its promoters and leaders were a body of extremists and discontented persons who had their own axes to grind without any regard to the general welfare of the people. He honestly believed that the scheme of reforms which he recommended and got adopted by the Secretary of State was an advance on existing conditions and would be acceptable to the people at large. But as soon as he found that the Congress represented the feeling and aspirations of the whole Island and that his reforms have caused great dissatisfaction and disappointment among all sections of the community, he decided to undo what he had done by coming to a compromise with the Congress leaders who could not have also in the best interest of the country rejected the offer made with a sincere wish on the part of His Excellency to open the way for a better understanding with the Government and ultimate attainment of the aims of the Congress which has now become and has been recognised as a power in the land. I have no doubt that Government will not hereafter treat with indifference its views and wishes. Governors generally do not rectify mistakes for fear of losing the prestige of their Government. This is a mistake, prestige is increased by boldly facing the situation and yielding to the reasonable requests of the people. His Excellency has not lost his prestige by coming to this compromise but has on the contrary gained very much in the esteem of the people. Can we, ladies and gentlemen, blame the bureaucracy for regarding the reforms which we demanded with suspicion. It is the same all the world over and has never in any country voluntarily or with good grace extended privileges to the people. You cannot expect the Ceylon bureaucracy to act otherwise. It is after repeated delays and disappointments the people by persistent and sustained efforts secure greater share and responsibility in the Government of their country.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

There are two ways of forcing the hands of the Government to concede demands for greater political privileges—one is to give constant trouble to Government by violent and disloyal acts such as are being done in Ireland and in Egypt. The other is by loyal and constitutional means earnestly and persistently employed to attain the national object. The people of Ceylon have been long noted for their loyalty to their sovereign and to the British Government. We have, therefore, chosen rightly and wisely the latter course which cannot fail to lead us to our goal. If we do not accept the compromise contained in the assurances of His Excellency the more ardent spirits among us may be led to adopt disagreeable methods of non-co-operation which cannot fail to lead to unpleasant and unconstitutional acts. It would be impolitic on the part of the Congress if we did not accept the olive branch offered to us. Although violent methods sometimes succeed, it is safer and wiser to gain our object by loyal and constitutional means. In this connection I would read to you the following report of a question asked and the reply given in the House of Commons very recently:

"Commander Kenworthy asked for an assurance that the peaceful conditions which have so long prevailed in Burma would not be regarded as a reason for delaying constitutional reforms. Mr. Montagu replied that his experience was that reform was accelerated by peaceful conditions and retarded by unpeaceful conditions." I may here mention that Burma which has been granted a constitution far in advance of that given to us is not satisfied with it and demands something more. That country is sure, according to the London *Times*, to be placed almost immediately on the footing of the Indian Provinces, although it was excluded from the operation of the Indian Councils Act of 1919.

The compromise come to does not, of course, enable us to enter the Council with all the rights and privileges demanded by us but it opens the way for attaining most of our objects within a definite period, one year, instead of waiting for five years, if this settlement was not come to. The revision of the new Order in Council at the end of next year would also be a fitting opportunity for the Kandyans to get their grievances redressed, the Mohamedans to press their claims for electoral franchise, and for the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

inadequately represented Provinces to ask for more seats than those now allotted to them. But as you all know, the revision of the Order in Council to satisfy the demands of the Congress and public aspirations depends in a great measure upon the members who will be returned to the new Council. They should be men not only pledged to the Congress creed but also willing and able to carry out their pledges. The electorate is a fairly wide one many of whom are ignorant of their rights and privileges being unaccustomed to the exercise of such privileges but who would be quite fit in course of time to make proper use of the franchise conferred on them and are easily liable to be misled to vote for persons who are not deserving of the honour and responsibilities of peoples' representatives. It is, therefore, the duty of the educated and enlightened members of the community to educate the electors and guide them to act properly in the forthcoming elections with a view to elect only such members as would safeguard public interest without being swayed by personal and private considerations. It is a healthy sign of the progressive times of Ceylon that the subject of this resolution should be open to so much difference of opinion and criticism. Intelligent persons who can think for themselves are not expected to say aye to everything their elders or leaders might say. The question should undoubtedly be fully discussed and all sorts of diverse views expressed. It would be a healthier sign if we can ultimately come to a unanimous decision which I hope will be the acceptance of my motion, a decision which will not, in my humble opinion, in any way endanger the cause of reforms which we have demanded through this Congress but which will accelerate them if we are united and persistently employ constitutional means to obtain them.

Ladies and Gentlemen, as you are aware it is the Indian National Congress which has secured for our brethren and fellow subjects in the neighbouring Continent the privileges which have been now conferred on them. They are within measurable distance of securing self-Government. The new constitution grants them elected unofficial Indian majorities in all Legislative Councils, Provincial Councils, Legislative Assembly and the Council of State with ministers selected from among elected Indian members, in charge of important Departments. It is the disinterested

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

and self-sacrificing labours of the Congress leaders in India which has brought about this result. It should, therefore, I need hardly say, be the aim and object of the Congress leaders here to achieve for Ceylon what India has achieved by means of the Congress, by working so disinterestedly, harmoniously and unitedly not to give room to create any suspicion and distrust among the diverse races and communities of which this Congress is composed. Racial interests, national interests and personal interests should be sacrified for the general welfare of the country. I have no doubt that patriotic spirit actuated those who founded this Congress and it goes without saying that they will do nothing to mar its usefulness or bring about its disruption. Woe unto all further political progress of Ceylon if by any unwise or selfish action of the leaders or the members the continued existence of this Congress is threatened.

Ladies and Gentlemen, I have been a life-long Reformer. In the seventies of the last century, before many of you were born, as a student, I read a paper on "Our Government and Legislature" before the Batticaloa Young Men's Improvement Society, advocating the reform of the Legislative Council on an elective basis and the introduction of the Ceylonese element into the Executive Council. During my 30 years' connection with the "Hindu Organ" newspaper as its unpaid Editor I have in season and out of season, written articles without number advocating these reforms.

Again, I have watched the proceedings of every session of the Indian National Congress since its inception in 1885 and since my connection with the "Hindu Organ." I have had to comment on almost every sessions, deploring the necessity of a similar organisation in Ceylon and calling upon my countrymen to form a Ceylon National Congress to secure constitutional reforms which have been long over due to us. Hence my great interest in this Congress. I have been of the opinion that those who founded it deserved the thanks of their countrymen I have also joined it with the view to promote its objects and to practice what I preached.

I would in conclusion again plead for unity and acceptance of this motion with the view to the maintenance of the prestige

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

and usefulness of this Congress and for the early realisation of its full demands.

In seconding the resolution Mr. F. R. Senanayeke said that he took that task upon himself with a great deal of hesitation. His hesitation was not because he was in disagreement with what the Congress Committee had recommended, but he felt that there was a certain amount of feeling in the country against the resolution and that there should be a person who would be able to speak with more effect in presenting the case to such a gathering. Unfortunately, for him he received the previous night a letter to the effect that he must speak. He was suffering also from the additional disability of not having prepared his speech. Nevertheless, he would speak just a few words, which he thought, would not carry much conviction. He hoped that these words would give them a fair idea of the difficulties that they, members of the Committee had to contend with. For that purpose, he felt it necessary to refer to the minimum demands of Congress in 1919 which were the same up to the present day. They had sent deputations to England to interview the Secretary of State and to His Excellency the Governor. The Order in Council did not satisfy anybody and it became necessary to have a special session of Congress. Mr. Peiris then made it plain to them as to what was meant in the first resolution. He never consented to that resolution on the assumption that it was a rejection of the reforms altogether. They never meant to reject the whole scheme. So that the question of rejecting the reforms had never been discussed by the Committee. There was one thing which they should do that was to enter the new Council and fight for more. There were some obstacles placed in their way. That was the reason the President had given them that day. But there was another reason. They felt that there was some slight doubts in the minds of the authorities, locally, and in England, whether the Congress did represent the people. Therefore they thought that a unanimous protest was required. There were reasons, why he supported that resolution. One had been given by the President. They had one object in getting into this Council, and that the ultimate obtaining of the necessary reforms, which they had to keep in mind. So they had realised that that arena, the Legislative Council was the best

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

place for them to put up a fight. He saw no reason why they should refuse to accept that. To carry conviction was the only reason for their former attitude. They had carried conviction that day and His Excellency had promised that the whole scheme would be in the melting pot. At any rate, the constitution must be reconsidered. They had however done something which the authorities disliked. He saw no reason why they should not make use of that method. That was one reason why he supported that motion. Two gentlemen of great prominence and men of consequence, had interfered in the matter and had attempted to bring forward some kind of settlement.

THE PRESIDENT said that the names of several gentlemen who wished to speak had been submitted to him. It had happened that there were also several members of the same association. The Hall had been engaged, and they could not stay longer than 7-30 p.m. The second resolution was an important one and he would ask members to confine their remarks to, as short as possible a time. He proposed, in the case of several members of the same association, giving the most prominent man to speak. He would call upon Mr. Victor Corea to speak

---

## THE MOTION OPPOSED.

MR. C. E. VICTOR S. COREA opposed the motion. He said: Much as I dislike even to appear obstructive or cantankerous, I regret I am unable to give my support to the motion before the House. I could have wished, out of a sense of loyalty to my colleagues, to refrain from taking part in these proceedings: but were I to engage in such a "conspiracy of silence" I should stand convicted at the bar of my own conscience of moral cowardice and a base betrayal of my country's interests. It has been my misfortune that each time I rise to speak in this Congress I should have to say things that would displease the authorities, make my colleagues move uneasily in their seats and call down upon myself the vituperation of a section of the Press. But it is not my nature to shrink when it comes to a question of "facing the music." Loyalty to my country, to our King, to myself, and to you my brothers and sisters demands that I should give expression to my views on this momentous question. Barely three

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

months ago, at a meeting of the Lanka Maha Jana Sabha held in this very hall, Mr. D. B. Jayatilaka in the course of an impassioned speech, said that what aroused the indignation of this country was not the Order in Council, but the manner in which the Governor and the Secretary of State had hatched out this scandalous "Order" and thrown it to us as if we were no better than the aborigines of Fiji or Australia, while Mr. Jayatilaka and his associate delegates were serenely waiting for a communication from Lord Milner! What has happened since he made that speech to make Mr. Jayatilaka change his note? Has that insult which he so resented been wiped away? Has the Governor offered one word of explanation, or even an apology for the contemptuous manner in which he has treated the delegates of this august assembly which to all intents and purposes represents the Sovereign People of this Island? I will not do Mr. Jayatilaka the injustice to think that it was while smarting under the blow to his vanity that he thundered so eloquently against the insolence of the Bureaucracy. I would rather believe that it was indignation at the intolerable wrong done to this country that made him speak as he did. It was Mr. Jayatilaka again who on the 15th October last moved the following Resolution which was unanimously passed by you: "This Congress rejects as utterly inadequate and reactionary, and as an affront to the people of Ceylon the Scheme of Reform enacted by the Order in Council published in the "Government Gazette" of the 23rd September, 1920 which under the guise of extending popular elections and control seriously curtails the powers of the Legislative Council, increases the autocratic powers of the Governor, restricts freedom of discussion and control over the Executive, imposes humiliating disabilities on the Peoples' Representatives, introduces invidious distinctions between communities, creates special representation and denies even the beginning of responsible Government." In the course of his speech, Mr. Jayatilaka described the Order in Council as a "petty performance unillumined by a single flash of imagination, uninspired by one generous impulse and unrelieved by one bold stroke of statesmanship!" Our Chairman, in his Presidential address on that occasion made a pitiful complaint as to the manner in which our delegates had been treated. These were his words: "We were

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

kept completely in the dark regarding the Government Scheme in spite of repeated requests that we should be given an opportunity of considering it. We had two interviews with the Governor, one in Colombo before we left, and another in London at neither of which did he vouchsafe to disclose to us any information regarding the intention of Government. Now, I ask, gentlemen, what was the use of our going to England at great personal inconvenience and being kept in suspense for 4 months if we were to be deprived the opportunity of discussing the Government proposals? Our demands as well as facts and figures on which they were based were placed before the authorities on several occasions. They were clear and required no explanation. The *one object* for which we went to England was to offer criticism on the Government Scheme. Surely out of common courtesy we might have been taken into the confidence of the authorities!" Thus Mr. James Peiris on the 15th October last—On the 16th October Mr. E. W. Perera moved the resolution embodying a vote of "no confidence" in the Governor, which too, had your universal approval. The word "confidence" as you are doubtless aware, is derived from a Latin word which means Faith or Trust. That resolution, therefore, meant that this Congress had no more faith in General Meeting. One would have thought that after passing such a resolution members of Congress particularly the members of the Congress Committee would keep His Excellency off at arms-length, and shun Queen's House and its occupant as if they were anathema! What atonement I ask you, has the Governor made for the offence which compelled us to pass those resolutions at the last sessions of this Congress, that you are now advised to go back upon those resolutions? Well, he seems to have scattered broadcast over the country his little bits of paste board—pink and white, green and yellow, black and blue; and with a supercilious smile on his face watched us making a mad scramble for Queen's House, making ourselves look black and blue in the course of the jostling. And when we got there we found His Excellency towering over us bestriding our narrow world like a Colossus; while we, petty men walked under his long figure and peeped about.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

*"To find ourselves dishonourable Graves."*

In this connection I am reminded that my friend Mr. Sandrasegra at the recent meeting of the National Association seems to have taken up cudgels on the Governor's behalf. According to the newspaper account Mr. Sandrasegra deprecated derogatory personal remarks which he said had been made about the Governor. He did not know whether those remarks were necessary or justified. He heard it observed by a very prominent European that that was a feature of their agitation which by no means commended itself to those who were not of their way of thinking. He hoped that they might never have occasion for feelings or expression of that kind. I cry "shame" upon my friend Mr. Sandrasegra, and make bold to tell him that he should have turned on his European friend and asked him how he could have the effrontery to make such a remark after the disgraceful manner in which his countrymen had treated a man the latchet of whose shoes Governor Manning is not worthy to stoop down and unloose. Need I say that I am referring to Sir John Anderson of revered memory? In the short time he was with us Governor Anderson endeared himself to the people of this country not by showing any favouritism towards us, but by a few acts of bare justice. For this, his own people reviled and persecuted him to his grave. Nor did even death save his memory from their malice. We never asked General Manning for any favour. Nor did we even mind his petting and pampering his European proteges. But when this Governor seemed to go out of his way to heap insult upon insult upon the permanent population culminating in this atrocious Order in Council—human nature could no longer stand it, and in our indignation some of us suggested that His Excellency should be recalled! Mr. Sandrasegra holds up his hands in holy horror as if we had uttered blasphemy. Yet, I find the following Resolution in the Agenda of the Ceylon National Association at the meeting held last week under Mr. Sandrasegra's presidency:— "That in the opinion of this Association the Railway Department has been so seriously mismanaged that it is not in the public interests that Mr. G. P. Greene should continue as the head of that department any longer." Does Mr. Greene's maladministration of his department seem a more grievous crime in our eyes because

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

he is a subordinate official? And does the Governor's offence in flouting public opinion and showing open contempt for the people of this country stink less in our nostrils because his rank is high? To my mind the higher the rank, the greater is the guilt of the delinquent! But my learned and gallant friend Mr. Sandrasegra has constituted himself the Governor's shield and buckler, and I must congratulate H. E. in securing the services of so doughty a champion! I come now to the Order in Council itself. Our Chairman has advised you to accept it as its most objectionable provisions have been or are about to be removed. Allow me to read Section 52 which is to stand. It runs as follows:—

(1) If the Governor is of opinion that the passing of any Bill, or any clause of it, or of any amendment to any such Bill, or any resolution or vote, is of paramount importance to the public interest, he may declare such Bill, clause, amendment, resolution or vote to be of paramount importance.

(2) In any such case only the votes of the ex-officio members and nominated official members shall be recorded, and any such Bill, clause, amendment, resolution or vote shall be deemed to have been passed by the Council if a majority of the votes of such ex-officio members and nominated official members are recorded in favour of any such Bill, clause, amendment, resolution or vote." Can you imagine anything more dangerous to our well being or more insulting to us the owners of this country? Have you so soon forgotten the year, 1915 that you can contemplate without horror the uses to which the Bureaucracy might put this extraordinary power? Think again of the risk of indignity you will be exposing your representatives to in a senate where the Chairman has the power to tell them that their room will be preferred to their company or that like little boys they are to be seen and not heard?

It might perhaps be urged that our own delegates had themselves suggested to the Secretary of State that extraordinary power should be given to the Governor. My reply to that is, that it was not within the scope of our Delegates' authority to make any such concession. The mandate given to our Delegates was clear and distinct. If they went a hairbreadth beyond those explicit instructions, however, well-intentioned their motives might

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

have been, we must repudiate such action. They had no plenipotentiary powers to sell away our birthright! It has been suggested that Section 53 provides a safeguard against the abuse of Section 52. That section reads thus:—

"53. The Governor shall forthwith report to one of H.M.'s Principal Secretaries of State every case in which he shall make any declaration of opinion as is mentioned in Clause 52 of this order, with the reasons for his opinion." And this is called a safeguard. Are we fools or mad to rely on such a broken reed as the sense of justice, or even honesty of Secretaries and Under-Secretaries of State for the British Colonies? Without referring to the many falsehoods uttered by these ministers in Parliament in 1915 in connection with the riots, let me invite your attention to a very recent incident which took place in the British Parliament in reference to this very question before us. Quite recently in reply to a question in Parliament by a Labour Member Col. Amery said that no attention need be given to the resolutions passed in this Congress on the 15th and 16th October last because it was evident that our Congress had not waited till the Order in Council was published in Ceylon nor given the Government here an opportunity of explaining it. Yet not only had the Order in Council been published in the "Government Gazette" on the 23rd September, not only had the debate in the Legislative Council on Mr. Ramanathan's motion taken place on the 4th October, but the 1st resolution which I read out to you mentions the fact that the Order in Council had been published on the 23rd September, 1920! Now this reply of Colonel Amery's establishes one of three things: That he is deficient in intelligence, or grossly ignorant of the affairs of this country; or that he is thoroughly dishonest. In any one of these events, this incident should satisfy us that this so-called safeguard means nothing. "But," some of our moderate friends urge, "the safety of the British Empire demands that some such power should be left in the hands of our British rulers if we are to have an elected majority in Council." I protest against this word "British rulers." The accident of the King of England being also King of this Island of Ceylon does not make the British our rulers. I formally repudiate "British Rule" and demand "Swaraj" for our Country (loud applause). I fear

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

I have given you a shock. But let me explain that this bombshell that I have thrown in your midst is nothing more than a mere point of law. At about the commencement of the 17th century the formidable Philip II. of Spain attempted to take possession of the Maritime Provinces of Ceylon on the strength of King Dharmapala's Last Will and Testament, but he found that the Sinhalese were not so submissive as their degenerate descendants of the present day are. And, if I may sound a personal note, I might remind you that it was only a few years earlier that my own ancestor Dominicus Corea, otherwise Edirilla Rale courageously opposing the Portuguese forces, paid the penalty with his head. Philip found it necessary to make terms with the Sinhalese : "So long as H.M. of Spain and his ministers respected the religion, the rights and usages of the nation, they would meet with the same loyalty and fidelity which the Sinhalese had been accustomed to show to their own Princes. On these conditions they were ready to take the oath of allegiance and the new Dynasty, the officers of the King being at the same time prepared to swear in the name of their master to respect and maintain the ancient privileges and laws of Ceylon. This convenant was concluded and proclaimed." The Portuguese Historian Rebeiro says : "When we saw that there was nothing else to be done, a public instrument was drawn up, and confirmed by solemn oaths on either side. We promised in the name of His Majesty to preserve for the Kingdom and vassals of Ceylon all their laws, rights and customs without any change or diminution whatever." This was the treaty known as the "Malvana Treaty." The Dutch succeeded the Portuguese, and the English the Dutch under the same terms—in the maritime Provinces. In 1815 the people of the Kandyan Provinces who so far had preferred the rule of their own native monarchs, were so infuriated by Sri Wickrema Rajasinha's fiendish cruelty towards the great Ehelepola Adigar's family that they at Ehelepola's instigation, deposed the Malabar King and offered the Sinhalese Crown to the King of England, George III. Under the Kandyan Convention King George assumed the sovereignty of Lanka on the following conditions :—

(1) That H.M. would maintain and protect the Buddhist religion, its ministers and places of worship; (2) that the Laws

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

and customs of the Kandyans would not be altered. So you see, dear friends, we have nothing to do with the British Empire or the British constitution or the British colonies. We stand alone! holding a unique position among the many countries that own King George's sway! consider the position carefully. Suppose there is a Revolution to-morrow in England, and the British people proclaim a Republic, as they did after they murdered their sovereign Charles I. in the 17th century and set up a Lord Protector or a President, could that Protector or President claim our allegiance? Most certainly not! The restoration of our Sinhalese constitution ruled directly by King George of England through a viceroy, should be our demand. The Secretary of State for the colonies should not be permitted to meddle with our affairs. This is the irreducible minimum of the demands of the Young Lanka League Party. Of course we will be called visionaries and mad enthusiasts! But as surely as Egypt will recover her independence, will we regain our own! And if the people responsible for the Government of the British Empire wish the world to believe that the political morality is indeed superior to that of the Germans they would be wise in granting our first, our legal demands without delay. The longer the delay the more widely would the story of their perfidy towards us be published. For the German Kaiser's violation of the neutrality of Belgium was not a whit worse than the violation of the pledges given to this country. I do beseech you, my friends, to reject this Order in Council for the unclean thing, that it was said to be by some of these very gentlemen who now urge you to accept it. As I have shown you, it is not cleaner now. It is still untouchable! And let it be borne in mind that it is for a *Principle* we have been fighting. As Mr. Jayatilaka justly said, a greater insult to us than the matter of the Order in Council is the contemptuous *manner* in which it has been flung at us—as a man throws a bone to a starving cur! If we do not resent the snubbing administered to our delegates, I should say we deserve the treatment we have experienced—and worse! Another point in this compromise that I consider reprehensible is the ignoring of interests of our Kandyan brethren. It might be urged that a separate Kandyan deputation with a mission antagonistic to that of the Congress delegates had made their



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

own terms with the Secretary of State, and that this Congress was not responsible for the plight of the Kandyans to-day. But I don't think such a Pontius Pilate attitude will save us from the charge of selfishness. When God asks: "Where is thy brother?" is Congress to retort: "Am I my brother's keeper?" Political motives apart, it were a shame if we were to abandon the cause of our brothers, on the policy of "every man for himself and the Devil take the hindmost!" No, for good or evil, we must stand by our brethren of the Hills. Dear friends, we have assembled here to-day, not to spend a pleasant evening together; nor even to delight our ears with the music of the eloquence of the mover and the supporters of the resolution before us—but we are met to give a decision on a question of the most vital importance not only to ourselves, but to our posterity for many generations to come. It is a grave responsibility! The spirits of our mighty ancestors, I feel, are looking down on us to-night. I pray that the decision you will arrive at will be such as will win their approbation.

The other speakers were the following:—For the motion: The Rev. J. S. de Silva, Messrs. R. L. Pereira, E. T. de Silva and Sir P. Arunachalam, against the motion: Messrs. C. W. W. Kannangara and A. F. Molamure. The motion was put to the House and carried.

**Resolution 2.**—"That this Congress recommends that the Country do return as members of the Legislative Council only those candidates who while accepting the assurances of the Government contained in the memorandum of 6th December, 1920, signed by the Hon. Mr. H. C. Gollan, Attorney-General, pledge themselves:—

I. To support zealously the policy of the Congress as to the constitution and powers of the Legislative and Executive Councils as laid down in the first Resolution of the Ceylon National Congress held in December, 1919.

II. To exert themselves to secure, *inter alia* amendments of the Order in Council in the following particulars:—

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(i) As regards qualification of members:—(a) The residential qualification to be abolished (b) disqualification by reason of dismissal from Government service to be eliminated. (c) As regards disqualification by reason of imprisonment, the same provisions to apply as exist in England for members of Parliament.

(ii) As regards qualification of voters:—(a) Imprisonment not to be a disqualification after the period of imprisonment, (b) qualifying period of residence to be reduced from one year to 6 months, (c) franchise to be widened by the reduction of the property and the income qualifications.

(iii) Rule 11 of Schedule 3 to be amended so as to empower members to put supplementary questions.

(iv) Rules 60 and 61 in Schedule 3 regarding limitation of discussion to be omitted.

(v) Power to be vested in members to move the adjournment of the Council to discuss urgent matters.

(vi) The Governor's power to suspend unofficial nominated members (in case any should be appointed) to be eliminated.

III. To a redistribution of electoral areas and reallotment of seats on a basis of population, literacy, etc., securing adequate representation and a substantial elected majority.

IV. To the abolition of all communal and special electorates and their inclusion in the General Territorial Electorate.

It was proposed by Mr. D. B. Jayatilaka and seconded by Mr. C. L. Wickremasinghe. The other speakers were Dr. W. A. de Silva, Dr. J. W. S. Attygalle and Mr. Arthur Perera.

The other Resolutions passed were as follows:—

**Resolution 3.**—This Congress recommends to the Government that, when the constitutional reforms promulgated by the Order in Council are revised next year, the Northern Province of this Island be granted three seats in the Legislative Council instead of the one seat now allotted in view of the importance

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

and special claims of the Province based on the literacy and enlightenment of its population, the number of its registered voters (which is 13,360 in the District of Jaffna so far registered and almost equal to that of the whole of the Western Province) and on the distance of the Northern Province from the seat of Government.

**Resolution 4.**—This Congress supports the demand of the Kandyan Sinhalese for the elective franchise and their incorporation in the General Territorial Electorate, with adequate provision to secure, for a limited period, the return of at least three Kandyans to the Legislative Council.

**Resolution 5.**—This Congress supports the demand of the Mohammedans of Ceylon for the elective franchise and their incorporation in the General Territorial Electorate with adequate provision to secure, for a limited period, the return of at least two Mohammedans to the Legislative Council.

**Resolution 6.**—This Congress supports the demand of the Indians in Ceylon for the elective franchise and their incorporation in the General Territorial Electorate, with adequate provision to secure, for a limited period, the return of at least one Indian to the Legislative Council.

[When the Special Session of October, 1920, was held (vide supra) it was not intended to hold the usual Annual Session in December. This Special Session was necessitated by the assurance given by Government of amending the Order in Council (vide p. 245). The following extract from, the minutes of the Executive Committee Meeting of 1st December, 1920, explains the origin of this Special Session "On the assurances given to Messrs. James Peiris, D. B. Jayatilaka, E. J. Samarawickreme, E. W. Jayewardene and G A. Wille by H.E. the Governor on Monday last at 10 a.m. at Queen's House at which the Hon'ble the Colonial Secretary and the Hon'ble the Attorney General were present it was decided that a Special Session of Congress be held on 18th December, at 1 p.m. for the consideration of the position created by the assurances given by the Government."]

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

SECTION II.—*Deputations.*

(*a*) First Deputation (July-October, 1919).

---

Excerpt from the minutes of the Executive Committee meeting of the Congress held on 12th July, 1919.

Submitted the following telegram from Sir P. Arunachalam.

"Just received London telegram 8th instant from Jayatilaka, Begins 'if deputation not coming cable urgent deputing H. J. C. Pereira, Wickramasinghe, Gabriel, Father Perera, myself represent Reform League, National Association before Secretary State. Cable him same effect' ends 'deputation should represent also National Congress.'—Arunachalam."

"The following resolutions proposed by Mr. M. A. Arulanandan were unanimously passed:—

(i) "That three or more of the following gentlemen, viz: Messrs. H. J. C. Pereira, F. R. Senanayake, D. B. Jayatilaka, Barristers-at-Law, Revd. Father Nicholas Perera, Dr. V. Gabriel, Professor Wickramasinghe and Mr. W. A. de Silva, be appointed delegates of the Ceylon Reform Conference of 1918 to interview the Secretary of State for the Colonies with regard to the proposed Reforms."

(ii) That the following telegram be despatched to the Right Hon'ble the Secretary of State for the Colonies:—

"Lord Milner,
London.

"Respectfully beg you sanction immediate publication of Governor's despatch. We appoint three or more of the following, viz: Senanayake, Pereira, Jayatilaka, Barristers, Professor Wickramasinghe, Father Perera, Dr. Gabriel and Arthur Silva our deputation. Beg you suspend final decision pending interview. Ceylon entitled more liberal treatment than India, being excellent field for realization self-Government subject to Imperial

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

supervision. Such concession will prove to India and world genuineness of Imperial Government's desire for realization of British ideals of liberty, self-development and self-determination for all peoples. Pray reform on lines of Resolutions Reform Conference of 1918.

Arunachalam, President."

---

National Liberal Club,
Victoria Street,
London, S.W. 1.
17th July, 1919.

The Right Honourable,
Viscount Milner, P.C., G.C.B., G.C.M.G.,
His Majesty's Principal Secretary of State
for the Colonies,
Downing Street, London.

My Lord,

We have the honour to inform you that we have received a Cablegram from Sir Ponnambalam Arunachalam, President of the Ceylon National Conference, as well as another from the Presidents of the Ceylon Reform League and the Ceylon National Association appointing us along with five other Ceylonese as a Deputation to submit to your Lordship the views of the large body of the permanent population of the Island represented by these Associations, in regard to the proposed Constitutional Reforms in Ceylon. Of the five other delegates referred to above three are already in this country, while the remaining two are on their way and are expected to arrive in England early next month.

2. We understand from an answer given by the Under-Secretary of State in the House of Commons on the 30th of June to a question asked by Mr. C. W. Bowerman, M.P., that the report of the Governor of Ceylon on the proposed reforms has already been received by you and is now under consideration. Colonel Amery's statement in Parliament was the first intimation the people of Ceylon have had that the Governor had made his report. Even now its purport is wholly unknown to anyone in the Island. In view of the very strong case for reform that has been made out by the Associations whom we have the honour to represent and the substantial support that has been given to their proposals even by the unofficial European population of Ceylon, we venture to

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

submit that it would be most desirable in the interests of all concerned that the Report of the Governor should now be published.

3. We also beg that your Lordship may grant us and our fellow-delegates an interview so that we may lay before you the views of the people we represent. Such an interview would, we venture to hope be of material assistance to you in the consideration of the proposed scheme of reform. We shall be obliged if the interview may be deferred until our Co-delegates have arrived from Ceylon. Should you, however, prefer an earlier date, we shall be most pleased to wait on your Lordship at such time and place as may suit your convenience.

4. The last occasion on which the Constitution of Ceylon was amended was in the year 1910. The measure of reform, then granted was comparatively small, but it introduced for the first time the elective principle into the Legislative Council. That change in the Constitution has been a decided success. The Secretary of State for the Colonies at the time, the Right Honourable Marquis of Crewe, was good enough to authorise his Under Secretary, Colonel (now General) Seely to receive on his behalf a Ceylonese Deputation and to hear their views in regard to the question of the reforms then proposed. That Deputation was introduced and supported by the late Lord Courtney of Penwith and was headed by the first signatory to this letter. Colonel Seely was pleased to express his satisfaction at the result of the interview and the assistance he received from the Deputation.

We beg to remain,
Your Lordship's Obedient Servants,
H. J. C. PEREIRA,
D. B. JAYATILAKA.

---

Colonial Office,
Downing Street,
London, S.W 1.
2nd August, 1919.

41685/1919.

Sir,

I am directed by Viscount Milner to acknowledge the receipt of your letter of the 17th of July asking him to receive a deputation in regard to the proposed Constitutional Reforms in Ceylon.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

2. With reference to the second paragraph of your letter, I am to inform you that Lord Milner is still in correspondence with the Governor of Ceylon regarding his proposals for Constitutional Reform, and that at the present time he is not prepared to publish the communications which he has received from Sir William Manning.

3. I am to state that Lord Milner has already received and is carefully considering written representations from the Ceylon Reform League and the Ceylon National Association. In the circumstances he does not consider that there would be any advantage in his receiving a deputation from representatives of those bodies at the present time, and in view of the pressure on his time, he regrets that he cannot in any case consent to receive a deputation consisting of persons whose claim to represent any large section of Ceylonese opinion has not been established to his satisfaction.

I am, Sir,

Your Obedient Servant,

H. J. C. PEREIRA, Esq. H. J. READ.

---

Excerpts from the minutes of the Committee meeting held on 7th August, 1919.

"The Chairman (Sir P. Arunachalam) submitted the following cablegram dated 4th August from Mr. D. B. Jayatilaka, London.

'Secretary of State replies cannot publish Governor's communications as still corresponding, says carefully considering representations League, Association, therefore no advantage receiving deputation. Cannot any case receive deputation; not representing large section Ceylonese opinion, take immediate vigorous public action and cable Secretary of State representative character bodies appointing deputation.—Jayatilaka.'

After discussion the Chairman was authorized to send the following Cablegram to the Secretary of State for the Colonies :—

"All Ceylon Conference Committee learns with regret your Lordship questions representative character deputation appointed in pursuance of Conference attended by 161 delegates from political

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

associations all parts Island. Ceylon National Association consisting leading professional proprietary, commercial Ceylonese and Ceylon Reform League especially formed to voice and give effect popular demand Reform appointed same deputation which fully represents Ceylonese public opinion. We earnestly beg you receive deputation."

(Sigd.) Sir P ARUNACHALAM,
President,
Conference."

It was resolved to organize public meetings in all parts of the Island to pass resolutions to the following effect:—

"That this meeting begs the Secretary of State to receive the deputation appointed by the All Ceylon Conference Committee which is fully representative of Ceylonese public opinion."

---

The National Liberal Club,
Victoria Street,
London, S.W. 1.
11th August, 1919.

The Under Secretary of State,
Colonial Office,
London, S.W. 1.

Sir,

We beg to acknowledge the receipt of your letter (No. 41685/1919) of the 2nd inst., in reply to our letter of the 17th July last addressed to Viscount Milner on the subject of the proposed constitutional reforms in Ceylon.

2. We regret that his Lordship is not prepared to publish at present the communications which he has received from Sir William Manning, the Governor of Ceylon. We trust, however, that he will see his way to do so at an early date—at all events before he takes any definite action in regard to them.

3. We note with satisfaction that Lord Milner is carefully considering the memorials received by him from the Ceylon Reform League and the Ceylon National Association. At the same time we cannot but regret his refusal to receive a deputation of representatives appointed by those bodies in conjunction with the Ceylon National Conference. We venture to hope that he will reconsider his decision.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

4. We respectfully but firmly protest against the suggestion made in the last paragraph of the letter under reply, that the Associations which have appointed us and our co-delegates as a deputation to His Majesty's Government do not "represent any large section of Ceylonese opinion." It is said that their claim to such a representative character has not been established to the satisfaction of Lord Milner. May we respectfully submit that the Associations, above referred to, have never been asked, so far as we are aware, to make good their title to such a claim? Nor has such title been questioned before this either in Ceylon or in this country. In our letter to his Lordship we stated the fact that these Associations represented a large body of the permanent population of the Island, but we did not seek to establish that fact in our letter, as we had no reason to think that in the circumstances it would be questioned. We feel, therefore, that no apology is needed for submitting the following facts in regard to the three bodies we represent for the consideration of his Lordship.

5. The Ceylon National Association is the oldest of the three Associations above-mentioned, and was established about fifty years ago under the name of the Ceylon Agricultural Association with the late Mr. Charles de Soysa, the well-known millionaire-philanthropist of Ceylon, as its first President. It did much useful work in the encouragement of the agricultural interests of the Island and otherwise, and nearly every prominent Ceylonese of the day was a member of the Association. About thirty-five years ago it was strongly felt that there should be a wider scope for the activities of the Association, and that the best interests of the country demanded that an earnest effort should be made to obtain a substantial reform in the somewhat antiquated constitution of the Ceylon Government. It was thought, and with good reason, that it was impossible to develop fully the resources of the country and to give its sons a just share in furthering the advancement and progress of their native land, so long as it was under a bureaucratic and non-progressive form of Government. The Ceylon Agricultural Association was accordingly, with the unanimous consent of its members, changed into the Ceylon National Association, and Mr. P. Ramanathan, K.C., C.M.G., who is now

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

the elected Ceylonese Member in the Legislative Council, succeeded Mr. de Soysa as President. Since that time this Association has actively and persistently worked for a reform of the Ceylon Constitution. On numerous occasions it made representations both to the Ceylon Government and the Imperial Authorities in regard to reforms. Further, the Association has at its meetings discussed various matters affecting the welfare of the people and taken action thereon, and its activities have not been altogether unsuccessful. To mention but one instance of such successful effort. Shortly after its establishment Sir Arthur Gordon (the late Lord Stanmore), then Governor of Ceylon, received a deputation from the Association on the question of the larger employment of the Ceylonese in the public service and took a favourable view of the representations made to him with the result that an appreciable addition was made to the number of Ceylonese employed in the higher branches of the public service. Even at that early stage of its career no one seriously suggested that the National Association was not representative of the bulk of the permanent population of the country. Had there been any doubt as to its representative character, Sir Arthur Gordon, who was well known to be a strong and able administrator, would have been the last person to receive a deputation from that body. The Ceylon National Association has invariably acted on the lines of constitutional agitation. It is greatly to the credit of this Association that whilst the neighbouring Continent was seething with sedition, and open acts of violence were resorted to for the purpose of asserting and vindicating political rights, the people of Ceylon were kept by its influence well within constitutional bounds in their struggle for reforms.

The Ceylon National Association is open to all Ceylonese, irrespective of race, colour, caste, or creed, and in point of fact every section of the permanent population is represented in it.

6. The next in point of date is the Ceylon Reform League. This body came into existence about three years ago under the leadership of Sir Ponnambalam Arunachalam, one of Ceylon's most illustrious sons, and at one time a valued servant of the Crown. The League was started not in opposition to the National Association, nor in competition with it, but in order to second

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

its efforts to secure political reform by directing its energies solely to that object. Amongst its members are men holding high positions in the country, and their claim to be heard on behalf of their countrymen no right-thinking man in Ceylon will dare to dispute. The activities of the League are not unknown to the Colonial Office, and we have every reason to believe that in the various memorials and suggestions submitted by it both to the Imperial Government and the Ceylon Government it has put the case for Ceylon in a reasonable and fair manner.

7. The third of the Associations, namely, the Ceylon National Conference, is comparatively of recent growth. It has, nevertheless, even a wider representative character than the other two, composed as it is of delegates from every political body and every important town in Ceylon. At the last meeting of the Conference, held at Colombo on the 13th and 14th of December last, representatives from Kandy, Galle, Jaffna Kurunegala, Chilaw, Kalutara, Matara, Negombo, and other important places were present, and took an active part in its deliberations. Amongst the members of the Standing Committee, who were elected at this Conference, and to whom the duty was entrusted by special resolution of nominating two or more gentlemen as a Deputation to the Imperial Government in order to lay before it the case for reform, were in addition to the chairman, such well-known, popular, and influential men of the country as the Hon. Dr. H. M. Fernando, nominated Sinhalese member of the Legislative Council, Sir A. Kanagasabai, lately Tamil member of the Council, Mr. James Peiris, the well-known Cambridge graduate, Mr. H. L. de Mel, C.B.E., one of the largest landed proprietors in Ceylon, and Hon. Mr. A. Sabapathy, the present Tamil representative in the Legislative Council. The Standing Committee is fully representative of the whole of the native population of Ceylon, including the Mohammedans and the Burghers. If in these circumstances the Ceylon National Conference cannot be accepted as representative of the people of the country, and of its wealth, influence, intelligence, and respectability, we fail to see what human organisation can succeed in establishing such a claim. We beg to enclose herewith for his Lordship's kind perusal a published report of its proceedings at the last Annual Conference.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

8. The above is but a brief description of the Associations we have the honour to represent, and a very meagre narrative of their activities and usefulness, but we trust that it will receive the serious consideration of Lord Milner. In this connection we cannot help alluding to the fact that his Lordship is carefully considering the written representations from two of these Associations, namely, the Ceylon Reform League and the Ceylon National Association. We take it that he has thereby recognised their right to memorialise His Majesty's Government in their representative character. If, then, as we are told, their written representations are being considered, we must confess that we fail to understand why their duly accredited nominees should be refused the right of audience, when all that they seek at the hands of his Lordship is an opportunity to amplify, to explain, where necessary, and to substantiate by evidence, where proof is needed, the case submitted by them in their memorials.

9. May we take the liberty to add that a personal interview would be of paramount importance at the present time? We know not what Sir William Manning has stated to his Lordship in his communications. Sir William is new to the country, and within the short period he has held office in Ceylon he cannot possibly be expected to know much of its wants and requirements and its educational and political development. Nor could he in the circumstances be justly expected to appreciate fully the people's point of view on the question of reform. The Associations we represent have put the case of the people before his Lordship. We know that case. We do not know the official reply, and we cannot meet it so long as we are kept in ignorance of it. If we are granted the interview we are seeking we shall be in a position to put our views before his Lordship in regard to any matters in which the views of the Governor are in conflict with the claims of the people's Associations. To that extent we do not doubt that his Lordship will see the justice of communicating to us at such interview any controversial facts from the Governor's Reports.

10. We fully realize and appreciate the fact that the pressure on Lord Milner's time is very great. We are living in strenuous times, and we would be the last to seek to trespass on his Lordship's time without reason or necessity. At the same

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

time we feel sure that his Lordship will realize that our mission here is an important one for the future welfare and happiness of our country. India is about to be granted a fair measure of self-government. Her representatives—men like ourselves deputed by various Associations in India—have been and are being given a fair and open hearing in support of their claims. The Reports of the Central and the Provincial Governments have been published, and their views are being openly combated by the Indian representatives. We do not claim the political, commercial, military, or economic importance of our great and turbulent neighbour. Our case has been put before the Imperial Government on the basis of simple justice and fair play Our armour is our loyalty to the British Crown.

We remain, Sir,
Your obedient servants,
H. J. C. PEREIRA,
D. B. JAYATILAKA,

---

London, 13th August, 1919.

Dear Sir Ponnambalam,

I have duly received all your cablegrams last being your protest to Lord Milner regarding the Deputation and also your letter of the 15th July. I enclose herewith copies of correspondence that has passed between us and the Colonial Office regarding the proposed interview. You will see that we are doing our best to secure a hearing, but the difficulties in our way are very great, and personally I am not over-sangiune of success. Within the next fortnight, however, we ought to know for certain whether the Deputation will be received. I shall of course cable to you, as soon as the Colonial Secretary replies. If he still refuses, the agitation must be continued both here and in Ceylon.

It is just possible that Lord Milner's refusal has been inspired from Ceylon. However that may be, I am strongly of opinion that the present situation is in the main due to our own irresolution and half-heartedness. Had a strong deputation arrived a few months ago, as I suggested last November, and was decided upon at the December Conference, and carried on the preliminary propaganda.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

work that was necessary, the Colonial Office would have found it difficult to refuse an interview. That preparatory work was not done. I could do very little in that direction, as I was given no assurance as to the coming of the Deputation. Every one who wrote to me on the subject spoke despairingly of it. In these very discouraging circumstances the only thing I could do was to keep the matter alive before the public by getting questions asked in Parliament. But when it was discovered a few weeks ago that the Governor had reported, and it seemed very likely that the whole matter of reform would be decided on the official report without any reference to us, I immediately consulted Mr. H. J. C. Pereira and upon his advice cabled to you suggesting a sort of extemporised deputation. I am not very much surprised that this step has not produced the desired result. Let us hope that it will not fail altogether.

I have already met Padmanabha. He has written to Lord Crewe to make an appointment. If the latter can see him, he will hand him all the papers and try to secure an interview for us. But I doubt very much if Lord Crewe will be prepared to intervene in this matter. Official etiquette is against it.

I regret very much to say that I am obliged to return home without further delay. It will be simply disastrous if I neglect my own affairs any longer. Mr. Arthur Silva has arrived, and I sincerely hope that Mr. F. R. Senanayaka will be here soon. They will have to carry on the work, when I leave. Mr. Pereira will. I am sure, continue to give them his help and advice, as he has given me both in the fullest measure. Every step I have taken in regard to this matter has been taken after consultation with him and upon his advice. It is still very difficult to secure passage, and I am not sure when I shall be able to leave. But I sincerely hope that I may be able to get away before the middle of September. Till then, of course, I shall go on with the work.

With kind regards,

I am

Yours sincerely

D. B. JAYATILAKA.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

London, 29th August, 1919.

Dear Mr. Arulanandan,

Your letter of the 16th July was received last week together with the enclosures. My cablegram to Sir Ponnambalam must have given you some idea of the unsatisfactory development in regard to the Deputation. I wrote to him by the last mail on this matter, and also enclosed copies of correspondence with the Colonial Office I have no doubt you have already seen these documents, No reply has yet been received to our last letter. But when it comes, I am almost certain it will be as unsatisfactory as the previous reply. Now the question is, what further steps can be taken in order to secure the interview? The Parliament has adjourned for the recess which extends till the 22nd October. So for the next two months no Parliamentary action is possible. In the meanwhile I think the matter should be agitated in Ceylon. When I cabled to Sir Ponnambalam, I really thought that the Congress Committee would take much more vigorous action than merely sending a protest to Lord Milner. Why wasn't a series of public meetings held in different parts of the country, and resolutions passed demanding that the Deputation should be received? That would have shown that we had behind us not only the three Associations that appointed us, but also strong public opinion, thereby refuting the excuse given by Milner for refusing the interview. In my opinion it is not too late even now to take this very necessary step.

As I wrote to Sir Ponnambalam, I am obliged to return home by the first available opportunity. I deeply regret this necessity, but it cannot be helped. Mr. Arthur Silva has come, he will take charge of the work when I leave. I sincerely hope that Mr. F. R. Senanayake also will arrive within the next few weeks. Mr. H. J. C. Pereira is always consulted, and every step is taken under his advice.

I am

Yours faithfully,

D. B. JAYATILAKA.

M. A. Arulanandan Esqr.
Secretary,
National Congress Committee,
Colombo.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

National Liberal Club,
London S. W. 1,
18th September 1919.

The Under-Secretary of State
for the Colonies,
Downing Street, S. W.

No. 41685/1919.

Sir,

May we again invite the kind attention of Lord Milner to our letter of 11th August last? We would like to know whether, in view of the further material we have submitted, his Lordship is willing to reconsider his decision, and to grant us an interview as well as to order the publication of Sir William Manning's report.

We regret to note that even the receipt of our letters of 11th August last and of the 1st instant has—not been acknowledged.

May we also take the liberty to submit for his Lordship's perusal and consideration the accompanying report published in Ceylon of the proceedings of a large and representative public meeting held at Kandy on the 16th August last which have an important bearing on the subject of our application?

We have the honour to be, Sir,

Your obedient servants,

H. J. C. PEREIRA,
D. B. JAYATILAKA.

---

Colonial Office,,
Downing Street,
London, S. W. 1.
27th September, 1919.

48648/1919.

Gentlemen,

I am directed by Viscount Milner to acknowledge the receipt of your letters of the 11th August, the 1st September, and the 18th September in which you renew your application to him to receive a deputation on the subject of the proposed constitutional reforms in Ceylon.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

2. I am to inform you that Lord Milner has been in telegraphic correspondence with the Governor of Ceylon on the matter; and that, on the Governor's recommendation, he is prepared to receive the Delegation referred to in your letter of the 11th August, as representatives of the Ceylon National Association, the Ceylon Reform League, and the Committee of the National Conference of Ceylon. He observes, however, that in your letter of the 17th July mention was made of the fact that two delegates were expected to arrive in this country early in August. Before fixing a date for the interview, he would be glad to know whether these delegates have arrived, as he wished the representation of the three Associations to be as complete as possible.

I am,

Gentlemen,

Your obedient Servant,

G. GRINDLE.

---

National Liberal Club,
Victoria Street, S. W.
2nd October, 1919.

Dear Sir Ponnambalam,

I presume you have by this time received my cablegram intimating that Lord Milner has at long last replied, consenting to receive the Deputation. I enclose a copy of his letter and our reply. It was most fortunate that Mr. H. J. C. Pereira was here to grapple with the extraordinary situation that had arisen. But for his skilful handling of the matter the present favourable development would have been impossible. I must also mention that in this fight we received no help from any one here. The date of the interview has not yet been fixed. The great Railway Strike is hindering things. But I expect that Lord Milner will see us in the course of next week. When the interview is over, it is my intention to leave by the first available opportunity.

I understand that the Governor, Sir William Manning, is coming over to discuss the Reforms personally with the Secretary

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

of State. It is therefore, unlikely that at the interview we shall be given any opportunity of discussing the Governor's proposals.

* * * *

When the interview comes off, I hope to send you the news by cable.

With best regards,
Yours Sincerely,
D. B. JAYATILAKA
2nd October, 1919.

Sir P. Arunachalam,
President,
Congress Committee,
Colombo.

---

National Liberal Club,
Victoria Street,
London, S. W. 1.

The Under-Secretary of State,
Colonial Office,
Downing Street, S. W. 1.

Sir,

We beg to acknowledge, with thanks, the receipt of your letter of the 27th instant, (48648/1919).

We are much obliged to Viscount Milner for consenting to receive the Delegation representing the Ceylon National Association, and Ceylon Reform League and the National Conference of Ceylon.

2. Of the two Delegates referred to in our letter of the 17th July, last, one—Mr. W. A. de Silva, J.P., has already arrived. The other Delegate, namely, Mr. Senanayake, Barrister is unable to leave Ceylon owing to ill-health.

3. The Members of the Delegation now in England in addition to ourselves and Mr. de Silva are the Rev. Father Perera, O.M.I., Professor Wickramasinha of Oxford, and Dr. V. Gabriel of London.

4. We shall be happy to meet Lord Milner at such time and place as his Lordship may be pleased to fix.

We remain, Sir,
Your obedient Servants,
H. J. C. PEREIRA.
D. B. JAYATILAKA.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## CABLEGRAMS.

Recd. 7th October, 1919.

P. Arunachalam, Colombo.

Cannot postpone interview cable substance proposals.

Jayatilaka.

---

D. B. Jayatilaka,

c/o Repeater, London.

Substance proposals Ceylon autonomous twenty centuries complete local self-government Village Councils District Councils Supreme Council elected King Constitution guaranteed Kandy Convention nullified by centralized administration European monopoly power. Though entitled full self-government Ceylon provisionally asks Executive Council three-fourths Ceylonese in charge of departments Legislative Council about forty members four-fifths elected territorially male adult restricted female franchise elected. Speaker no diarchy but full control budget and administration subject Governor's temporary veto where needed public safety. Governor should be one trained in English Parliamentary life. Fifty per cent. higher appointments Ceylonese full popular control Municipal Urban Rural bodies elected Chairman elected majorities.

ARUNACHALAM..

---

Cablegram, *Ceylon Daily News*, 19th October, 1919.

Viscount Milner received the Reform Deputation at the Colonial Office on the 15th instant. With him were Sir George Fiddes, K.C.M.G., C.B., Permanent Under-Secretary of State for the Colonies, Mr. G. E. A. Grindle, Assistant Under-Secretary of State, and Mr. Cowell.

The Deputation consisted of Mr. H. J. C. Pereira, Mr. D. B. Jayatilaka, Dr. W. A. de Silva, Professor D. M. de Z. Wickramasinha, Rev. Father D. J. N. Perera, O.M.I., and Dr. V. Gabriel.

Mr. Pereira, as spokesman, introduced the delegates. Upon Lord Milner's invitation he stated the case for reform in Ceylon. Rapidly surveying the past history of the Island, with its culture

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

and civilisation and institutions of a representative character under the Sinhalese Kings, he referred to the constitutional changes recommended by Sir Alexander Johnstone and the Royal Commission of 1831. He quoted facts and figures proving that vast progress had since been made in material prosperity, but that progress would have been ten times greater under a less autocratic Government. He dwelt on the present educational position, quoting the report by Mr. Sharp, the Educational Commissioner recently sent to Ceylon by the Indian Government, and described generally the harmonious relations between the different sections of the people. He contended that the people of Ceylon had now reached manhood and that the constitution must be changed to meet the changed conditions. They demanded principally an enlarged Legislative Council with an elected majority; election on a territorial basis; a general electorate with the reservation of seats to secure the representation of minorities; half the members of the Executive Council to be unofficial Ceylonese. He urged that Ceylon was entitled to a larger measure of self-government than India.

LORD MILNER'S REPLY.

Lord Milner, after a few questions regarding the franchise, said the Deputation would not expect him to make a long statement on that occasion. He would give careful consideration to the views placed before him. He thanked Mr. Pereira for his full and clear statement. He had been corresponding with the Governor on the Reforms, and had thought the matter of sufficient importance for personal discussion. He asked the Governor to come to England and expected his arrival at no distant date, when he would go fully into the matter.

---

National Liberal Club,
London.
October 23rd, 1919.

Dear Sir Ponnambalam,

Your letters have been received. Since I wrote to you last, the situation has radically changed, as I informed you from

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

time to time by cable. The interview with Milner on the 15th inst. was a success. He was very courteous and affable, and gave us a patient hearing. Mr. H. J. C. Pereira was splendid. He put the case for Reform as strongly as the most enthusiastic of us could desire. Naturally he was obliged to confine himself to the main demands. But so far as time permitted he made the best possible use of the opportunity. Lord Milner's reply was, as might be expected, non-committal. But he undertook to give his most careful consideration to the views placed before him, when the Governor arrived. We are all satisfied that this interview not only wiped out an intended slur on the Association unasked, but it has materially advanced the cause of Reform.

After careful consideration of the situation, Mr. Pereira came to the conclusion that it would be useless for me to remain in England any longer. I agreed with him fully. Upon his advice I cabled you on the 16th, and have since booked my passage by s.s. "Sardinia," which I shall join at Marseilles on the 2nd November. I am leaving London on the 1st and expect to reach Bombay on the 20th. If all goes well, I may reach Colombo about the 25th November.

What remains to be done here is simply to watch developments. If the final scheme of Reform is unsatisfactory, the fight must be continued in Ceylon. Mr. W. A. de Silva will remain in England till the end of March. I shall place him in touch with everything before I leave. I have not the slightest doubt that he will do the needful to the satisfaction of all.

I wrote to Mrs. Besant as soon as she arrived in England, but she has done nothing for us. Mr. Tilak and others you mention can be of little help to advance our cause. In fact in this fight we must depend almost entirely on our own limited and disinterested efforts. If Ceylon is united and speaks with one voice, her demands will be heard and granted. If on the other hand we in Ceylon are disunited, and pursue selfish sectional interests, all our efforts will end in failure. The Marquis of Crewe is ill, I have not sent your second letter to him as the circumstances

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

have changed, the more so as the earlier appeal produced no result.

With kind regards

I am Yours Sincerely,

D. B. JAYATILAKA.

---

Excerpt from Committee meeting held on 27th November, 1919.

"The Chairman (Sir P. Arunachalam) announced that Mr. H. J. C. Pereira who led the Reform deputation to Viscount Milner the Secretary of State for the Colonies had arrived on the 22nd instant and was received by the Committee on landing, and that Mr. D. B. Jayatilaka arrived on the 26th instant and was to-day present."

---

(b) Second Deputation (February—October 1920.)

The following are excerpts from the Minutes of the Executive Committee Meetings of the Congress :—

"Considered the question of a deputation to England. The following names were mentioned in connexion therewith and the consideration of the matter was adjourned—Sir P. Arunachalam, Messrs. H. L. de Mel, E. T. de Silva, W. A. de Silva, Francis de Zoysa, C. H. Z. Fernando, Cassim Ismail, D. B. Jayatilaka, A. St. V. Jayewardene, Francis Molamure, James Peiris, E. J. Samarawickreme, H. A. P. Sandrasagara, F. R. Senanayake, and G. A. Wille." (23rd January, 1920).

---

"Resolved that the following cablegram be sent to Mr. W. A. de Silva, London.

Care Repeater, London.

Reform deputation arranged. Senanayake, Jayatilaka sailing fourteenth at least await their arrival.

ARUNACHALAM.

(4th February, 1920.).

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

"Resolved that Messrs. D. B. Jayatilaka and F. R. Senanayake whose names were considered at the last meeting, and who have been able to secure passages and will be sailing on the 17th instant be appointed delegates of the first Ceylon National Congress; and that other delegates be appointed as they are able to secure passages." (16th February, 1920).

---

"Resolved that Messrs. H. A. P. Sandrasagara and A. F. Molamure who were able to secure passages and were sailing on the 29th inst. be also appointed delegates of Congress to interview the Secretary of State for the Colonies on the subject of Reform."

"Read and provisionally adopted the draft prepared by the Sub-Committee (Messrs. Arul Anandan, Francis de Zoysa and E. W. Perera) appointed at the last meeting, of a scheme of reform for the guidance of the Congress delegates to the Secretary of State for the Colonies."

(27th February, 1920.).

---

## THE CEYLON NATIONAL CONGRESS SCHEME OF CONSTITUTIONAL REFORM.

---

*The reforms must be such as would constitute a definite and substantial advance towards Responsible Self-Government which is the final aim and object of the Congress.*

*The Congress is opposed to diarchy.*

1. On account of its inherent defects and difficulties.

2. Because it would involve a curtailment of the present powers of our Legislative Council.

Instead of full popular control in some subjects only without any control at all in other subjects as in the case of India, it is proposed that in the case of Ceylon restricted control and a form of modified responsibility in all subjects should be given to the people.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

This is to be done by reforming the Legislative and Executive Councils on lines indicated in the resolutions passed by the Congress at its sittings in December, 1919.

BASIS OF ELECTION.

The Legislative Council is to be enlarged and popularised to consist of 50 members of whom 40 are to be elected on a territorial basis, with a broad male and restricted female franchise the remaining 10 to consist of permanent officials to be nominated by the Governor, and unofficials to be elected or nominated. The elected majority is absolutely essential in any scheme of reform.

BASIC OF ELECTION.

Election must be on a territorial basis. The Congress is on principle entirely opposed to communal representation and the representation of what are termed "Special interests." In view, however, of the possibility that no men belonging to certain minorities which now have their own representatives may be returned by the general electorate, and as a concession to sentiment, some provision to meet such a contingency is suggested, merely as a temporary expedient until these communities begin to coalesce more freely with the rest in political matters.

In the case of the Sinhalese (both Kandyans and Low-Country) and the Tamils, no such special provision is necessary. These communities will largely preponderate in numbers of constituencies and will be able easily to elect men of their own communities if they so desire it. The case may be different with regard to the European, Burgher and Mohammedan communities and some provision might be made for them. There are several alternative suggestions.

1. It is proposed that out of the 10 seats in the Legislative Council at the disposal of the Governor a certain number might be set apart to be filled by men of such communities as have none of their members returned by the general electorate.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

2. As an alternative it is suggested that a certain number of seats in the general electorate be reserved for men of these communities to be elected, however, by the general body of electors and not by electors of any particular community.

3. If these communities or any of them desire to stand out of the general electorate and to elect their own representatives, and satisfy the Secretary of State of the reasonableness and necessity of their demand, it should be optional to the members of these communities to join either the general electorate or the special electorate, or change from the special to the general whenever they like, but no one shall have the right to be included in both electorates.

Subject to the above exception, there shall be no extension of the principle of communal representation or the introduction of representation of special interests or organisation. The "Chamber of Commerce" and the "Planters' Association" have in no way suffered by the withdrawal of their members in 1910, and powerful capitalist interests whether Ceylonese or European should in no case receive special or preferential treatment in the matter of representation in Council.

## THE FRANCHISE.

It is suggested that the franchise should be granted to :—

(*a*) All male British subjects above the age of 21, (1) able to read and write English or one of the vernaculars, or, possessed of property to the value of Rs. 250 (2) and resident in the electoral area for over a year.

(*b*) All female British subjects above the age of 30, able to read and write English or one of the vernaculars and so resident.

## THE ELECTORATE.

The present administrative divisions might be made the basis of electoral areas; and taking the population and other

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

circumstances into consideration the following division is suggested.

| | Members. | | Members. |
|---|---|---|---|
| 1. Colombo Municipal area | 4 | 13. Anuradhapura District | 1 |
| 2. Colombo District, exclusive of Municipal area | 4 | 14. Kurunegala District | 2 |
| 3. Negombo District | 1 | 15. Chilaw District | 1 |
| 4. Kalutara District | 2 | 16. Puttalam District | 1 |
| 5. Kandy Municipal area | 1 | 17. Ratnapura District | 2 |
| 6. Kandy District, exclusive of Municipal area | 2 | 18. Kegalle District | 2 |
| 7. Matale District | 1 | 19. Badulla District | 2 |
| 8. Nuwara Eliya District | 1 | 20. Jaffna Town | 1 |
| 9. Galle Municipal area | 1 | 21. Jaffna District, exclusive of Jaffna Town | 3 |
| 10. Galle District, exclusive of Municipal area | 2 | 22. Mannar and Mullativu District | 1 |
| 11. Matara District | 2 | 23. Batticaloa District | 2 |
| 12. Hambantota District | 1 | 24. Trincomalee District | 1 |
| | | | 41 |

## THE EXECUTIVE COUNCIL.

With the reform of the Legislative Council on lines indicated above, the Executive Council also must be re-constituted to bring it into harmony with the former. As has been forcibly pointed out in the Montague-Chelmsford Report. "If the Government is to be carried on Legislative and Executive must in essentials be in harmony." There must be "a connecting rod between the Executive and the Legislative wheels of the machine which will ensure that they will work in unison." With an elected majority in the Legislative Council, the Executive cannot, as at present, continue to be composed entirely of permanent officials. Nor will the situation in any way be improved by the addition of nominated members who may not enjoy the confidence and cannot control the votes of the elected representatives of the people. The Executive Government will be in a minority and dangerous and embittered deadlock will be the result. "It may be said," says the Montague-Chelmsford Report, "that if only reforms are carried out in the right spirit, they can be made to work. If Government is sympathetic and broadminded, if Indian leaders are sincere and public spirited,

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

why should the scheme break down?.....We believe that the inherent defects in the machine would make it impossible to work at all. But granted that the Government does its utmost, granted that the Indian politicians have a sincere desire to make the machine work, we still cannot see how they could do so, because success itself would be the negation of their ultimate aim and ours, which is responsible government." To keep the elected members always in opposition and make them merely a criticising body, even if practicable, is not to grant any measure of responsible government. They must be associated with the Government and be its supporters rather than its Opposition.

The Congress suggests that at least half the members of the Executive Council should be ministers with portfolios chosen from among the elected members of the Legislative Council. It will no doubt be open to the Governor to choose whom he likes out of the elected members, but in actual practice he will find it necessary and advisable to choose such of them as enjoy the confidence and command the votes of a majority of the elected representatives. It is not to be supposed that all elected members will be men of one party or of similar political views. The predominant party, however, must be enlisted on the side of the Government and its leaders chosen as ministers. The Government will thus be supported in the Legislative Council by the ministerial party and the nominated members who will mostly be permanent officials, while those elected members who do not follow the lead of the ministers will constitute the Opposition as a criticising body. The Government policy and Government measures will be decided upon after joint deliberation and discussion by the whole Executive Council. It is not likely, however, that the Governor will disregard the wishes or views of the ministers, especially in matters that concern the departments in their charge. Once a decision is arrived at it will be the duty of all members of the Executive, ministers as well as permanent officials, loyally to support such decision. Government measures will thus be easily passed in the Legislative Council.

There is still the possibility, however remote, of the ministers losing the confidence of their followers and the Government being

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

defeated, a possibility rendered all the more remote since at least two-thirds of the elected members must combine to bring about this result. To meet such a contingency it is suggested that the right be reserved to the Governor to certify that any measure is necessary on Imperial or other grounds, and to have it passed regardless of a hostile majority, subject however to a right of appeal to the Secretary of State.

## THE POSITION OF THE GOVERNOR IN THE EXECUTIVE COUNCIL.

An important question is the position of the Governor in the Legislative Council. As head of the Executive Council he occupies a position analagous to that of the Prime Minister. It is urged that he can explain the Government policy, prove the necessity of Government measures, hear and meet objections to such measures, arrive at compromise, etc. But occupying as he does the exalted position of His Majesty's representative with more power than a constitutional sovereign, if he is to remain in the Legislative Council it can only be as its President, and the objection to one who after all is a partisan presiding at the discussions are obvious and serious. The Congress has therefore adopted the recommendations of the Royal Commission of 1832 and suggested that the Legislative Council be presided over by a Speaker elected by the members, which will leave the Governor free to intervene or compromise without loss of prestige in case of dead-lock. The Colonial Secretary can act as the Official leader of the Assembly and control the debates on behalf of the Government.

## THE COMPOSITION OF THE EXECUTIVE COUNCIL.

The only questions that remain to be considered are, (1) the total strength of the Executive Council and (2) who the permanent officials are who are to be included. In addition to the Governor as President and the Colonial Secretary there ought to be two ministers with portfolios appointed by the Governor from among the members of the Legislative Council returned by the general electorate, who would be in charge of departments.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Excerpts from the minutes of the Executive Committee meetings of Congress.

"Resolved that the names of Sir P. Arunachalam and Messrs. James Peiris, E. J. Samarawickrema, M. W. H. de Silva be added to the list of the Congress Deputation to the Secretary of State for the Colonies on the subject of Reform" (15th March, 1920.)

---

"Mr. P. Sunderam moved and Mr. D. R. Wijewardene seconded that Dr. T. B. Kobbekaduwa be also included in the Congress Deputation to the Secretary of State for the Colonies on the subject of Reform." (14th June, 1920.)

---

The Under-Secretary of State
for the Colonies,
Downing Street,
London.

Victoria Street,
London S.W.1.
12th May, 1920.

Sir,

I have the honour to state that the Delegation appointed by the Ceylon National Congress to submit to the Secretary of State for the Colonies the views of the Congress with regard to the proposed reform of the Constitution of Ceylon, has now arrived in London. The members of the Deputation are Sir P. Arunachalam, M.A., C.C.S. (retired), President of the Ceylon National Congress, Mr. James Peiris, B.A., LL.M. ex-President of the Ceylon National Association and ex-Chairman of the Low-Country Products Association, Mr. E. J. Samarawickrama, President of the Ceylon Reform League, Mr. H. A. P. Sandrasagara, President of the Ceylon National Association, Mr. F. R. Senanayaka, M.M.C., Dr. T. B. Kobbekaduwa, Mr. A. F. Molamure, ex-President of the Kandyan Association, Mr. M. W. H. de Silva, B.A., Barrister-at-law, and Mr. D. B. Jayatilaka, B.A., Barrister-at-law.

Of these delegates, Messrs. Kobbekaduwe and Molamure have been specially elected by the Kandyan people to represent their interests.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

The Deputation beg to request that the Secretary of State may be pleased to grant them an interview at such time and place as may be convenient to him, and that in the meanwhile the Deputation may be favoured with the scheme of reform formulated in consultation with the Governor of Ceylon so that the delegates may be in a position to express their views on the proposals when they meet Lord Milner.

I am, Sir,
Your obedient servant,
D. B. JAYATILAKA,
Secretary of the Deputation.

---

Downing Street,
28th May, 1920.

Sir,

I am directed by Viscount Milner to acknowledge the receipt of your letter of the 13th May, and to inform you that Lord Milner is at present in consultation with the Governor of Ceylon on the question of the Ceylon Constitution, and that he hopes soon to be able to appoint a definite date for an interview with your deputation.

I am, Sir
Your obedient servant,
G. GRINDLE.

D. B. Jayatilaka, Esq.

---

Downing Street,
14th June, 1920.

Sir,

With reference to your letter of the 13th May, I am directed by Viscount Milner to inform you that he will be glad to receive the deputation from the Ceylon National Congress and the Ceylon Reform Association at the Colonial Office on Wednesday. the 23rd of June at 3.30 p.m.

I am, Sir,
Your obedient Servant,
G. GRINDLE.

D. B. Jayatilaka, Esq.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Royal Colonial Institute.

13th May, 1920.

Dear Sir,

A delegation from the Ceylon National Congress is now in London, awaiting the convenience of the Secretary of State for the Colonies to grant them an interview for the purpose of submitting the views of the Congress on the subject of Constitutional Reform in Ceylon. There are other subjects of importance—such as taxation, local government, education, labour—on such we would like to place before the Colonial Office the Congress views. We shall be much obliged if you will grant to a few of us an interview for that purpose, as we do not want to encroach upon the time of Lord Milner.

Yours faithfully,

P. ARUNACHALAM.

Your reply may be addressed to the offices of the
Ceylon Reform Deputation,
1, Victoria Street.

G. Grindle, Esq.,
Asst. Under-Secretary of State
for the Colonies.

---

Downing Street,
15th May, 1920.

Dear Sir,

I have received your letter of the 13th and I shall be glad to have an opportunity of hearing your views and those of your colleagues on the questions you mention. I understand you will be here for some little time longer, and in these circumstances I suggest Monday, the 31st of May, for our interview. This may give time for the arrival of certain despatches from Ceylon.

I am,
Yours faithfully,
G. GRINDLE.

Sir Ponnambalam Arunachalam.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Downing Street,
22nd May, 1920.

Dear Sir,

I would suggest 3 p.m. for our talk on the 31st. I should be obliged if you would let me know a few days before that date, how many of your colleagues wish to come with you in order that the necessary preparations may be made.

I enclose a copy of the Draft Labour Ordinance, but I find we have not received the Local Government Ordinance as passed by the Legislature.

Yours faithfully,
G. GRINDLE.

Sir Ponnambalam Arunachalam.

---

Royal Colonial Institute
20th May, 1920.

Dear Sir,

Many thanks for your letter of the 22nd inst. and for the draft Labour Ordinance. We shall have much pleasure in meeting you on the 31st inst. at 3 p.m.

Three of my colleagues, namely Messrs. James Peiris, H. A. P. Sandrasagara, and D. B. Jayatilaka will accompany me.

I am,
Yours faithfully,
P. ARUNACHALAM.

G. Grindle, Esq.,
Asst. Under-Secretary of State
for the Colonies,
Downing Street.

---

Ceylon Reform Deputation

Westminster Chambers,
1, Victoria Street, S. W. 1.
June 30th, 1920.

Dear Arulanandam,

I am sending herewith copies of correspondence between us and the Colonial Office.

With regard to the interview with Mr. Grindle on the 31st May, I think it was a success. The discussion lasted about two hours and we made use of the opportunity to submit as



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

fully as possible our views on taxation, education, Local Self-Government and Labour.

We also saw the Governor on the 14th June, but the interview was of little practical use to us, as he could not or would not tell us anything we did not know.

You will have read Lord Sinha's reference to Ceylon Reforms at the Students' dinner on the 26th. His remarks encourage one to think that a liberal measure of reform is in preparation. However, it is best not to be too optimistic until Lord Milner publishes his scheme. We do not know when this will be done. We are now trying to ascertain his intention by means of questions in the Parliament.

Mr. Sandrasagara and Dr. Kobbekaduwe are leaving on the 3rd of July. Sir Ponnambalam expects to leave on the 10th July, Mr. M. W. H. de Silva on the 22nd, and Mr. F. R. Senanayaka on the 31st. Messrs. Peiris and Molamure will sail on the 21st August. Mr. Samarawickrama will remain here until the middle of September. In accordance with the wishes of the Deputation I have decided not to leave until the Parliament re-opens after the summer recess. It is hoped that by this time the Government Scheme will have seen the light of the day.

Trusting you are all doing well,

I am,

Yours Sincerely,

D. B. JAYATILAKA.

P. S. As this office will be closed at the end of July, please address letters either to the National Liberal Club, Victoria Street, or c/o Messrs. Richardson & Co., 26, King's Street, St. James Square, S. W. 1.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Westminster Chambers,
1, Victoria Street,
S. W. 1.
June 24th, 1920.

Dear Arulanandan,

The interview with Lord Milner came off yesterday. It was more or less an informal discussion. Sir Ponnambalam in his introductory remarks referred to your cablegram *re* the Governor's announcement at the Ceylon Association dinner, and said that the Deputation wished to deal with those two matters among others. *Lord Milner at once replied that he was not aware of any such announcement and that he attached no importance to it.* He would, however, be glad to hear what the Deputation had to say on those matters. Then the conversation began and our views were presented mostly by Mr. James Peiris. The interview lasted an hour, and so far as our Scheme is concerned, I think it was fully explained. Lord Milner was sympathetic and so far as one could judge from his remarks, *he seemed to agree with us as regards principles.* How he would apply these principles it is yet impossible to say. His own proposals are not ready and he could not say when they would be ready. He would not also say anything as regards the procedure he intended to adopt when the scheme was ready. Regarding this aspect of the question, we are to-day no wiser than we were before the interview. There is of course the promise to submit the Scheme to Parliament. We purpose now to take steps to see that that promise is kept. In the course of a week or two I shall communicate to you what progress has been made.

Early this week we submitted another statement dealing rather fully with our demands. A copy of this document as well as other correspondence will be forwarded to you by the next mail.

With all good wishes,
I am,
Yours Sincerely,
D. B. JAYATILAKA,

M. A. Arulanandan Esq.,
Advocate,
Law Library,
Colombo.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Westminster Chambers,
1, Victoria Street, S. W. 1,
July 8th, 1920.

My Dear Arulanandan,

Your letters of the 2nd and 9th June arrived together a few days ago. By the last mail I sent you copies of correspondence with the Colonial Office and gave you a short account of our work. In this letter I have to record only two items of interest. On Tuesday the 6th inst. we had an interview with Mr. Asquith and Sir Donald Maclean, both on the question of the riots and the reforms. Mr. Asquith gave us a patient hearing. Until the Government Scheme is published, he said, one could not say whether it was sufficiently liberal or not. *But he thought that Ceylon could not well be denied what India had obtained.* On the riots, he asked several questions, but would not say much. As regards martial law he said that was a matter of general interest, and not one pertaining specially to Ceylon. *We are of opinion that this interview will help us to secure the sympathy and support of Free Liberals in any action that we may have to take in Parliament.* The other piece of news refers to the question put at our request by Major Ormsby-Gore on the 1st inst. I presume the newspapers have already published a summary of the answers given by the Under-Secretary of State. To judge from what he said, the Government Scheme—at least the outlines of it—will be placed before the House before the adjournment. Then we shall know where we are.

Both at the interview and in our communications we emphatically protested against *the special representation of interests* or communities.

H. A. P. left on the 3rd. Evidently he had not then received your letter with the question *re* Schneider. What it refers to none of us here can imagine. We have carefully perused the papers in the hope of finding some clue, but so far we have not been successful.

Owing to some matters which require my personal attention, I have decided to leave by the S. S. Ormonde sailing from

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

London on the 21st August. Mr. Peiris also leaves by the same opportunity.

Before our departure we shall of course, make all possible arrangements for the continuation of the work. Mr. Samarawickrama expects to remain here until the middle of September.

I am,

Yours Sincerely,

M. A. Arulanandan Esq., D. B. JAYATILAKA.

---

Westminster Chambers,
Victoria Street, S.W.1.
July 22nd, 1920.

Dear Arul Anandan,

I am enclosing herewith copy of the Under-Secretary's letter, reply to our last communication to the Colonial Office, of which I have already sent you a copy.

The enclosed cuttings from the Hansard will give you some idea of the present position. The Colonial Office has undertaken to announce the proposed reforms in general terms before the end of this session. *Lieut. Col. Amery further holds out the hope that the House will have some opportunity of expressing its views upon the scheme.* This is excellent, provided a real opportunity is afforded to the members of discussing the proposals. In view of this possibility, we are now seeking to "instruct" as many M. P.'s as possible.

Mr. F. R. Senanayaka leaves on the 31st inst. Mr. Peiris and I have booked our passage by the S. S. Ormonde, sailing from London on the 21*st of August.*

Yours Sincerely,

D. B. JAYATILAKA.

---

*Parliamentary Debates,*
*July,* 20-1920.

CEYLON (CONSTITUTIONAL REFORM).

87. MR. J DAVISON asked the Under-Secretary of State for the Colonies whether the proposals with regard to reform in the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

government of Ceylon are to be published at an early date?

THE UNDER-SECRETARY OF STATE for the Colonies (Lieut.-Colonel Amery) : The question of constitutional reform in Ceylon has been under the active consideration of the Secretary of State, and certain definite proposals have now been drafted for his approval. The settlement of details must necessarily take some time, but I hope that it may be possible shortly to make some announcement in general terms.

MR MACCALLUM SCOTT: Does that mean before the House rises?

LIEUT.-COLONEL AMERY: I hope so.

MR. M. SCOTT: Are they submitted in any form to the House?

LIEUT.-COLONEL AMERY: I hope to be able to make a general statement of the character of the reforms, and I hope the House, of course, will have some opportunity of expressing their views upon them.

---

Downing Street.

No. 32356/1920. 21st July, 1920.

Sir,

I am directed by Viscount Milner to acknowledge the receipt of your letter of the 30th June, submitting certain additional observations supplementing the views presented to Lord Milner by the Deputation of the 23rd June.

2. I am to assure you that Lord Milner will give full consideration to the views of the Ceylon Reform Deputation.

I am, Sir,

D. B. Jayatilaka, Your obedient servant,

The Secretary, G. GRINDLE.

Ceylon Reform Deputation.

---

THE EASTERN TELEGRAPH COMPANY.—
COLOMBO STATION. 7th August, 1920.

London Sub.

ARULANANDAN, ADVOCATE, 3rd August 1920

Colombo.

Proposals unsatisfactory immediate vigorous action required doing best here—JAYATILAKA.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## CEYLON TELEGRAPHS.

D. B. Jayatilaka,
c/o Repeater,
London.

### Congress Committee Resolution.

Ceylon National Congress Committee has received announcement in House Commons regarding proposed Ceylon reforms with deep disappointment and dismay shared alike by Ceylonese press and public. Under guise of extending popular election and control it seriously curtails powers of Legislative Council, increases autocratic powers of Governor, restricts freedom of discussion and control over Executive, extends pernicious principle of racial representation creates special representation and provides not even beginning of responsible government nor any check on excesses such as disgraced British administration in 1915. Congress proposals were made studiously moderate in hope of conciliating official feeling and represent minimum demand that will satisfy the people. This has been rejected. People's faith in the Government has been shattered influence of moderate men grievously impaired and country exposed to evils of long and bitter agitation unrest and discontent. Congress Committee believes Lord Milner has been entirely misinformed as to local conditions and public opinion of Ceylon, and earnestly appeals to him and all British Statesmen and British people to amend the reform scheme radically so as to include minimum Congress demands without any restriction of power now possessed by Legislative Council of free debate and of financial and other control over administration. Congress demands real and substantial majority in Legislative Council, wide franchise, elected Speaker half Executive Council Members to be selected from territorially elected M.L.C.'s and to have portfolios and a Governor with Parliamentary experience.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

5th August, 1920

My Dear Arulanandan,

I am enclosing herewith a copy of a letter which we have sent to the Colonial Office. I have time to-day only for a brief note. We are trying to have a discussion raised on the reform proposals next week when the Consolidated Fund Bill is considered. This is the only chance we have of having the Government Scheme subjected to some criticism. Unfortunately this is slack time in the House. Most of the members have already gone away for the vacation. Still we hope that a few members will have something to say on this matter. On Monday members interested will hold a meeting, when we will be there to submit our views. Mr. Peiris has just gone to Harrogate. He and I did much lobbying this week. Mr. Samarawickrema is now much better, though still somewhat weak, and unequal to any heavy strain of work. I cabled to you a few days ago—and I sincerely hope that you have taken vigorous steps to express the public disapproval of the Government proposals. Unless there is a strong agitation at that end, our efforts here lose much of their force.

We (except Mr. Samarawickrema) leave on the 21st inst. but I expect things will be settled one way or other before that.

With kind remembrance to all.

Yours sincerely,
D. B. JAYATILAKA,

---

To the Under-Secretary of State
for the Colonies,
Downing Street,
London.

Westminster Chambers,
1, Victoria Street, S. W. 1,
2nd August, 1920.

Sir,

This deputation, after careful consideration of the statement submitted to the House of Commons on the 28th of July regarding Constitutional Reforms for Ceylon, beg respectfully to state that in their opinion the Government proposals fall so far short of public expectation that they are bound to cause grave disappointment in the Island. The disappointment will be most keen

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

when it is found that Ceylon has not been considered worthy of a legislature with a clear and substantial elected majority, such as has been conceded to India and is now proposed for Burma and that it has even been deemed necessary to increase the number of officials in the Legislative Council to counterbalance the few elected seats granted to the people. The deputation are not aware of anything in the past history of the Island to account for this apparent distrust, and will be grateful for an opportunity of dealing with any matter which might have militated against the legitimate aspirations of the people of Ceylon.

2. The proposed changes, it is submitted, will not in reality give the people any measure of control over the Administration. The scheme provides in the first instance for 11 members to be elected by the general public, 3 by special electorates, and 2 by bodies representing special interests. Even if all these members can be regarded as representing the interests of the country as a whole, they total only 16 as against 15 officials and 7 nominated members making a total of 22 votes, apart from the Governor's casting vote. This preponderance of the official and nominated members over the elected representatives is in striking contrast to the constitution of the reformed Indian Councils. In accordance with the cardinal principle enacted by the Act itself, the supreme Legislative Assembly is to consist of 100 elected and only 40 non-elected members, while in the Provincial Legislative Councils as high a percentage of elected representatives is maintained. In the case of Burma, too, which the Government of India has described as possessing no electoral experience whatever, the authorities have proposed to grant it a Legislative Council with a clear majority of 20 elected members.

3. The deputation beg to state from past experience that nominated members cannot be regarded as a class which voices the public sentiments or supports the popular view. Their attitude generally depends upon the way in which the Governor's right of nomination is exercised. It has often happened that a nominated member has thought it right to support the Government view practically in all matters even against the strongest expression of public opinion. The experience of India seems to have been

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

the same, and His Majesty's Government have accepted and acted upon the principle that nominated members should be classed with officials rather than with the elected members. That is apparent from the constitution of the Indian Councils. It is clear, therefore, that under the proposed Constitution the elected representatives of the people will be in a minority. The deputation find it difficult to understand the statement made in Parliament that "it will be definitely laid down by the Secretary of State that nominated unofficial members shall not in any event be required to vote according to the direction of the Governor." The nominated unofficial members have always had the right of voting as they pleased. The deputation beg leave to submit that the Secretary of State's expressed desire to give the people a large measure of control over the Administration can be realised only by a majority of elected members sufficiently large to be independent of the accidents of life and the frailties of human nature—such as a majority as has been granted to India.

4. One of the main objects which the Ceylon National Congress had in view in asking for a reform of the constitution was to secure a legislature which would accord to the moral and material advancement of the masses as much attention at least as the claims of capital and sectional interests. The effect of introducing representation of special interests, and, indeed, even that of the Indian community, in a Legislative Council so limited in membership as the one proposed, will intensify the character of the legislature as one which stands for the promotion of the interests of classes rather than those of the masses. The deputation have assumed, it is necessary to add, that the proposal to grant special representation to Indians has reference to the small Indian community, mainly commercial, whose representatives waited upon the Governor before his departure for England, and not to the floating population of South Indian labourers, about half a million in number, in whose case it is hardly conceivable that a separate constituency could be formed. The deputation would also observe that the granting of special

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

representation to the Chamber of Commerce, the Low Country Products Association, and the Indian community mentioned above, will be an injustice to other interests such as those of the Christian community and the Ceylonese merchants who, in their loyalty to the true principles on which a liberal constitution should be based, did not claim special treatment.

5. The deputation are profoundly disappointed to find that the main underlying principle of the Government proposals is racial. Even the grant of representation to special interests is clearly based on racial lines. The Chamber of Commerce is an European mercantile body, and the Low Country Products Association is a Ceylonese planting body. It is curious that it is neither the entire mercantile interests nor the entire planting interests that secure representation. In this connection, the deputation cannot but feel that the consideration of their case has been prejudiced by the circumstance that the Governor had by public announcements committed himself to the special representation of the Chamber of Commerce, the Kandyan Sinhalese, and the Indian community before the Secretary of State had come to a decision on the question of reforms.

6. Regarding the proposed creation of a separate electorate for the Kandyan Sinhalese, the deputation beg to invite the attention of the Secretary of State to the extraordinary anomaly involved in it. As has already been pointed out in previous communications, the two sections of the Sinhalese people are identical in race; they speak the same language, follow the same religion, and generally observe similar customs and manners. They inter-marry freely. On the other hand, the Ceylon Tamils, mainly inhabiting the Northern and Eastern Provinces and forming a population much smaller than the Kandyans, differ from the Sinhalese in race, in language, in religion and in customs. It is difficult to ascertain the principle upon which it is proposed to separate the Kandyan from the maritime Sinhalese, and to join the Ceylon Tamils with the latter to form the general electorate. Moreover, it is not easy to draw a sharp line of distinction between the Kandyans and the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

maritime Sinhalese, and the proposal to create a separate Kandyan constituency is fraught with serious practical difficulties. Again, the Kandyan Sinhalese cannot in any sense of the term be regarded as a minority. In fact, they are in numbers only second to the maritime Sinhalese, while in several districts they form the predominant majority. Above all, the bulk of the Kandyan Sinhalese, as shown by public expressions of opinion in Ceylon and as can be easily ascertained, do not desire to be separated politically from their brothers in the maritime districts or from the other sections of the community. The proposal can only result in creating an artificial racial cleavage where none exists to-day.

Racial distinctions of the kind involved in the proposed scheme constitute an element of danger, as they tend to disturb the harmonious relations that have existed between the different sections of the people. It is, therefore, most desirable that this feature, instead of being perpetuated and extended, should be eliminated from the constitution at the earliest possible opportunity.

7. The proposed changes in the Executive Council will not establish any connection between it and the Legislative Council and, consequently, the latter body will have no effective means whereby it may exert its influence upon the deliberations of the Executive. The present character of the Executive Council remains unchanged by the inclusion of unofficial members, so long as their selection is effected practically in the same way as that of the official members.

8. In these circumstances, the deputation cannot but feel grateful to the Secretary of State for indicating the outlines of the intended reforms, and thus giving those interested an opportunity of expressing their views on the proposals. The deputation would, for their own part, earnestly ask that the following modifications may be made in the proposed scheme of reform

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

so that it may be acceptable to the large bulk of the people of Ceylon :—

(1) that the representation of the people be so increased as to ensure a clear and substantial elected majority.

(2) that provision be made to eliminate racial and communal representation in the near future.

(3) that at least two of the unofficial members of the Executive Council be chosen from the elected members of the Legislative Council.

(4) that such statutory provision be made as will secure periodical revision of the constitution.

I beg to remain, Sir,
Your obedient Servant,
D. B. JAYATILAKA.
Secretary.

---

## CEYLON REFORM DEPUTATION.

Westminster Chambers,
1, Victoria Street, S. W. 1,
August 18th, 1920.

My Dear Arulanandan,

I am enclosing herewith copy of Lord Milner's reply to our last letter, and also copies of the memorandum No. 2. This was issued in view of the meeting of M. P.'s on the 9th instant. It was a very useful meeting, which bore fruit in the debate on the Consolidated Fund Bill on last Wednesday when our views were very strongly presented. I expect the proceedings have already been published in Ceylon. You will have noted what a miserable failure the Under-Secretary's reply was. In fact they could neither defend nor justify their scheme. Lord Milner's reply to our letter also evades all the important points. Still, they are determined to push the scheme through without any modification. Now what shall be our attitude towards it? This question must, in my opinion, be carefully considered by the National Congress, if necessary, at a special session. Whatever

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

the decision that may be arrived at, it is most important that a united front should be shown. Bureaucracy has no doubt triumphed—for the time being. But if we are united, the victory will be a short-lived one. We have done some useful work which will serve us in the future as well. It is a pity that there is no means of ensuring the continuity of our activities. This is also a matter which requires careful consideration.

The remaining delegates, except Mr. Samarawickrama, leave on the 21st instant.

Yours sincerely,
D. B. JAYATILAKA,

Please don't publish the documents for the present. D.B.J.

---

Downing Street,
17th August, 1920.

Sir,

I am directed by Viscount Milner to acknowledge the receipt of your letter of the 2nd August on the subject of the proposed constitutional reforms in Ceylon.

2. I am to state that Lord Milner has decided to recommend to His Majesty the changes in the constitution which have been announced in the House of Commons, after the fullest consideration; and that, in view of the complexity of the issues involved, it is not possible to discuss at length the various points raised in your letter. He directs me, however, to make the following observations.

3. As regards the numbers of official and unofficial members of the reformed Council, I am to point out that there will be, in the first instance, 16 members elected by the various constituencies, and that as soon as arrangements can be made the number will be increased to 19, out of a total unofficial vote of 23. Seeing that the official members only number 14, or including the Governor's original and casting votes, can command 16 votes, Lord Milner cannot accept your contention that the proposed changes will not give the people any measure of control over the Administration.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

4. As regards your reference to nominated members, I am to point out that nominated members of the existing Legislative Council are by no means regarded as supporters of the Government, and the statement made in the House of Commons to the effect that nominated unofficial members shall not, in any event, be required to vote according to the direction of the Governor was merely intended to express the existing practice. The present circumstances of Ceylon, in Lord Milner's opinion, make it impossible to provide for the application of the principle of popular election to the case of all communities, but the members nominated to represent these special communities cannot by any means be classed with the official members as you appear to argue.

5. As regards the special representation of the Kandyan community, I am to state that Lord Milner satisfied himself that there is at present a strong feeling amongst the Kandyans that their interests would not be sufficiently safeguarded if they were compelled to rely, for their representation in the Council, upon the members elected in the ordinary territorial constituencies. In the face of this strong feeling, Lord Milner felt that the success of the reforms would be prejudiced if some special provision were not made at first for the representation of the Kandyan community whose sympathies would otherwise be alienated. It is possible that, with the spread of political education amongst the Kandyans, this feeling will diminish or disappear, and, in that event, Lord Milner would hope that it would be possible to reconsider the question. Since the Kandyan community are given representation by no means disproportionate to their numbers, Lord Milner cannot believe that the interests of other communities are appreciably prejudiced by the arrangement.

6. As regards the changes in the Executive Council, Lord Milner is not prepared to fetter himself and his successors in the selection of the most suitable unofficial members of the Executive Council.

7. While Lord Milner does not consider it necessary to make any formal provision for the periodical revision of the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

constitution, he recognises that there can be no finality in such a matter; and he would contemplate that after a reasonable interval, proposals for any amendment of the Ceylon constitution which experience has shown to be desirable, should be put forward and carefully examined.

I am Sir,

Your obedient servant,

H. J. READ.

The Secretary,
Ceylon Reform Deputation.

---

EASTERN TELEGRAPH COMPANY.—Napoli,
COLOMBO STATION.

31st August, 1920.

ARULANANDAN, ADVOCATE,
Colombo.

Most important Congress should await our arrival and report.

JAYATILAKA.

---

Excerpts from the Minutes of the Executive Committee Meetings of Congress :—

"The report of the delegates appointed by Congress to form the Deputation to the Secretary of State, having been read by the Secretary, Mr. D. B. Jayatilaka, it was decided to publish the same. A vote of thanks to the delegates for their invaluable services, proposed by Mr. Francis de Zoysa and seconded by Dr. E. V. Rutnam, was unanimously carried." (17th September, 1920).

"A resolution of thanks to the undermentioned gentlemen, who as delegates of Congress proceeded to England and submitted its views on Constitutional Reform to the Government and people of England, was unanimously carried, Sir P. Arunachalam, Messrs. D. B. Jayatilaka, James Peiris, F. R. Senanayake, E. J. Samarawickreme, H. A. P. Sandrasagara, A. F. Molamure, M. W. H. de Silva, and Dr. T. B. Kobbekaduwa."

(6th October, 1920).

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## Section 3—*Reception to Colonel Josiah Wedgwood, M.P.*

### (A) Public Meeting, (February, 1921.)

A Public Meeting, under the auspices of the Ceylon National Congress, was held at the Public Hall. Sir P. Arunachalam presided, and among those on the platform were Messrs. James Peiris, E. W. Perera, H. A. P. Sandrasagara, F. R. Senanayake, E. W. Jayawardene, C. H. Z. Fernando, Francis de Zoysa, Martinus C. Perera, C. E. A. Dias, D. R. Wijewardene, C. E. Corea, Dr. W. A. de Silva Messrs. E. T. de Silva and G. E. de Silva.

After the Chairman's introductory speech, Col. Wedgwood addressed the audience as follows :—

Sir Ponnambalam, ladies and gentlemen, I feel that I owe you an apology for appearing before you this afternoon in a completely exhausted condition. I have already travelled hundred and twenty miles by motor car, and I have not had an opportunity of having a wash. I can assure you that a speech under those circumstances is apt to be somewhat curtailed and perhaps a little indistinct. However, I will do my best under the circumstances. Now, Sir, I will not follow you through the points of your speech, but I do wish to associate myself entirely with your view in regard to my mission in the East (Applause). It seems to me that I have come here as *a self-appointed Ambassador,* and, as a self-appointed ambassador I shall get comfortably kicked by both sides. There is no doubt that in India, the English Press on the one side, and the Indian Press on the other, find a great number of faults in self-appointed ambassadors, and I am sure that here too the same point of view is bound to be taken when I leave these shores the day after tomorrow. (Cries of No, No.) I can assure you that *this particular self-appointed ambassador comes as a friend and* leaves as a friend far more than he came. (Applause.) My esteemed friend and cousin, I had almost called him my political leader, Lord Hugh Cecil, once wrote a book called Liberty and Authority. It

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

was a panegyric upon liberty of the individual and in that work he measures the degree of civilisation of any nation by the degrees of liberty left to the individual by the gradual suppression of the state and the gradual elevation of the individual. Just as a child growing into man gradually gets rid of and can do without parental control, so a nation growing in civilisation can gradually do without parental state control, till the individual can do without the state. I think most of you here will admit that *the English people are furthest on that road* of any other nation on earth. We have not yet got independence of the state, but we have more individual liberty than in many other races. And I have been going round India and Ceylon taking the temperature, as it were, in a thermometer showing how far the different peoples with whom I have come in contact were free and were reasonably justified in having liberal institutions. I have gone round Ceylon with that point of view constantly in my mind. Of course I have been interested in Mr. Senanayake's *dagobas* and in the vast tanks constructed by the Sinhalese of old times, but I have been more interested in talking to the people,—the common people, as well as the educated people. I have been more interested in seeing, I have been more interested in reading the daily newspapers than in the Lanka of old times. I am sure that, judged by any standard, it seems to me that the Sinhalese are better fitted than any other Eastern race (Applause), I hope to say *better fitted than many European races* for such self Government as representative and responsible institutions denote. *You can look at the people from two or three points of view; what has struck me most about Ceylon is the Education Passion,* the number of schools and the excellence of the School buildings, the cheerful appearance of the children and their attendance at school. That is peculiar to Ceylon. I welcome it because I am quite certain that to read and write is the foundation of even political education, and it has struck me as being *a wonderful example of the adaptability of an Ancient Race,* that they should take to this modern education, and not to all monkish education, with avidity, and should make such use as they are doing of such education. I am sorry

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

that in the North-Central Province there did not seem to be as many good schools as there are in the Western and North-Western and Sabaragamuwa Provinces. But certainly education, the primary test of a nation's fitness for Self Government is going well for Ceylon at present. Then I take the press of the country. Indeed, *the Press of Ceylon is undoubtedly far ahead* of the Press of any other country of the same size. (Applause) I do not go so far as to say that it is ahead of the Press of India. It is less political, and more educative. I have looked at the leading articles in all the daily Newspapers published in this country—the English Newspapers—I do not know what the vernaculars are like.....and was enormously struck by the educative influence of their leading articles. It is not merely that you have got people writing on those papers who think politics out; but they will not write things of that sort unless they have readers to enjoy those articles. That is the test that I apply to people, and certainly the Sinhalese come wonderfully well out of the test. (Applause). The third test I apply in making my thermometer shew the degree of civilisation is *the Power of Self-Control.* Now, when you have in Ceylon a very strong anti-drink movement that alone shows that people are capable of Self-Control. People who are capable of stopping a bad habit because they think that bad habit corrupts a nation is giving good evidence of capacity for Self-Government. Self-Government does not mean solely the use of the votes, and being through the votes the master of the country; it also means master of your own passions and from that point of view Ceylon comes out very well in the agitation so successfuly carried out by Dr. de Silva, Mr. Senanayake and others. I have lived for a long time in Italy and used to work there, and in many ways you strike me as similar to the Italians. They have the same musical language, the same degree of political experience, but in one respect they are far superior—there is *much less of seeing Red.* They are less liable to excitement, and there is much more moderation in the general character of the people. I am told that there are far more murders in Ceylon than in any other country. This is, of course, a bad sign (hear, hear) but it is a sign of cerebral excitement. It is

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

due very often to drink, but certainly apart from that I see very little sign of this sort of Italian or Latin excitement over things. You don't see people disputing together in the streets nor the unlimited use of bad language. There is a certain amount of Self Control and I hope that in the interest of the future of Ceylon you will develop that side both by abolishing the drink trade and stamping out political violence and that violence of language which goes beyond bounds, and which is really born of the excitement of the moment. From all those points of view I think Ceylon is well fitted for Self-Government; but besides that I have observed in Ceylon I think a larger proportion than in Indi . of people who are devoted to the interests of the community, and who have put behind them self-interest (hear, hear). I mentioned one or two the other day but I don't propose to mention any names now. It might make those whom I name blush, while I really think that those whom I do not name will outnumber the others. A country which produces men of that description has got a foundation of *successful Self-Government* and I am glad to find these people not only among the Sinhalese, not only among the Tamils, but also among the Burghers and among the planting population. I have come across a number of officials and planters who strike me as being white men in the best sense of the term (Applause) and I do hope that when you get your territorial electorates that I think from their number it is the right way of setting about the Constitution—I hope you will see that both Burghers and English Planters find their seats on the Council for territorial constituencies and not confine them merely to Sinhalese and Tamils. (Applause). I have been particularly struck with a gentleman I met at Kandy who seems to know more of the history of Ceylon than even Mr. Senanayake, and I do hope that one of the first efforts of the new Council will be to have some sort of Ceylon history which will teach the people of Ceylon the glorious past of their country. Now, *Self-Government is a Birth Right* of all peoples. (Applause). It is true that many people take some time to come of age. I do not think, for instance, that the people of the West Coast of Africa are yet of age, but I have come to the conclusion that here in Ceylon we have undoubtedly

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

a people who are of age and therefore entitled to enter into their birth right. (Applause). But you must remember, as your Chairman has said, *you are bound to make mistakes* when you start on your career of Home Rule, you will be bound to find many new rulers among the people who are self-interested instead of publicly interested, and I do hope that you will be particularly critical of the people who are so sent to rule Ceylon. Don't be carried away by wealth; don't be carried away by extreme views; don't be carried away by the man who merely tries to please the electorate and get the votes at any cost. You must have sound judgement. You must find out what the views—the real views of the people are, who ask your votes. *I am a little grieved about one thing.* In Ceylon, I find that at all my meetings though they listen to my speech, they had no question to ask, that is not the way to select good leaders. I would far sooner be heckled and have things made hot for me because I can make it hot for them in return, than listen to candidates without cross question. You want in your representatives in Council, men who have sound views, who know what their views are, and are determined to support those views, even whether the electors like it or not. Then it is for the electors to decide whether they prefer to have a man who is independent in his views or a man who share their views. Election is not an honour, it is not a reward for long public service, or a reward for being a model citizen. When you elect a man you are electing your servant, a man who can best serve not only the constituency, but the whole country. I think *one of the Crimes of this wretched Order in Council* is that nearly all the best men happen to live in Colombo, with the result that all, except one, are ruled out of the Legislative Council. That is why I put for ever in the forefront this residential qualification as being the first that must be abolished. (Applause). I do not think you can get very far with your present Order in Council, but soon you will have an opportunity of putting into your new Council *the best man in Ceylon.* Well, when that time comes along put in the best men. (Applause). Of course, the real danger, or the great danger, I say, is that when you have new men in the saddle they may use their position and their power to exploit

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

those who are underneath. We have gone through it all in England. We have had landlord rule; we have had capitalist rule. However, altruistic any individual may be, when you have class rule of that sort the class who work under them are certain to suffer well. In Ceylon I would like to avoid that as far as possible. I would beg the people who are going to form the Government of this country in the future, I would beg of them *to extend the Franchise,* as soon as possible. Even to people who cannot read and write. (Hear, hear). That is a safeguard. Otherwise with the best of intentions, you are bound to squeeze the unfortunate people underneath, who can be squeezed. I would say to *my fellow countrymen who are in the Civil Service* here, that the best, if not the only excuse for the continuation of British control, for the continuance of a large nominated element in Council, and the large British element in the Executive, that the best and only excuse is that they should *watch the position of the underdog;* that they should stand for justice and fair play to the people, who, whether they have votes or no votes have to get their protection. If you are to serve England aright you have to stand up for the Tamil Cooly, to stand up for the Dock labourer, to stand up for the small tenant in the country districts—the Sinhalese tenant; to protect them and not to consider that then your position entitles you to stimulate exports and imports and dividends. That is why I object above all to the Waste Lands Ordinance, which seems to be not only a bad Ordinance in itself but the British Government should never have introduced that Ordinance. (Hear, hear). It is not helping the helpless. It is helping the exploiter, the capitalist, the capitalist Ceylonese as well as British. It is helping the wrong people. The justification for opposition is that we should protect the lower orders of Sinhalese and Tamils against their own race.

We are not playing the game if we don't bend our minds to that side of the question of the sudden change from Crown colony rule to democratic rule by protecting those who might suffer from the change. As to how this change can be brought about I think all Sinhalese and Tamils are now pretty clear. I am going to meet the Committee of Congress tomorrow afternoon

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

when I suppose they will tell me everything in detail, and I hope we will be able to work together. *The most important points* seem to me that the Government has promised that the constitution will be revised in a year and also that Mr. Winston Churchill is going to be the Secretary of State for the Colonies. Those are two outstanding points—the Governor's promise and the change in the Colonial Office *which gives me the best hope* of making this Order in Council a really liberal constitution. (Applause). I want to see an elected majority, elected on straight territorial constituencies. I don't say a big majority. A small majority will be sufficient to begin with. I want to see that power over the purse retained by the Legislative Council. (Applause). And for the rest *I want to see the Diarchy* as employed in Madras introduced into Ceylon. That seems to me a first-rate half-way house to complete Home Rule. Those are the points on which you should set your minds. It is the amendment of the constitution in that direction I would ask you to direct *all your political efforts during the next year.* I do not think that you are in a position either from knowledge or from power to make suggestions for great reformations in the present Government of Ceylon. There is the Poll Tax. You can talk about its abolition. There is the drink trade. You can talk about the 50% vote instead of the 75%. There is the receiving of money necessary to keep up the revenue of the country. You can discuss matters by which that can be done. There is the reclamation of jungles in the North which were once paddy-fields irrigated by ancient tanks. You cannot do anything as long as the Council is in its present condition. Therefore I would say spend most of your time, spend most of your energies, to the reformation of the Council, to the reform in Government, and keep that as your most prized object in view. I do not think it will be an easy struggle. It is, I think, human nature that every official in the country should *seek to dig his toes in* and resist being ousted from the position of power. That is only human nature. I remember perfectly well when I was a Civil Official in the Transvaal I had exactly the same instinct, that I was able to govern the Boer better than the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Boer farmers themselves. That is quite natural and you are bound to have the official element against you. You are bound also to have I am afraid the bulk of the Planter element against you because they are naturally afraid of Sinhalese and Kandyans taking charge instead of their own countrymen. You may also have against you a large mass of Sinhalese. I have heard already of endless complaints that Congress is composed of Sinhalese and *Sinhalese who do not belong to the top class* that they represent a small minority—and you are bound to have a large body of conservative land owners and capitalists who will object to have the rule of tenants and servants. You are bound to have opposition. You are not going to have plain sailing. Because it is going to be a struggle I ask you to give your minds to this political freedom during the next year, and not to complicate matters by excessive zeal and by advocating measures which will raise up unpopularity in certain directions; but confine your attention to get in your birth right—the beginning of responsible self government in this country. I shall go back to England and do what I can there. But I do not feel that Ceylon needs my assistance as much as other countries. There is a great deal that the Labour party has to do to help various subject nations in this world, and it is no good relying even upon me, even upon the party which I represent. As your Chairman said, if you are to carry this through *you must rely upon yourselves,* and not upon anybody else. If they help you so much to the good. If they do not help you, you have got to pull this thing off by unselfishness, by concentration and by being all for your country. (Applause).

*Questions.*—One of the audience asked why Col. Wedgwood had told them on a previous occasion that they should forget the riots of 1915. People had been slain and was justice to be denied?

Mr. H. A. P. Sandarasagara rose to a point of order but the Chairman permitted the question.

Col. Wedgwood replied that they would only be wasting their energies in asking for justice. It was disadvantageous to the struggle they were engaging in to secure a free constitution. He deprecated worrying about injustice of the past just as

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

much as he deprecated going into the Dyer incident. They could not get it, what they had to do was to stop the system which enabled incidents like that of 1915 to take place. They should go to the root of the evil. He earnestly advised them that, that was the best way of securing real justice, not merely justice upon criminals who had committed crimes five years ago. But justice which every free citizen of Ceylon ought to demand.

A member of the audience told Col. Wedgwood that the Government had decided not to consider the new Labour Ordinance, until the industrial crisis was past. He asked whether the British Government was a Capitalist or a Labour Government.

Col. Wedgwood :—"The British Govt. is a Capitalist Govt." (Laughter). One or two more questions were asked, and Mr. E. W. Jayawardene proposed a vote of thanks to Col. Wedgwood.

(B) DINNER TO Col. & Mrs. WEDGWOOD.

A dinner was given to Col. & Mrs. Wedgwood at the Bristol Hotel on the night of the 9th of February, 1921, and was very largely attended. Mr. James Peiris, President of the Ceylon National Congress, presided, and had on his right Col. Wedgwood and on his left Mrs. Wedgwood.

The following attended—Mr. James Peiris, Sir P. Arunachalam, The Hon. Dr. H. M. Fernando, & Mrs. Fernando, and Miss Fernando, Mr. & Mrs. A. J. R. de Soysa, Mr. & Mrs. D. B. Jayatilaka, Mr. & Mrs. Donald Goonatilleke, Dr. & Mrs. W. A. de Silva, Mr. & Mrs. C. E. A. Dias, The Rev. J. S. B. Mendis, Mr. E. W. Perera, Mr. Chas. Peiris, Mr. & Mrs. George E. de Silva, Mr. A. St. V. Jayawardene, Mr. & Mrs. Sri Pathmanathan, Dr. & Mrs. I. David, The Hon. Mr. O. C. Tillekaratne, Mr. & Mrs. F. R. Senanayake, Messrs. H. A. P. Sandrasagare, E. J. Samarawickreme, Armand de Souza, T. A. de Mel, C. H. Z. Fernando, D. S. Senanayake, G. K. W. Perera, Francis de Zoysa, A. Reginald Fernando, Dr. E. V. Ratnam, Mr. M. W. H. de Silva, Mrs. Kotalawela, Mr. & Mrs. R. L. Pereira, Mr. C. L. Wickremasinghe, Messrs. S. R. de Fonseka, E. T. de Silva, A. Mahadewa, A. Ramanathan, A. B. Cooray, Mr. & Mrs. D. R. Wijewardena, Mr. & Mrs. Fred Dias Bandaranayake, Dr. Lucian

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

de Zilva, Mr. E. W. Jayawardena, Dr. & Mrs Hewavitarane, Mr B. F. de Silva, Dr. C. G. Peiris, Dr. W. P. Rodrigo, Dr. W. A. Fernando, Dr. Lionel de Silva, Mr. D. C. Senanayake, Mr. & Mrs. W. Sathasivam, Mr. P. B. Ratnayake, Mr. & Mrs. Leonard Peiris, Miss E. M. Gould, Mr. & Mrs. Lionel de Fonseka, Messrs. J. Wickremasinghe, Cecil Guneratne, G. W. Ernest Soysa, Mr. & Mrs. A. F. R. Goonawardene, Messrs. Neil Hewavitarana, James P. Fernando, representatives of the "Ceylon Morning Leader", "Ceylon Independent" and "Ceylon Daily News," Mr. C. E. Victor Corea, Mr. & Mrs. N. D. S. Silva, Messrs. C. S. Antony, D. C. Weerasekere, L. M. M. Dias, W. H. Wickremasinghe, G. A. Wille, Mr. & Mrs. P. de S. Kularatne, Mr. Stanley Amarasekere, Mr. & Mrs. Sam W. Soysa, Mr. A. C. G. Wijeyekoon, Dr. H. I. Fernando, Dr. K. J. de Silva, Messrs. G. E. Cooray, A. B. Gomez, S. W. Gomez, C. M. Wickremasinghe, Martin de Silva, D. L. E. Amarasinghe, D. W. Samaratunga, E. C. F. J. Senanayake, Bertie de Zilva, P. P. Fernando, J. C. Fernando, Steven de Cross, H. K. Direckze, Tudor Ranasinghe, Arthur Fernando, Martin de Silva, Victor Mendis, J .Moonasinghe, j. L. Kotalawala, J. V. Jinendradasa, E. Wisviya, V. S. V. Gomez, F. Dadabhoy, W. M. Rajapakse, F. T. Proctor, J. A. Cooray, A. P. Gooneratne, J. E. Goonesekera, C. V. S. Panditteseker e, N. A. Dharmaratne, Ronald Seneviratne, W. E. Bastian, Clement Dias, Timothy de Silva, Perisunderam, S. J. C. Kadirgamar, D. P. Kodittuwaku, Amadoris Mendis, W. H. W. Silva, S. R. Amarasekera, Thalayasingham, Michael F. Perera, E. A. P. Wijeratne, A. A. Wickremesinghe, D. R. Kotalawala, Donald Fonseka, A. C. Abeyewardene, Richard Nugewala, J. Nawaratne, P. De Lanarolle, B. O. Pullenayagam, Allanson Gomez, Richard F. Perera, Wace de Neise, J. R. Weinman.

The Chairman gave the toast of His Majesty the King, and it was drunk with musical honours. Mr. D. B. Jayatilaka proposed the toast of Col. & Mrs. Wedgwood and in an interesting speech touched on the events during the two weeks spent by them in Ceylon. He referred to subjects which Col. Wedgwood

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

in many speeches has made interesting remarks on, among them the lack of self-reliance on the part of the people of Ceylon which he termed as an element of very recent date and rapidly dying out; and communal representation which he hoped would also be eliminated soon. The toast was enthusiastically drunk. Col. Wedgwood in reply delivered a highly interesting speech which was received with frequent bursts of applause. He thanked Mr. Jayatilaka for stating that they had welcomed him as a member of the British House of Commons. He loved the British House of Commons. It seemed to him a model of democracy. (Applause). As he had gone round Ceylon a source of great pleasure to him was the absence of difference, and bitterness between creeds in here. He thanked all for having made him and Mrs. Wedgwood at home in Ceylon, he exhorted the Ceylonese to take their due share in the development of their country and not leave it to foreign financiers. That was a way to avoid the lack of self reliance. He said that as a word to his fellow countrymen there, he would ask them to do what they did when they visited Italy, accommodate themselves to the views and prejudices of the Italians. The Ceylonese and they, had been brothers in arms in the Great War, let them now be brothers in peace. (Applause).

Mr. G. A. Wille proposed the toast of Mr. James Peiris, the Chairman, in a speech in which he touched upon the great and important part Mr. Peiris had played in affairs of Ceylon. After the toast had been enthusiastically drunk, the Chairman replied that whatever he had done was what he owed as his duty to his country.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## CHAPTER II.

December, 1921 — March, 1923.

SECTION I.—*Sessions.*

### (A). GENERAL SESSION, 22nd & 23rd DECEMBER, 1921.

## LIST OF DELEGATES PRESENT

Those on the platform were:—The Hon. Mr. James Peiris, Mr. D.B. Jayatilaka, Mr. C.S. Rajaratnam, Mr. Francis de Zoysa, Mr. E. W. Jayawardene, Mr. C. E. A. Dias, the Hon. Mr. C. E. Corea, Dr. W. A. de Silva, Mr. F. R. Senanayaka, Mr. A. F. Molamure, Mrs. S. C. F. Abeyagoonewardene, the Hon. Mr. A. C. G. Wijekoon, Mr. J. L. C. Rodrigo, the Hon. Mr. D.H. Kotalawala, Mr. A. St. V. Jayawardene, Mr. G. A. Wille, Mr. A.C. Abeywardene, the Hon. Mr. W.M. Rajapakse, Mr. C.E. Victor Corea, Dr. C. A. Hewavitarne, Mr. J. E. Gunesekera, Mr. C. S. Rajaratnam, the Hon. Mr. E. W. Perera, Mr. C. H. Z. Fernando, Messrs. Timothy de Silva, A. A. Wickremasinghe, D. Goonetileke, Peri Sunderam, P. B. Ratnayake, D. R. Wijewardene, E. A. P. Wijeratne, E. T. de Silva, W. E. Bastian, M. W. H. de Silva, W. Sathasivam, T. B. Jayah, G. L. Cooray, M. H. Jayatilaka, P. de S. Kularatne, A. B. Cooray, S. D. S. Gunasekera, D. C. Senanayake, D. S. Senanayake, R. L. Pereira, Mr. and Mrs. Sathasivam, Messrs. R. Sri Pathmanadan, W. H. W. Perera, J. H. Wijayaratnam, A. E. Goonesinghe, M. L. M. Reyal and others.

Among those present were:—Hon. Mr. Kotalawala (Badulla Association), Mr. G. D. Edmund Seneviratne (Ceylon Workers' Federation), Mr. W. O. Perera (Kandy Mahajana Sabha), Mrs. S. C. F. M. Abeygoonewardene (Galle Asso:), Mr. E. C. Abeywardene (Galle), Mr. W. Sathasivam (Ceylon National Association), Mr. David de Silva (Ambalangoda Association), Mr. H. B. Gunawardene (Galle), Mr. J. A. Weerasekera (C.N.A.), Mr. P. W. Chas. de Silva (L.M.S.), Mr. M. A. Arulanandam



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(C.N.A.), Mr. M. P. Perera (Matale Association), Mr. D. J. S. Wijenaike (Matale), Mr. D. J. Jayalath (Chilaw Association), Mr. George E. de Silva (K.M.S.), Mr. C. V. Ranawaka (C.N. A.), Mr. P. B. Ratnayake (L.M.S.), Mr. F. P. Senaratna (K.M. S.), Mr. A. F. Molamure (Kegalle Mahajana Sabha), Mr. A. F. R. Gunawardene (K. M. S.), Mr. E. A. P. Wijeratna (K. M. S.), Mr. C. P. de S. Senanayaka (L. M. S.), Mr. S. B. Mapitigama Bandara (L. M. S.), Mr. S. K. Wijeratnam (Negombo Association), Mr. Wilmot P. Wijetunga (Matara Association), Mr. F. B. Tamel (Chilaw), Mr. H. P. Wickremasinghe (Chilaw), Mr. D. A. S. Senanayaka (L.M.S.), Mr. Cyril Senanayaka (Negombo), Mr. H. M. Gunasekera (C. N.A.), Mr. Peter Weerasekera (L.M.S.), Messrs. T. Wallopillai (Sabaragamuwa Association), S. M. P. Wijetilaka (Matale), D. S. J. Weerasekera (L.M.S.), A. P. Gunaratna (L.M.S.), E. F. Saldin (M.P.U.), Harry Dias (Panadura Association), Andrew R. Matham (C.W.F.), C. Ariyanayagam (Matale), R. H. Sadris de Silva (Galle), D. B. Jayasinghe (L.M.S.), V. M. Saravanamuttu (K.M.S.), A. Ginige (Ambalangoda), J. A. W. Kanangara (Kalutara), Victor Mendis (Workers' Welfare Association), Aelian Pereira (W.W.A.), Mr. S. A. de Mel (Panadura), J. J. Manisseh (Indian Association), S. Amarasuriya (Galle), E. W. Jayawardene (C.N.A.), W. E. Bastian (L.M.S.), M.L.M. Reyal (Young Lanka), W.H.W. Perera (Young Lanka), D. L. S. Amarasingha (Negombo Rate-payers' Association), Dr. C. S. P. Jayanayaka (Negombo), Messrs. E. T. de Silva (C.N.A.), T. A. A. Raheem (M.P.U.), T. H. de Silva (Negombo Rate-payers' Association), G. H. P. Wijeratnam (Young Lanka), J. G. Perera (Galle), S. Patmigala (Young Lanka), I. C. S. Corea (Young Lanka), Carlton Corea (Young Lanka), D. E. Jayakoddy (L. M. S.), Forrester Obeyesekera (K. M. S.), Siddhartha Corea (Young Lanka), B. L. Saranelis Silva (L.M. S.), D. R. Wijewardene (C. N. A.), Stanley Amarasekera (Chilaw), M. David (Young Lanka), Hon. Mr. H. L. De Mel (C.N.A.), Messrs. G. L. Cooray (C.N.A.), D. S. Wanigasuriya (C.N.A.), Dr. Walter Silva (Panadura), Messrs. C. E. A. Dias (C.N.A.), S. D. Chandrasena (Young Lanka), Mr. J. Moonesinghe (C.N.A.), J. W. de Silva (C.N.A.), S. D. S. Gunasekera

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(L.M.S.), D. M. R. P. Senanayaka (Negombo), Herbert Sirimana (L.M.S.), D. H. Senanayaka (L.M.S.), E. C. L. S. Storer (Chilaw), A. St. V. Jayawardene (C.N.A.), L. C. S. Corea (Chilaw), M. A. Jayasinghe (Galle), Hon. Mr. Wijekoon (L.M.S.), Messrs. E. J. Samarawickrema (C.N.A.), Hon. Mr. James Peiris (C.N.A.), Messrs. P. D. G. de Silva (Young Lanka), A. P. Gunatilaka (L.M.S.), T. A. Dharmasena (W.L.A.), P. Chelvanathan (Chilaw), George Attygala (L. M. S.), Dr. S. Dharmaratna (Kalutara), Messrs. J. F. Dias (Kalutara), R. H. Wijemanne (Kalutara), J. A. Kannangara (Kalutara), D. J. R. Gunatilaka (Kalutara), A. Mendis (L.M.S.), J. E. Gunasekera (L.M.S.), H. I. A. Wimalapalana (Young Lanka), D. G. Jayakody (L.M.S.), T. K. Burah (M.P.U.), T. S. Sabar (M.P.U.), M. T. Jainu Deen (M.P.U.), Timothy de Silva (L.M.S.), T. Carolis Fernando (L.M.S.), A. E. Chellarajah (Young Lanka), M. de S. Jayaratna (Young Lanka), Piyadasa Sirisena (Young Lanka), R. J. F. Mendis (Young Lanka), Roland E. W. Perera (C.N.A.), D. J. P. Gunasekera (L.M.S.), F. L. Kulasekere (L.M.S.), A. C. Attygalle (Sabaragamuwa), H. G. Dias (C.N. A.), Dr. Brito Babapulle (C. N. A.), Messrs. D. H. H. S. Nanayakkara (Young Lanka), Ariyawansa Sirisena (Young Lanka), C. W. W. Kannangara (Galle), D. R. de S. Abeynaike (L.M.S.), M. N. M. Salahudeen (C.M.U.), K. B. Gajanayaka (L.M.S.), J. P. S. de Silva (L.M.S.), R. P. P. Weerasuriya (Kegalle), D. John Perera (W.F.U.), O. P. Ranasinghe (L.M. S.), Rev. J. S. B. Mendis (Chilaw), Messrs. H. S. Manchanayaka (Kegalle), D. G. Fernando (Kegalle), D. C. Senanayaka (C.N. A.), A. A. Wickremasinghe (K.M.S.), K. L. Fransapullam (W. F. U.), A. H. K. Peris Appuhamy (W.F.U.), Collin de Zoysa (Kurunegala), N. D. C. Gunasekera (Galle), Edmund de Silva (Matale), M. H. Jayatilaka (L.M.S.), F. R. Senanayaka (L.M. S.), H. de S. Kularatne (Ambalangoda), B. O. de Silva (W.F. U.), M. M. Pinto (W.F.U.), K. John Fernando (W.F.U.), A. R. Arnolis Appu (W.F.U.), S. Shamakam (W.F.U.), J. A. D. Edirisinghe (W. F. U.), A. Murugesu (W. F. U.), K. M. D. Dionis Appuhamy (W.F.U.), H. S. Palachandram (W.F.U.), W. J. de Silva (Galle), D. M. de S. Abeynaike (L.M.S.), S. Alasunderam (Chilaw), D. C. Wijewardene (C.N.A.), E. A. Peiris (K.M.S.), S. M. Ismail (Ceylon Muslim Association), D.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

J. Jayawardene (Negombo), J. D. P. Perera (L.M.S.), Razeen Abdul Cader (Ceylon Muslim Association), A. F. Sultan Marikar (Muslim Literary Club, Galle), Habib A. Vellcasim (M.L.C. Galle), M. Zubai Cassim (M.L.C., Galle), Shums Cassim (M.L. C., Galle), F. Magdon Ismail (M.L.C., Galle), George A. Caldera (Young Lanka), S. M. Ismail (C.M.A.), Kamer Cassim (C.M. A.), O. L. M. Mashood (C.M.A.), M. N. M. Salahudeen (C.M. A.), Razeen Abdul Cader (C.M.A.).

MR. E. J. SAMARAWICKREMA, Chairman of the Reception Committee, rising amidst applause said:—Mr. President, Fellow-Delegates, Ladies and Gentlemen: It is my duty to extend a most cordial welcome, on behalf of Congressmen in Colombo, to this large representative and distinguished assembly and its illustrious leader. This is the fourth occasion on which Congress meets and all four sessions have been held in Colombo. It is extremely good of those of you who come from distant parts of the Island at great personal sacrifice that you should consent to undergo the trouble and inconvenience of a sessions in Colombo when you could fairly have demanded a sessions somewhere nearer to your own doors. Colombo appreciates your public spirit and self-sacrifice and is grateful to you. As Chairman of the Reception Committee I cannot help deploring the fact that we have not been able to make adequate arrangements to make the period of the sessions a sufficiently pleasant time for those who have, at their country's call, taken upon themselves all the discomforts of a sessions here. But I know how willingly they will overlook our shortcomings and how readily they will take the will for the deed.

And now, gentlemen, I feel sure that I shall be giving voice to the sentiments of Congressmen throughout the Island when I say that it is a matter of great gratification to us to be able to place upon the highest pedestal the people of this country can reach, one whose life has been one long fight for justice, fairplay and freedom. I shall only refer to two or three incidents in a life crowded with striking events. Mr. Pereira was the first, many years ago, to exhort a class of oppressed workers to unite together for self-protection, to unite in a demand for justice. That exhortation led to the formation of the first organization in Ceylon which partook of the character of a Trades Union. In more re-

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

cent times, he was the first to plead the cause of reform before the Secretary of State when the elective principle was introduced into our Legislative Council. He did it with such success that resort had to be had to misrepresentation to deprive us of a great part of the fruits of his labours. Again when two years ago the Secretary of State sought to bar his gates against a demand for reform being made direct to him it was Mr. Pere ra who broke down those barriers with a force and vehemence that must have seemed rather unceremonious. He left those gates wide open for the second deputation to press forward and complete the work he had begun. Gentlemen, to me it seems that the political horizon is bright and clear. But I know that many among you are inclined to point to a cloud, shake your heads and say that the sky is over-cast. It does not matter if it is. The stars which have brought never failing success to Mr. Pereira lie hidden somewhere. I know that he will make the fullest use of them. I am confident that they will enable him to make his tenure of the presidentship a landmark in the history of Ceylon and a fitting monument to a champion of liberty and justice. I have also to give expression to our gratitude to the retiring President for his devoted work of a very strenuous year. It is only those of us who have watched it at close quarters who can say how unselfishly devoted and how strenuous it was. How beset with difficulties, how often confronted with irritating situations. If I may put aside for the moment the question of the reform of the Executive Council I should say that results will vindicate the wisdom of the course the Hon. gentleman took in the conduct of the reform debate. To realize this one has to ask himself the question what must the Governor say in his despatch. Let us take the subject of territorial representation. H. E. will have to say that there was a demand for a Council of about 45 members with about 2/3 of the number territorially elected. He need hardly say that the officials opposed it. He will say that the nominated members as distinguished from the communal representatives all voted against it. But H.E. will have in fairness to us to remind the Secretary of State that both before and on the occasion of the passing of the order in Council we protested against nomination on the ground that nominated members habitually range themselves with the officials. He will have to point out that the justice of our

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

criticisms has been strikingly proved in the course of this very debate. He will have to call attention to the way in which one nominated member took back his own words and went so far as to swallow up the very resolution which he commended and pressed upon the people hardly two years before and testify to the fact that it did not stick in his throat. It is with regret that I refer to this piece of evidence. For as an elected member the Hon. gentleman had placed us under great obligation. H.E. will have to say that the representatives of special interests were equally divided; that 5 of the Communal representatives representing the Indian cooly population of 600,000 and 95,000 others were against and two members representing a population of 1,088,000 were in favour of the demand. That 10 of the territorially elected representatives representing about 3,320,000 were in favour of the demand, that 2 representing 500,000 opposed the resolutions on the subject. H.E. is entitled to call attention to the fact that they were both representatives of Tamil Provinces but H.E. cannot make his despatch a fair one without adding that the proceedings made it clear that these two gentlemen did not want less but rather more territorial representation and that their difficulty was about the distribution which accordingly was referred for impartial decision. In short the representatives of 3,800,000 were in support and those of 695,000 were opposed to the demand. H. E. will have to state on what ground the opposition was made.

To lay aside for the moment the official argument drawn from the homogeneous character of the people of the United Kingdom including the Irish race beyond asking whether it was communal representation that produced that character so far as that character is a reality I would summarise the argument thus. It is true that the trial of the Legislative Council was like a school examination. The candidate has undoubtedly passed and passed well. If that were all he should get his promotion: but say the majority of the communal representatives he has not merely passed but has obtained honours and distinctions in a most extraordinary manner. That surely proves that this class and its subjects suit him splendidly. Why then send him to another class? The subject of "territorial majority" is no doubt necessary if he is to take up the profession of responsible Government for which he is destined



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

but it is a difficult subject and it is a pity to spoil the poor fellow's record by inflicting that and other new subjects on him. I trust that H.E. or the Secretary of State will do justice to this argument.

I am with the minority who think that the result will be a triumph for Mr. Peiris and his colleagues.

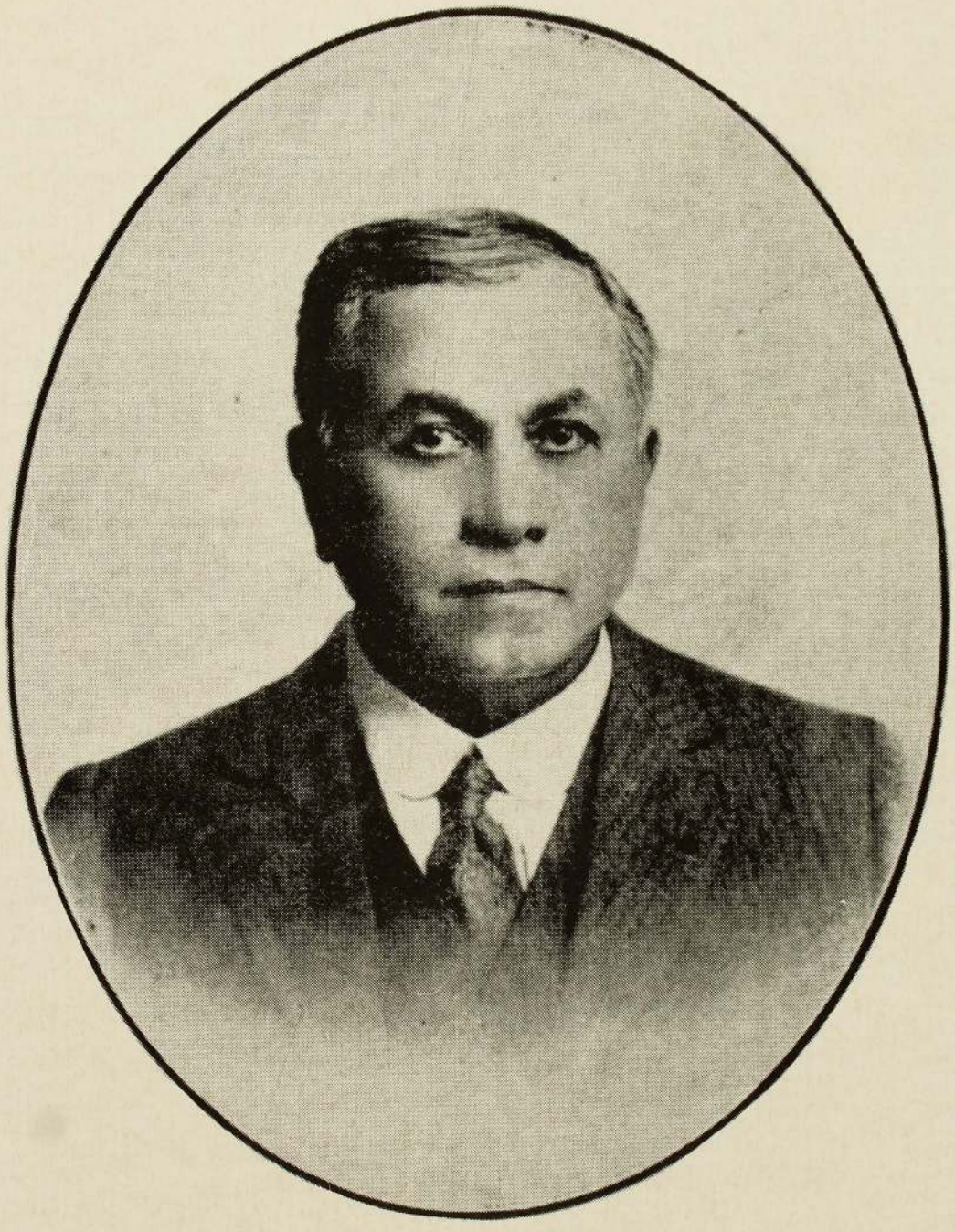
But I am glad that the general feeling has been one of suspicion. I hate suspicion but I am glad because there was a serious danger lurking behind the satisfaction that the people felt in the great change that had come over the administration. The regard it manifested for public opinion, its greater activity in matters affecting the welfare of the people and its evident anxiety to avoid anything that savoured of racial bias, these things tended to disarm us and to weaken our enthusiasm and cohesion. The note of warning did not come a day too early and I am glad that it came from the bureaucracy.

I would make one appeal to the group of Congressmen who are not here to-day. One of the objects that we wish to eventually attain is a Council composed entirely of members elected by an unfettered electorate. It was disappointing when you showed an inclination to impede our progress and cried halt. But it was heart-rending when after we resumed our march you asked us to retrace our steps or climb down from a reach that we had already attained and attained while you were looking on, nay when some of the foremost among you urged us forward.

Ladies and gentlemen, I shall not be doing my duty fully and I shall not be acting in accordance with the traditional sentiments of the people of this country if I do not refer to the approaching visit of the Prince of Wales. H.R.H. symbolizes the ideals of British rule, whose watchword is freedom, just as H. M's ministers symbolize the departures therefrom in practical working. The more severely we criticize the latter, the greater is the praise involved of the former. I am sure that I am voicing the sentiments of all Congressmen that all Ceylon will join in according to H.R.H. a sincerely loyal and enthusiastic welcome. H.E. can make the occasion of the Prince's visit the happiest day for Ceylon by making it synchronize with the date of the grant of our Magna Charta. We appeal to him to do it.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org



H. J. C. PEREIRA, Esq., K.C.

**(President 1921—1923)**

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Brother delegates:—The message that the proceedings of these two days should convey to all concerned is this, that we were anxious to close the present stage of constitutional struggle and devote our energies to the social and economic advancement of our country. We felt that there was wiser statesmanship, better understanding and greater sympathy near about the helm than we have ever had before in modern times. Our hopes had risen high. We were waiting to proudly point to our new constitution and to say to all the Empire see what moderation and strict constitutionality can achieve. But doubt has taken the place of hope. The grant of anything short of what we are convinced is a just and fair demand will render it impossible for us to close the present chapter. If we do it will only be to let others take the direction of Congress affairs and re-open it the next day probably calling it the next chapter. I do trust that H.E. will not lose sight of two very material facts, that our demands are out of date—they had been formulated at a time when we had yet to prove our political capacity—and secondly that we are living in an age of political activity and rapid political progress when one year is equal to 10 years of days gone by.

Brother delegates, I repeat my welcome to you.

## THE PRESIDENTIAL ADDRESS.

Mr. H. J. C. Pereira, in addressing Congress said: Brother delegates, ladies and gentlemen, As you are aware this is the third session of the Ceylon National Congress and we are assembled here in our numbers at a somewhat critical period of its political existence. There is no use in concealing facts. We must admit the facts and face the situation. Since you last assembled in this hall, as you are aware, there has been a secession from its ranks. The delegates who were sent from Jaffna to represent that Province at this Congress are absent to-day and the reason for their absence is well known. (A voice: Shame). I do not mean to dwell very long on this subject but I shall say what is necessary in regard to it. I am by no means certain that the gentlemen who pretend to voice the feelings of the people of Jaffna have really any claim to do so (hear, hear). As I came up to this table you may have noticed that the traditional welcome that is given by our friends of the North to their friends was given

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

to me by a son of the North (applause), a true son of the North (renewed applause). One swallow, they say, does not make a summer, but one Arulanandam may make all the seasons (renewed applause). In addition to our friend we have many other representatives and true representatives of the culture, the intelligence, the independence of the Province of the North (applause). I yield to none in my admiration of the people of the North. As a people they are industrious, they are progressive, enterprising and are a worthy example to be followed by the rest of the Island and that character they still maintain so far as I know. There are a very few of their own countrymen who traduce them and try to make you believe that Jaffna is not what we thought it was. Believe them not, gentlemen, and I feel certain that Jaffna will yet assert itself and form part of the composite whole which we call National Congress. After all is there any difference of opinion between ourselves and the people of the North on matters of principle, because, on matters of detail differences of opinion must exist everywhere, but on matters of principle are there such differences between them and us? I venture to think there is not and in support of what I say may I quote to you what was said in the Public Hall when you met there two years ago by two eminent gentlemen who are acknowledged to be two of the leading sons of Jaffna. May I quote to you first of all from a small pamphlet which contains the Presidential address of Sir Ponnambalam Arunachalam when he presided at the first session of this Congress:—

> "It is no small privilege for us to have lived to take part in this great gathering which marks a memorable epoch in the history of our Island. You, who have worked for it with zeal and devotion, cannot feel the liveliest satisfaction and joy. By the inauguration of this Congress we proclaim that we have done once for all with our petty differences and dissensions and that whatever one's creed, race or caste may be, if only in the memorable words of our Island Chronicle the "Mahawansa" he "makes himself one with the people" he is a true son of Lanka a true Ceylonese and entitled both to serve our dear Mother and to the best of his power and to enjoy in the fullest measure the advantages and benefits she offers."

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

These are the words of an eminent Tamil gentleman, words not uttered on some occasion when he did not weigh their meaning, words uttered in his Presidential address to you at the first session of the Congress. Those words will indicate that so far as principles are concerned, the basic principles upon which we have founded this institution, we are not disagreed, and when we go further we find in this very report these words:—

"Many of us are firmly convinced that Ceylon is ripe for responsible Government, such as Australia, Canada, South Africa, New Zealand enjoy and would make a good use of the powers if they were granted to her, though no doubt blunders will occur as even under the present form of Government. But we are at present asking for much less than responsible Government? We are asking for a step but a substantial step, towards the realisation of such Government by Ceylon as an integral part of the British Empire. The first resolution, which will be submitted to you by Hon. Mr. P. Ramanathan, the elected representative of the educated Ceylonese in the Legislative Council states the minimum that will satisfy us—a Legislative Council of about fifty members, of whom at least four-fifths to be elected according to territorial divisions on a wide male and restricted female franchise and the remainder to consist of official members and of unofficial members representing minorities."

These are the words of a resolution supported ably by the then Hon. Mr. P. Ramanathan but now Sir P. Ramanathan (laughter). Am I not right then in saying that so far as principles are concerned the Tamils and the rest of the people of Ceylon are agreed. Where do they differ? They seem to differ on the question of the allocation of seats and here comes in the personal element and I would venture to say that that personal element is due not to the ambitions of Jaffna as a whole but to the vaulting ambitions of a few. Wounded vanity is at the bottom of it all and I do trust and hope that Jaffna will see things in their true light and not be carried away by what its leaders or supposed leaders have said in regard to Congress measures. Now, in regard to this matter let me at once make our position clear. The resolution that was passed by the Congress has always been the principle upon which the Congress, *qua* Congress, has acted.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Congress has not deviated one hair's breadth from that resolution. We stand to-day in regard to our principles in the same position in which we stood when we first formulated them. It may be that for the purpose of peace and control, it may be that for political reasons, individual members, with perfectly honest intentions, with the idea of maintaining unity, have entered into certain compromises and bargains with individuals of the North. The Congress, as Congress, I repeat knows nothing of all this (applause). We are not responsible for all this. We give credit to those members of Congress who tried to settle these petty differences and dispose of them in the best way they were able to do it. At the same time it must be distinctly understood, and there seems to be much confusion in people's minds in regard to this, that the members who have taken the Congress pledge as they call it and who have entered the Legislative Council as members of that Council are not members of this Congress nor do they represent the Congress, *qua* Congress, that they represent the territorial electorates to which they have been elected. No doubt they have voiced the feelings of Congress and so far as the late President and his colleagues are concerned they have voiced our feelings well and ably. But we as a body have always remained independent of that Council to this extent that while we are helping in remodelling the Council raising the Council to a higher status, and while we are trying to secure for the people of this country Home rule under the British flag (applause) we are not by any means bound down or responsible for anything, for anything that individual members have to say in Council or out of Council. I need not detain you long in regard to this part of my address. I am not going to take this so-called secession seriously (laughter). It is really a secession of a few and that few further yielded to the temptation of a vaulting ambition. By that gentlemen, said Shakespeare, fell the angels. How can man in the image of his Maker, hope to win by him I may add, even though he be from the Northermost Province of Ceylon (laughter). I do not think I need say anything further in regard to the unfortunate secession of our Tamil delegates, which no one more sincerely deplores than I do. I wish they could have been here to encourage us in our attempt, and I wish they could take a saner view of the outlook and look at the position with a more liberal mind. Now,

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

gentlemen, before I go further, let me in order to remove anything like possible misapprehensions in the minds of persons set out the facts, which are maxims so far as we are concerned and so far as our actions are concerned. First and foremost there are certain undoubted facts which we have to realise, which we do realise in the full and which we accept as undoubted facts; and the first and foremost of these facts is this, that for better, for worse, for weal or woe, we are and ever shall be members of the great Commonwealth of nations known as the British Empire (applause). Our lives, our future, they are all bound up with the destinies of that great Empire, and we are as proud to claim citizenship in that great Commonwealth as ever a Roman was who exclaimed *Civis Romanus sum*. "I am a British citizen" is a nobler and a better cry than the ancient Roman cry. We want no secession from the British Empire: We would not be even forced out of it. We shall cling to it. The British flag is as much an asset of ours as of any Englishman and we shall fly it as proudly as any Britisher would. And for good reasons. What are we after all? We are a small people, ours is a small island, and if at any time anything were to happen, if the tie that binds us to the Empire is broken and we are left to ourselves, we should be the prey of some roving marauder under whom we could not be the free men that we are in the British Empire. In fact it would be far otherwise. It is to our own interests to remain under the British flag. We are reasonable men and we realise it that we should preserve this connection and preserve it as long as we possibly can. We are loyal. We are told we are loyal to the core whatever that may mean, but that we are loyal is an undoubted fact. We are loyal not for sentimental reasons, not perhaps for the same reasons that an Englishman would be loyal to his King—a feeling of love that only rises in the heart of Englishmen. We are loyal because our reason compels us, forces us to be loyal. Our loyalty is founded not on sentiment but on reason, and it is a sane loyalty. And in this connection let me echo the words of my friend, Mr. Samarawickrema, who told you that we should offer to the son of the supreme Head of this great Commonwealth when he comes into our midst wholehearted, loyal and respectful welcome (applause). Let us behave like reasonable men and not like fools. Let us act in a spirit of loyalty and of independence.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Let us welcome him as Englishmen would, not with a spirit of sycophancy, not in a spirit of flunkeyism, but as free citizens of the free Empire of which his illustrious father is the supreme Head (applause). Gentlemen, this is the first point that we have got to consider and this is the position we take in regard to our British connection. Having cleared the ground so far as I have been able to do in regard to this let me proceed a step further. We have formed this Congress with certain definite objects in view. We have felt that we have been long enough tutored and in leading-strings so to say and that we were getting a bit impatient. We have passed the age of youth. We have attained the age of manhood and we desire what all civilised men and sensible men would desire, to administer our own affairs. That is our desire and it was necessary to find out how this was to be done. We stand in this respect in a peculiar position in regard to the British Crown. We are not a conquered nation (applause). That is an all-important fact to remember in this connection. Ceylon was never conquered by the British: not that the British could not do so if they wished to. I do not for a moment say that we were so powerful as to defy the might of the British Empire. But it so happened that we did not wait to be conquered. We made a free gift of our country to the British Sovereign—a free gift on treaty rights (applause) which rights secured for us the full status of British citizens. We claim that full status now. We demand it and we shall have it (applause). What is then our programme. First of all, what are our ultimate aims? Secondly, what is the immediate objective that we have in view? And thirdly, how are we going to attain our aims and objects. Our ultimate object, gentlemen, is Home Rule under the British flag and nothing else. (applause). There are some who think that we are ripe for Home Rule even now. Personally—and that is purely my own opinion,—personally I feel that we are not—not at once. We have been too long under autocratic rule to suddenly develop free institutions without at least some preparation for it. It may not be for many years. It will be in the lives of most of you young people in this hall that we shall get it. It may not be in my time or some of us who are approaching the evening of our lives. (A voice: No, no). I hope the gentleman who cried "No, no," is a true prophet. But we start with this modest demand because

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

our constitution is based on these fixed and well-known principles which are not sufficiently known unfortunately by certain people, who distort things. From the very beginning we conceded the fact that we were not prepared for Home Rule. I see from the Presidential address of Sir P. Arunachalam that he said the same thing although somewhat reluctantly, but he said that it was the considered opinion of Congress and therefore he put it to Congress and the world outside as the basis upon which Congress went, viz., that although our ultimate aim was Home Rule yet that the time had not come as yet for us to press for that particular part of our programme. So much as regards our ultimate aims which we all admit is an aim that everyone would desire to see accomplished sooner or later. You are aware of our present objects and I wish to make myself very clear to you in regard to those, and I wish to make you understand, as clearly as possible, what the views of the Congress are in regard to this matter and what their programme is in regard to this. We want for the present to take the preliminary steps that must be taken to fit us for ultimate Home Rule and the first and foremost step that we say should be taken and which we consider our irreducible scheme is this: that we should have a territorially elected majority in the Legislative Council of Ceylon (applause). We shall be satisfied with nothing less, and until we get it we shall fight for it. Let there be no mistake about it. The principle upon which all the actions of Congress are based or rather the foremost principle is this, viz., a territorially elected majority in the Legislative Council. You may ask me, why territorially elected? Why not an unofficial majority composed of men elected for territorial divisions, the nominated men—nominated by Government to represent minorities or communities, and of men elected by various communities and interests in this island? I will answer it. All those suggestions are retrograde steps in political progress. The representation of minorities is a necessity in certain circumstances, at all events for a time. We concede that. The representation even of interests may be necessary in certain cases. We concede that. Represent them as much as you like in the Council—for every possible interest and community entitled to representation, but don't deprive us of one thing we ask you for and that is a territorial majority (applause). And why does Congress say so?

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

It is for this reason. The elected representative of a community represents not the country generally but the unit which elects him or for which it has nominated him or to represent which he is nominated by H.E. the Governor. The candidate who represents the interests of a particular kind, say commercial or agricultural, does not represent the country generally but represents this particular sectional interest. The elected representative, on the other hand, represents not one community or another or all communities, he represents the whole country, he is the true representative (applause). Someone in the Legislative Council the other day stated that we were trying to create a new caste in the Legislative Council, the caste of the elected member which we wanted to exalt as the highest caste of all. Yes, the charge is true. We do want to create a new caste, but it is a caste as old as the world. It was the caste of the first man Adam as it was the caste of the last Adam. It was the caste of freedom, of humanity; it is the caste which destroys caste (applause) and therefore above all castes. That is the caste which we wish to be introduced into this Council (applause). It is the caste of Dumas and it is the caste that is emblazoned on the standard with the soul-stirring words Equality, Liberty and Fraternity. Now, I am not singular in expressing my views in regard to this problem in this way because I shall show you that eminent English politicians and statesmen and pro-Consuls have expressed similar views even in stronger language. Remember always that communal representation takes us back to a time of our existence when we were more or less struggling to emerge out of barbarism to civilisation. It is purely a tribal idea and it is with the development of education and with the development of political education in particular that the tribal idea of political education gave way to the more civilised and rational idea of territorial representation. Let me in this connection read out to you, I am afraid I shall take a little time in reading this, but it is necessary that I should because the document I am going to read to you from is an important one. The document is nothing less than the Report on the Indian Constitutional Reform which is known as the Montague-Chelmsford Report. These are two of the most eminent statesmen that modern England has produced. Now listen to what these gentlemen have to say in regard to kindred matters in the neighbouring

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Continent. Let me read to you first of all the preface to the remarks. This is what they say: "We believe that the announcement of August 20th, that is to say the announcement was more or less in these words, to give responsible Government to India as an integral part of the British Empire," was right and wise and that the policy which it embodies is the only possible policy for India. "We have seen it estimated that the number of people who really ask for free institutions does not exceed five per cent. of the population." That is the charge they make here. They say it is the educated people who are asking for reforms and not the proletariat who form the bulk of the people. The bulk of the people are voiceless everywhere and the five per cent. of India was considered by Mr. Montagu and Lord Chelmsford as sufficient. The Report continues: "It is in any case a small proportion; but to the particular number we attach no importance whatever. We are not setting about to stir 95 per cent. of the people out of their peaceful conservatism and setting their feet upon a new and difficult path merely at the bidding of the other five per cent.; nor would that be our reason, whether the articulate minority were 20 per cent. or one-half per cent. of the whole. Our reason is the faith that is in us. We have shown how step by step British policy in India has been directed to a point at which the question of a self-governing India was bound to arise; how impulses, at first faint, have been encouraged by education and opportunity; how the growth quickened 9 years ago, and was unmeasurably accelerated by the war. We measure it not by the crowd at political meetings, or the multiplication of newspapers, but by the infallible signs that indicate the growth of character. We believe profoundly that the time has now come when the sheltered existence which we have given India cannot be prolonged without damage to her national life; that we have a richer gift for her people than any that we have yet bestowed on them; that nationhood within the Empire represents something better than anything India has hitherto attained; that the placid, pathetic contentment of the masses is not the soil on which such Indian nationhood will grow, and that in deliberately disturbing it we are working for her highest good." Then what follows in regard to this question of communal representation? I wish our friends of the North will take what I read to heart, and that they will buy

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

this pamphlet and read and re-read it and put the question to themselves, have we not acted like fools? This is what Mr. Montagu and Lord Chelmsford say in regard to this part of the case.

"The crucial test to which, as we conceive, all proposals should be brought is whether they will or will not help to rally India towards responsible Government. Some persons hold that for a people, such as they deem those of India to be, so divided by race, religion and caste as to be unable to consider the interests of any but their own section, a system of communal and class representations is not merely inevitable, but is actually best. They maintain that it evokes and applies the principle of democracy over the widest range over which it is actually alive at all by appealing to the instincts which are strongest; and that we must hope to develop the finer, which are also at present the weaker, instincts, by using the forces that really count. According to this theory communal representation is an inevitable, and even a healthy, stage in the development of a non-political people. We find indeed that those who take this view are prepared to apply their principles on a scale previously unknown, and to devise elaborate systems of class or religious electorates into which all possible interests will be deftly fitted. But when we consider what responsible Government implies and how it was developed in the world, we cannot take this view. We find it in its earliest beginnings resting on an effective sense of the Common interests a bond compounded of community of race, religion and language. In the earlier form which it assumed in Europe it appeared only when the territorial principle had vanquished the tribal principle, and blood and religion had ceased to assert a rival claim with the State to a citizen's allegiance; and throughout its development in Western countries, even in cases where special reasons to the contrary were present, it has rested consistently on the same root principle. The solitary examples that we can discover of the opposing principle are those of Austria, a few of the smaller German States, and Cyprus. It is hardly necessary to explain why we must dismiss these as irrelevant or un-

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

convincing. We conclude unhestitatingly that the history of self-Government among the nations who developed it and spread it through the world is decisively against the admission by the State of any divided allegiance; against the State's arranging its members in any way which encourages them to think of themselves primarily as citizens of any smaller unit than itself. Indian lovers of their country would be the first to admit that India generally has not yet acquired the citizen spirit, and if we are really to lead her to self-Government we must do all that we possibly can to call it forth in her people. Division by creeds and classes means the creation of political camps organized against each other, and teaches men to think as partisans and not as citizens; and it is difficult to see how the change from this system to national representations is ever to recur. The British Government is often accused of dividing men in order to govern them. But if it unnecessarily divides them at the very moment when it professes to start them on the road to governing themselves it will find it difficult to meet the charge of being hypocritical or short-sighted."

What does communal representation mean? It means this: you accentuate communal differences, you accentuate religious feeling, you set one race against another, you lend your moral influence to all the concomitants to race hatred and when you try to legalise it you, instead of decreasing it as much as possible, you increase it and you make communal representation a power in the land. And then we have in the words of Lord Chelmsford and Mr. Montagu the right to say "You are not true to your professions, you are hypocritical, you are short-sighted." And that is what our friends in the North—no, pardon, I decline to believe it is them but some gentlemen who claim to say that they represent them—say they want communal representation under the disguise of territorial representation. All I can say is this: In spite of the maledictions of belted Knights, in spite of official sneers and official frowns, in spite even of the dismal forebodings of super-annuated pensioned Government servants, in spite of them all communal representation shall not be. We shall have our elected territorial representatives (applause). That is the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

view of Congress in regard to the beginnings of Home Rule in Ceylon. We want to build a magnificent edifice in this country, we want to be partners and full partners with the other partners of the British Empire (applause). We cannot build that structure unless we make our foundations secure, and the one foundation, and the one and only foundation upon which true Home Rule can be built and a structure of true responsible Government erected is the one that we are pleading for, the one that we are claiming, viz., a majority, a substantial majority in the Legislative Council of Ceylon of territorially elected members (applause). Step by step, not hurriedly but as slowly as the member for the Burgher Community wishes us to go. Give us that solid foundation. Step by step we shall rear a structure that shall surprise those who think that we are not capable of doing what we say we can do. We have the men, we have the brains (applause), we have the education, we have all the qualifications necessary in our younger men particularly, to rear this structure which we are yearning to do and hope to do and shall do (applause). One thing more we want and that is this: We cannot be transferred from our ordinary occupations to hold the portfolios of responsible members of Government without training. We admit that the average man will find it difficult, especially the Ceylon man, because he has not been used to it all this time. We have been spoon-fed all this time and not allowed to advance. We come now to the second part of the Congress resolutions. We claim to be trained in that same Executive Council where those officials, Government officials, are trained to manage Departments and to govern us. We claim a training to start with, and to get that training we must go into that Council, and the people who go into that Council should not be men whom we will not appoint when we have Home Rule but they should be men whom we trust (applause), whom the people rely on, whom the people select; and that is why we say that the members that we claim should be admitted into the Executive Council with portfolios should be from the territorially elected class and from no other—and for this reason: the other class, as I told you before, don't represent or claim to represent the country generally. It is only the territorially elected men who can do so and rightly do so. The two therefore are interdependent, viz: a territorially elected majority and our claim to

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

be represented in the Executive Council. But here comes the difficulty, and there is no doubt that it is a certain difficulty. As I said before we must face the facts. If we cannot set forth a clear case it may be that our case will not be accepted—it may be thrown out of Court. The Government tells us and very rightly tells us: "You have spoken of representation in the Executive Council but you have not told us how this is to be done. Put it into practical form. Let us know what is to be done. What are the members to do and to whom are they to be responsible? You have not got Home Rule as yet. If you had well and good because then the Executive would be responsible to the Legislature. But you have not got Home Rule, and until you get it this cannot be done." So how is this to be worked out. Mr. Montagu and Lord Chelmsford have worked it out for India in a way that does not seem to suit us, that is by the system known as Diarchy. There are subjects known as Reserved and Transferred. In regard to Transferred subjects the Legislative Council has full power to deal with them. I am speaking of the Provincial Councils, and they have got the right to appoint members with portfolios in regard to certain departments over which they have control. They are responsible to the Council which practically appoints them. I say practically because they are nominated, of course, by the Governor. That is a system which I admit is somewhat difficult to introduce in Ceylon under existing circumstances. I do not say it is impossible. With a few modifications we may be able to adopt even that system, but to offer it to Government as solution of the problem which Government would accept at once would necessitate a complete change in our method of governing and in the formation of our own Councils—a change which I personally think undesirable at the present moment. We like India: we admire her institutions as far as we can; we sympathise with them: but we are not going to be led by the nose by them or anybody else. Politically speaking, His Excellency has told us "You must construct a Mosaic of your own." We shall build a very beautiful Mosaic from what we can get here and there. With regard to Executive appointments there is another feasible proposition although I admit it does not go the length which we would wish it to go. But for obvious reasons

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

we cannot go the full length and that is this: suppose for the present we claim the right to appoint two members, or one member or three members to the Executive, that is to say by the Governor's nomination of that number from among the elected majority in Council, the territorially elected majority, it is possible for the men so elected to be made the responsible Heads of certain departments of the State, *i.e.*, one man may be placed in charge of the Agricultural Department for instance. That does not mean that the present holders of office will be dispensed with. They will be technical advisers. The Head of the Department will shape the policy. As you know men who have never been on board a ship perhaps have been appointed Ministers of the Navy. And the same thing may take place with regard to the Minister for War. But they are appointed not because of their knowledge of those particular subjects but on account of administrative capacity. Similarly we have, we know, men of administrative capacity in our midst. We know that we have capable men and many of them, and all we ask is this: give these men an insight into your business which they will have to do hereafter. Be it said to the credit of H.E. the Governor he has stated more than once publicly that we must work our way to Home Rule and that Home Rule should be our aim. I am not quoting his words but his meaning. I would suggest the appointment of two such men. The question remains to whom would they be responsible? These elected men, chosen from the elected majority, to whom would they be responsible? They can't be responsible to their constituents, nor can they be responsible to Councils which helped them to get into office—for this reason: they will then be under two heads which is impossible. They will have to give an account themselves to the representatives in Council, and they will be obliged as members of the Government to act according to the behests of the Governor. They cannot be punished by Council for the sins of others. If they want to do certain things in the management of their Departments and are outvoted they cannot surely be punished by Council for it. So we are driven to one conclusion, such men can only be responsible to the Governor and nobody else. They will practically hold the same position that is now held by the official members—the State-paid members of the Executive—towards the Government. I admit it is not a

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

satisfactory solution of the problem but the difference between them and the regular holders of office will be this: they will retire with the Council that gives them life, and if the Council exists only for three or five years, as the case may be, their lives too cease—and therein lies the advantage of having these men. We will thus be able to send in men to get this training. In time when we find ourselves fitted for the full measure of Home Rule we shall have the men trained to responsible office, and there will be many of them I hope by that time whom we can employ for that purpose. I do not put forward that scheme as the true solution of the problem, but it is a feasible one. At all events it is practical. That is what the Government wants. Supposing we put that forward before Government. If they can improve on it by all means let them do so, but let them not have the opportunity of saying we did not put before them a practical scheme by which our ideas could not be carried out. Here let me tell you that the mere enunciation of principles is not enough. The Government is right, the Governor is right and so is the Attorney-General for once. They are right when they say that "the principles we are all agreed upon" but give us something practical and tell us how this is to be done. In regard to the territorially elected majority we have given them a practical solution of the problem. They must either accept our suggestion or refuse it. If they accept it well and good and if they refuse it we shall fight for it until we get it. In regard to the Executive appointments we must put forward some sort of practical scheme such as the one perhaps which I suggested. It may be perhaps that you will be able to evolve something out of your minds. Put it to the Government and say: "Here is our suggestion. Work it. You may not like it. If you don't like it, refuse it, but tell us why. If you refuse it we shall fight for it." I suggest that some amendments will be moved in connection with these early resolutions in order that a strong Committee of Congress, including members from all outstations, should be formed to put their heads together and evolve a sane, practical scheme which can be put forward by the elected representatives of the country to Government for acceptance or rejection by them. You see until we do that they have the right to say that we have not placed before them anything upon which they can proceed. Our good

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

friend, our most respected President of last year (applause) had placed before Government certain views in regard to these Executive appointments. Unfortunately—and he will be the first to admit it himself—he was not in a position, not perhaps having sufficient authority from Congress, to put forward anything like a practical scheme by which these men whom he wanted to be appointed members of the Executive were to be appointed, to whom they were to be responsible, what the nature of their duties was to be, etc., etc. Well, we must help, and it is for that reason that I do think that it is highly desirable at this particular juncture that we should remember that this is a very important crisis in our political history. As the Governor has wisely remarked we have reached the second stage and we must act wisely. We must act promptly. I do plead with you to work strenuously and jointly in this matter and to put forward all your energies—not merely to come here occasionally, listen to a speech either by the President of Congress or anybody else, but come here with the idea of working for the good of your country and help each other to evolve a scheme of Government which would strengthen the hands of your representatives in the Legislative Council and which will compel Government to recognise your claims. It is thus and thus only that you can secure your freedom. You need not think that by folding your arms and going home after the annual proceedings of Congress you will have success. You must have constant meetings, and until you secure your aim you must not rest. So far as I am concerned I am prepared (applause) in spite of professional engagements and otherwise, and advancing years to help you to the uttermost; and if perchance I should be going to England in the course of next year it becomes necessary for you to be represented there before the Secretary of State to voice your feelings or grievances, I shall gladly do so. But before I can do so it is necessary that you should give me the material—not only me but anyone who goes—the material on which to press our claims for acceptance.

I think there is one subject to be dealt with in regard to the resolutions, that is the residential qualification. That is not of

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

equal importance as the first resolution or even the second resolution but it is undoubtedly of importance. This idea of restricting the choice of free electorates of the country is foreign to all principles of political development. No elector's choice should be fettered in this way. It is done in England. Are you told that you cannot elect a member for Edinburgh unless that member lives within that city? Are you told that an Englishman should be elected to an English constituency or an Irishman for an Irish constituency? No. Electors' freedom is unrestricted in the home of Englishmen, in the mother of Parliaments. And so should it be here. I admit that the Provinces have sent splendid men into our Council, but they have taken up their duties under very great difficulties. They have got their own affairs to attend to. We have not got so many men in the Provinces who can afford the time to dance attendance in Colombo week after week and day after day in attending Legislative functions. They have to leave aside their own affairs. We have not in this country unfortunately the class known as the moneyed class in England. We have got to work for our living; and it is hard to make a man travel from distant Batticaloa or the wilds of Uva to perform Legislative functions. They are doing so now for the sake of the people and for the sake of the country (applause). All honour to them for they have done their duty. But is that any reason why the electors' choice should be fettered. If the elector thinks that he could find in some part of the country a better man to represent them than the man who lives within his Province why should his choice be restricted? Supposing that in the neighbouring Province only one step beyond his own Province there is a man far and above all others and capable and willing to represent him why should his choice be restricted to this particular geographical area? I fail to see why he should not elect that man. I certainly think that so far as the residential qualification is concerned the attitude of Government is by no means reasonable; and it is fundamentally wrong and does not work well, for the good of the constitution (applause). There is one fact that I wish to speak to in regard to this question of territorially elected majority. We are told that if the territorially elected members are to have a majority the result will be that there will be a great majority of Sinhalese representatives in the Legislative Council

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

I for one do not admit this. I am by no means sure that, when the electorates are constituted on the lines suggested by us, namely that they should include members of all classes, races and religions, provided they have got the necessary electoral qualifications—it is by no means certain that for a place like Colombo or even the Provinces the elected man would be necessarily a Sinhalese. But suppose he is a Sinhalese. What then? Why should he not be elected? Why should there not be a majority of the men whom the electors think should be elected? Is there anything wrong in the Sinhalese man that he should not be in a majority? Is there anything in his constitution that differs from the constitution of anybody else? (Laughter). Surely he is as civilized and as well educated as anybody else. It is the electors' choice, and he is free to choose. "But," say our wiseacres, "if he is elected and if you have an elected majority that elected majority will rule." Why should not they? (Applause). Who is to rule them? The minority? Is that the answer? We are told by His Excellency that we must remember that England promised self-determination or something of that kind, to all small nations when she took all small nations under her aegis and her protection. Thanks be to England for doing that. "But," says His Excellency, "do not forget the principle involved in it. Do not swallow up your minorities. Your communities must therefore have the same protection from the elected majorities that England gives to small nations against the bigger ones." The analogy is obviously false (hear, hear). For this reason: by England promising protection to small nations she does not make the small nations rule the bigger nations (hear, hear). Similarly by giving protection to small communities in Ceylon—which we readily concede, we have safeguarded their rights—but to say that because a community is in a minority that the community must rule the majority is, as I told you, impossible. The world cannot exist under this condition; we must cease to exist. This is the first time I have heard that the majority rights are to be subordinated to minority rights. And that seems to be the complaint of our friends who pretend to speak for our good friends of the North; that because they are in a minority they must have a large proportion of votes of the members in our Council (laughter). The more members they were given by poor unsuspecting Mr. Peiris

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

the more they opened their mouths and wanted more (laughter). The natural result of bargaining with men such as those! There are matters which admit of no bargain. We cannot bargain for either Jaffna's smiles or Jaffna's frowns (hear, hear). Nor can we bargain to please official smiles. We stand upon our principles (applause). That is the bedrock upon which our constitution is built, and by those principles we shall stand or fall. We shall not deviate a hair's breadth from that and whatever individual members might be in the kindness of their hearts, we as Congress claim the right which we undoubtedly have of maintaining our principles unaltered in any degree to meet any situation such as those that have arisen. Now, gentlemen, I shall speak a few concluding words. The third point I refer to is this. Having stated to you the ultimate aims of Congress, having told you what our immediate objects are, we have got to find out how we are going to attain those objects. How are we going to secure our ultimate aim? My answer to this is simple. We shall not go to India to learn the lessons either offensive or defensive. We have our own weapon. Our principal weapon is the justice of our cause (applause). Our armour is our reason, our intellect, our brains (applause). We shall fight with our brains. We shall fight in the cause of Justice. And with the two combined, Justice must prevail (applause). Our fight will be absolutely on constitutional lines. We know our duties; we know our liabilities; we know our responsibilities—responsibilities not so much to the Government, but to our people (applause). We are not going to sacrifice you on the Altar of Revolution. These are absurdities in this century. Armageddon would have been fought in vain.

This is the age of reason. It has come at last. And by Reason, and reason only, by fair argument and by using our constitutional weapons which we are entitled to use—and there are many—we shall secure our rights (applause). I may tell you that amongst those weapons is the very useful one—and one to be carefully handled. That is the weapon of boycott (Loud applause). When you as a people were insulted, as I felt you were by that Order-in-Council which limited the speeches of your representatives to ten minutes and which deprived you of a time honoured

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

right of moving any motion you liked through your representatives in Council I was the first to advise you to boycott that Council (hear, hear). And to have nothing to do with it. We did not want a Council of that sort. Be it said to the credit of Sir William Manning—and I assure you in Sir William Manning, whatever some of you may think, I do think there 's much political wisdom in him, that he is a liberal-minded man, that he sympathises with the people, although he is slow to move—Sir William Manning was not as some people suppose frightened by the threat of boycott. You need not believe that you could frighten any man or that an Englishman will fear you. It was not fear, but Sir William Manning found for once we were in earnest, that we meant what we said and there was Justice in our cause. He realised that and like an Englishman, like a true politician, he boldly met the situation and said: "I am prepared to take away the offending clauses. Come and work with us and show us how this constitution can be built up in accordance with the wishes of all." No doubt, we move far more swifty than Sir William Manning. This is our affair, our country, and we are anxious about what we want. Naturally, Sir William Manning, the ruler of the country, the Pro-Consul appointed by Great Britain will take our affairs slow, and there is no doubt that there is a certain amount of friction in the way in which things ought to be done. I do think on the whole we have a man in our Governor whom we can safely trust. He is after all is said and done what I can honestly describe to you as an English gentleman. That is saying a great deal. Let us then give him the credit for his *bona fides*, for acting according to his honest convictions, and instead of trying to use wild threats, meaningless threats and adopting a policy of meaningless opposition let us help him in this work. He has promised us help. Let us convince him that we will help him. Do not go counter to the man on the spot for any reason. Let us work with him as much as we can and try to persuade him in regard to the justice of our cause. If we fail, then and then only shall we be justified in taking further steps and adopting further measures. Now as I said, we must take these as our methods we have got to adopt to secure our aims. No doubt the process is not so quick as that adopted by the true revolutionary. There is the method of sword. We don't want the sword. We

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

have outgrown that and above that we have reached a civilisation far beyond the sword. We leave that to people who are guided by lower instincts. Physical force is a sign of our animal ancestry and nothing else (laughter). That does not appeal to us. It only helps to create evils as we have seen in the recent war. Our principles should be otherwise, and let us be a shining example to the rest of Asia, even to our turbulent neighbour—even in regard to the way in which salvation is to be secured—political salvation, of course, I mean; and you will find that our way although, it may be longer is the surer way, and what we get we shall keep because we have not got it by the sword but by the weapon that nature has given us and that is our own intelligence. He ended up with this magnificent peroration:—

"It may be after all that our efforts may be for years, 10 years, 20 years or even 100 years, at the end of which we may find ourselves in no better position than when we started. We may find ourselves in even a worse position. We may find that England is objecting to and refusing to give us a portion that we are justly entitled to claim. What then? What then, I say? What then? We shall then hang our harps on the Willow trees. We too shall sit by the waters of our Babylon and we too shall weep and we too shall sing our song. Not to the Music of Hebrew Psalmody or Vedic Hymnal, not to the martial strains of Caledonian bagpipes or even to the softer strains of Ireland's harps, but to the discordant notes of England's broken melody we shall sing our song of lamentation—and this shall be its refrain: England, oh England, the land of Cromwell, and Thomas Payne, the land of Wilberforce, the land of John Bright, of Gladstone and of Charles Bradlaugh, the land of the Free that thou once wert, England oh England how hast thou fallen from thy high estate? (Applause).

That shall never be, England will yet be true to herself. England will not fail us in the hour of her triumph and in the hour of our agony. She will yield to our requests. England, I say, will be true to herself as she always has been and I hope instead of lamentation we shall sing paeans of joy and glorify the time that our connection with England began and we shall be the proud

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

inheritors of that great Commonwealth which is known as the British Empire." (Applause).

## THE FIRST RESOLUTION.

MR. G. A. WILLE said: The resolution I have to put before you to-day is "That (1) the Legislative Council should consist of about fifty members of whom a substantial majority should be elected according to territorial divisions upon a wide male franchise and a restricted female franchise and the Council should elect its own Speaker. (2) The Legislative Council should continue to have full control over the Budget and there should be no division of reserved and transferred subjects. (3) The Executive Council should consist of the Governor as President assisted by official and unofficial members of whom not less than half should be unofficials chosen from the members of the Legislative Council elected according to territorial divisions, such members to be responsible for the administration of Departments placed under their charge. It might be asked why re-affirm our principles and demands when they are so well-known? Well, recent events and even the Reform debate in the Legislative Council show that they are anything but well-known much less rightly understood, and the vindication of our principles seems therefore to be a necessary process. On the fundamental principle of territorial representation, for instance, for we have to start with an intelligible principle, however, we may modify it to satisfy fears or sentiment, we are alleged to have broken away from our faith. The most critical search through the proceedings of Congress will reveal no such defection. A promise regarding a reserved seat for the Tamils of Colombo made by one or two very prominent members of Congress, out of excessive regard for the fears of the men in the isolated North, a regard they would no doubt have personally shewn with equal readiness to the fears of any other community that worked with us and asked for it, has been so distorted as to implicate the whole of Congress. This is, of course, part of that campaign for the belittling of Congress on which anti-Reformers place all their hopes. For defeat Congress and the fortress of reform is lost. Whatever our detractors may like to repeat, never from its inception did Congress put forward a scheme which did not provide for special represen-

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

tation for minorities that desired it; but that is a different thing from surrendering the principle of territorial representation. It is strange that if we are firm we are branded as extremists while if we unbend to the fears of minorities it is said we show how foolish we have previously been in our exclusiveness, our arrogance, our parochialism and so forth—well, in addition, we are charged with trying to force reform down the throats of an unwilling people, a people unfit and unready to receive it. People speak of fitness for reforms as if it is a thing that can be mathematically measured. It is really a matter of vague opinion dictated for the most part by fear or anti-reform bias; but as some sort of proof is expected differences of opinion in the country are seized upon. But if differences prove unfitness then never were even Englishmen fit for reforms whenever they won them after hard fighting. In fact, the differences among them were always of an acuteness and bitterness that, thank Heaven, we are never likely to show. Take the first Reform Bill of 1882. I am told, ladies and gentlemen, that some people detest a reference to this Bill. I can assure you it is a sure sign of anti-reform virulence; and it is worth while recalling the history of English reforms at this juncture, because their chequered course, their progress, the obstacles they had to encounter, the arguments used against them, the backslidings of some, the concessions and compromises made by leaders, the prospects of victory at one time, the omens of failure at another whether judged by votes in the Legislature or otherwise, are all mere shewing a strong family likeness between the struggles of Englishmen even up to within fairly recent years and our own struggles. People who speak vaguely of conditions differing and so try to stem the irresistible tide of reform, forget that reform, political or other, among all civilised peoples is for the most part a human problem, with little differentiation where peoples have initiated the same culture as we have done for a century and a quarter, and that the fears and jealousies of classes play a part in that problem whether in West or East. When the Reform Act of 1832 I have referred to was passed and ladies and gentlemen, pardon this digression from my resolution but it is too instructive to be omitted. That Act was only a measure, apart from redressing abuses as to constituencies, for enfranchising the respectable middle classes, mostly manufacturers and capitalists and yet there were croakers from the highest

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

in the land downwards who feared the overthrow of throne and altar as a result of it, just as many in Ceylon anticipate dreadful things from our reform movement, the crushing of minorities, the expulsion of the Britisher and even the hauling down of the British flag. That Act was a great measure in a sense but it was a poorish thing, leaving the ordinary citizen out in the cold, with the result that Chartism soon raised its head, and England was kept in a state of great agitation until the wrong to the lower classes was righted. But this moderate measure of reform so frightened the enlightened people of England that it was bitterly opposed. The Duke of Wellington for instance said, like so many of our eminent men to-day, the country is satisfied with the existing system and who could devise a better one which has worked so satisfactorily? Well what was the result? After a debate of some nights in the course of which 71 speakers spoke, leave was given to bring in the Bill and when it was brought in it was carried on the 2nd reading by a majority of—how many do you think ladies and gentlemen? 302 to 301. A majority of one. That is a historical past that we should treasure in our minds. I cannot go on in detail. But a year of struggle and of tremendous agitation ensued and even the second time there was only a majority of 109 in a house of over 600 when the Bill was reintroduced. The Lords then tried to block the path of reform until at last they yielded at the point of the bayonet in the form of a threat by the King to create a hundred new Peers to outvote the "Diehards." The second great Reform Act of England, when the Bill of 1867 conferring the vote on the working classes in the towns, became law, is equally instructive. It split the Liberal Party, some Liberals retired and seceded into the cave of Adulam in Bright's classic allusion like David when he ran away from Saul hid in his cave and called about him everyone that was is distress and everyone that was discontented. It was a small reduction of the franchise that was asked for, but there was a howl that England was going to the dogs, that the Red Republic was coming, that mob-rule was being introduced, that the balance of political power was being unduly disturbed and all the familiar cries; and besides, it was a new Parliament and some men in it didn't like the idea of a new election with its untoward chances, and the result was a very small majority of 5 on the 2nd

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

reading, followed by the resignation of the ministry, Gladstone prophesying in a magnificent oration that the banner then drooping over their sinking heads would be borne perhaps not to an easy but to a certain and a not distant victory. Lord Derby and Disraeli took office but the violent agitation in the country told even these Conservatives that the reform bill must be passed. Hence arose the strange spectacle of a Conservative Government bringing in a Reform Bill for the enfranchisement of the masses. But the opportunity of getting credit for others' idea was too tempting to be thrown away. The astute Disraeli spoke of the homage—men's interests of those who were to get an undue share of power—mark ! ladies and gentlemen, the family likeness, I spoke of—and attempted his fancy franchises to increase the voting powers of sections other than those suspected of being likely to have too much power. But his aims were defeated, he had to do a deal of compromising to get the credit of having passed a reform bill through the Commons, and the Bill passed was really a Liberal measure. Lord Derby, the Prime Minister, saw in it only the horrors of the unknown and christened it for history as "a leap in the dark" while Robert Lowe who had opposed it bitterly although a Liberal said with sardonic gloom—Come let us now educate our new masters. When the Franchise Bill of 1884 came on which was intended to benefit the agricultural labourer, as his town brother had been 17 years before the struggle was repeated. Lord Randolph Churchill the father of the Statesman who is to decide our immediate fate—*absit omen* I would have said but that he has gone far from his father's political moorings—spoke of Gladstone and his Ministers as unmasked impostors and their motives in bringing forward the question of Parliamentary Reform for the agricultural labourer as the lowest that could be conceived and many a fight had to be waged before that bill was passed. Such were the struggles of the Reform movement in England—the Birth-Pangs of Reforms shall I say?—until the year 1918 when amid the horrors of a war which democratised the world, manhood suffrage became law and the male voting lists were doubled, while the vote was also granted to all women, over 30 years of age. Ladies and gentlemen, historical parallels are always interesting and instructive, and I trust that the slight sketch I have given will both encourage us and teach us many a lesson at the present

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

time. Although the world has travelled far from the days of England's early Reform Acts and we are not destined to go through the same trials with their accompaniments of excesses and acts of violence, we have still to fight our way by peaceful persuasion. We have to overcome the gloomy forebodings and suspicions of those who are not with us, who speak almost naturally shall I say, like their prototypes in England, of our going too fast, in advance of the capabilities of the people, and shifting the balance of power to where it should not be, and so forth. I say naturally, because it seems to be in the nature of reforms to arouse fear and opposition. It was only a few weeks ago that Mrs. Henry Fawcett pointed out how the Grace II. at Cambridge which granted women titular honours without full membership was just the very thing which about 25 years ago was hotly opposed, and how a howling mob of opponents has been turned within that time to a howling mob of enthusiastic supporters. So it will be with our reform movement. A few years hence our opponents themselves—not their children for the world is moving very fast in these days—our opponents themselves will wonder by what process of reasoning they came to indulge in such idle fears and suspicions and to take their stand among the stalwarts of anti-reform. They will then realise how little they understood the Reform movement, for it is to want of understanding of our ideas and aims and aspirations that opposition to us is due. As the French people say "tout comprendre c'est tout pardonner"—to understand all is to pardon all. That is why so many of the speeches in the Council the other day have disappointed us. The speakers were sympathetic, it is true, and I for one do not question the genuineness of that sympathy, but the extent to which it went was this: "These reforms you vote for are good things and we should very much like to give them to you but we are really sorry you are not quite fit to have them, and it is not safe for the country that you should. We can therefore only sympathise with you." But something more than barren sympathy will come if our friends on the other side will understand our plans and motives and objects. At present, not understanding these things, they are even angry and suspicious. History is strewn with the wrecks caused by the failure to understand due to fears and suspicions, and for their tragic witnesses before our eyes. Russia cannot govern herself

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

to-day and is in anarchy because she was governed too much, and the material that might have been trained to govern itself was repressed into discontent and thoughts of vengeance, what a pathetic confession too was that which came to us over the wires a few days from the lips of the Lord Chancellor—and he a Tory—when he referred to Great Britain's recurrent error in paying undue attention to material things in Ireland and disregarding the idealistic and sentimental. It is not mere dreams we are indulging in but we have been nurtured on the same ideas and the same Associations as the Englishman, with the same mental environment, for over a century. With us the practical things of administration and vision go together; and justice delayed will have the same result as elsewhere, in demands being granted after much bitterness and with much ungraciousness but with less chance of harmonious working thereafter. It is very necessary, therefore that our rulers should understand why we ask for the reforms embodied in our first resolution, and to that I will now address myself more directly.

The resolution asks that there should be about fifty members in Council. There is of course no magic in the number fifty or in the number forty-five and large human problems like reform not being susceptible of precise arithmetical solutions, no one in the world can fix what the exact number in Council should be. But when the object is to make our Council more representative, an object common to the authorities as well as ourselves, not only must the franchise be broadened but the Council must be enlarged, and we who have given some thought to the matter have come to the conclusion that the increase of the Council to about fifty is a fair and moderate means to that end, so far as enlargement of the Council is concerned. We are asked by those who are opposed to even a beginning of responsible Government to model ourselves on the Central Government of India. Well as against sixty in the Legislative Council that has been superseded, the new Legislative Council consists of one hundred and forty, with an Upper House of sixty. This has been the work of thoughtful men, not of wanton spirits, men who saw their object clearly and adopted means to ends. What is the result? I read a glowing account by an Englishman in a recent number of the "Nineteenth Century

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

and After" of the ability and moderation which have characterised the new Councils in India despite their large numbers. What ought really to strike us but for the force of mental habit is the smallness of our Council as compared with legislative assemblies in other parts of the world, but now that we want larger representation of the people in Council and a great desire kindled to serve the common interests, with as a necessary result a larger amount of work in Council, no one can fail to see that we want more electoral areas and a larger number of men to share that work. The next point in the resolution is that of a substantial majority of members elected on a territorial basis. You will remember how some time ago the Chairman of the European Association said with some degree of assurance that he could not see how an unofficial majority would work. Jamaica and Malta were trotted out for edification without heed to peculiar causes for the failure in those two cases. Well, the matter does not require much arguing because we have tried it ourselves and the Governor finds it so good that he is in favour of increased powers to the unofficial element. But if the unofficial majority is to serve its purpose, if it is to throw the real responsibility for what the Council does on the people as the ultimate source of the Legislature's powers under the new conditions, so that the people may learn and grow in political wisdom by their very mistakes, then it is clear that that the majority must be a substantial one so that the almost inevitable accident of a difference of view in one or two among the majority may not turn a nominal majority into a virtual minority. Only irritation in the public body can result from such a state of things and continued irritation often leads as in the human body to violent eruptions. On the other hand with a genuine substanial majority, defeat of a measure in Council will be accepted patiently and even cheerfully as the expression of the people's wishes while success in passing a measure will bring with it a clear undisputed undivided responsibility for its consequences. It is for these reasons that in the Legislative Assembly in India, five-sevenths of its 140 members, that is over 71 per cent. are elected, and even in the Council of State there is a two-thirds unofficial majority while in the Provinces there are from 75 to 80 per cent. elected representatives. Ladies and Gentlemen, it is no use anybody saying Ceylon is not

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

India because as the Attorney-General pointed out it is the principles of reform established in India that we should try to group and those principles applied to Ceylon must receive more liberal application here in proportion to the slighter difficulties, the smaller complicating factors we have to contend with. Ceylon is so fortunate in being able to profit by the thoroughness with which the reform problem has been handled in a country whose essential problems in this matter are the same, however, they may differ in magnitude, and while in rare instances constitutions have grown almost imperceptibly while in some others they are the product of sudden resolution, the Indian reforms afford an instance of laborious investigation, careful and prolonged deliberation, and of searching analysis of pros. and cons. to which constitution making hardly affords a parallel. And there is unconscious humour in this deprecation of profiting by Indian models, when our Statute book bears eloquent testimony to our powers of copying India. Not that I have anything to say against this in itself because India serves only as a filtering process and the source is England. It is to England we go when we contend for the territorial principle. I do not know that I need labour this point because this principle has been already established in our constitution and what is more even the Governor with all his sympathy with minorities has said that it was the beginning of wisdom to have included every race in the territorial electorates, the end being as he added the voluntary merging in the case of those who could to come in of the communal in the general electorates. It was only a far-seeing sympathy with the minorities which could have dictated those words, for it is the short-sightedness of fear that blinds the small communities, not merely to the fact that anything like combined power to small communities is incompatible with measures towards self-Government, but what ought to be of greater concern to them, that communal electorates long continued, so far from protecting them, will tend to stereotype their inferior political power, and leave them without that impulse to play a worthy part in public affairs which alone can be their sure protection. Artificial protection on the other hand will start their growth to their own undoing. On the principles that Congress has adopted it is impossible for it to work for any other than a

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

majority based on territorial representation; and the goal of responsible Government that the Secretary of State and the Governor have both avowed makes any other kind of majority an incongruity, however, satisfactorily it may seem to work for a time. How far the fears of minorities and those who support them can be chimerical was evidenced in the debate in Council when even assuming that every territorial seat would be filled by a Sinhalese or Tamil the bogey of a combination of Sinhalese Low and Up-country plus the Tamils had to be conjured up to show the iniquity of Mr. Peiris's scheme. If a single race had power to carry everything before it one might understand the fears of those who believe in racial feeling. Three years ago I commented on the inutility of prophecies as to political combinations whether among nations or small communities. Who is so fatuous now as to think that a combination of Sinhalese and Tamils may be regarded as a constant factor in our politics? Why, at this rate every community including the Sinhalese might complain that this community plus that or plus two others might outvote them. The fact is that while no community need be mute so long as minorities desire and are granted the safeguard of a seat or two, the divergency of interests of communities in our public life is a myth, and if it were not, legislators, as the Attorney-General himself had to admit must be supposed to be reasonable. And if in a moment of aberration they violate public right, there are constitutional powers above the legislature to set the wrong right. The mistake with many who fear this or that racial combination is that they forget that political reforms react on the standard of public character and raise not lower the standard of citizenship. Our Tamil friends who have raised a cry over seats have sinned in this matter more than the anti-Reformers, because their participation in Congress showed that they had faith in the elevating virtue of reforms but they have turned the Adullamites of the movement. If Congress is to succeed it will succeed by virtue of the principles to which it holds fast, and the secession of the Tamils can no more impede the progress of its cause than the standing aloof of more prominent communities hitherto has hindered it. The success of reforms has not depended wholly on numbers. I say this not because I do not regret the secession of the Tamils, but let

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

us not mistake the true significance of episodes in the progress of a great cause. And to the doubting hearts of all let me adapt the words of the most illustrious statesman of the 19th century, I refer to Gladstone, when he said: "The foremost among communities will be not the community which seeks the power but that one which by its conduct shall gradually engender in the minds of the others a fixed belief that it is just." Surely it is more reasonable to believe in public right as the governing idea of our future legislators and electorates than in wholesale combinations based on a wholesale disregard of right.

The last point in the first part of my Resolution is that of an elected Speaker. After so much discussion in the Press on this point it is disappointing to find that the principle on which an elected Speaker is asked for is misunderstood. The conduct of the present incumbent of the Presidentship is used as an argument as if it were a question of how a particular Governor has discharged or will discharge his duties, or as if it were impossible for an elected Speaker whose duties as such would be a speciality to him to be even more helpful than the present Governor. The principle underlying the proposal is equally ignored when it is treated as a matter in the discretion of the Governor himself as if each Governor might preside or not as he liked. The principle I refer to is that in the chair of the President of a Legislative Assembly is required not merely an authoritative counsellor in all matters of form and procedure not merely the protector and expounder of the rules of procedure or even merely an efficient judge and moderator of debate but one whose impartiality is unquestionable in political warfare. This has been the evolution of the Speakership of the House of Commons whose rules of procedure we are increasingly following and must follow as our Council is enlarged and increased powers are granted to it. At first the Speaker was a courtier, a creature of the Crown, then a partisan of the administration for the time being, and once a Speaker was nominated by the party in power, he ceased to bear a party complexion and remained in office in spite of changes of ministry, and in April last that when the present speaker was elected Mr. Lloyd-George was able to say that the House of Commons had by a great and striking act by which it had risen above all partisanships



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

elected him unanimously to the highest position in its gift. We have no parties here but the greatly increased powers granted to the Speakership under recent rules of procedure made the Commons rise to even a greater height of non-partisanship than that which was always associated with the Speakership. The changed conditions to which the rules scheduled in the Order-in-Council bear witness make an impartial President equally necessary in our case. It is for the sake of this paramount consideration of impartiality that the Speaker of the House of Commons never speaks on one side of a question or the other. And yet some consider it an advantage that the Governor should be an expounder and defender of Government policy. It has to be remembered that not only will there be increasingly required under the new conditions a president who will have to decide upon the spur of the moment difficult and even subtle questions as to form and procedure and as to the precise parliamentary character of expressions used and be implicitly trusted as to the correctness of his decisions, but he will have to play the part of a court of appeal whether in exercising his veto or in certifying measures as of paramount importance to the State. Still more, in his relations with the ministers Congress asks for, in the transitional stage when there will be side by side with ministers responsible to the electorate other members of his executive responsible to the Secretary of State I shall come to this in connection with the third part of my resolution—he will have no inconsiderable part to play as a harmonizer. It is for this reason that the Joint Committee of Lords and Commoners on the Government of India Bill pointed out that under the powers granted to unofficials by the new constitution, the position of the Governor would be one of great opportunity and honour, and they attached the greatest importance to the fact that he should not preside. And it is because we desire to see the King's representative in his more difficult and responsible position not come into conflict with Councillors in the rough and tumble of heated debate and be in a better position to act as arbitrator when passions run high in the country, being like the King above politics, that we desire to see him out of the Council. Although the new conditions have increased the importance of the question, you will remember that it was nearly a hundred years ago that

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

the Royal Commissioners whose recommendations suffered from the accident of a change of Ministry in England, recommended that the Governor take no part in the deliberations of the Council on the ground that free discussion is impeded by his presence, and however it may be with elected members, there can be no doubt that the Governor's presence is a constraint on the officials and nominated conscience. William Digby again in his Life of Sir Richard Morgan pointed out, apart from the undignified conduct of one Governor he refers to, how Governors are but men and take too much interest in measures they are responsible for to be impartial, a quality far more needed to-day than when Digby wrote. It is difficult to take seriously the argument that but for his presence in Council the Governor would have to rely on garbled versions of proceedings; nor when calm impartial deliberation is the one thing required when the Governor feels called upon to exercise his special privilege as to any measure passed in Council can one understand the argument that by his absence the effect of the oratory in the Council Chamber will be lost to him and as for the dignity of Council being likely to be lowered by the Governor's absence, the fear is no doubt due to our minds having been too long accustommed to the Governor presiding to be able not to see catastrophe in a change. But the actual experience in India during the past year ought to set our minds at rest. It must be remembered that it was for the sake of securing the thorough influence of parliamentary conventions as an aid to the smooth working of Council that the Joint Committee I have referred to recommended the postponement of elected Speakers in India for four years; and Ceylon would I am sure not grudge the cost that would be involved in securing the services for a time of one with parliamentary experience and imbued with parliamentary traditions. The last part of the first branch of my resolution has reference to a wide male franchise and a restricted female franchise. I will say nothing on the latter point as our liberal friends of the South have sent their own Portia to plead the cause. But even a wide male franchise is still a cause that has to be won, for there is a sort of tradition that men must be educated in the literary sense to exercise the franchise, otherwise there is danger to the State. That the exercise of the vote is in itself an education and in the case of men like manual labourers, the only education they

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

have and that by gradual training and with the growth of a sense of citizenship it may be turned into a high act of personal responsibility, seems to be forgotten. It is also forgotten that it is often by the vote alone that the humblest can, if endowed with it, secure themselves against the abuses of petty officials, who are appointed and hold sway irrespective of the good or evil they do to the masses whose welfare is ostensibly in their keeping. Not less is it forgotten that, contrary to what is commonly thought the stability of the State is secured by the liberal extension of the franchise especially among people in whom a political sense is growing and the hardships of life are awakening a keener consciousness of rights. When for instance the vote was to be given in England to the artisans, the Queen's speech referred to it as a measure which would lend to the strengthening of free institutions and to the public welfare, formula which the late King adopted when he promised liberal measures to his Eastern Indian subjects. If I had the time I could quote to you freely from historians like Froude and political philosophers like Mill as to the value to the poor man of his vote. How different is the view of a reactionary like Robert Lowe to whom I have already referred and who spoke contemptuously and alarmingly of the vote if given to the men who live in those small houses. That a literary education which is made a fetish by some is no safeguard against a wrong political judgment is shown by the utterance of a modern constitutionalist when he says "speaking of my own village in England I would trust the political judgment of a small holder who could not write his name more than I would that of the schoolmaster imported from London." In fact if educated men always knew how to give a right vote, we shouldn't be here fighting the battle of reform so vigorously. Are there also not educated men among us who have plainly shown that they will vote at an election not for the best candidate but, from some fantastic view or desire for seats, for a man of their own race. Yes the man who is educated and well off can afford to give his vote on anything but right considerations, on the ground of relationship, friendship, racial affinity, on any ground but the right one. But the poor, the men who live in those small houses, they cannot afford in these days of hard struggle, to send into Council either

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

men who wish to bask in the sunshine of official smiles, or demagogues who would win applause at the expense of the people's lasting good. Whatever mistakes are made at the beginning, men will soon come to know, if those they elect are made responsible to them, who true patriots are and who are not. Ladies and gentlemen, the value of the vote in educating the common citizen and making all the better man of him is not an innovating idea of modern Liberalism. Solon of old had a law that whoever did not take part in public affairs shall be banished, and it is worth remembering as shewing how the vote is regarded and valued in countries like Belgium and one or two others which I forget now, that in those countries, going to the poll is compulsory. How such a law must bring home to the citizen the importance and sanctity of his vote, and how it would do away with canvassing and begging for a vote whatever corruption there is as the accompaniment of elections. Perhaps our Government would seriously consider legislation in the same direction, at least as some sort of weapon, though not always effective, against non-co-operation.

---

## FULL CONTROL OVER BUDGET.

I come now to the second branch of my resolution, that the Legislative Council should continue to have full control over the Budget and there should be no division of reserved and transferred subjects. As you are aware the whole of the Budget is now submitted to the Council even the old division between fixed and provisional charges being done away with. Our control over it cannot, of course, be said to be full and complete in a literal sense because the Colonial Regulations as to finance lay down limitations even on the Governor's powers, and in accordance both with our own limited constitutional position and with the well-established constitutional principle that prevails even in the House of Commons that initiative in expenditure lies with the Government, our present Order in Council provides that the Council cannot pass nor the Governor assent to any law, vote or resolution imposing any tax or disposing for charging any part of the public revenue unless such law, vote or resolution has been proposed by, or has

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

the express approval of the Governor. Whether the mere budget discussion, whether by the Finance Committee or in open Council, which now by a sort of settled convention has as much effective influence in our Council as in the House of Commons is sufficient, in view of the fact that unlike ours the Government in England always represents the prevailing body of opinion in the country for the time being, is matter worth consideration so that some relaxation at least of the rule I have quoted may be obtained. But the resolution has reference more particularly to the question of the integrity of the budget which has disappeared in the provincial governments of India owing to the system of dyarchy which has been adopted as the foundation of the Indian reforms. For the purpose of attaining clean-cut resposibility on the part of Ministers, there is allocation of the public resources as between the Executive Councils on the one side and Ministers on the other corresponding to the different functions which these two parts of the Government respectively have to discharge. Once dyarchy was adopted such a differentiation in financial matters became inevitable but it has its disadvantages as the price to be paid for dyarchy, in doing away with the benefit which might come from the official side and ministerial side jointly deciding questions of taxations and expenditure in a spirit of give-and-take, one contributing its administrative experience to the discussion and the other the weight of popular wishes and interest, and this mutual reaction tending to what no Government would deny is always a praiseworthy object to aim at, retrenchment. It is to avoid these disadvantages and gain the advantages that we have entered a caveat as it were against dyarchy which it was feared might be regarded as the only solution as in the case of India of the problem of a beginning of responsible Government for ourselves. We have thought it possible that we might combine a small instalment of responsibility on the part of individual Ministers with a reservation of our present rights of influencing the whole of the budget whether any part of it relates to the most fundamental functions of Government or what may be termed its merely benevolent functions. Of course our views may be criticised from both a theoretical and practical point of view, as not only has been the scheme of dyarchy, but every constitution, whether it be the glorious

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

English constitution or the equally glorious American constitution, widely divergent as they are in some basic principles. And this brings me to the last and most difficult part of my resolutions, that relating to the Executive Council, and it asks that one-half at least of the Council should be unofficials chosen by the Governor from the members of the Legislative Council who have been elected for territorial areas, and that such members should be responsible for the administration of certain departments placed in their charge. This is a part of our reform scheme which has received little elucidation at our hands with the result that His Excellency the Governor said in Council that he did not understand it. The fact is that we have hitherto been satisfied with aiming at the principle of responsible Ministers being accepted by the authorities, and leaving the formulation of a scheme to give effect to it to be dealt with separately because within certain wide limits defined only by the object to be attained, the matter admits of much elasticity of treatment. But this presupposes a careful study of the whole subject on the part of those whom we are trying to convince as well as by ourselves, and one can quite understand those who are very strict even if not very hostile critics of our proposals, asking that something more than an administration of principle be put forward, so that both the principle and its practical application may be brought to the test of discussion. It is worth while, therefore, I think that we explain what the aim of this part of our resolution is and the grounds for it, as once these are understood it ought not to be beyond the goodwill and intelligence of our rulers to devise for themselves or accept from others, a suitable scheme. We attach importance to the people's representatives being in the Executive Council because after all, while the administration of the country which the Executive controls goes on from day to day and even from hour to hour, the business of legislation is comparatively so to speak intermittent and although the Legislature may lay down the large general laws which shall govern the country, the matters of administrative detail which so to speak come home to men's bosoms are largely in the hands of the departments which the Executive controls. The questions which are asked in Council are addressed to these details, and while illustrating the limitations of the Legislature in

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

ensuing good administration, are attempts to overcome those limitations. Matters of administrative detail are, however, not suited to a Legislature and that is why questions often strike one as trivial if not harrassing. But so long as an Executive is not responsible to a Legislature questions as to administration are bound to grow with the growing political consciousness of the people till perhaps our Colonial Secretary will himself cry out in very weariness that a remedy must be found. Well there is no remedy except one, however limited a scale we start it, responsible government. His Excellency has enunciated our goal as full responsible government and the Secretary of State did the same when in the Despatch, giving cover to the existing Order-in-Council, he spoke of the present as the transitional stage between direct government by the Crown and complete parliamentary control, that is, of course, the system of full ministerial responsibility under which the government of England and its self-governing dependencies is carried on. There can therefore be no harking back to direct government by the Crown or continuing it even for a little time more in its present unmitigated form ; and in view of the pace at which popular control of government is advancing, of the swiftness and volume of the currents of political thought which are sweeping over us and which no Dame Partingtons in our public life can stop, it would be the beginning of wisdom for the authorities not to wait to be rushed in the near future into a measure of responsible government for which the country may not be quite prepared, but to make some beginning in subjects which do not affect the fundamentals of government, so that the country may tread the path to its appointed goal with safety and the increasing wisdom of experience. It must be clear to the meanest intellect that whatever purpose is served by unofficials in the Executive Council selected as the present unofficials have been, it does not satisfy our aims and aspirations or shall I say the very aims and aspirations which both the Secretary of State and the Governor have defined in unmistakable terms. The officials in an Executive may have that sense of responsibility which high office brings and which will be reflected in the administration of the Departments in their charge and they may thus, though in no

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

parliamentary sense, be amenable to a legislature with real unofficial power, but what constitutional responsibility can men have however estimable in themselves who neither hold any office nor are answerable to a legislature? I speak not of particular individuals but of the system when I say that men so appointed can never enjoy the confidence of the people. It is the very negation of responsibility. At any rate such appointments are not in the direction of the goal which is now fixed. There is nothing to prevent the Governor from consulting eminent unofficials whenever he desires or even from having such men in his Council merely as advisers with no statutory rights or power of voting, and this would be in accordance with their freedom from responsibility; but such appointments would not meet what our resolution asks for or represents any stage, even the most elementary, on the road to responsibility. We have been told even by those who blame us for copying India that we must model ourselves on the constitution devised for its central Government. The suggestion comes strangely from those who would bid us pay heed to different conditions. But inconsistency apart, is it not blindness to ignore not merely the bi-cameral form which the supreme Government of India has taken, but apart from important Imperial concerns which come within its purview, the arbitral position which it occupies towards the provincial Governments which themselves have far vaster and more complicated jurisdictions than ours and into which responsible Government has ben introduced through the system of dyarchy? Those who would have us model ourselves on the central Government of India ignore also the crucial point that a beginning in training for responsible Government has been made in India, and as we have no provincial Governments in which the beginning may be made, we are driven to the only sphere we have, our one and only Government. And what stability the administrative experience which our politicians will thus gain will lend to our Council which it is feared the reforms will fill with irresponsible critics. And let it be remembered also that the whole object of responsible administration is to make not merely the Administrator responsible through the legislature to the electorate but to exercise the sense of responsibility of the elector, so that if he wishes his welfare looked after by those whom he elects he will see to it

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

that he elects the right man and hold the latter responsible for his policy and his actions after he is elected. Those who fear that unworthy men will get into Council and the electors vote irresponsibly or from corrupt motives under a wide franchise, ought to welcome a larger instalment of responsible Government than we ask for as it will bring its own sharp lessons and as for the consequence of mistakes, does our present Government make no mistakes or has any Government learnt its lessons without making mistakes ? But we ask for only a small instalment of responsible Government partly because we wish to gain experience slowly and partly because our past system of Government was not calculated to produce many men of talent in public life. It need not be feared that Departments will suffer in efficiency by the appointment of Ministers because the permanent officials our Civil Servants will remain whatever the fate of Individual Ministers; and whatever its limitations the English system by which laymen are placed as Ministers in charge of even technical Departments, directing their policy while profiting by the experience of permanent officials, has been termed to be the soundest policy.

Now let us outline for the sake of clearer conceptions how we can secure some degree of individual responsibility in administration, that is responsibility to the Legislature, promising that adjustments may be made on many points, so long as the object is fairly attained. The Governor would entrust to certain elected members who enjoy the confidence of the Legislature and are capable of leading it certain departments comprised of portfolios. What those departments should be and what each portfolio should comprise may be regarded for our present purpose as matters of detail. On these subjects as well as on all others, there being no dyarchy, the Ministers and other members of the Executive Government would deliberate jointly, but subject to the right of the Governor not to accept the advice of a Minister, when he considers the public interest requires him to do so, the views of a Minister would prevail on the subjects comprised in his portfolio. If the Minister felt that he could not conscientiously accept the ruling of the Governor and he had not the support of the Legislature either, he would resign, and the Governor would also have the right to dismiss him if he found that a Minister was seriously

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

astray in his policy or views, and had ceased to enjoy the confidence of a majority in the Legislature. If the Minister was not supported by the Governor and his official Executive Councillors but had the backing of the Legislature, the position would be the same as if the Governor were now to exercise his power of veto or of certification over the heads of the Legislature although it contained an unofficial majority. The Ministers as representing a substantial body of opinion in the Legislative Council would as far as possible all act together in the Executive Council and the official Executive Councillors would observe a similar cohesion. Not of course in mutual opposition as regards the two sides but in a spirit of unity which their joint partnership in the Government would both call for and make easy. It will be seen that with such understandings and conventions to guide them, a Minister's responsibility would be limited to acts arising out of his own deficiencies or to a policy out of accord with the rest of the Ministers and the majority in the Chamber. At this preliminary stage anything like Cabinet responsibility would be out of the question. Some may object that differences of opinion in the Executive Government are bound to occur and that any such scheme is full of potentialities of friction between Ministers and official members of the Executive. That is facile criticism which may be levelled against any scheme, which must necessarily bear the weakness of a transitional measure. We might at least learn from our experience during the past few months that in Ceylon at any rate under a system of Government theoretically indefensible, with an Executive responsible to the Secretary of State and an unofficial majority which has shewn it can act in unison when the common interests appeal to their best instincts as public men, both Governor and elected representatives can reciprocate that policy of good will and mutual co-operation on which all Governments rest. In the inspiring though simple words of Lord Chelmsford when dealing with the possible difficulties of what he yet courageously and sympathetically undertook: "In all this we feel that we are moving with a spirit which is stronger than our calculations, and we accept whatever lies ahead."

Ladies and gentlemen,—I am sorry I detained you so long. But you will see my resolution was a comprehensive one and covered practically the whole ground of our reforms. Besides it was

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

necessary at this juncture that we should make our position clear, explain our motion, our objects and plans, so that a satisfactory constitution may be granted us which we can work, devoting our attention to substantial matters for promoting the welfare of the Colony, without the instructions of a prolonged reform agitation. Let us hope therefore that such a constitution as will bring harmony between our rulers and the people will soon be ours, and, to adapt the language of Gladstone, that the drooping banner we now carry may soon float in the eye of heaven and, all misunderstandings past, be carried by a limited people to a speedy victory.

The Chairman said: The resolution will be seconded by a Delegate who hails from the ancient capital of Lanka, from Sri Wickreme Rajasingha's royal city (applause). He is one of the most eminent representatives of the Tamil race. He is one of our ablest advocates of the Bar. His name is a household word to the inhabitants of the Central Province and is equally well-known and loved in all parts of the country (applause). I call upon Mr. C. S. Rajaratnam to second the resolution.

MR. RAJARATNAM said: Brother and Sister Delegates,—Till I received the somewhat late and somewhat imperative message from the Secretaries of the Congress that I should be here to second the resolution that has been so exhaustively and so completely submitted to us I was by no means sure of being present here on this occasion. There was of course, needless to say, the desire to hear from your own lips, Sir, an exposition of the basic principles that underlie the Congress movement and the campaign of political progress that has been going on in the country for some time past. But I repeat, I was by no means sure of being here. There was something more compelling—no derogation to you Sir—than the exposition that we expected from you and which we have listened to this afternoon and which needless to say has surpassed our most sanguine expectations. (Applause). That circumstance was this: I was in truth anxious to be present here, if that was possible, to see whether the Ceylon National Congress has, after all, been captured by a clique (laughter) and whether in truth and in fact our Congress has lost its representative character and that it has ceased to hold the authority and the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

mandate of the country. But this is out of sentiment. I see no signs, thank Providence, of any clique holy or unholy that has seized hold upon Congress with its tentacles (laughter). It is a matter of regret that such aspersions on the character of the Congress should have emanated from the source from which they have in point of fact emanated. That aspersion is an untruth; and I submit that it is an untruth to the knowledge of those who have forgotten themselves so far as to make it (shame). A clique at work to capture Congress ! And the clique makes the attempt of capturing one whom it is so difficult to capture, one who victoriously rises above the atmosphere of petty squabbles and disputes and personalities! (Laughter). The clique that wanted to capture Congress has resorted to the aid of Mr. H. J. C. Pereira of all adherents and auxiliaries (laughter). For what purpose ? So that he might be here to further and promote the intentions of the few! I am glad and I am sure, ladies and gentlemen you are equally glad and thankful that the gathering we see this afternoon with Mr. Pereira at its head is a gathering that has—if any gathering can have it—the authority and representative character which a National Congress of any country can claim to have (hear, hear) and if there have been any secessions, if there have been a few people who have dropped out of the ranks, I submit that it is a case where the loss in numbers makes for the added soundness of the institution as a whole (applause). It is a case where the dropping off of a decayed branch or an unsound part makes for the better health and more vigorous growth of the Parent Association (laughter and applause). Let me not be misunderstood. I do not for one moment belittle either the intellect or the eminence and greatness of those who have chosen to fall off from our ranks. I yield to none as our President has said, in my admiration of those who took so active and prominent a part in bringing into existence this Congress (hear, hear). I do not for one moment—and far be it from me to do so—belittle the services they rendered us so far, and the enthusiasm and the power and the whole-hearted faith with which they preached the political Gospel to the people of this country (applause); but it would be insincere to mark the feeling of keen disappointment and regret that the very people who preached the Gospel of political progress in this

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

country should be the people to express doubts and misgivings and fears and mistrusts in the creed that they held so high aloft for the acceptance of the people (shame). Sir, I must also confess to a sense of intense irritation at having the alphabet of our political creed once again enunciated with all the solemn elaboration and with which is submitted the resolution of to-day. When we have passed the stage of words to the stage of action, when we are clamouring, and clamouring loud enough to be heard over the seas by the British nation, by the British House of Commons and all those who hold our destinies in their hands thousands of miles away, and when we have passed, as I said from the stage of words to the stage of action, and when we are (I was going to say, in danger of being taken seriously)—and our demands being considered seriously, and being granted some measure of reform; when the first principles of our political aspirations and propaganda have been extensively supported and accepted unanimously by Congress that once again the somewhat uncomfortable hours of this by no means cool afternoon should have been expended in going over the same ground, and that there should have been a solemn and elaborate vindication of the first wishes of this Congress. It certainly did create a certain amount of irritation and impatience in more than one person who has participated in this afternoon's proceedings in tracing the history, so far as our country is concerned, what the principles are that are embodied in this resolution. It has been the first resolution of several succeeding sesions of this Congress. You, Sir, referred to the fact that the Tamil Knight was the person who moved this resolution in 1919. It was moved under the presidential aegis of our former President, Sir Ponnambalam Arunachalam. It was repeated a year after at one of the extraordinary sessions of this Congress. The resolution was then submitted to the house by a leading representative of the people and a gentleman of the North who then graced one of the seats in the Legislative Council, that is the imprimatur and authority that this resolution has in coming before us to-day.

I also felt when I received the telephone message from the Secretary that I was in a measure bound as a matter of duty and responsibility to be present here this afternoon however small a part I will be invited to take, because what has been referred to

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

both on the platform and in the press and the country, what has been referred to at this afternoon's proceedings as the Congress split, had its genesis at the meetings of the Congress Committee of which I had the honour to be a member. I shirked no responsibility. I openly and publicly accepted my share of responsibility, if any responsibility rested on anyone at all, for having brought matters to a head and for having stood openly and uncompromisingly for the position, for the primary basic principles that Congress had taken up. I can appreciate the value attached to the principle of give and take in political matters as well as in all other human concerns. But when it comes to a question of compromise, when it comes to a question of surrender of positions that affected the whole fabric, it appeared to me that any advantage temporary or otherwise that might be gained by such compromise which involved a surrender of principles, would be a price too high to be paid (applause). I am not going to detail at length the sections which constitute this resolution. This resolution has a more compelling logical consequence than was perhaps suspected by the very people who framed it or submitted it to Congress in the first instance. The acceptance of the principle that four-fifths of a Council of 50 should be territorially elected is placed first in the resolution and the rest follow. It was by no means a chance or haphazard drafting of the resolution that placed the clause relating to territorial representation first. As I endeavoured to the best of my humble powers to express its importance to the Executive Committee of the Congress, I do so now that this should be placed first and foremost in the minds of everyone who wants to dabble in political matters in this country or in any other country. That is the foundation of which the rest of the structure to which reference has been made, has to be erected.

Unless the representation, the largest bulk of it, in our Legislative Assembly is going to be on a territorial basis it is illogical, it is impossible, that we should demand any actual or effective share in the administrative machinery of the country. If we are not prepared to accept the principle of territorial representation, and not communal representation and if we are not prepared to accept the principle of territorial representation to the degree that is indicated in this proposition it is unconceivable to my mind how

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

we could go further and ask for an effective share in the actual management by the people of the country of the affairs of the country and the affairs of so many sections and races. And unless and until we have evolved sufficient mutual trust, confidence and understanding among each other, so as to be able to say that it does not matter to me whether my Sinhalese brethern or my Tamil countryman or my Mohammedan compatriot and it does not matter to me if a member of the Burgher Community, among whom we count such staunch and life long friends, it does not matter to me whether anyone of these Communities happens to be sent in as a representative of a certain area, because we understand each other. What we are concerned about is that the right man, the suitable man, the fit man both by character and intelligence to take part in the Councils of State, is the man who should go in. As for rivalry and other petty and personal considerations we have done with them. That is the thing which underlies territorial representation. Unless and until in the Legislative Assembly of the country, which after all is more advisory, than otherwise, we have developed sufficient mutual trust and confidence in each other and overlook rival considerations and communal interests how can we with any seriousness ask the British nation or British statesmen to entrust us with the management of the affairs of the country as a whole, which affairs affect so many races. It seems to me that if we split on the question of territorial representation, if we want to hug and cling to the idea to see more men of this or that community inside to the exclusion of some other community, if these things are running at the back of our heads then it is quite time that we halted and set things right among ourselves. The foundation must be there (applause). The starting point must be certain (more applause) and there must be no mistrust among the races. (Continued applause).

Gentlemen, that was the reason why I for one thought that when the matter came up before the Executive Committee of this Congress, when the actual allocation of seats came before the Committee, I took up what has been described in certain quarters as a surprisingly unfriendly attitude towards the claims and rightful demands of the North. It seems to me that those who made it overlooked the whole principle which underlies the general

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

demand and I felt that the talk about Swaraj and responsible Government, and that Swaraj and unreserved responsible Government should be handed over to us and that immediately, had little meaning or seriousness. This matter received such continued emphasis at the hands of our President in his address and it has received emphasis and elucidation at the hands of the speaker who has just preceded me and I would once again repeat that that is all the essence and that it lies at the very core of the other demand that we are making, namely the re-modelling of the Executive Council, the demand that we make with a view to linking up the Executive of the country with the Legislature, such questions are all dependent on this one principle and I ask you ladies and gentlemen if after having heard all that has been said here on the subject and all that has been said at previous sessions of this Congress, if you feel any doubt or misgiving as to the soundness of the position with regard to territorial representation that Congress has taken up? I hope that you who are here and you who have participated in these proceedings would go out into the country and would proclaim and take up the task of the Congress because I feel that from now and for some time past the work of the Congress has to be of a far different character to that which we all thought it would be. The task will lie on the shoulders of those who believe in the faith of the Congress creed, both with regard to its goal and the steps by which that goal has to be attained. We, many of us, thought when the developments of the last few months took place that the task was one of persuading the Britisher, was one of persuading the small minorities who from the start took up a position of nervousness. But now we find that a far more serious and primary task, task of primary importance, lies before the Congress in the coming year, namely that of seeing that the people of the country in truth and in fact and in reality believe and endorse the principles which the Congress has set out and the principle has a logical collorary on which the demands of Congress are made. I don't think there is any justification in referring to the secession of the North and detaining this assembly. I have great pleasure in seconding with all emphasis the resolution that has been so fully and ably proposed (applause).

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## THE ADJOURNMENT.

The Chairman said that there were a few speakers more to follow including the lady from the South. The hour was late and they must be tired. The meeting would adjourn till 9 a.m. on Friday especially as there was to be a meeting of the Executive Committee of the Congress immediately after they broke up that day.

The meeting adjourned at 5-55 p.m.

---

## THE "AT-HOME."

The Chairman of the Reception Committee and Mrs. Samarawickrema were "At-Home," from 4-30—7-30 p.m. that day to the delegates and their families.

---

The resolutions submitted were as follows:—

**Resolution 1.**—This Congress reaffirms the principles contained in Resolution I. of Congress of December, 1919, and demands.

1. That the Legislative Council should consist of about 50 members of whom a substantial majority should be elected according to territorial divisions upon a wide male franchise, and a restricted female franchise, and the Council should elect its own Speaker.

2. That the Legislative Council should continue to have full control over the Budget, and there should be no division of reserved and transferred subjects:

3. That the Executive Council should consist of the Governor as President assisted by official and unofficial members of whom not less than half should be unofficials chosen from the members of the Legislative Council elected according to territorial divisions, such members to be responsible for the administration of departments placed in their charge.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

**Resolution 2.**—This Congress repeats the demand of the Congress of December, 1920, that the residential qualification for the members of the Legislative Council be abolished.

**Resolution 3.**—(Submitted by the National Association). That in the opinion of the Congress the report of the Salaries' Commission is inequitable in its incidence, based on a vicious principle of discrimination and ought to be rejected.

**Resolution 4.**—(Submitted by the Lanka Mahajana Sabha). This Congress requests the Government to appoint a commission to inquire into and report on the subject of public revenue and expenditure.

**Resolution 5.**—(Submitted by the Lanka Mahajana Sabha). This Congress is of opinion that there should be a settled and definite policy for the increase of food supply in the Island and a scheme should be formulated with this view; and that there should be greater co-ordination of the various Government Departments dealing with land, irrigation and agriculture.

**Resolution 6.**—(Submitted by the Galle Association). This Congress is of opinion that the franchise should be granted to the women of Ceylon who possess the qualifications required of men.

**Resolution 7.**—(Submitted by the Matale Association). This Congress is of opinion that the District of Matale, by reason of its agricultural and industrial importance, its numerous population and geographical position, its historic traditions as a Dissavany, be granted a separate electorate and not be merged in that of any other electoral area.

**Resolution 8.**—(Submitted by the Kandy Mahajana Sabha). This Congress is of opinion that the vote for education in the Budget be gradually increased in the course of the next five years until it becomes at least 10 per cent. of the general revenue of the Colony.

---

## RESOLUTIONS RELATING TO THE CONGRESS CONSTITUTIONS.

**Resolution 9.**—(Submitted by the Kandy Mahajana Sabha) This Congress is of opinion that the proportion of representation

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

of each Territorial Constituency, whether in the Congress itself or in the Executive Committee of the Congress shall be identical with that deemed adequate for representation in the Legislative Council and that provision be made for the immediate alteration of the Constitution of the Congress in this respect.

**Resolution 10.**—(Submitted by the Kandy Mahajana Sabha). This Congress is of opinion that the Constitution of the Ceylon National Congress be so altered as to allow of the members of the Executive Committee of the Congress sent from each Territorial Constituency being elected by the Territorial Associations represented in the Congress on a basis fixed by the Congress.

**Resolution 11.**—(Submitted by the Young Lanka League). This Congress is of opinion that the election of the President for each Session of the National Congress should rest entirely with the various affiliated Associations, and that no person be elected President of the Congress unless he has been a member of the Congress for at least one year.

**Resolution 12.**—(Submitted by the Young Lanka League). This Congress is of opinion that the Executive Committee of the National Congress shall consist of two members from each affiliated Association and an additional fifteen members.

**Resolution 13.**—(Submitted by the Chilaw Association). This Congress is of opinion that notices of motions not in Agenda, for any reason whatever, be handed to one of the Hony. Secretaries on the first day of the Session and be added to the Agenda if approved by the President and be taken up in such order as the President will decide.

**Resolution 14.**—(Submitted by the Chilaw Association). This Congress is of opinion that Article 10 of the Constitution be entirely deleted on the ground that it is illiberal as it is unique and is calculated not only to mar the usefulness of the Congress but also to retard its progress.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## (B). SPECIAL SESSIONS, HELD ON 27th & 28th OCTOBER, 1922.

### THE PRESIDENTIAL ADDRESS.

Mr. H. J. C. Pereira rising amidst loud and prolonged applause delivered his presidential address. He said: Brother delegates, sister delegates, ladies and gentlemen, on behalf of the Congress and for myself I bid you a cordial welcome. As you are aware the time is drawing near when in the usual course of things Congress is expected to meet in order to garner its annual harvest. That is the lot that falls on the new President for the coming year. The harvest, however, has not yet been reaped. The sowers have done their work and done the work well. But the reapers are awaiting with their sickle, the harvest is not ready; and the reason for it is this: Misguided friends and relentless foes have scattered amongst us the grain, seeds of obnoxious weeds and tares. Our harvest has thus been delayed, *delayed* only, for in the fulness of time it will be reaped, and we have good reason to hope that the result will not be unsatisfactory. This Meeting, ladies and gentlemen, had been summoned to meet an extraordinary situation. It is the adjourned Meeting of the Congress; but the time has been advanced for its meeting in order to meet this new situation. You all know what I mean. The Governor has with the help of his official phalanx, as it is called, and some Nominated Members, passed through the Council certain measures in open defiance of the will of the people's representatives. And as a consequence twelve of the Unofficial Members have resigned, amongst the whole of our territorially elected members (applause). All honour to them for their action; all honour to their leader, their eminent leader, Mr. James Peiris (cheers) for the bo'd attitude he adopted in a great crisis. The members as I told you have left; the emasculated Council remains, the Governor too has left (loud laughter and a voice "Hope he will remain there"). We bear him personally no illwill; we bid him a *bon voyage* and we hope and earnestly hope that he will never return to this Island. (Loud applause). From North to South, from East to West the



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

cry has been heard "Recall the Governor, we don't want him." (Hear, hear). The whole Island is seething with excitement and indignation at what has happened. They have lost all confidence in their ruler, and in these circumstances it is well that His Excellency should, for his own sake, if not for the sake of this country, refuse to return. Why try to rule or impose upon a people who have lost all confidence in him and his own views and who do not want him? That there is justification for the attitude of the people in regard to His Excellency, I shall later show you. For the present all I need say is this, that I am in cordial accord with all that has been said and done by the Territorial Members of the Council in this great crisis, and I am also in entire accord with the wishes of the people expressed in clear and unmistakable terms in regard to that same crisis. Before I go into the question of His Excellency's part in this affair, before I come to the subject of the motions to be proposed in that connection, it is my duty in view of many things that have taken place since we last met to address you on certain matters which are outside the scope of these particular motions. The foremost place I give in this connection to the position and attitude of the Congress itself. This Congress as you are all aware has been the subject of malignant attacks on all sides, in the Press, in the Council Chamber, by friends and foes alike, and it is therefore doubly necessary that I should vindicate the position of the Congress and the attitude the Congress has adopted hitherto in its work before the Delegates of the various Associations who helped to form this Congress. It is all history mere or less. I have got to recall some parts of that ancient history because people generally have short memories in regard to it. In the first place I would wish to emphatically state that the Congress has been built upon certain basic foundations. It can never be altered (hear, hear, and applause). If they are, the Congress might as well cease to exist. I for one shall take no part in it. What are these basic principles? First and foremost of these is this: the ultimate object of this Congress is Home Rule under the British flag (applause). Remember that. We do not say independence. We never claimed it. (A voice: We disagree). Nor will we be

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

such fools as to claim it—a small country such as ours, surrounded by the ocean, our energies limited in certain ways, and circumscribed. It is impossible I tell you in plain language, it is impossible for us in our wildest dreams to think of independence once more. Our country stands in a unique position. We are not a conquered land. (Cheers). We freely joined the British Empire as part and parcel of that Empire and the King of Britain is our King as much as the King of the British Isles (applause). That is our position and it is our duty to maintain that Empire and to respect that Empire and to secure for that Empire the respect of all nations just as much as it is the duty of every born Englishman. What does the British Empire mean? It means a vast commonwealth of various nations and races, the British race no doubt predominating; and to belong to an Empire such as that is to possess a proud heritage. Remember this, gentlemen, you cannot blame England, or rather can you blame the British Empire, for the individual acts of individual Englishmen any more than the British Empire can blame us for the individual acts of any Ceylonese. You must judge of the Empire as a whole and therefore it is incumbent upon us as I said before being part and parcel of that Empire, to see that the dignity of that Empire is maintained and that its prosperity should be made as dear to us as it is to any English born Englishman. The other day I read in the papers an account of the proceedings of the great Public Meeting that was held in this very hall in connection with the very subject in respect of which we are so much concerned at this Meeting. I remember reading, and reading with the utmost pleasure the speech delivered by a friend of mine who is a Member of this Congress and whose father is an old friend of mine and an old contemporary in the legal profession. He is the worthy son of a worthy father. (Loud applause). He certainly maintains with dignity and with great ability the traditions of that family which is connected with so distinguished a Member of the day, the late Hon. Mr. James de Alwis, scholar, lawyer and politician (hear, hear and applause). I was much pleased when I read that speech for the fine, sober and just view he had taken of our position in regard to the British Empire. Mr. Obeyesekere told you, I mean Mr. Forrester Obeyesekere, that he loved the English people. He has lived in that land of liberty, and was associated

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

with those people in their own homes and has accepted of their generous hospitality. He has studied their traditions and their literature. Who is there amongst us, I say, who has had these opportunities, who will dare contradict that statement of Mr. Obeyesekere? I too love England (hear, hear) as much as Mr. Obeyesekere. That does not mean that I love every Englishman who comes to Ceylon and behaves in an un-English manner. And that nation I respect and that nation I love just as much as my young friend does. Remember that so long as we are part and parcel of that Empire every member of that Empire is, politically speaking, our brother, and we have as great a right to and as great a claim on the Empire as any Member of the British Empire has. It is perfectly true that we are not treated in the same way as those in the more favoured parts of the Empire are treated, such as Canada, Australia and Cape Colony, which countries have all obtained Home Rule and are practically independent countries federated with the Empire. We should not be in a great hurry; let us first of all set our own house in order; let us show ourselves entitled to claim from the British Empire that Home Rule which has been granted to Canada, Australia and Cape Colony. The only way we can do it—to my mind—is to become true Britishers in the broad sense of that word—(loud cries of "No, no" from Members of the Young Lanka League) Britishers first (cries of No, no)—and Ceylonese afterwards—(cries of No)—otherwise we have no right to belong to that Empire. I hear a lot of shouting. All that I expect from youth. I care not for political bantlings—(loud laughter)—no more than I do for the moanings of hide-bound Conservatives. I say what I feel I must tell you in plain language, so that there may be no misconception in regard to this matter, and in this particular crisis it is necessary that I should impress these facts strongly on you for the simple reason that we are the guardian of the people as a Congress. There is a wealth of responsibility on us. We must not let our countrymen to be in any way molested or allow their lives to be placed in jeopardy by reason of any rash action of ours. It would be the height of folly for us to do it. We would be betraying the trust reposed in us, if we were to permit any thing of the kind. Therefore, it is I say that you must realize once and for all, that the basic foundation of this movement is Home Rule within the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

British Empire. Home Rule cannot be had for the mere asking, we have to work for it by slow degrees and Home Rule must come ultimately (Cheers). What is the next basic principle of our constitution. That is this Congress has no religion no race. By that I do not mean that we of the Congress are atheists, or that we do not belong to any particular race. That is not my meaning. My meaning is this: We have within our fold members of all religious denominations, Christian, Hindu, Buddhist, Mohammedan who meet on one common platform as brothers and work for the people as a whole (Cheers). The Christian expects us to respect his religion just as much as the Buddhist expects the Christian to respect his. Similarly the Hindus and Mohammedans and so far as Congress is concerned the religion of any particular member is as sacred to him as his own. I wish you to remember this fact for the very simple reason that only the most probable sources of trouble and discontent in all countries is this religious question. We are trying to solve that question by means of this very Association, bringing within its bounds members of the different religions that exist in this country in order that they may realize that of whatever religion a man may be, he belongs to one common brotherhood, one common nation the Ceylonese nation, which must be raised from its present level to higher levels and still higher levels (Cheers). Regarding the question of communal representation, a very debatable point, Congress by a vast majority has decided the point once for all, that so far as Congress was concerned that Congress condemned communal representation—(cheers) as a curse not only in this country but in all countries in the East. It is the one form of representation which accentuates the differences between race and race and creates racial jealousies and recriminations. Communal representation is alien to any real movement for the true progress of the country and for that reason Congress adopted that representation in Council should not be on communal lines but, on a purely territorial basis, meaning thereby that it was not the man's religion, race, caste or any individual characteristic for which he was elected to represent the constituency, but owing to the simple fact that whatever his race, creed or colour might be, he was the best man in the opinion of his constituents to represent them (loud cheers).

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Our Tamil friends of the North, I gladly welcome amongst us. Some of them who are here are liberal minded gentlemen who have had the courage to come here in spite of the opposition of two Associations in Jaffna (Cheers). All honour to them for being here and I warmly welcome them. I say that our friends of the North are labouring under a purely mistaken idea. So far as the Tamils are concerned, you know that we have conceded to them and tried to get further even more than they could have expected, under ordinary circumstances. They will have a Representative in Colombo with the number of seats that would acually be theirs if the Scheme that we have suggested to Government first be accepted. But unfortunately they want to belie our own principles, and reserve a seat for them in the Western Province, so that one at least of the Territorial seats in that Province should in reality be a communal seat. With all the emphasis I say gentlemen, we cannot do that without sacrificing our principles, and our principles we are not prepared to sacrifice for any body either Tamils, English, Burghers, Moors or anybody else or even Sinhalese themselves. Our principles will remain unchanged." Continuing he said that he read a speech made on the same occasion as Mr. Forrester Obeyesekera, also by a young man, that for the sake of unity they might even sacrifice principle in order to get back into their fold the wanderers from the North (A voice: Name of the young man please). To the nameless young man he would say that they were teaching the younger people of the country a very bad lesson if his views were adopted. Those who sought to bargain and traffic with principles in public life, would in the end value bargain and traffic with principles in private life. He wanted the young men to remember the true conception of life. (A voice: We know that). All young men say so; he himself when he was young thought that he knew more than his master and his master taught him, and thank heaven, he listened to his master. He advised all young men to be true to themselves and if they believed in principles to stick to them and never change them. Did the great Church of Rome sacrifice its principles to the powerful King of England who sought to induce that Church to sacrifice her principles for the sake of a second marriage. The Roman Catholic Church had not suffered thereby in refusing to surrender to anybody, be he

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

King or Commoner. The result of it was that that Church was in a far greater position than ever before. Rightly or wrongly the Congress never departed from its principles never deviated one hair's breadth in their attitude to their fellow countrymen. The Attorney-General in Council took advantage of certain negotiations that had taken place between certain territorial members and the Tamil members in regard to this representation and he quickly made use of the fact that they were trying to pass off what really was communal representation under the guise of territorial representation but their leader in the Legislative Council, Mr. James Peiris, was not going to be caught so easily. He for one had always stuck to his principles. Although for the time being he might be carried away by some argument in his calmer moments he did admit that he had been misled. He the speaker was sorry he had to make those remarks but he had to because much had been made of that in the Press throughout the whole of the year and much had been said outside and in the Council in regard to this Congress.

You will be surprised that the very men who owe their seats in Council to this Congress try to malign us. We were told by one, " What is the Congress, this tyrannical body, what right have they to interfere with our constitution? Our constitution we must change ourselves." Well, gentlemen, if we had thought so ourselves for the past 30 years we would still be under that good old constitution that we had at last succeeded in getting rid of. It is the Congress and the party of reformers in this country who have succeeded in bringing our Council even to its present representative character in spite of the opposition shown to it. (Loud Applause.) I remember the time when the fight in regard to reform was not a question of Home Rule or question of securing so many territorial seats or majority of territorial seats, but the fight was purely and simply the question of a fight between the People on the one side and Family Bandyism on the other. Nominations were made to the Council from time to time from particular families, all others being excluded; and this was communal representation in its truer sense. You remember how the country fared in that time, not that there were not brilliant men. Far be it to say so. There were men like Sir Muttu Coomaraswamy,

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

James Alwis, Charles Lorenz, names to conjure with. Those were men who undoubtedly did good work in Council. But they were the exception. From the days of George Wall right up to the time when only a year ago or thereabouts we succeeded definitely in asserting ourselves and securing at last some share of Reform.

Continuing, Mr. Pereira said that some 11 years, ago when he appeared before Col. Seely in connection with Reforms, the question was not one of Home Rule or Territorial representation, but the question was whether the system of representation of races and nominations by Government should continue; or whether the country should be divided into so many districts or provinces and that each province should be represented by a man whether elected or not—preferably elected. For that principle they had fought and they advocated it and got a very infinitesimal measure of success. But when they approached the Conservative Lord Milner—and they should not condemn the Conservatives because they were Conservatives, for even among the present Ministry there were men of the Hun type, true Britishers, who would give them justice and who would give them a respectful hearing—Lord Milner saw the injustice of the situation and it was he who granted us the present measure of Reforms. "And you may take it from me that were it not for local influence that measure of Reform would have been far greater than what has been granted to us now (applause). Even Lord Milner had to trust the man on the spot. Naturally he got to hear both sides of the case and you can't blame him. He acted according to his lights. It is therefore idle to suggest that this Congress has not done useful and substantial work. And Congress, remember, is the latest offspring of the Reform Movement and the father of this Congress let me tell you, is a Tamil—(hear, hear and cheers)—the once respected member of the Government Civil Service, a distinguished son of Ceylon, Sir Ponnambalam Arunachalam (loud applause). Let me tell the Tamils this: It is an insult to call you a minority in this country. You are not a minority. If you are a minority in numbers, you are a minority in brains (applause). You are people who do not realise your own strength. Did you for a moment suppose that Tamil gentlemen will not be elected to many

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

of the seats in the territorial electorates irrespective of the fact that an electorate was composed of Sinhalese mainly, Burghers mainly, Tamils mainly or Moors mainly? My own impression and firm belief is that if at this moment there were two seats granted for Colombo, one seat as a matter of sheer gratitude, apart from the ability and conspicuous position of the member himself, will and must go to our trusted friend here Mr. James Peiris (loud applause); and I may tell you with the same assurance and without any hesitation, the other seat will go as easily and as readily and as willingly to Sir Ponnambalam Arunachalam, (loud applause) the father of this Congress. I regret his absence to-day. I regret his action in not taking further part in our deliberations. You must accept disappointments both personal and otherwise in regard to all such public movements. I have taken part in many of these public movements, and I took part in that movement, as I said which brought the first scheme of reforms. And the thanks I got when I returned to Ceylon was downright abuse (laughter). I know I provoked it to a certain extent. I backed the wrong horse at the election (loud laughter). But that was no reason to abuse me. I acted according to my lights. It now appears that my lights were all darkness (laughter). It may be so. I generally stick to my old friends, and help them even when they are down in the world. But that was no reason why I should have been vilified both in the Press and outside. The result of that limited reform we secured was to bring into Council two men who were least expected to enter into that Council, they were Sir Ponnambalam Ramanathan when they brought him from his retirement in Kodaikanal to contest the Ceylonese seat, and the other happened to be a gentleman who during the whole of our movement—I am sorry to say this of the dead—was antagonistic, absolutely antagonistic to it and condemned the movement in vigorous language in his own Press. I mean the late Sir Hector VanCuylenberg. The sum total of our efforts was to put into our Council as a result of our labours two men whom we least expected would come there."

Continuing the speaker said that though he had been wronged personally, he did not cease to take any part or lot in the political

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

movement of this country, (hear, hear). On the contrary his interest in political advancement continued and would continue (cheers). Similarly he hoped that their distinguished leader Sir Ponnambalam Arunachalam would agree with him and come back and help at this particular crisis. He trusted that his Jaffna friends similarly would forget the comparatively trifling matters and meet them half way and realise that the Congress had fixed principles which could not be altered. They must remember that the Secretary of State for the Colonies was the final arbiter in this matter. The Congress Scheme had been forwarded to him, other schemes had gone to him and he had to decide what was right and what was wrong. Perhaps he might think both were wrong and decide on something between the two which would satisfy their aspirations. They were told again by the younger section of the Community who knew very much more than their elders that they knew a better system. Why did not they take charge of the Government of this country altogether? (Laughter). He had been doing something definite and constructive and not destructive. Then why should anything be done to disturb the proceedings there that afternoon? They were only trying to do their best for the good of the country. The Young Lanka League had stated that Congress was not proceeding rapidly and that it was dilatory, that old world tactics of memorials, petitions, cablegrams were out of date and that Congress must do something else. He would say with emphasis that it was the cablegrams, interviews, petitions and memorials that had made the Legislative Council of Ceylon what it is now (applause). It was not the pyrotechnical displays in the streets of Colombo that did it (laughter). It was to the sober work of sober men, constitutional work of those who understood constitutional rights that was due what they had secured so far. Comparing the present Council with the Council that preceded it, was there anyone who dared to say, in spite of the fact that the present Council was not powerful enough to resist the bureaucracy intent on doing wrong, that the present Council was not a miraculous improvement upon the previous one. That was all done by memorials and interviews personally with Colonial Office officials in England, not by any other method. What were the Young Lanka League Members

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

going to do? What other methods would they suggest? They were very clever in starting and making big speeches.

They got loud voices, what did they want? Did they want Congressmen to stand on their heads (laughter). Were they to arm themselves with blunderbuses and other instruments and go up to the Legislative Council or to Queen's House and aim at them? They might if they did so sometimes burst the blunderbuses and hurt themselves. He would like to be told of some quicker methods if not by the antiquatd methods. The only antiquated methods known were those known to all other parts of the British Empire, with one difference only in regard to Western lands where man had by some mysterious decree of Providence allowed more freedom than those of the East. There they were able to follow up constitutional agitation by the agitation of the sword. That was how one man Kemal Pasha succeeded in driving the Greeks and thus did the Allies succeed in driving the German tyrant out of the Continent of Europe and save the world from militarism, the only pity being that the saviours themselves were trying to adopt the same military methods. In this country the people were poverty stricken and the slightest taxation even with the raising of the duty by a few cents on articles of food would lead to starvation. If the people here had the training for fighting and were they able-bodied, even then what were they to the armed millions of the Empire who would crush them within the space of a few days if not a few hours. "Don't you be under the delusion that the Englishmen are cowards. Don't you believe that they can be bullied by mere talk. That is all nonsense. The only remedy open to us is the remedy of reason, of brains that work, I do not mean that you must act like so many slaves and slavishly obey every tyrannical act imposed on you. Far from it. Behave like men individual to individual. If an Englishman tries to knock you down, knock him down (cheers). But before you do that I tell you you must make your people self-reliant and self-supporting. In plain language make them economically independent." (Applause).

Mr. Pereira then referred to the two distinguished visitors from India recently, one India's Sweet Songstress that charming

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

accomplished lady, Mrs. Sarojini Naidu and the Poet Rabindranath Tagore. Any one possessed of the slightest degree of chivalry would raise his hat to that lady whether he knew her or not. He was reminded of those beautiful lines of Moore in regard to Sarah Carron, the affianced bride of the unfortunate and great Robert Emmet:—

"Ah, little they think who delight in her strains
How the heart of the minstrel is breaking."

And Mrs. Naidu's heart was broken for her master in prison, whose doctrine was that preached by the great preachers of the world from the dawn of civilisation up to now. That was the great Gandhi who began his work from the very bottom and who realised that practically nine-tenths of humanity were born to be hewers of wood and drawers of water. His object was to raise them from that level.

Continuing, the speaker appealed to the young men of the country to go among the people and teach them the doctrine of the great Indian Reformer whose advocacy of the adoption of Khaddar was a well-thought out scheme for elevation of the masses.

"Gandhi in your prison cell, I salute you, I salute you as the creator and orginator of the idea which if properly worked will result in the regeneration of your country, not only in the regeneration of your country but in the regeneration of all mankind." (Loud cheers).

Continuing the speaker advised the adoption of the hand loom in every home of this Island, rich or poor by means of which they could make their own clothes and make themselves independent. He did not mean that they were to take the step as a relative measure. They must remember that distinctly; it was a purely defensive measure against the taxation that was going to be imposed. So was the object of the resolution that was to be placed before them that day. These measures were intended to prevent the poor of the country from going to the plantations and replacing the Tamil coolies whose immigration was about to be stopped through the threatened embargo on labour by the Indian Government. He next dwelt on the local educational policy and said

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

that in this respect he knew some of his friends were not in accord with him. What was wanted was not a local University, but the promotion of education in the villages. The public schools in Ceylon had produced men of eminence and they could continue to do so. Those who could afford would yet send their children to an English University. One of the compulsory subjects in Ceylon should be English. (Cries of "No, no" by the Young Lanka League). He knew they would differ from him. It would be absolutely suicidal not to adopt such policy. Government would only be glad to help a policy to put English in the background.

In addition to English it was absolutely essential that they should have a thorough knowledge of arts and sciences. The Sinhalese man was a born engineer. Engineering knowledge was native born in the Sinhalese. It was a heritage from their fathers the great builders of Anuradhapura and Polonnaruwa (applause).

In continuation the speaker referred to the resolutions concerning railway fares and comments appearing in that connection in *The Ceylon Daily News*. He said:—"My friend of the *Daily News*, a paper to which we owe so much (hear, hear and applause). A paper which has stood for Reforms constantly and whose principles have never changed so far as I know, (applause), and whose criticism of our Congress have been perfectly independent—because they have praised us just as much as they have cursed us—a few days ago criticised adversely the resolution in regard to railway fares. That is a much misunderstood resolution. There again it is not intended as a relative measure but purely as a defensive one in the sense of saving the unfortunate people to whom a cent was as Rs. 10 to their richer brothers. It is to save them from ruin. Next the speaker referred to the pilgrimages made by Roman Catholics. Buddhists, Hindus and others to distant places of worship which in modern times were looked upon by some as picnic parties. The idea of pilgrimages was associated with hardship with a view to gaining merit, and so the idea of restricting railway travelling to actually necessary business only was to impress upon the poor people the necessity of saving their purses by not undertaking railway journeys, knowing thousands of rupees the Railway earned by such journeys.



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

That was the meaning intended in this resolution. Coming to the Salaries' Scheme, the speaker made lengthy remarks. Sir Graeme Thomson saw the folly and the madness in increasing taxation to raise salaries of Civil Servants, and had left it on record that by increasing taxation for that purpose, the Government would be guilty of madness. That position taken by Sir Graeme Thomson as the position of the Government, Sir William Manning had boldly thrown over. Sir Thomson Broom had also eaten his own words. He asked who was there among the Civil Servants who would have the manliness to return to the Treasury the increases given and say that he was not prepared to take the life-blood of the villager. The Civil Servant had a fixed income while the income of the taxpayer had diminished gradually, and yet the increasing burden of taxation fell on the long-suffering taxpayer. He (the speaker) liked to imagine, now that His Excellency was on his way home, whether he had the least thought of the people who were on the verge of starvation and burdened with taxation, when he was presented with a luxurious bill of fare on board the ship. It was the servant of the Civil Servant who got his wages that contributed from his little to his master's increased salary.

"Does he realise for one moment," asked Mr. Pereira, when he drinks his Creme-de-Menthe the nectar of the gods, (laughter) that he drinks the bloody sweat from the brows of the poor? (Loud applause and cries of "Shame"). I fear it is asking too much from many of these men to do what I thought they should do. But we will wait and see. One point more in regard to His Excellency—the departed Governor (loud laughter). Mr. Pereira then dwelt on the conduct of His Excellency the Governor who apparently had received from the Secretary of State instructions on representation made to him (the Secretary of State) that there would be dissatisfaction in the Civil Service if the Salaries Scheme was not approved, and asked why, if so, the fact was kept back from the members of the Legislative Council, and passed it as an ordinary measure. If the Secretary of State had instructed the Governor to put the matter through, and if it was considered to be a matter of paramount importance why did he not in common fairness inform the members of the Council of that

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

fact? They would always respect His Excellency as the representative of the their august Sovereign; but then did His Excellency act fairly by the representatives of the people? He had certainly broken faith with them. It was clear that the universal opinion of the country was that the people had lost their confidence in the Governor and that he could no longer rule over them. In conclusion the speaker said that all the resolutions had his warmest sympathy and he called upon Mr. E. J. Samarawickreme to propose the first resolution.

MR. E. J. SAMARAWICKREME in moving the first resolution that "This Congress declares that the action of the Government in rejecting the Report of the Finance Committee on the Salaries' Scheme and the Taxation proposals and in using the official vote to force through the Legislative Council the Budget provisions for enhanced salaries and additional taxation in defiance of public opinion and in utter disregard of the economic depression in the country is wholly indefensible, and is calculated to prolong and intensify the present deplorable condition of the people. This Congress thanks the unofficial members of the Legislative Council who opposed the action of the Government more especially those who by withdrawing from the Council and resigning their seats entered against such action the most emphatic protest possible in the circumstances" said that the subject of his resolution had been so fully discussed and so clearly explained, that it was hardly necessary for him to more than present that resolution to them. But at the same time he would ask them to allow him to make a very brief statement. There was a basic principle involved in that resolution, and that was that the funds contributed by all classes of the people should be under the control of the people's Representatives. That was the *raison-d'-etre* of the Finance Committe. That was the explanation of Col. Amery. That was the declaration made by him in the course of the debate, when he said that finance questions came before what was practically called the Lower House, which was composed of only three Official Members and all the Unofficials. Thus in that Committee they had a substantive majority. It was true that the recommendations of the Finance Committee were subject to revision by the Councillors as a whole but that

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

power was rarely exercised. He might say that those reserved powers applied to the Governor and those were powers which were to be exercised very rarely. The over-rid ng of the decisions of the Finance Committee by those extraordinary powers that were vested in the superior wisdom of the bureaucracy was to be used on extraordinary occasions as when the Finance Committee ran mad or was guilty of some obvious blunder or some patent misuse of their authority. The over-riding of the recommendations of the Finance Committee was to be from a constitutional point of view. Upon the same basis lay the power vested in the Governor. Now, what was the act of madness from which the superior wisdom of the bureaucracy sought to save the country. It was the recommendations the contrary of which, as had been pointed out by the Chair, had been pointed out by the Government as an insane procedure. Let them ask the question, had there been a proper use of that extraordinary power vested in an official for the revision of the recommendations of the Finance Committee and of their being overthrown by means of the official bloc. First and foremost the constitution of the Finance Committee belied that. One could not conceive of a more reasonable body of men than those who sat on the Finance Comm ttee of the present day. What the views of the Unofficial Members of that Committee were was too well-known. Let them all consider that matter from the point of view of the temporary increases, which had been granted. What was the meaning of those temporary allowances? Why were those allowances temporary? If permanent increases had been granted no difficulty would have arisen in granting further increases but if permanent increases had been granted it would not have been possible to reduce them. The meaning therefore was that those increases were given at a time when the cost of living was high, higher than it was to-day, when the general depression in the country was not so much felt as to-day, and the Legislative Council of the day decided that without imposing any fresh taxation temporary increases should be granted—temporary meaning that when the high cost of living went down those temporary increases should be reduced. Let them now examine the matter quite independently of all those *prima facie* proof, then it was impossible not to come to the conclusion that there had been an obvious blunder or patent misuse of authority.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

As their President had put the matter very clearly there were two causes operating upon which a general revision of salaries was considered. He wished to state what he considered the right view was. He thought that when there was general prosperity in the country, when the cost of living went up, then it was right and proper that the public should share that prosperity with the Public Servants. Then it followed almost as a necessary corollary that when there was general depression in the country the Public Servant should take a fair share in the want and the suffering of the people. Now, let them ask how those two causes had been operating. The high cost of living had placed the Public Servant in exactly the same position to the very cent as the taxpayer. But as the Chairman said, while the Public Servants' income remained stationary, the taxpayers' income had been reduced. The number of people who came into the Courts day after day and begged the indulgence of the Courts for relief was extraordinary at the present moment. There the matter stood. The money of the taxpayer had been taken and his income had been reduced to pay another who was in fact in the same position and whose income remained stationary. If any one dared to say that that was the right thing and that the refusal to do that was an act of madness, an obvious blunder, he said that nobody in this wide world would accept the action of that man as a true disinterested declaration. They had the declaration of the Ceylon Government made without any contradiction that what the Government had done as the means of salvation was an act of madness or insanity. He referred to the words of Sir Graeme Thomson who said that if the increase of salaries involved any taxation, that would be an act of madness and to put forward an action of that kind was a pernicious act required by some extraordinary misue of power or authority on the part of the Finance Committee. That was to say something which was diffiicult to describe without resorting to language which ill becomes that august assembly. The principle that money contributed by all classes of the people should be under the control of the people's representatives was a liberty which was conceded by the solemn declaration of the Under-Secretary of State himself.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

They were there to claim that their rejection of the Reforms which were practically inadequate was right, that it had been proved by instances such as those, and that their Constitution of the Legislative Council and the Order-in-Council of the Constitution that had been given to them for a year had proved and proved conclusively that those Reforms were absolutely inadequate. They were there to proclaim to those who had the power to convince them that they were wrong, that what they had asked for was right. And they were going to be as great a nuisance to them as they had been to them (the people).

In his feeling of indignation he had almost lost sight of the expression of the deep gratitude of the country to the people's representatives for the very decisive action they had taken. He need hardly regret the omission because it was hardly necessary for them to say to those gentlemen that the thanks of the whole country had been offered to them.

He then moved: This Congress declares that the action of the Government in rejecting the Report of the Finance Committee on the Salaries' Scheme and the Taxation proposals and in using the Official vote to force through the Legislative Council the Budget provisions for enhanced salaries and additional taxation in defiance of public opinion and in utter disregard of the economic depression in the country is wholly indefensible, and is calculated to prolong and intensify the present deplorable condition of the people. This Congress thanks the Unofficial Members of the Legislative Council who opposed the action of the Government, more especially those who by withdrawing from the Council and resigning their seats entered against such action the most emphatic protest possible in the circumstances.

Mr. J. N. Vethavanam in seconding the resolution, said that Mr. Samarawickreme, as the learned Lawyer he was, had put the case before them from a Lawyer's point of view. That subject had been dealt with so clearly and lucidly and laid before the country from the time that incident happened, that it would be absolutely waste of time on his part to reiterate what had been said over and over again. The resolution said that the action of the Government was indefensible from whatever point of view

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

they looked at it. It was indefensible constitutionally. The English people called themselves and rightly too, as the people who had such a wonderful constitution. . Their history was a fight for Constitutional freedom and the basic principle for all their Taxation had been "No Taxation without Representation." From the time of Simon de Montfort, from the time of King John, one of the fundamental principles of their Constitution had been "No Taxation without Representation." And what had happened to them? After years of fighting they got some sort of representation and their representatives came and told them that they could not be there. That representation was a mere travesty of representation. It was a mere sham, a mere fraud, and when Mr. James Peiris told H.E. the Governor that their presence was no longer necessary, he spoke a real and a great truth. Then again if they looked at the action of the Government from an economical point of view, he said it was most indefensible. The very resolution told them that the whole Scheme had been passed for the purpose of taxing the poor to enrich the rich. It was a thing which went to the very root of all questions of taxation. From that point of view also it was indefensible. He went further and said that morally it was an act indefensible by any moral standard. Could they judge the act and say that there was anything real or sound in it. That the poor should be taxed to fill the pockets of the rich, was anything more immoral than that? He submitted that it was well known that the sanction of the Secretary of State had been obtained for that Scheme by certain misstatements of facts. He thought that matters had been represented to him as being more serious than they were—that the Public Servants in Ceylon were so discontented that they had thought of a strike, if that Scheme was not passed. He submitted that such an idea must have been presented to the Secretary of State before his sanction was obtained. From whatever point they looked upon it, it was wholly indefensible and the country had risen to a man to protest against that iniquitous Scheme. It was not that they objected to higher salaries being given to Government Servants —most of their men were employed in the Government Service— but if the Government could by some magical procedure discover the means, let them be paid by all means. If Mr. Greene could

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

run the Railway on a commercial basis and bring more money to the general revenue, they had no objection. What they said was that was not the time to tax the people in order that a very small section of the community might be benefited. The Finance Committee was composed of men of learning and experience and they had devoted their time to the consideration of the scheme. They were not men who were willing to play to the gallery. They were not men who appealed only to a certain part of the community. When they were made to understand that their views would be respected they spent hours and days. Mr. James Peiris for one was versed in questions of finance and economical problems. When they had considered that question and made their recommendations the Governor simply told them: "I have made up my mind." That was exactly what happened. Even then their Representatives said: "Are we not going to consider the Taxations." Could a greater insult be offered to them. The whole of civilized Ceylon was insulted by that. Were they not right in expressing their indignation at the various meetings held from the North to the South? He felt constrained to ask: Why should this be done to the people of this Island. They were a great people. They were an ancient race. They were a people with a culture that extended far back into time whether Sinhalese or Tamils; and perhaps no people in the East were in closer touch with the West than the people of Ceylon. But yet for the last 300 years they had been grasping the shadow and leaving behind the substance. To a large extent they had been imitating the West and trying to take what was not suited to them. He was reminded of Emerson's saying: "Imitation is suicidal." They should not cling to things simply because it was theirs nor should they reject everything that was Western. It is true that they had produced certain great giants but they were individual. The national consciousness had gone to sleep until 1915. From that time the national consciousness of the people had been roused. It was only seven years ago that the real national life came into Ceylon and then the people began to realize that they also had a place on God's earth and that they should find a place in the comity of nations. From that time they had been working onwards. It was only a few men who had got together and got up the idea of the Ceylon National Congress. Whatever people might say

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

he had his faith in the Congress and he believed that their future will be from the Congress. They could see how much could be achieved in a very short time by united combined effort. In 1917 the first Conference and within three years the Council they saw came into being. After all it was the work of three years. It might be called by whatever names, a charter of servitude, but he agreed with the Chairman that it was the most miraculous change. He thought that they should all combine and continue their united work. Their President had told them of certain old men. Unfortunately there was a class of old men, who could not get out of their grooves, and said that things would go on as they wished. He referred to those old men, who stood out and criticised. Let them do what they liked. They believed in the Congress and that through it their salvation would be achieved. Everywhere in the world people had attained their liberty and freedom by constitutional agitation. If he had the trumpet of an archangel he would say: "Agitate, agitate, agitate constitutionally." That was the only method by which they would reach the goal.

Referring to the second part of the resolution he said that he remembered an expression of a great Indian patriot, who standing on the sea-beach and addressing a gathering of about 5,000 in 1907 soon after the partition of Bengal said: "Lord Curzon, God Bless Him." He wished to add: "Sir William Manning, God Bless Him." By that act Sir Wm. Manning had welded together the disunited forces of Ceylon, Sinhalese, Tamils, Burghers etc.

Referring to the members of his own community he said it was very painful to him to see that attitude. He felt that they were wrong. He did not think that the time would ever come when the Sinhalese people would be so powerful as to swallow the Tamils. Numerically they might be weaker but he felt that the Tamil cause and the Sinhalese cause was one. He felt that they would fall or rise together. As a matter of fact there had been a change of feeling in Jaffna recently and he extended his hand of fellowship to those who had the courage to go to Jaffna and endeavoured to bring about a settlement: Mr. Rajaratnam when he stood on that platform last year and compared the Tamils to a dead branch he did a great harm. The

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Tamil branch had never died and would never die. They were too hardy a race. He had only one idea more and that was to consider whether they were justified in sending back their Representatives to be insulted in the way that they had been. He left that to wiser heads.

Mr. W. A. De Silva, who spoke next, in Sinhalese, said that actions such as those of the present Government's were necessary for their political advancement. They must thank the Government for acting in this manner. It resulted in the ultimate good of the people. (Applause.) The Chairman had told them some valuable things. He was now a disciple of Mahatma Gandhi. (Applause.) As their respected President had said he believed in many things, but was not in a hurry to preach them from the house tops. He (the Chairman) was a man who did not act rashly and their young friends who were rather impatient would do well to listen to his advice. They could not do without old men, especially old men like Mr. H. J. C. Pereira. (Applause.) What the Government had done was the work of madmen. They ought to be in the Lunatic Asylum. But, however mad the Government was what it had done was sure to result in the ultimate good of the people. Gandhi's programme of economic independence if followed in Ceylon was bound to lead them to national greatness (applause).

---

## THE RESOLUTION CARRIED.

The President then put the resolution to the vote of the House and it was adopted unanimously and with acclamation.

---

## A PERSONAL EXPLANATION.

At the invitation of the President Mr. E. T. de Silva rose amidst great applause to make a personal explanation. He said:

"I desire to make a personal explanation. I will not detain you more than a minute. From the language and the words which fell from the lips of Mr. President, you would have thought a silly and thoughtless young man had advocated the communal

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

principle. I did nothing of the kind. (Applause.) What I said at the Public Meeting the other day was that in this crisis of our Island's history the political situation should be considered by all communities with mutual good will and forbearance—(applause)—with regard to the rights of the minorities. (Applause.) This Congress has already accepted that principle. (Applause.) It has provided safeguards for minorities. (Applause.) It has made special provision for the Indians, the Mohammedans, the Kandyans. (Hear, hear). With regard to the reserved seat for Colombo, I do not stand alone. A revered member of this Congress has signed a public document agreeing to such a seat—I mean the Vice-President of this Congress, a Ceylonese of Ceylonese, a Sinhalese of Sinhalese, a Congressman of Congressmen Mr. C. E. Corea. (Applause.) The President had spoken of the inviolability of public and private principles. I assure him that we shall always try to keep our public and private principles as bright and spotless as Mr. H. J. C. Pereira's baptismal robes. (Loud applause.)

---

## ANOTHER EXPLANATION.

Mr. H. J. C. Pereira then spoke a few words in explanation. He referred to Mr. E. T. de Silva's speech the other day, when he spoke about doing a little wrong to do a great right. Mr. De Silva's speech had been reported in the Press and had not been contradicted. He (the speaker) therefore, did not budge an inch from the position he had taken up and maintained that if the Congress was to continue to be a useful body, it would not be wise to go back upon its vital principles, even for the purpose of bringing about unity. (Applause).

Mr. G. A. Wille then said he would beg permission to speak a few words. He said he had been very jealous of the reputation of the Congress and would like to remove the effect of a misrepresentation. The concession that was granted to the Mohammedans, Kandyans, and Indians was made on their representations that they were a backward community and that if they had to compete with the rest of the population in elections,

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

they would not be able to do so. But the Tamil community had no right to place themselves in the position of a backward community in their demand for a reserved seat in Colombo. So long as they were sure that the Tamils would be strongly represented in Council they could not sacrifice the basic foundations on which the Congress was built.

Mr. Wille went on to speak of the dangers of communal representation when Mr. C. E. Victor S. Corea, interrupted him saying he had no right to make a speech at that stage.

The President : He is going to stop.

Mr. Wille replied that he had not intended to speak, that he was not well enough to speak but that he rose because he wished to make the position clear how those concessions came to be granted to the Indian and Mohammedan communities.

Mr. H. J. C. Pereira : This is only a little by play, and we are not unaccustomed to theatricals on this stage. (Laughter.)

Then Congress adjourned.

---

## DELEGATES.

The following Delegates were present :—

Lanka Mahajana Sabha—Messrs A. V. Dias, P. W .Charles de Silva, Tudor Ranasinghe, A. Mendis, A. C. G. Wijeyekoon, D. C. Senanayeke, F. R. Senanayeke, D. S. Senanayeke, Dr. Hector Ferdinando, H. D. C. Gunasekera, Dr. T. C. Fernando, E. Y. D. Abeyagunawardena, D. A. Ratnayake, A. D. C. Amirthaweera, J. P. Seneviratne, D. T. W. Rajapakse, H. R. Gunawardena, N. K. Jayakody, G. W. B. Kiriella, J. E. Gunasekera, A. P. Goonaratne, B. Charles Perera, D. N. W. de Silva, A. P. Goonetilleke, P. C. M. Kularatna, K. B. Gajanayake, O. P. Ranasinghe, D. D. W. Pratiraja, L. B. Hippola Bandara, J. D. P. Perera, Piyadasa Sirisena, W. E. Bastian, P. de S. Kularatne, D. Geo. Attygala, S. D. S. Gunasekera and J. R. Sri Chandrasekera.

Ceylon National Association.—Messrs. H. M. Gunasekera, James P. Fernando, C. A. Botejue, Henry L. De Mel, Charles

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Peiris, Dr. D. B. Perera, Messrs. S. R. Wijeymanne, James Peiris, G. A. Wille, Roland Perera, C. E. Gunaratne, A. C. Abeywardene, Walter de Soysa, E. G. P. Jayatilleke, F. B. Ekanayake, D. E. Weerasuriya, D. R. Wijewardene, G. L. Cooray, W. Sathasivam, E. T. de Silva, B. F. de Silva, E. W. Jayewardene, M. W. H. de Silva, E. J. Samarawickreme and E. W. Perera.

Ceylon Workers' Federation.—Messrs. D. B. Jayatilaka, C. H. Z. Fernando, Martinus C. Perera, A. R. Marthos, L. P. Nigli, D. S. Gunewardene, P. S. Perera, J. T. Perera, P. A. M. Perera, J. F. D. Allahakoon, A. Geeris Appuhamy, G. D. Granville Seneviratne, K. D. David, W. B. Dolapihele, J. A. Edirisinghe, D. A. Wijeratne, N. E. Perera, D. J. Perera, G. A. Fernando, V. S. Perera, T. A. Dharmasena, and M. M. Pinto.

Rambukkana Mahajana Sabha.—Messrs. K. L. Justin Perera, P. H. A. de Silva.

Ambalangoda Association.—Messrs. H. de S. Kularatne, R. S. Jayewickrema, David de Vas Gunewardene, David de Silva and Ginige.

Negombo Association.—Messrs. A. F. Rajasingham, D. F. Jayawardene, D. T. H. de Silva, T. H. de Silva, T. Rodrigo, Andrew Fernando, John X. Fernando, M. P. Kurera, Peter Almeida, Peter Zylva and Martin Silva.

Galle Association.—Messrs. C. L. Wickremasinghe, R. H. Sadris de Silva, H. Napier Dias, C. W. W. Kannangara, H. B. Gunewardene, and T. Amarasuriya.

Kegalla Mahajana Sabha.—Messrs. H. S. Manchanayake, D. S. Fernando, D. J. Senanayake, A. C. P. Kanagasabai, R. P. P. Weerasuriya, R. V. Dedigama and A. A. Wickremesinghe.

Young Lanka League.—Messrs. C. E. V. S. Corea, T. B. de Silva, M. David, P. N. Jayanetti, Sidartha Corea, Proctor Corea, M. Raja Muttiah, P.D.G. de Silva, A.C. Chellarajah, A. H. Tudor Fernando, A. E. Goonesinghe, M. M. Vararajasinghe and C. A. F. Perera.

Kurunegala Association.—Messrs. P. G. P. Gomes, P. Tambyrajah, W. A. C. de Silva, P. Ranasinghe, S. Pasupathy, and A. B. Colin de Soysa.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Galle Muslim Association.—Messrs. T. Magdon Ismail, Hafil A. Vil Cassim and S. Cassim.

Chilaw Association.—Messrs. G. C. S. Corea, S. C. S. Corea.

Matale Association.—Mr. H. de Gunasekere.

Ceylon Muslim Association.—Mr. H. Manurjee.

Sinhalese National Association.—Mr. D. H. S. Nanayakkara.

Kandy Mahajana Sabha.—Messrs. C. J. Peries, Frank P. Seneviratne, George E. de Silva, Forrester Obeyesekere, J. N. Vethavanam.

Matara Association.—Messrs. D. A. J. Kulatunga, C. A. Aryatillake, W. Balasuriya.

Ratmalana.—Miss Aseline M. Perera.

---

## " AT HOME " AT THE MASONIC HALL.

In the evening from 5 to 7 o'clock, Mr. E. J. Samarawickreme, the Chairman of the Reception Committee, and its members, were "At Home" to the delegates and others at the Masonic Hall, Galle Face. There was a large attendance. Mr. H. J. C. Pereira, the President of the Ceylon National Congress was also present with Mrs. Pereira. The Eastern Jazz Band was in attendance and discoursed a fine selection of Music. Light refreshments were lavishly served and everybody present spent a very enjoyable evening.

---

The following excerpts from the minutes of the Executive Committee meetings of Congress explain the circumstances which led to the Special Sessions of October, 1922.

"The President said that the Hon'ble Mr. James Pieris, wished to make a statement in regard to the political situation and the action of himself and his colleagues in Council in refusing to serve on the allocation and distribution Committee then addressed the Committee.

"The President said that he agreed with the conduct of the elected members who refused to work on the Committee appointed for the distribution and allocation of seats. He suggested that the Congress should support the elected members who refused to sit on the Committee.

"On the motion of Mr. E. J. Samarawickrema seconded by Mr. F. A. Obeyesekera the following resolution was passed 16 voting for and 5 against it.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

"This Committee is of opinion that the appointment of the Committee of the Legislative Council for the allocation and distribution of territorial seats can serve no useful purpose and that such proceeding can only delay the Reform of the Constitution. It deprecates the adoption by the Legislative Council, on the 10th December, 1921, of a resolution for the appointment of such a Committee and approves the action of those elected members who refused to serve on that Committee."—(24-6-22).

"The political situation was considered. On the motion of Mr. George E. de Silva, seconded by Mr. D. B. Jayatilaka the following resolution was passed.

"That a special meeting of the Executive Committee be summoned for a convenient date to which all the territorially elected members of the Legislative Council be invited to consider the desirability of the immediate resignation of all the territorial members in view of the attitude now adopted by Government in regard to the reform question."

"The Salaries Scheme was considered. On the motion of Mr. S. M. Ismail, seconded by Mr. C. W. W. Kannangara, it was resolved to request the territorial members to oppose the introduction of the salaries scheme at the present juncture in view of the deplorable state of the country's finances and the impossibility of deciding how far the country can bear the burden of further taxation. It was also resolved to draw the attention of the territorial members to the terms of Res. No. 3 unanimously passed at the sessions of Congress held on the 22nd and 23rd December, last.'

(29-7-22).

"The Conference between the territorially elected members of the Legislative Council and the Executive Committee was held at the Congress Rooms, 87, 2nd Division, Maradana, on Saturday the 18th August at 4:30 p.m.

"The President explained the purpose for which the conference was called. He read the resolution passed by the Committee on the 29th of July on the subject of the conference, and suggested that the political situation be fully considered. He called upon the members of the Legislative Council who were present to express their view and to assist the Committee in deciding as to the course of action to be adopted.

"The Hon'ble Mr. James Pieris said that he would be only too glad to resign his seat if any constitutional question arises. He referred to the pledges given by H. E. the Governor to the Congress deputation and the subsequent correspondence he had with His Excellency. He said that he would introduce a motion in the Legislative Council at the earliest opportunity requesting the publication of the Government Scheme of Reform and asking when it will be published.

"Mr. E. T. de Silva moved and Mr. C. W. W. Kannangara seconded the following resolution :—

" (a) That the next Session of Congress be held in December (b) This Committee is of opinion that the territorial members of the Legislative Council should resign their seats unless the proposals of Government are published after the next session of Congress to be held in December and unless such recommendations are in conformity with the principal demands of Congress embodied in Res. No. 1 of the Congress of December, 1921. The motion was put to the house and lost.

"It was thought advisable that the territorial members should continue till the Government's views on Reforms are ascertained and the course of action the Congress should adopt is decided.

Read and confirmed minutes of the last meeting held on Saturday the 29th July, 1922.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

"Mr. D. E. Weerasuriya moved and Mr. M. T. de S. Amarasekera seconded that the adjourned session of Congress be held on the 27th and 28th October. The motion was put to the house and carried.

"The present political situation was considered. On the motion of Mr. George E. de Silva, seconded by Mr. W. Sathasivam the following resolution was passed :—.

"The Committee having considered the action of the Government in rejecting the report of the Finance Committee on the Salaries Scheme and the Taxation proposals as well as the critical situation which has arisen by the resignation of the eleven territorially elected members and the member for the L.C.P.A., are of opinion that the action of the Government was wholly unwarranted and unjustifiable and that the retiring members adopted the only course open to them in the circumstances and resolve that a sub-Committee consisting of the President, the Secretaries, and Messrs. E. J. Samarawickrema, E. T. de Silva, Victor S. Corea, F. R. Senanayaka, D. B. Jayatilaka, and Dr. E. V. Ratnam be appointed to draft the necessary resolutions on the subject to be submitted to the Congress at its forthcoming Session. '—(7-10-22).

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

# MEMORIALS.

SECTION II. *Memorial A.*

To

The Right Honourable
Winston Spencer Churchill, P. C., M.P.
His Majesty's Principal Secretary of State
for the Colonies,
Downing Street,
London.

Sir,

The numerous Memorials sent from Ceylon from time to time to the Secretary of State for the Colonies by the Ceylon National Association, Ceylon Reform League and the Ceylon National Congress and other Associations to which your Memorialists beg to draw your kind attention disclose fully the efforts made by the people of Ceylon during the past thirty or forty years to secure a measure of responsible Government for the Country.

2. When as the ultimate result of these long-continued efforts an Order in Council was proclaimed in September 1920 reforming the Constitution in certain respects, the country was greatly disappointed and dissatisfied with the reforms granted, more especially in view of the larger and more liberal measure of reforms granted to the neighbouring Continent of India which admittedly was far behind Ceylon in point of educational and political progress. The reforms granted were so utterly inadequate that the people felt that they could not bring themselves to co-operate with the Government in working them and publicly announced, through their delegates in the Ceylon National Congress, their intention not to send their representatives into a Council in which the popular view could not prevail.



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

3. In these circumstances a few leading members of the Congress including the then President, Mr. James Peiris, met His Excellency the Governor by appointment and an arrangement was arrived at by which the Governor undertook to appoint a Committee soon after the first meeting of the new Council to consider the standing orders in Schedule III of the Order in Council. He agreed to give effect to the decision of the unofficial side of the Council in regard to certain standing orders and to recommend the amendment of others. He finally agreed that after giving a fair trial to the working of the new Council for about one year all further motions with a view to the amendment of the Order in Council would, after discussion in Council, be forwarded to the Secretary of State with his recommendations thereon and that in making such recommendations he would give due weight to the views of the unofficial members of the Council.

4. Your Memorialists beg to submit herewith a printed copy of the official report of the interview and the correspondence that passed between the President of the Congress and the Attorney-General in regard to the compromise arrived at.

5. In accordance with the arrangement above referred to certain resolutions on the subject of the reform of the Constitution were introduced by Mr. James Peiris and they were fully discussed and considered by the Legislative Council on the 1st, 2nd, 8th, 9th and 10th of December, 1921. Nearly every unofficial member of the Council gave full expression to his views on these resolutions and certainly as regards the communal representatives and the representatives of special interests, their views as would naturally be expected, were stated in no uncertain voice. In the opinion of the Memorialists it was unfortunate that the official element in Council was permitted to take part in the debate and vote on the resolutions. On a similar occasion in the Legislative Council of Burma, the Governor of that country adopted a far more statesmanlike and impartial attitude by restricting the voting to the unofficial members only in order that the true popular feeling on the subject discussed might be accurately estimated.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

6. The result of the debate in this mixed assembly of officials, nominated unofficials, communal and special representatives, and a minority of territorial representatives was to create a strong impression on the public mind that the Government of this country was by no means anxious to further the cause of reform. By the vote of the official and nominated majority as well as by the votes of the majority of communal representatives, the first and the most important of these resolutions was declared lost, although as a matter of fact if the unofficial votes only were reckoned including all the nominated, communal and special representatives, there was a majority of one in favour of that resolution.

7. The other resolutions proposed by Mr. James Peiris were clearly dependent on the passing of his first resolution. Without it they were meaningless, more especially the 8th resolution, which was based entirely on the acceptance by the Government of the first. In this connection the Memorialists beg to quote the following extract from the speech of the Attorney-General as reported in the "Ceylon Hansard" No. 27 of the 10th December 1921 at page 820 :—

> "I do not see how such a Committee or Commission could act with advantage to the settlement of this question unless you give it a principle upon which it has to proceed. If you say territoriality is to be the principle to be applied, then it is comparatively easy. But, Sir, when you come to have three principles in operation : first, the community principle ; then the community plus territorial principle ; and lastly, the territorial principle, I defy any Committee or Commission, whether it comes from here, from abroad, or even from above, to arrive at a working settlement."

The Attorney-General was the spokesman for the Government on the occasion and his views, therefore, must be considered as the views of the Government. By his words above quoted, he clearly indicated that without deciding upon a principle of allocation in regard to territorial and other seats, it would

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

be impossible for a Committee or Commission, even if it came from heaven, to arrive at a working settlement. The Congress is in entire accord with the Attorney-General in his vigorous expression of this salient truth. It was therefore with no little surprise that the Memorialists found that at the tail-end of the discussion, Mr. Pieris's 8th resolution was on the suggestion of the Attorney-General himself amended by the addition of certain words which gave the Committee referred to in it power to devise a scheme both for the allocation and distribution of territorial seats and the motion in this amended form was passed unanimously. Your Memorialists cannot help thinking that there was some unexplained misconception in the minds of all present in regard to the effect of this resolution. It was calculated to defeat the principle of a territorially elected majority always insisted upon by the Congress. It was opposed to the spirit and letter of Mr. James Pieris's first resolution. It was condemned by the Attorney-General himself in the earlier part of the debate as an attempt to accomplish the impossible. As a climax to this extraordinary development His Excellency the Governor actually suggested that the allocation and distribution of territorial seats should be left to a Committee composed of members selected on a purely communal basis. Your Memorialists feel that no further comment is necessary to satisfy you that the deliberations of such a Committee or any Committee composed of members of the Legislative Council, as at present constituted, would not be of the slightest value in deciding upon the principle of allocation of territorial seats. The Governor has since appointed a Committee composed of 4 territorial members, and 5 communal members with an official Chairman to submit a scheme for the allocation and distribution of territorial seats. The remaining seven territorial representatives refused to serve on this Committee and through their senior member, Mr. James Pieris, protested against the appointment of any Committee without the principle of allocation being first settled. In view of the opinions already expressed by its members in the course of the Reform debate in Council the recommendations of this Committee might well be regarded as a foregone conclusion.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

8. In regard to the minorities, the Congress has repeatedly put the question as to what their separate interests are as distinct from the interests of the country generally. This question still remains unanswered and will never be answered for the obvious reason that they have no separate interests. As a concession to sentiment, however, the Congress, on behalf of the people of the country, have conceded to these minorities a larger representation than they can justly claim even in the most favoured circumstances. Mr. Pieris's ninth resolution, throwing open the territorial electorates to all races, was willingly accepted and unanimously agreed to by the whole Council. Having secured all they wanted and even more the minorities are now asked to sit in judgment on the form and strength of the representation to be given to the country generally of which they are comparatively a negligible factor.

9. Your Memorialists protest that the action on the part of the Ceylon Government in the appointment of a Committee to help to decide upon the vital question of territorial representation is a retrogressive and reactionary measure calculated to delay the reform of the Constitution. It is likely to create a false impression as to the true popular feeling in regard to the Congress claim for a majority of territorial seats. The Memorialists have already submitted to you, in their Memorial of the 20th March, a scheme for the allocation of territorial seats based on, what they hold to be, the true principles of democratic reform. They consider that a substantial majority of territorial seats at the present time is a matter of vital importance for the political growth of the country towards self-government; and in view of the liberal provisions made towards such an end but recently in Burma (a country which cannot be compared to Ceylon in the matter of political development), the Memorialists feel that in common fairness Ceylon is entitled to a Constitution not less liberal than the one granted to Burma.

10. Ceylon claims the proud distinction of being the most loyal of His Majesty's Dominions. The agitation for reforms has been carried on so far in this country on strictly constitutional

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

lines in spite of the events that have taken place in the neighbouring continent, and the Memorialists feel that it would be disastrous to the ordered progress of the country if the impression were to take root in the minds of the people that constitutional measures alone are of little avail in securing constitutional rights.

11. Your Memorialists feel confident in your sense of justice as the final arbiter on the questions that have been recently discussed in the Legislative Council, and while firmly and respectfully protesting against the action of the Government of Ceylon in appointing the Committee above referred to, they beg to approach you in the sincere hope and belief that you will see justice done to this country and thus remove from the minds of the people the strong feeling of discontent and suspicion which recent events have unfortunately aroused.

12. In view of the serious nature of the situation, the Memorialists have already sent you the following cablegram in regard to the subject of this Memorial.

"This Committee is of opinion that the appointment of the Committee of the Legislative Council for the allocation and distribution of Territorial seats can serve no useful purpose and that such proceeding can only delay the reform of the Constitution. It deprecates the adoption by the Legislative Council on the 10th December, 1921, of a resolution for the appointment of such a Committee and approves the action of those elected members who have refused to serve on that Committee."

"Intense feeling in the country that the appointment of the Committee is an attempt by Government to go back on their promise to help to secure further reforms."

And your Memorialists as in duty bound will ever pray.

1. M. A. Arul Anandan, B.A. (CAL.) Advocate, Hony. Secretary and Treasurer, Ceylon National Congress, Colombo,
2. M. T. de S. Amerasekera, LL.B. (LOND.) Barrister-at-law, Hony. Secretary, Ceylon National Congress, Colombo.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

3. J. A. C. Attygalle, Proctor, Ratnapura.
4. C. Ariyanayagam, Proctor, Vice-President, Matale Association, Matale.
5. W. E. Bastian, Merchant, Colombo.
6. C. E. Corea, M.L.C., Vice-President of the Ceylon National Congress, Chilaw.
7. P. Chelvanathan, Advocate, Chilaw.
8. C. E. Victor S. Corea, Advocate, President Young Lanka League, Chilaw.
9. Dr. S. O. Dharmaratne, President, Kalutara Association, Kalutara.
10. C. H. Z. Fernando, B.A., LL.B., (CANTAB) Member of the Municipal Council, Colombo.
11. J. E. Gunasekera, Hony. Secretary, Lanka Mahajana Sabha, Colombo.
12. D. J. K. Goonetilleke, Proctor, Kalutara.
13. Dr. C. A. Hewavitarne, Ex-President, Low Country Products Association, Colombo.
14. S. M. Ismail, Colombo.
15. A. S. John, Hon. Secretary, Indian Association of Ceylon, Colombo.
16. T. B. Jayah, B.A. (LOND.) Principal, Zahira College, Colombo.
17. D. B. Jayatilaka, M.A. (OXON.) Barrister-at-law, President, Ceylon Workers' Federation, Colombo.
18. E. W. Jayawardene, Advocate, Member of the Municipal Council, Colombo.
19. A. St. V. Jayawardene, K.C., Ex-President, Ceylon National Association, Colombo.
20. C. W. W. Kannangara, Honorary Secretary, Galle Association, Galle.
21. Kamar Kassim, Proctor, Colombo.
22. H. de S. Kularatne, Proctor, Ambalangoda.
23. A. F. Molamure, B.A. (CANTAB) Barrister-at-law, Kegalle.
24. F. Magdon Ismail, Proctor, Galle.
25. A. Mahadeva, B.A. (CANTAB) Barrister-at-law, Colombo.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

26. A. H. E. Molamure, Proctor, President, Ratnapura Mahajana Sabha, Ratnapura.
27. Revd. J. S. B. Mendis, Madampe.
28. Forrester Obeyesekera, Barrister-at-law, Honorary Secretary, Kandy Mahajana Sabha, Kandy.
29. H. J. C. Pereira, K. C., President, Ceylon National Congress, Colombo.
30. E. W. Perera, M.L.C., Ex-President, Ceylon National Association, Kotte.
31. James Peiris, M.A., LL.M., (CANTAB.) M.L.C., Colombo.
32. R. L. Pereira, Advocate, Member of the Municipal Council, Colombo.
33. W. H. W. Perera, Proctor, Honorary Secretary, Total Abstinence Central Union, Colombo.
34. W. M. Rajapakse, M.L.C., Negombo.
35. C. S. Rajaratnam, Advocate, Kandy.
36. Dr. E. V. Ratnam, F.R.C.S., (EDIN.) Member of the Municipal Council, President, The Colombo Tamil Association, Colombo.
37. W. A. C. de Silva, President, Kurunegala Association, Kurunegala.
38. E. J. Samarawickrema, Barrister-at-law, Colombo.
39. E. T. de Silva, B.A. (CANTAB.) Barrister-at-law, Colombo.
40. F. R. Senanayake, President, Lanka Mahajana Sabha and Low Country Products Association, Colombo.
41. D. S. Senanayake, Colombo.
42. Peri Sunderam, M.A. LL.B., (CANTAB.) Barrister-at-law, Vice-President, Ceylon Indian Association, Colombo.
43. M. W. H. de Silva, B.A., (LOND.) Barrister-at-law, Bambalapitiya.
44. M. K. Saldin, Merchant, Colombo.
45. George E. de Silva, Proctor, Member of the Municipal Council, President Y. M. C. A. Kandy.
46. W. A. de Silva, Ex-President, Low Country Products Association, Colombo.
47. W. Sathasivam, Proctor, Colombo.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

48. H. A. P. Sandarasagara, Barrister-at-law, Ex-President, Ceylon National Association, Colombo.
49. P. Tambirajah, Proctor, Member of the Local Board, Kurunegala.
50. J. N. Vethavanam, M.A. B.L., Advocate, Honorary Secretary, Kandy Mahajana Sabha, Kandy.
51. J. S. Weerasinghe, Proctor, Matara.
52. D. R. Wijewardene, B.A., (CANTAB.) Barrister-at-law, Honorary Secretary, Ceylon National Association, Colombo.
53. C. L. Wickremasinghe, Proctor, Ex-President, Galle Association, Galle.
54. S. R. Wijeyemane, Advocate, Bambalapitiya.
55. D. E. Weerasooriya, Proctor, Colombo.
56. E. A. P. Wijeyeratne, Proctor, Kegalle.
57. A. A. Wickremasinghe, Proctor, President, Kegalle Mahajana Sabha, Kegalle.
58. G. A. Wille, Proctor, Colombo.
59. A. C. G. Wijeyekoon, M.L.C., Kandy.
60. Francis de Zoysa, Advocate, Colombo.

Ceylon National Congress Chambers,
Colombo, 8th July, 1922.

---

SECTION II.—*Memorial.—B.*

COLOMBO,
31ST AUGUST, 1922.

To

THE RIGHT HONOURABLE,
WINSTON CHURCHILL, P.C., M.P.,
His Majesty's Secretary of State for the Colonies.

Sir,

1. Since we had the honour of forwarding to you our letter dated 7th July last, with reference to the proceedings of Council on the 16th and 22nd June, and the appointment of the Allocation Committee by His Excellency the Governor, circumstances have arisen, which make it necessary that we should address you again on the subject of the reform of the Ceylon Legislature.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

2. The report of the Allocation Committee was laid on the table of the Council on July 20th and we understand that it has already been forwarded to you by the Government.

3. That report, as we anticipated, did not give any "guidance" with regard to the matter submitted to it, and the conflicting opinions expressed in it (in some cases on questions not referred to the Committee, *e.g.* whether there should be a territorially elected majority in Council or not) and the numerous riders attached to it, only emphasised the differences of opinion, which were manifested in the Reform Debate of December last between the members elected to represent the territorial divisions and certain Communal members elected and nominated.

4. It was inevitable that the report would be of this unsatisfactory character, in view of the fact, that the Government did not give the Committee any principle to work upon, and had refused the very reasonable request of the Member for the Town of Colombo for certain information, which was necessary for the proper discharge of the duties imposed on the Committee.

5. In a rider to that report, signed by four (4) Communal members appointed to serve on that Committee, attention was drawn to a memorandum, signed by them and by the Nominated Tamil Member, Sir P. Ramanathan, the Nominated Burgher Member, the late Mr. Arthur Alvis and the European Urban and Rural Members, submitted to the Governor previously, "as containing the principles on which proper representation in the Council should be based."

6. In another rider, signed by the member for the Northern Province, a memorial from the Tamil Mahajana Saba was referred to, as showing, how the adequate representation of the Tamil inhabitants of the Northern and Eastern Provinces could be secured.

7. As by those references, the said documents were practically incorporated into the report, the Member for the City of Colombo on the 2nd August asked the following question in Council, "Will the members of this Council be given an opportunity of acquainting themselves with the contents of the memorandum and memorial referred to in the riders Nos. 1 and 3

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

respectively attached to the Allocation Committee's report?" to which the Colonial Secretary replied as follows, "Honourable Members who desire to acquaint themselves with the contents of the documents mentioned should apply to the authors, Government has no authority to publish those documents."

8. On the 24th August, the same member of Council, with the view of getting a clear expression of opinion from Government, regarding the right of members of Council to have access to documents which are filed of record, and expressly referred to in reports of Committees of the Council, asked the following questions :—

(1) "Were the Memorandum and Memorial referred to in the Allocation Committee's report submitted to Government to be forwarded to the Secretary of State for the Colonies, and were they submitted in triplicate?

(2) Are copies of these documents filed of record, and if so, have not the Members of this Council a right to have access to them, as they are expressly referred to in the report of the Select Committee of this Council "as containing principles on which proper representation in Council should be based?"

9. The Colonial Secretary's replies were as follows :—

(1) "The Memorandum referred to was submitted in triplicate to be forwarded to the Secretary of State. The Memorial was addressed to the Governor with no such request nor has it been forwarded to the Secretary of State.

(2) A copy of the Memorandum is so filed, but since the Memorandum was forwarded to Government as a confidential document, Members of the Legislative Council cannot have access to it through Government. It is understood, however, that this Memorandum has since been published in the Press.

(3) As regards the Memorial—as far as is known it was not a Confidential document, but was addressed to the Governor, but as already stated in reply to a question upon the same subject, Government has no authority to publish this document even though it may have been referred to in a rider to the report of the Select Committee, and it will not be made available to Members

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

of this Council through Government unless the authors so desire."

10. We respectfully submit that these answers are evasive, and that, in the circumstances, Members of the Legislative Council, were entitled to have access to those documents, and that if it was necessary that the consent of the authors should be obtained, which we deny, the Government should have obtained it, and that the Government was wanting in courtesy in referring them to the authors of the documents in question.

11. We might in this connection suggest the desirability of a definite ruling as to whether Members of the Legislative Council are entitled to have access to documents filed of record to which reference is made in reports of Committees of the Council.

12. As is indicated in the answer of the Colonial Secretary, the Memorandum referred to has been published by the "Ceylon Daily News," which had succeeded in procuring a copy, although, from the answer of the Colonial Secretary, it is clear that both the Government and the authors of the document intended that it should never see the light of day.

13. In the first place, we would urge that it was not proper for members of Council, who took part in a discussion in Council and had the opportunity of expressing their opinions fully in open debate, and did actually do so, to submit a confidential document to the Governor for transmission to the Secretary of State, in which the question discussed in Council is again reviewed, the opinions expressed by other members criticised, and proposals made which were never submitted to Council, and that it was not proper for the Government to agree to treat it as confidential.

14. How indiscreet this action of the Government was is shown by even a cursory glance at the contents of this document, which teems with misrepresentations and charges of breach of faith against members of Council and allegations that they were actuated by unworthy motives which they were not to be given an opportunity to rebut.

15. Although we are prepared to concede, that the Government has the right of addressing confidential communications to

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

the Secretary of State regarding proceedings of Council and public matters generally, we question the right of private individuals, even if they be members of Council, to forward to the Secretary of State through the Government confidential communications of the nature of the Memorandum referred to.

16. It is noteworthy that although the Memorandum professes to be a joint memorandum of the European, Burgher, Tamil, Mohammedan and Indian Members of the Council, that the Tamil member for the Eastern Province was not a party to it, did not sign it and has publicly condemned the scheme of distribution of Seats contained in it and that the only other elected Tamil member, the Member for the Northern Province, whose private telegram to Sir P. Ramanathan is attached to the Memorandum, says in a statement in the Public Press, that he refused to sign it and that he disagrees with many of the principles enunciated in it and that the President of the Ceylon Muslim Association, whose letter is attached to the Memorandum says that "he did not see the Memorandum, that although he was promised a copy he was never given one, that if he had seen it he would have been the first to repudiate many of the statements contained therein" and that Members of the Committee of the Burgher Electorate and the Ceylon Muslim Association also deny that their Committees had seen or approved the memorandum or the Scheme of Distribution. Sir S. C. Obeyesekera, who sat in the Legislative Council for a long period as the Senior Sinhalese Member and who is referred to in the Memorandum as being in sympathy with its authors and as opposed to the Congress demand for a territorial majority, has in an interview in the Press expressed himself as distinctly in favour of such a majority. Other communications in the Press from members of Communities other than Sinhalese and the Resolution of the Committee of the Colombo Tamil Association to the effect that "The Scheme formulated by the Minorities Conference embodied in its Memorial reduces the Tamils of the Island to a position of political impotence. This Association expresses its unqualified disapproval of that Scheme," show that the Memorandum in question was hatched in secret and does not

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

represent the views of several of the Communities for whom it professes to speak, and that its authors would not have made the many misrepresentations contained in it, if they anticipated that it would be ever made public in this Country.

17. The authors of the Memorandum have the temerity to ask you to believe that the Sinhalese Members of the Council, who have been elected to represent the whole of the Island except the Northern and Eastern Provinces, have no claim to speak for anybody but themselves. In view of the above disclosures regarding the way in which this Memorandum was prepared unknown to the Communities concerned, and the repudiation of it by those on whose behalf it professes to speak, it may well be asked whether the Signatories to it can claim to speak for anybody but themselves.

18. While we do not think it necessary to pass any comments on the many misstatements and misrepresentations contained in the said Memorandum, we would wish to make a few observations on certain points connected with the main object for which it was submitted to the Government.—viz. to induce it to take a retrograde step in regard to Constitutional Reform in Ceylon; but before doing so, we would draw your special attention to the following paragraph in that document, as it has an important bearing on the report of the Allocation Committee. "As five out of the six Communities are now agreed on the question of allotment and distribution of the elected, nominated and official seats it would be waste of time and energy to wrangle once again with persons who will not be convinced, and whose aim is to subject to their own will the will of all the other Communities. We do not want a Committee of the Council to decide a matter about which we have now very clear views. We respectfully submit them to the Government."

19. In the face of this strong expression of opinion by the authors of the Memorandum in February last of the futility of the Committee, it is surprising that the Ceylon Government sought for and obtained the Secretary of State's approval for the appointment of an Allocation Committee, and nominated four (4) of the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Signatories to serve on it, with the full knowledge that they had already made up their minds regarding " the question of the Allocation and distribution of elected, nominated and official seats" and it is equally surprising that those members supported the appointment of the Committee and agreed to serve on it.

20. The Scheme of Allocation and Distribution advocated in the Allotment Committee by the four (4) members in question is practically that suggested in the Memorandum and it is evident that they made no attempt to distribute seats according to any principle, and that the allotment of four (4) seats to the Northern Province and a reserved seat for the Tamil Community in the Western Province as against four (4) seats for the latter Province (the importance of which was recognised by the Government by the allocation in the present Order-in-Council of three (3) seats to it as against one seat to the Northern Province) was the result of an understanding between the authors of the Memorandum and certain members of the Tamil Community, is apparent from this significant passage in the said Memorandum, "We the undersigned members of the Legislative Council were able to secure the adhesion of the Tamil leaders by recognising the importance of the Tamils settled in the Western Province."

21. In view of the above and of the conflicting suggestions contained in the report of the Allocation Committee, we feel sure, that you will not be influenced by it, in arriving at a decision regarding the Reforms in the constitution which this Country is entitled to.

22. With reference to the recommendation regarding allocation of seats made in the Memorandum, it is alleged that it is made in response to the advice given by His Excellency the Governor at an interview which the Communal members had with him on the 4th November, 1921, before the Reform Debate, when it is stated that His Excellency advised the different Communities "to decide themselves what adequate representation of seats should be and place their views before Government."

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

23. It is a matter for comment, that although these Communal members made it clear in the Debate in Council in December that they were opposed to a territorial majority they did not put forward by way of amendment to the motion under discussion any scheme showing how the adequate representation of their Communities could be secured. On the contrary they accepted section two (2) of the motion brought forward by the Member for Colombo which specified the number of seats to be allotted to them and eagerly welcomed the provision in section nine (9) which gave them votes for the election of members to represent the territorial electorates in addition to any vote they may have in respect of any Communal electorate, a privilege which does not exist in India or in any of the Colonies.

24. Without putting forward such a Scheme openly in Council, which they had ample opportunity to do, and after His Excellency the Governor had undertaken to forward the proceedings in the Reform Debate to the Secretary of State, they formulated in a secret and confidential memorandum, a Scheme for the representation of the whole Island on a Communal basis. For although certain territorial seats find a place in their scheme, they are so arranged as to give a certain proportion to the Tamils as compared with what is allotted to the Sinhalese, such proportion, however, being fixed on no recognised principle, and without any regard to the numbers or the relative importance of the two communities. Moreover the number of seats allotted to these two communities is restricted for the admitted purpose of preventing them "from joining their forces and completely domineering over all other communities and the Government." The system of representation advocated in this memorandum is not the representation of the residents in the various constituencies but the return to the Council of members belonging to the various communities in a fixed proportion.

25. Such a scheme is contrary to the spirit of the reforms embodied in the present Order-in-Council, and to the promises contained in Lord Milner's Despatch of August 18th, 1920 and the pronouncement made in the House of Commons by the Under

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Secretary of State for the Colonies on the 11th August, 1920, that the communal representation provided in it was intended to be of a temporary nature.

26. By the Order-in-Council eleven (11) territorial constituencies were created for the representation of the nine (9) provinces in the Island and the then existing representation of communities and interests was retained with certain modifications —and Lord Milner in the Despatch above referred to said that "he would be glad when the new constitution has had a reasonable trial, to consider any proposals for its amendment, and would certainly rejoice if the degree of popular control now introduced were productive of such good results in practice as to justify its extension."

27. Any extension of the Communal principle is also opposed to the settled Policy of the Imperial Government and is condemned in the reports of the Commissions and Committees that considered the reforms of the constitutions of India, Burma, Jamaica and other countries under British Rule.

28. As you are aware the Ceylon National Congress condemned the Reforms embodied in the Order-in-Council when it was introduced and resolved not to participate in the elections, but in consequence of the pledge, given by His Excellency the Governor to give favourable consideration to proposals for the reform of the Constitution in about a year's time, the Congress agreed to co-operate with the Government in the working of the Reforms. At the elections, which were held ten out of the eleven members returned for the territorial constituencies, though most of them were not members of Congress, pledged themselves to their constituents to support the main Congress demands regarding the reform of the Constitution, so that the members who voted for the Reform motion of December last did so with a distinct mandate from their constituents.

29. His Excellency the Governor has on several occasions commended the way in which the present members of Council have discharged their duties, and stated that they had proved themselves worthy of being entrusted with extended powers. The



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

only way, in which Lord Milner's promise to extend popular control in Council, can be carried out is by the creation of a territorial majority which will enable the inhabitants of all classes and communities resident in the different Districts of the Island, to have their voice heard in Council in regard to their wants and grievances and to express their opinions on proposed legislation.

30. Liberal provision is made in the proposals submitted to Council in December last to enable the minority communities to place their views before Council and the Government, but it is against all precedent to place them in a position to decide between the Government and the popular representatives.

31. With the powers of veto and certification vested in the Governor there is no danger of the territorial members "domineering over the Communal Members and the Government" as suggested in the memorandum.

32. We would, therefore, beg that you will be pleased to give effect to the wishes of the people, regarding the reform of the constitution, as expressed by their accredited representatives in the Legislative Council in December last, and grant to Ceylon a measure of reform at least equal to that granted lately to countries far behind it in all the elements which constitute political progress.

---

SECTION II.—*Memorial.—C.*

To

THE RIGHT HONOURABLE
WINSTON SPENCER CHURCHILL, P.C., M.P.
His Majesty's Principal Secretary
of State for the Colonies,
Downing Street, London.

Sir,

With reference to the cablegram dated the 18th of August, 1922, a copy of which is annexed hereto marked A, forwarded to you through His Excellency the Governor, your Memorialists beg to submit the following observations on the "Joint Memorandum of the European, Burgher, Tamil, Mohammedan and Indian members of the Legislative Council of Ceylon on the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

reconstitution of that Council." This Memorandum was first published in a Colombo newspaper on the 16th of August, 1920. Its contents had been kept secret till then, in spite of a demand made in the Legislative Council for its publication. Your memorialists feel that this Memorandum, which His Excellency the Governor stated in Council has been duly forwarded to you, will create an entirely false impression on your mind as to the views of the people of Ceylon in regard to the question of reform. In these circumstances they consider it incumbent on them to submit to you on behalf of the Ceylon National Congress the following observations on the Memorandum for your information.

1. This Joint Memorandum is a very misleading document. In the first place its description of itself is inaccurate. In the present Legislative Council there are three members who are by race Tamil—two elected for territorial constituencies and one nominated by the Governor. Of the two elected members, the Honourable Mr. E. R. Tambimuttu, the member for the Eastern Province, refused to subscribe to this Memorandum or to accept the scheme of representation proposed by its authors. He has since the publication of this document publicly dissociated himself from the views expressed therein. (Vide Appendix B). The other elected member, the Honourable Mr. W. Duraiswamy, the member for the Northern Province, has repudiated the Memorandum in interviews granted by him to local newspapers. (Vide Appendix C). Sir P. Ramanathan, who has signed this document which is notoriously his handiwork, is Tamil by race and a nominated member of the Council, but he has not been nominated to represent the interests of the Tamils in Council, and it is well known in Ceylon that a large body of the Tamil population is not in sympathy with him and would resent his claim to speak on its behalf. It is therefore grossly and deliberately misleading to claim that this Memorandum represents the views of the Tamil members of the Legislative Council. The Jaffna Association and the Ceylon Tamil Mahajana Sabha., communications from whose Committees are appended to the Joint Memorandum, represent the views of certain small sections of Tamils residing mainly in the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Northern Province. Their claim to voice the views of the Tamil community generally has been publicly repudiated by prominent Tamils in different parts of the Island, amongst others by the Tamil Association of Colombo which perhaps represents the most enlightened and progressive elements in that community. (Vide Appendix D).

In regard to the assent given on behalf of the Ceylon Muslim Association by Mr. Kamer Cassim, two members of that Association have publicly repudiated his right to act on its behalf, inasmuch as he had in February, 1922, ceased to be its President. Mr. Kamer Cassim himself has since stated in the press that be never saw or knew the contents of the Joint Memorandum when he expressed agreement with the scheme of representation given in it. (Vide Appendix E).

So far as the memorialists have been able to ascertain, the Burghers of Ceylon repudiate the action of Mr. Arthur Alvis and the Committee of the Ceylon Burgher Electorate Association in accepting the scheme of representation formulated in the Joint Memorandum. The Ceylon Burgher Electorate Association itself is politically an unimportant body which has not been recognised by the leading Burgher inhabitants of the country. It will thus be seen that the claim that the Joint Memorandum represents the views of the Burgher, Mohammedan and Tamil population of Ceylon is wholly misleading and not justified by facts.

2. The Ceylon National Congress obviously forms the main object of attack in the Joint Memorandum which seeks to disparage it and misrepresent its aims and policy partly by suppressing the truth and partly by distorting facts. Reference, for example, is made in the second paragraph of the Memorandum to certain resolutions passed at the session of the Congress held in December, 1920, but no mention is made of the very important fact that those Tamil Associations, whose withdrawal from the Congress at a later date is made so much of in this document, were duly represented on that occasion, and fully concurred in the policy set forth in the resolutions at that session of the Congress. There is no truth in the allegation that some prominent members

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

of the Congress made a threat to work actively in every district where the Sinhalese formed the main population against any candidate who was not prepared to take the Congress pledge. Though such "threat" would have been quite proper and legitimate, it was not necessary and was never made, because the electorate was solidly behind the Congress which merely formulated the popular demand. In fact a proposal that the Congress should nominate candidates in the interests of reform was rejected at this same session of December, 1920. In no instance was a distinction drawn by any member of the Congress between any constituencies. in which the Sinhalese formed the main population and other territorial constituencies. The Joint Memorandum naturally refrains from mentioning another important fact, namely, that in the Northern Province, where the population is entirely Tamil, the electorate insisted upon the candidates' taking the pledge formulated as stated above by the Congress. The authors of the Joint Memorandum lay emphasis on the fact that the candidates who presented themselves at the poll in the Sinhalese districts were Sinhalese, but they omit to say that the candidates who came forward in Tamil districts were Tamil. In fairness they should have added that the men elected constituted a body which has won praise from all including His Excellency the Governor for the way in which they have discharged their duties as Councillors. And in view of their pointed reference to the diversity created by religion they should have also added, if they were anxious to tell the whole truth, that the candidates who were elected by Buddhist constituencies, with the solitary exception of the member for the Uva Province, were Christians and included a Christian minister of religion as well.

3. The authors of the Joint Memorandum give no reason for their dictum that communities differing from each other in race, religion and social structure cannot justly be "shoved" into a general electorate. This assertion is based on an assumption which is contrary to common experience. In Ceylon as well as in other lands people differing in religion, race and social status,

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

have found it possible to combine and act unitedly in matters pertaining to the general welfare. This community of interests which binds all sections of the people of Ceylon, differing in race, religion etc., has been remarkably demonstrated in the proceedings of the present Legislative Council in which unofficial members belonging to different communities have often made common cause in matters of general interests, at times even in opposition to Government.

4. It is hardly necessary to prove the falsity of the statement that the Congress demand that the electorate should be territorial and that all the people should eventually be united in one general electorate, was due to a suggestion of Colonel Wedgwood, M.P. Long before Colonel Wedgwood manifested any interest in this Island and its people, the reform party had recognised the need for progress towards the realisation of a common citizenship and so far back as 1909 we find various Associations such as the Ceylon National Association, Low Country Products Association, the Jaffna Association and the Chilaw Association making this demand in their memorials to the Secretary of State on the question of constitutional reform (Vide appendix F). It is interesting to note in this connection that it was Sir P. Ramanathan who at the session of the Congress in December 1919, moved the resolutions on this subject which merely reaffirmed the principles for which the reform party had always stood. (Vide Appendix G).

5. The scheme of representation which the Joint Memorandum advocates is purely communal, although the Sinhalese and Tamil members are labelled territorial and other communities are given a voice in their election. Apart from other considerations, it is respectfully submitted that the territorial representation granted to Ceylon cannot constitutionally be withdrawn or whittled away. Consequently the action of His Excellency the Governor in seeking to set aside the decision of the Secretary of State that our constitutional progress should be upon a basis of territorial representation—a decision which has been acted

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

upon—has caused deep distrust and resentment. This distrust arose when His Excellency announced his intention of appointing one member of each community to act as the Committee of the Legislative Council to allocate and distribute territorial seats. It was greatly aggravated by the Joint Memorandum, which was incorporated by reference in that Committee's report being withheld when the report was tabled in the Legislative Council. This feeling of distrust was intensified by the subsequent refusal in discourteous terms of the request made by the member for the City of Colombo that that Memorandum be tabled. Deep resentment was added to distrust when through the enterprise of a newspaper—"The Ceylon Daily News"—this secret document was, as stated above, brought to the light of day and disclosed the fact that it had been prepared upon the advice of His Excellency the Governor. This disclosure has confirmed the popular suspicion that His Excellency's intention was not merely to thwart the aspirations of the large bulk of the people but to make His Majesty's Government go back upon the principle of representation which had been conceded, possibly against the Governor's wishes. His Excellency's advice to the authors of the Joint Memorandum cannot be regarded otherwise than as a hint that by whatever name the representation might be called it was to be in substance and effect communal. In adopting this attitude the Governor seeks to arrest the growth of the sense of common citizenship and to give new life to the narrow communal spirit which was originated and fostered by the former system of racial representation in Council.

6. The representation which Ceylon now enjoys is territorial. No one is, according to British constitutional principles, entitled to deprive her of it. A large majority of the people want its extension. The value and indispensable character of this form of representation as contrasted with racial or communal representation can be best expressed in the words of the distinguished authors of the Report on Indian Constitutional Reforms submitted to His Majesty's Government in 1918. They said :—

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

"Some persons hold that for a people, such as they deem those of India to be, so divided by race, religion and caste as to be unable to consider the interests of any but their own section, a system of communal and class representation is not merely inevitable but is actually best. They maintain that it evokes and applies the principle of democracy over the widest range over which it is actually alive at all, by appealing to the instincts which are strongest; and that we must hope to develop the finer, which are also at present the weaker, instincts by using the forces that really count. According to this theory communal representation is an inevitable and even a healthy stage in the development of a non-political people. We find indeed that those who take this view are prepared to apply their principles on a scale previously unknown and to devise elaborate systems or religious electorates into which all possible interests will be deftly fitted. But when we consider what responsible government implies, and how it was developed in the world we cannot take this view. We find it in its earliest beginnings resting on an effective sense of the common interests, a bond compounded of community of race, language and religion. In the earlier form which it assumed in Europe it appeared only when the territorial principle had vanquished the tribal principle, and blood and religion had ceased to assert a rival claim with the State to a citizen's allegiance; and throughout its development in Western countries even in cases where special reasons to the contrary were present, it has rested consistently on the same root principle. The solitary examples that we can discover of the opposing principle are those of Austria, a few of the smaller German states, and Cyprus. It is hardly necessary to explain why we dismiss these as irrelevant or unconvincing. We conclude unhesitatingly that the history of self-government among the nations who developed it, and spread it through the world is decisively against the admission by the State of any divided allegiance; against the State's arranging its members in any way which encourages them to think of any smaller unit than itself..... Division by creeds and classes means the creation of political

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

camps organised against each other, and teaches men to think as partisans and not as citizens."

In Ceylon the differences of race, caste and creed are but a shadow of what obtains in India. Yet the principle of territorial representation has been adopted in India. The rejection in Ceylon of the experience of the world and the adoption of a principle other than that followed in India and in many other parts of the British Empire which have made any political progress, can have no object but to retard the political advancement of the people of this country.

7. The authors of the Joint Memorandum have not contented themselves with stating what they consider adequate representation for the minority communities on whose behalf they claim to speak. They have gone much further and have even undertaken to prescribe the limit of representation that should be granted to the "whole body of the Sinhalese." This limit is fixed upon no recognised principle having any reference to such considerations as numbers, education, and the material progress of the community referred to, but upon a fantastic theory of "balancing of power"—an artificial and arbitrary arrangement which must in practical application result in injustice to one section of the people or another. The truth of this assertion is well proved by the scheme of representation given in the Joint Memorandum. Its obvious inconsistencies can be defended on no rational grounds. It simply means that the majority section of the population of any country have no inherent right to adequate representation, but must be contented with what the minority communities in their wisdom and goodness of heart agree to allow them. Even from a communal point of view it is obvious that no such right of dictation can be claimed by, or granted to, any group of communities. It is scarcely necessary to add that in any scheme of reform adequate constitutional safeguards may be provided against any such danger as is apprehended by the authors of the Memorandum, instead of allowing their imaginary fear to stand as an insuperable barrier athwart the path of political progress in this country.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

8. In reply to the criticisms levelled at the Congress in regard to its representative character, the memorialists beg to submit herewith a copy of an interview granted by the President of the Congress to the "Ceylon Daily News," which they venture to submit establisnes by indisputable facts and figures the position which the Congress occupies in Ceylon. (Vide Appendix H).

9. In conclusion the memorialists beg to submit that any alteration of the reform scheme on the lines suggested in the Joint Memorandum will be keenly resented as a retrograde step which cannot but be disastrous to the welfare and political progress of Ceylon. It will engender in the minds of the people a sense of distrust which it would be difficult, if not impossible, to eradicate, and will create in this country a feeling of discontent the result of which it is not easy to foresee. In submitting these observations on the Joint Memorandum your memorialists earnestly invite your careful and impartial consideration of the Congress claims in the sincere hope that you will judge them on their own merits and grant to the law-abiding and progressive people of this country a constitution which will set them forth in the path of ordered progress towards self-government.

And your Memorialists as in duty bound will ever pray.

On behalf of the Executive Committee of the Ceylon National Congress.

CEYLON NATIONAL CONGRESS CHAMBERS,
Colombo, 20th September, 1922.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## CABLEGRAM

Secretary of State for Colonies,
London.

Contents of Communal members Memorial of 21st February referred to in Allocation Committee's Report but kept secret, local Government refusing publication, just discovered. It has gross misstatements and misleading omissions. Congress condemns proposed reversion to communal representation as unconstitutional and contrary to assurance by Colonial Under-Secretary in Parliament in August, 1920, that communal representation will be temporary. Any device to give group of minorities domination over bulk of people would make it impossible for latter to accept and work scheme so framed. Memorial follows.

PEREIRA,
Congress President.

---

Extracts from Interview granted to the "Ceylon Daily News" by Hon'ble Mr. E. R. Tambimuttu, August 23rd, 1922 :—

The Hon. Mr. E. R. Tambimuttu, interviewed yesterday, said :—

The statement in the mischievous memorandum that the Tamils favour the scheme of reform propounded there is quite unfounded. The Tamil provinces are represented in Council by Mr. Duraiswamy and myself. As for me from the very beginning I was opposed to the Tamils casting their lot with the other minorities in opposition to the Sinhalese. I refused to take part in the deputation that waited on His Excellency with that memorial.

"But the memorialists maintain that Mr. Duraiswamy favoured their scheme" remarked our representative.

Mr. Tambimuttu replied :—I have Mr. Duraiswamy's assurance that he did not see the memorial and it is evident from the memorial itself that he has not signed it. In fact the telegram

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org
SPECIAL COLLECTION

that was published as an appendix to the memorial, Mr. Duraiswamy says, was a private reply to a telegram from Sir P. Ramanathan, and its publication was quite unauthorized. Sir P. Ramanathan, as everybody knows, is one of the nominated members and to quote the same document that is used by the memorialists, a nominated member is called to Council because if his experience or because his voice will be listened to in Council, not because he is a Tamil. So Sir P. Ramanathan cannot be said to represent the Tamils. Therefore I fail to see how these minorities could boast that the Tamils are in agreement with them. I am very sorry that this Memorandum has created some bad blood between the Tamils and the Sinhalese but I am sure every true Sinhalese who understands the situation will realise that the Tamils and the Sinhalese should stand together in order to face the crisis that is looming ahead of us. Mr. Duraiswamy will be here on Thursday and I am sure he will dissociate himself from all connection with the Memorial.

---

Extracts from the "Ceylon Daily News," August 26th, 1922.

## AN EMPHATIC REPUDIATION.

### The Hon. Mr. Duraiswamy's Signature.

The Hon. Mr. E. R. Tambimuttu, M.L.C. for the Eastern Province, has already mentioned in the interview he granted a "Daily News" representative that Mr. Duraiswamy did not sign the Memorial in question and that the authors of the Memorial had made an abuse of his private telegram to Sir Ponnambalam by annexing it to their Memorial.

### Mr. Duraiswamy's Version.

A representative of "The Ceylon Daily News" was able yesterday to hear from Mr. Duraiswamy his version of the affair.

At first Mr. Duraiswamy was not disposed to grant an interview because he said that he had been misrepresented in "The Daily News."

"How"? Asked our representative.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

"Your paper said that I have signed the Memorial which I never did," replied the Member for the Northern Province. "In fact I refused to sign the Memorial. But you say I signed it. You spoil your own cause by throwing the supporters of political advancement into the minority camp."

"Then you disagreed with the proposals in the memorial?"

"I disagree," emphasized Mr. Duraiswamy, "with many of the principles enunciated in the memorial, especially, that no two communities should be in a majority in Council. This, I consider directly calculated to ignore the interests of the majority of the population, Sinhalese and Tamils, in the Island."

"From the very first," added Mr. Duraiswamy, "both Mr. Tambimuttu and I have been trying our best to bring about a settlement even at the risk of sacrificing our personal friendship with some prominent figures on the other side. May I say that it is not in vain that I hope we will be able to get on in harmony."

Mr. Duraiswamy mentioned that his telegram would have made it clear that he did not support the scheme in the memorial in question. The Scheme he supported was for a Council of ten official members, ten minority members, no nominated members and twenty-five territorially elected members. In that telegram he expressed only that he was in favour of maintaining the proportion (7 to 13) between Tamils and Sinhalese.

---

Extracts from an interview published in "The Citizen" of the 17th September, 1922.

THE HON. MR. W. DURAISWAMY.

"I had no hand whatever in the Minorities Scheme. My telegram to Sir Ramanathan shows that I was opposed to the very essentials of that absurd scheme. If we have to hand the guidance of our political matters to the Minorities what is our political worth? I cannot understand how age and experience could have been guilty of such egregious blunders. I will never support any scheme of that kind that commits the Tamils to the back-waters of political uselessness. No sane Tamil unobsessed

Digitized by Noolaham Foundation
noolaham.org | aavanaham.org

by personal magnificence could have been guilty of such a woeful exhibition of political absurdity. This is all the work of our old men. If they cannot lead in the right way they lead in the wrong, but they always lead; that is their one and only ambition."

DR. E. V. RATNAM.

Dr. E. V. Ratnam, M.M.C., interviewed said, that he entirely dissociated himself from what is stated in the Memorial.

He said that a Committee Meeting of the Tamil Association of Colombo, of which he was the president, will be held this evening to consider the present political situation and the contents of the Memorial.—Extracts from the "Ceylon Daily News," August 23rd, 1922.

## TAMIL ASSOCIATION TELEGRAM.

The Colombo Tamil Association has despatched the following cable to the Secretary of State for the Colonies :—

The Colombo Tamil Association representing all Tamil sections, entirely disapprove scheme in memorandum forwarded by minorities, beg inform that elected Council Members for Tamil Provinces have repudiated Minorities' Memorandum. This Association forwarding Memorial.

DR. RUTNAM,
*President,*
Colombo Tamil Association.

---

Extracts from the "Ceylon Daily News."
Letters to the Editor.

## SECRET MINORITY MEMORIAL AND CEYLON MUSLIM ASSOCIATION.

SIR,

You deserve the thanks of all right-minded Ceylonese for bringing to light the Secret Memorial submitted to the Secretary of State for the Colonies by members of the Minorities in the Legislative Council.

I do not desire to offer any criticism on the Memorial, but I will only add that Mr. M. K. Cassim, who signs on behalf of the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Ceylon Muslim Association had no authority to sign on its behalf. The views expressed by him are his own and in no way do they bind the Association.

If the Memorial had been submitted to the Executive Committee of our Association for approval, I as a member of that Committee would have known its contents. On reading the Mohammedan assent attached to the Memorial, I find it begins as follows: "We hereby agree to the Scheme of Representation which, *we understand* had been adopted by the members of the Legislative Council, who represent the European, Burgher, Tamil, Mohammedan and Indian Communities." The use of the words, "we understand" makes it clear that the assent given by Mr. Cassim on behalf of the Association cannot be accepted as an assent of the Association.

Yours, etc.,
M. L. M. REYAL.

Colombo, August 16.

---

SIR,

I take the task of thanking you for enlightening the Ceylon Public on that "Secret Minority Memorial" presented to the Secretary of State for the Colonies by some unauthorised "Die-hards" who acted in their individual capacity pretending that they really and sincerely represented the interests of their respective constituents. As a member of the Ceylon Muslim Association and a sympathiser of the Ceylon National Congress and other political bodies who demand and agitate for a Liberal and a Constitutional Government, "A Government of the people" "A Government by the people" and "Government for the people," I believe that most of the signatories to the said secret policy are the members of the class who were nominated by His Excellency to represent their communities in disguise.

Particularly speaking for the Moslems, I may venture to say that the Hon. the Moslem Member ought to have not committed such a suicidal blunder joining the Hon'ble Sir P. Ramanathan (Mr. Cader's new philosopher, guide and friend in the Reform question). Sir Ramanathan is well-known to us by his past

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

attitudes towards the Moslems. The Mohammedan member has, by his present actions, made the Congress men, who have extended their liberal support to our demand to condemn our actions and suspect our future activities for the nation's need. Referring to the statesmanlike protest of Mr. M. L. M. Reyal which appeared in your yesterday's issue, I wish here to endorse his views as a sincere Moslem of self-respect and national honour and deeply deplore Mr. Mohammed Kamer Cassim's hasty and ill-considered action towards Reform.

He is a member of the Executive Committee of the Ceylon National Congress. I do not know what made this Young man change his views so suddenly without the least consideration.

Mr. Cassim could not have participated in this Memorial without the consent of the Ceylon Muslim Association. Could it be then Sir Ramanathan's charming words or tactful diplomacy that won Mr. Cassim to his side? Even then Mr. Cassim as a lawyer should not have signed on behalf of the Ceylon Muslim Association while Mr. T. B. Javah holds the Presidentship for this year. I as a true Moslem repudiate all that is said in the Secret Memorial as the lately nominated Tamil Knight's political invention against the "Ceylon National Congress."

I am, etc.,

A Member, Ceylon Muslim Association.

August 17th, 1922.

---

MR. KAMER CASSIM'S REPUDIATION.

DEAR SIR,

I just returned to town having spent a few week's holiday in the country. Certain letters and comments in the Press criticising my action have been brought to my notice and I hasten to offer my explanation in respect of the Secret Minority Memorial.

In the first place I must say that I did not subscribe to the Memorial, but only agreed to the scheme of representation which, I was assured, had been adopted by the representations of many communities in the Legislative Council and this is made clear by

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

the wordings of the Memorandum I signed. I did not see the Memorial itself. I asked for a copy of it, which was promised me. I did not as yet get the copy. Had I seen it I would have been the first to repudiate many of the statements contained therein.

I agreed to the scheme on behalf of the Association after consulting some of the responsible office-bearers and members of the Committee of the Association, though personally I was against giving a Tamil Member for the City of Colombo. In this instance we were only concerned with the scheme as affecting the Mohammedan community.

I must confess that I believed in the sincerity of the prime movers of that Memorial and I took it for granted that nothing improper would have been said in the Memorial, though I had nothing to do with that Memorial itself because I did not sign it.

Thanking you for the space granted me in your valuable Journal.

Yours, etc.,
M. KAMER CASSIM.

Fort, Galle, August 26.

---

Extracts from the Interview published in the "Daily News" of August 23rd, 1922.

## MR. H. J. C. PEREIRA ON THE SECRET MEMORIAL.

A representative of "The Ceylon Daily News" called on Mr. H. J. C. Pereira, K.C., President of the Ceylon National Congress, to ascertain from him his views on the subject.

Mr. Pereira, in reply to a question, said that at the very outset he must say that he doubted very much that he would be able to deal with all the misrepresentations and falsehoods in that document in the course of one interview.

## THE CONGRESS VINDICATED.

That the Congress is not a representative body is one of the main arguments of the die-hard memorial. Our representative, thereupon, asked Mr. Pereira, "Do you maintain that the Congress is the most representative body in Ceylon?"

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

"I not only say so," he replied with emphasis, "without the slightest hesitation, but I go further and say that it is the only political organization which can be truthfully said to represent the country as a whole. As the representative character of the Congress has been challenged by the authors of the memorial in question, it is necessary that I should place before the public and especially before the Government the facts and figures in support of my contention. To begin with I may say at once that if I thought that the Congress as it exists at present is representative of a section of the population only, even though it be the largest section of the community, namely, the Sinhalese, I personally would have nothing to do with it. In those circumstances I would be the first to denounce it as a fraud and a sham. The Congress is, comparatively speaking, of recent growth. It came to existence at a time when I was absent from the country and I have no personal knowledge of its earlier activities beyond the fact that I was one of the delegates appointed by it to interview Lord Milner on the question of reforms.

"Since my return continued Mr. Pereira, "I have been more or less in constant touch with it. Since December last as its President, I have carefully studied its constitution and its work during the past three or four years and I feel that I am in a position to speak with some degree of authority in regard to it. Membership in the Congress was from its very inception thrown open to every Ceylonese as well as European, Indian, and other British subjects resident in Ceylon. Its portals were, therefore, kept wide open for the admission of all sections of the Communities resident in Ceylon and that representative members of these different communities with the exception only of Europeans, availed themselves of the invitation is borne out by the names of the numerous members on its roll. There are to be found in it the names of prominent members of the Burgher, Sinhalese, Tamil, Moor, Malay, Indian and other communities which claim Ceylon as their home either permanently or temporarily. Apart from individual membership, numerous political bodies in Ceylon have been affiliated with the Congress and they have hitherto been fully represented at the Congress Sessions by delegates appointed by them.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

THE VARIOUS SOCIETIES.

"Among the Societies that have been so affiliated with the Congress are: (a) the Ceylon National Association, the oldest of the Political Associations in Ceylon and which has on its roll of members some of the most prominent names in the Burgher, Sinhalese, Tamil, and Mohammedan communities. The Hon. Mr. Drieberg was at one time to my knowledge, one of its most prominent and active members. So was Mr. Dornhorst, K.C., the recognized leader of the Burgher community in Ceylon; the late Sir Hector VanCulenburg and the late Hon'ble Mr. Arthur Alwis. Sir Ponnambalam Ramanathan, was himself, for a long time its President. That the Association has done and is doing much good work in the cause of Reform is a fact but too well-known to every one in Ceylon. (b) The Lanka Mahajana Sabha, which counts thousands of members in all parts of Ceylon and may be said to be truly representative of the village interests in Ceylon, is another such Association. The Sabha holds its own meetings which are very largely attended in Colombo and its President is Mr. F. R. Senanayake, a Sinhalese gentleman of wide culture and one of the largest landed proprietors in the country. (c) The Ceylon Workers' Federation, another Association within the Congress, is the largest, if not the only labour organization in Ceylon and counts amongst its members representative workers from practically all the permanent communities in Ceylon. (d) Then there are the Mahajana Sabhas of Kegalle and Kandy, all formed and worked more or less on the lines of what may be described as the parent Mahajana Sabha in Colombo. The Kandy Mahajana Sabha represents both the Kandyans and the Low-country Sinhalese resident in the Kandyan Provinces, (e) The Galle Association is composed of representative members of all communities in the Southern Province including the Burghers. Then there are (f) the Chilaw Association, similarly constituted and one of the oldest political Associations in the Island: (g) the Ceylon Muslim Association; (h) the Muslim Progressive Association; (i) Galle Muslim Literary Club; (j) the Matale Association; (k) the Ambalangoda Association; (1) Negombo Ratepayers'

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Association; (m) the Negombo Association; (n) the Kalutara Association; (o) the Panadura Association; (p) the Indian Association; (q) the Sabaragamuwa Association ;(r) the Kurunegala Association; (s) the Workers' Welfare League; and (t) the Matara Association of which Mr. Keuneman is President and in which the Burgher community is strongly represented by some of its most prominent members in the respective districts to which they belong. All these Associations are represented at the Sessions of the Congress by delegates appointed by them.

### The Jaffna Association.

"It is true," said Mr. Pereira, "that the Jaffna Association which at one time was affiliated to the Congress has seceded from it and it is the only Association which has so far severed its connection with the Congress. It does not, however, follow that the Tamil community is not even now represented in the Congress. As a matter of fact it is still, comparatively speaking, very largely represented. One of the Joint Secretaries of the Congress is one of Jaffna's most progressive sons and is held in high esteem by members of all communities in Ceylon. On the Executive Committee of the Congress are some of the most talented and progressive Tamils in Ceylon, amongst them being Mr. Rajaratnam, the brilliant and popular Advocate of Kandy, Mr. Sandrasagara, an equally brilliant son of Jaffna, who is an Unofficial Member of the local Government Board, but recently appointed as such by the Government, Dr. Ratnam, M.M.C., the well-known medical practitioner of Colombo, Mr. Ariyanayagam, Vice- President of the Matale Association, one of the most distinguished Tamils in that province, Mr. Sathasivam, Proctor of Colombo and and a near relation of Sir P. Ramanathan, Mr. A. S. John, the Hony : Secy. of the Indian Association of Ceylon, Mr. Mahadeva, son of Sir P. Arunachalam, Barrister-at-Law and Principal of the Ramanathan College in Jaffna, Mr. Peri-Sunderam, M.A., LL.B., Vice-President of the Ceylon Indian Association, Mr. Tambirajah, member of the Local Board of Kurunegala, and Mr. Vethavanam, M.A., Hony. Secretary of the Kandy Mahajana Sabha.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

The majority of these gentlemen still take an active interest in the affairs of the Congress and are some of the most earnest workers on the Executive Committee.

### A Deliberate Falsehood.

To say therefore, "emphasised Mr. Pereira," that the Congress at its last Sessions represented only the views of the Sinhalese and even of them the views of those Sinhalese only who had consented to be politically organised is a deliberate falsehood. It was surely well within the recollection of Sir P. Ramanathan and some of the other authors of the Secret Memorial that at the last Session of the Congress, some of the principal speakers to the resolutions before the Congress were of Sir P. Ramanathan's race and as well, if not better able to represent the views of their countrymen than Sir Ponnambalam himself. It is also suggested in this memorial that "the Kandyan Sinhalese, represented by such men as the Hon. Mr. Meedeniya, the Adigar, and the influential section of the Low-Country Sinhalese, at the head of which stand Sir Christoffel Obeyesekera, and Sir Solomon Dias Bandaranaike, stood aloof, even as the Tamils, Mohammedans and Indians did. Here again there is a deliberate misrepresentation of facts. The Kandyans were represented at the last Congress by such men as Mr. A. F. Molamure, Advocate, son-in-law of the Adigar named, who is on the Executive Committee of the Congress, and Mr. Wickremasinghe, the well-known Proctor of Kegalle, not to mention several other prominent Kandyans who were present. Mr. Forrester Obeyesekera, Barrister-at-Law, only son of Sir Christoffel Obeyesekera, and brother-in-law of Sir Solomon Dias Bandaranaike, was present at the last Session of the Congress and was one of its most enthusiastic supporters. He is also one of the most active workers of the Congress Committee and has been of the greatest assistance to that Committee at some of the recent meetings. The Tamils, as I have already pointed out, are well represented and so are the Indians and Mohammedans, among the Mohammedan gentlemen present being Mr. T. B. Jayah, Principal of the Zahira

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

College, Mr. Saldin, Messrs. Kamar Cassim and Magdon Ismail, Proctor of Galle. All these gentlemen are on the Executive Committee of the Congress and some of them are active members of this Committee. In order to form a correct estimate of the representative character of the Congress, I need only refer the public and the Government to the list of members of the Executive Committee of the Congress which I shall thank you to publish along with this interview. You will see there every community in the Island including the Burghers, excepting the Europeans, well represented and so is every profession, trade and occupation in the country. To suggest, as the memorialists have deliberately done that the continued use of the words : "Ceylon National Congress," is wholly unjustfiable and misleading, is to suggest what is palpably untrue.

## A Challenge.

"I would challenge," declared the President of the National Congress," these gentlemen if they can put before the public a more representative and more influential body of men than those whose names appear on the Executive Committee's list of members. One can now understand why the contents of this memorial were so jealously guarded from publicity by its authors till it was unearthed by the enterprise of the "Daily News." In view of the facts I have now placed before the public, the Congress is entitled to ask and to receive from these gentlemen an ample apology for the gross libel they have, under the privilege of a semi-official document, sought to publish. Perhaps it is too much to ask this of them. I leave it, however, to their own sense of fairness and justice to make such amends as the situation demands. We have had enough of false accusations and malignant attacks on the Congress from various sources more or less traceable to that venerable body of ancient diehards who are conscious that their work, whether for good or for evil, is fast coming to an end. The democratic wave will swamp them sooner or later as it has swamped their comrades in other parts of the world.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

NOTE.—*Political Summary of Period,* 1921—1923.

During 1921 there was elected the first Legislative Council under the Reform Scheme (Order in Council, 1920) which was the outcome of Consultations in the previous year between the Secretary of State for the Colonies, Sir William Manning the Governor, and Mr. (now Sir) H. C. Gollan, the Attorney General.

The Congress had decided in view of the reactionary nature of the Order in Council of 1920 (Vide appendix.) not to participate in the elections, but upon the undertaking given by the Government, 6 December, 1920. (Vide p.244 and appendix) that the Constitution will be revised within about a year's time and the more objectionable clauses will be immediately deleted the Congress resolved by a Special Session to accept the offer of Government and to co-operate in the working of the Constitution till the promised revision. The following members pledged to support the policy of the Congress were returned to the Legislative Council in April, 1921. Messrs. C. E. Corea, (N.W.P.), D. H. Kotalawala, (Uva), James Peiris, (town of Colombo), W. M. Rajapakse, (W.P., A. Div.), H. L. de Mel, (Low-Country Products Association), O. C. Tillekeratne, (S.P.)., Rev. W. E. Boteju, (Sab. P.), D. S. D. Krishnaratne, (N.C. P.), E. W. Perera, (W.P., B. Div.), A. C. G. Wijekoon, (C.P,).

In terms of the agreement, Mr. (now Sir) James Peiris introduced a resolution in the Legislative Council on December, 1921, for the Reform of the Constitution (*vide* Hansard, 1922).

Sir William Manning the Governor forwarded, with his views, the proposals for Reform contained in Sir James Peiris's resolution for the consideration of the Secretary of State for the Colonies.

In contravention of the promise of Sir Graeme Thomson, Colonial Secretary, at the debate in the Legislative Council against the Commission for the increase of salaries to public servants, that its recommendation will not be acted upon (vide Hansard), in the budget for 1922-1923, which was introduced on

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

the 28th September, 1922 proposals were included making provision for increased Salaries according to the recommendations of the Salaries Commission of Sir Alexander Wood Renton and Sir Marcus Fernando. The unofficial members registered a strong protest against this course of action and when the Council in Committee came to consider the last item "Miscellaneous Services" under which was included in the original figure of Rs. 17, 012, 383, Rs. 5,750,000 for the Salaries Scheme which had been amended by the Finance Committee by the provision of Rs. 1,000,000 for Rent Allowances instead of Rs. 5,750,000 for increased Salaries the Hon. Sir James Peiris moved that the figure recommended by the Finance Committee should be adopted. After a prolonged debate which lasted two days, the item was put to the vote and Sir James Peiris's motion was lost by 19 to 18. On the announcement of the result Sir James Peiris stated that he and his colleagues intended to take no further part in the proceedings and the following members left the Council Chamber. Messrs. James Peiris, C. E. Corea, H. L. de Mel, Allan Drieberg, D. H. Kotalawala, W. M. Rajapakse, E. R. Tambimuttu, O. C. Tillekeratne, W. Duraiswamy, D. S. D. Krishnaratne, E. W. Perera, A. C. G. Wijekoon, E. G. Adamally, and Rev. W. E. Boteju. The unofficial members forwarded a reasoned protest to the Government against the breach of faith and the violation of the rights of the unofficial members for the control of finance and the following members resigned their seats on the issue before the Council and were returned unopposed. Rev. W. E. Boteju, Messrs. H. L. de Mel, D. H. Kotalawala, James Peiris, E. W. Perera, W. M. Rajapakse, A. C. G. Wijekoon, C. E. Corea, D. S. D. Krisnaratne. Messrs. James Peiris, A. C. G. Wijekoon and D. B. Jayatilaka, left for England to make representations to the Secretary of State for the Colonies. Those Congressmen who had resigned their seats in the Council and had been returned unopposed did not take their seats till the right of the unofficials to financial control was acceded to. The Secretary of State for the Colonies in reply to representations gave an assurance that the Salaries Scheme will be revised after five years and formulated

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

proposals for revision of the Constitution granting an elected unofficial majority in the Legislative Council ensuring the financial control which had been demanded. To discuss these proposals which were tabled in the Legislative Council on 27 February, 1923 the re-elected members took their seats. Resolutions were moved for the improvement and modification of the proposals on the questions of communal representation, Western Province Tamil Seat, etc. (13, 14, 20 March, 1923.)

These resolutions with the debate on them were forwarded with a covering despatch by Sir William Manning to the Secretary of State, and a despatch dated 18 June, 1923 was sent by the Secretary of State containing his decisions on the points raised and undertaking a further revision of the Constitution after a period of at least 5 years.*

* "Papers relating to the Constitutional History of Ceylon, 1908—1924." Ceylon Government Press, 1927.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## Section III.—*Reception to Mrs. Sarojini Naidu.*

[Mrs. Sarojini Naidu, poetess and patriot of India, addressed a mammoth gathering at the Public Hall, on the afternoon of the 7th October, 1922 on the "Indian Renaissance." Seldom did Colombo see so large a gathering of its inhabitants assemble to hear a public speaker. Long before the hour fixed for the address, every available seat in the Hall was occupied and by 4 p.m. there were hundreds standing anywhere and everywhere they could get a foothold. Mrs. Sarojini Naidu's appearance on the platform was greeted with ringing cheers which grew in intensity as the distinguished visitor was garlanded by Miss Pereira, daughter of Mr. H. J. C. Pereira, who took the chair as President of the Ceylon National Congress, under whose auspices the address was delivered. The Chairman's introduction was brief, and when the tumult of applause that broke out on her rising had subsided, Mrs. Sarojini Naidu began her address. For the next one hour the audience lost all count of the personal discomforts of an overcrowded hall. That clear, distinct, and melodious voice of the "Singing Bird" kept the vast concourse in mute silence as it sang the song of India's agony and India's rebirth. It was a mingled song of joy and sorrow, of pain and pleasure, of love and devotion; and throughout it all pervaded the charming personality of the sweet singer.—*The Ceylon Morning Leader,* 9th October, 1922.]

### CHAIRMAN'S INTRODUCTORY REMARKS.

In introducing the speaker, the Chairman said:—Ladies and Gentlemen: As Chairman of this meeting I suppose I am expected to introduce to you the distinguished lady who is going to address you on the Indian Renaissance; but Madame Sarojini Naidu needs no introduction from me. Throughout the length and breadth of the civilised world, the name of India's sweet songstress is known as a household word. (Applause.) But it is not as the greatest living poetess of India that we of the Congress welcome her here. We welcome her as the poetess of

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

the Indian Renaissance, (applause) just as the Great Rabindranath Tagore is the poet of the same movement. And behind that movement, as you all know, is the figure, the saintly figure of the great Mahatma Gandhi. (Applause.) Madame Sarojini Naidu claims to be a pupil of the great Gandhi and is proud of the fact. She and others like herself are working for one of the greatest movements that have ever taken place in India. It is not a movement based on force and strength and violence. It is essentially a peaceful movement for the regeneration of her native land. We take an interest in that movement inasmuch as our own renaissance, more or less, corresponds to the Indian. We too are fighting constitutionally, we too are working for the liberty of our country and for its proper status amongst the nations of the world, so that there is much in common between us, a bond of sympathy between those whom Madame Sarojini represents and those who are here.

Ladies and Gentlemen, you have not come here to listen to me but to Madame Sarojini and I shall not detain you any longer with any words of mine, beyond asking you to give Mrs. Sarojini Naidu a respectful and sympathetic hearing. (Applause.)

---

## THE INDIAN RENAISSANCE.

Mrs. Sarojini Naidu, rising amidst applause, said:—President, pepple of Ceylon, my Indian brothers: As I came to Ceylon I thought I was coming as a stranger to a strange land. I have been ill, as you know, and when my doctor once said to me, "When you are able to go for a change, you must go to a place where no one knows you and where you know nobody," I at once said, "I think Ceylon will be the right place for me, because nobody knows me there." But my ignorance, which extends to many subjects, extended apparently to the omniscience of the Ceylonese people, because, when quite humbly I arrived in Colombo, it was to be greeted with the information that Colombo was waiting to welcome what was called the "Singing Bird of India." But no one realised perhaps that the Singing Bird had a broken wing and a broken voice and, now and then, the sorrow

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

of a broken heart. That sorrow is not personal, not individual; it is the heritage of my people to-day. Only the other day before I came here, I wrote to my friend, Mrs. Kasturi Bai Gandhi, who was going to see my master in his prison, to tell my Bábu, that is my father, that anywhere, living or dead, I shall bear his message in my heart; and when the people of Ceylon wished me to speak to them, I felt that I must deliver to the people of Ceylon the great message of deliverance that Mahatma Gandhi is preaching in India to-day.

That frail ascetic, as Mr. Srinivasa Sastri called him, that little, almost naked man, that little fragile figure that could be crushed between the thumb and finger of a burly Englishman, he languishes indeed in prison to-day (cries of Shame); but all the walls of a prison, nay all the walls of a tomb, cannot silence that imperishable voice of liberty. And so to-day, if I have chosen for my subject the "Indian Renaissance," I must needs speak of him who has been the first apostle, and the prophet, and the martyr of that Indian Renaissance. (Applause). As your President rightly said, you, in this island of beauty, are undergoing your trial by fire. You too are in the crucible, you too are being tested so that your dross shall be purged from your pure gold, and, therefore, it is meet that you, people of Ceylon, should hear from me, the least, the lowliest, but the most loyal follower of Mahatma Gandhi, the message that Mahatmaji was born to deliver to the world and make it full of peace.

What is this Renaissance? What does the word Renaissance imply? What does it connote? What are the profound and far-reaching implications of this far-reaching word? It means literally a re-birth; a re-birth through agony, through sacrifice, through martyrdom; to be born anew in your own pain, even as in the body you are born in your mother's pain. That is the meaning of Renaissance, whether in far-off Greece, or in Egypt or in India or in Ceylon.

We all know the history of the Congress movement in India. We all know how the stirrings of a new life, more than one

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

generation ago, moved the quickening soul of our fathers to articulate aspirations; we know how their considered, constitutional demands, academic demands, moulded and guided by European systems of politics, worked, how they believed, that these were the efficacious methods for India. Name after name, patriot after patriot, comes back to our minds, men and women whom we honour for the great labours they have left behind, for the many sacrifices they have made. But all of them, of the older Congress, were but like John the Baptist before the advent of the Christ. They were the heralds of a new birth; they prepared for the feet of the Messenger, who has walked upon the mountains of agony and dived deep into the valleys of humiliation. But the men of the older Congress with its great rhetoricians, its statesmen, its great scholars, versed in the manifold literatures of Europe, who could point a moral and adorn a tale in the language of the Romans and the Franks, they were the workers of yesterday. They did their work greatly, adequately, suited to their generation and their opportunity. But the times progressed, a younger generation came face to face with problems more tragic in their issues, more urgent in their need of immediate solution. The Government, an alien Government—alien in this, that it represents an alien system, but in which our own kith and kin have part and lot—this alien Government threw down, and throws down day after day, a challenge to the self-respect of the Indian people. (Shame.) And for many years the Indian people did not know how to respond to the insolence of that challenge. They continued in the old ways —resolutions, memorials, deputations, speeches everywhere from public platforms. But the days of these academic methods of politics were fast dying and the new generation were not quite sure how to proceed. Then they realised that quietly, in the background, a new method was evolving.

Destiny, kindly to the younger generation, had been preparing for them a great leader—a great messenger. Only a few years ago he was unknown, practically unknown excepting as a rebel from South Africa, a mad man who tried to fight the might

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

of a great Government with a handful of men. But by and by they said: "Yes, this man was great in a little sphere; in a little, local, limited area, his ideas could bear fruit." He came back to India and some of us, my friend Gopal Krishna Gokhale amongst them, recognised the possibilities that lay within that little man, known as Mohandas Kharamchand Gandhi. But when this little man came to India and when he was asked to take part in the academic politics of that time—1915, 1916 and 1917, he, with that humble smile of his which has all the wisdom of the ages in it, disclaimed the privilege, as he said, of guiding the destinies of the people or sharing in the counsels of their leaders. For, he came to learn, he said, from his country, not to teach. He came back from his long exile and he felt he must go sharp and straight to the hearts of the people and find out from them what were their needs, what were their sorrows, what were their limitations, what were their capacities. And this little man from South Africa said to himself: "Surely, surely, in this great India, there must be men, there must be heroes." Gokhale had said of him that he had been able to mould heroes of common clay in South Africa. But here was a man who came back after moulding heroes of common clay and looked to find heroes in a heroic land, but found nothing but down-trodden men; and he said to himself: "This down-trodden clay that once stood for the manhood of India, I will refashion into the image of manhood again." (Cheers). And so with that true prophetic vision of the apostle, he took the clay that was most down-trodden under the ruthless heel of the ages, and by footsteps that were not always alien but belonging to the indigenous tyrants of the soil. (Shame). He said to himself: The Congress stands academically, for an academic word called freedom, but, until we break that academic convention of the Congress, there can be no reality in the national life."

And so he who might have been carried on the heads of kings took unto himself the poverty and the misery of the poorest of his brethren, shared in their agony, shared the dire poverty of

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

their daily life and endured daily misery, travelling in the death-traps in which the poor are herded day after day on their journeys, their pilgrimage, and their goings hither and thither in their search for bread. He went to the villages and saw in the land, which the old historians of China and Greece called the paradise and the granary of the world, the skeletons of living men and women who had become even lower than the brutes. He saw the waters of the great rivers; he saw the land where the harvests were golden and red, all to be reaped for the children across the seas, while the children of the land were stricken with famine. (Shame). He went to the hovels of the poor and saw the children on the laps of their mothers dying, dying of thirst and hunger because in these hovels there was no money to buy milk, and in the breasts of the famine-stricken mothers there was no milk to nourish the lives that had come into being. He went to Puri, he went to Bengal, he went to Ahmedabad, and everywhere the famine-stricken conditions seemed to be at their worst. And when the women tottering with dying children in their arms came to bow before his feet, he said to them: "Sisters, the river flows before you, why do you come to me in rags, full of stench and dirt?" And they said to him: "Mahatma, Pitha, the river flows beneath our feet, but if we wash these rags to cleanse them how shall we cover our modesty till the rags be dry." He went further into the stricken areas and there, every day, he heard the tales of women stealing out, veiled only in the darkness of the night and drowning their misery in the rivers and wells, because they dare not issue forth from their hovels by day. There was not even a dirty rag to cover them. Then he came to Southern India and he found what was worse than famine, worse than death—he found Untouchability. Truly, as Bishop Herber had said "Every prospect pleased but only man was vile." For nothing can be viler than this, that man should disinherit his own kith and kin and put them beyond the pale of human rights and privileges. Then this man said: "The nation asks for freedom, but one-fifth of the nation is worse than brute beasts." He said: "In Malabar, a man stands forty yards away, saying 'I come,

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

I come,' '' even as in the Middle Ages of Europe the leper with his bells came, saying "Unclean, unclean." Then he considered the problem that to me, and all the workers of India—and my Indian brothers here will acknowledge with me that it is so—is the most important factor for gaining any possible liberty or Swaraj in India, viz., the Hindu- Muslim unity. (Applause).

Thus having got into the heart of these problems, he set about finding their solution. What was the poverty of India due to? Why were the little children dying in the laps of their mothers? Why were the women of the villages taken into the markets of the world, where many precious things were sold, nothing more precious than what the woman sold for bread—her chastity He asked himself "What is the solution for this? How shall India be free if there is poverty and also untouchability?" He asked himself: "Have men and women been so denationalized that they cannot think in their own language, and suffer their agony in their own language, and pray for their deliverance in their own language? How shall India then have Swaraj?" He said to himself: "If after this century and a half of alien rule, India has become so utterly degraded as to have forgotten its own languages, it own religion, its own traditions, its own self-respect, how could India be free?" And then with that wisdom of the prophets of all ages, he looked at the Indian problem as a whole, not separated into water-tight compartments of communities, of races, classes and religions, literate and illiterate, good and bad, the titled and the fallen. No, he regarded India as an entity, as one human unit, whose destiny it was to contribute to world-culture and world-achievement. And he knew that this India must be cast into the crucible of remorseless discipline. He knew that only by suffering, by sacrifice, the Indian people could be reborn. And as God works in diverse ways to further the dreams of His prophets and shape the prayers of His devotees and make them true, to India also came the great opportunity that made her one.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Never before 1919 could the people of India truly say that the Indian Renaissance was there. No; there were indications, there were faint vague stirrings of a new life to come, but the new life only came in 1919. When the Rowlatt Act, of which you all know, that black and infamous Act, came to India for the further mortification and humilation of the people, then this little frail man, this little shrimp of a man, this little beggar of a man, this little insignificant creature that could be brushed aside like a mosquito, stood by and lifted his little finger and said to India: "Arise and win your deliverance by your own suffering." And he said: "I come to bring peace to the world; I come not to divide, but I come to unite. I come to bring peace, but a peace at such a price that it may be that one generation must be trampled to the earth before the next generation can be born again free." His people were ready. All through the villages of India, the great cities of India and the palaces of India, the hovels of India, and the bazaars of India, and the colleges of India, and even through the very grave-yards of India, ran the cry: "This is the hour of our deliverance; let us rise; we who were dead, let us live, even if to live, we must die in the body." That day of humiliation is also the day of preparation, for dedication, fixed throughout India. At the flicker of one man's eyelashes rose the answer to the challenge of bureaucracy. You know what happened in the Punjab only the other day; I went to Jallianwalla Bagh as a pilgrim to the place of martyrdom; and when I, who had fought the battles of the Punjab in England went to visit Jallianwalla Bagh, I began to feel that every man, woman and child should make a pilgrimage there, because after three years, still the soil there holds the secret of martyrdom written in living blood, and the epic of that martyrdom issues red from under that earth. You look upon the walls of Jallianwalla Bagh and you find the blood that issued from the neck of a bride who was shot while leaning from the windows to help the men to escape. You see there, in the bullet-ridden walls, a heritage to inspire us, to shame us, and to teach us that in every



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

city of India Jallianwalla Bagh may be repeated a hundred thousand times. I went to the Crawling Lane in Amritsar, where men born to stand erect were made to crawl like reptiles on their bellies because it was the caprice of a blood-thirsty General. Yes, from things like this it is, that the living generation of India draws its strength. From this suffering comes their strength, from this agony comes their courage, from this humiliation comes their power to achieve, which has made men and women who have lived like princes all through their lives join the battle like private soldiers of the rank and file. And if men like Motilal Nehru, and women like his delicate wife on whom the winds of heaven have never blown too hard, have joined the battle, it is because this kind of agony only will bring the wave of the renaissance to India. After the Punjab incidents you ought to know with what dramatic rapidity and with what colourful complexity things have happened.

You all know during the war when the fate of England was in the balance, England said: "Come to our aid" and though the Mussalmans of India felt their hearts torn that they had to fight Turkey, the Mussalmans said: "Ensure us the sanctity and safety of our Holy Places and we will give our lives to help you." Even Lord Curzon acknowledged it was the Sikhs that won the victory for England. And yet what happened in the Ghurkhabad. The brothers and the sons of those men whose blood is mingled with the blood of European soldiers in Flanders and France were beaten, bayonetted, whipped, degraded, spat upon, trampled because they loved the sanctity of their own shrines. (Cries of Shame.) The Mussalmans who had given so liberally—today their leaders are in prison. Young man after young man is shut up between four walls; but the spirit of Islam that was generous enough to fight even against its own kindred can never die,—(Applause)—and when the men have gone to prison the Mussalmans of India are led by an old woman of nearly 80 years of age, the mother of the great Ali Brothers. (Loud applause). The Sikhs, the material Sikhs, the Akalis, their women and children

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

whose clan carried the sword always slung across their breasts, they too have come to the crucible. They know what they have given to the war; they know the young widows and the orphans of those for whom the sun will never shine again; they know the reward that has been theirs for their magnanimous sacrifice of the lives of their sons and brothers and husbands. But for them also the day of sacrifice has given the strength to endure. To every section of the people has come the strength to endure, because what was divided by centuries long ago has become welded together by common suffering; and by the force of this welding power, the things that united most were those which were supposed to be most irreconcilable. That power was the genius of Mahatma Gandhi who said: "I come with a new message to the world, new only because you Indians have forgotten your own traditions." It was the message that came to Ceylon when Sangamita brought here the Bo-tree, which is an emblem of peace. Mahatma Gandhi said: "In India there shall be no man or woman or community that shall be excluded from the promise and the reality of that freedom when it comes. I need an army to battle, but my soldiers are drawn from every rank and race, not by the measure of their chest, not by their height and the strength of their arm, but the feeblest and the oldest and the lowest and the most illiterate may come and be the chief among my soldiers; for my only standard of measurement is a devoted heart and the power to sacrifice and be true." (Cheers). And so Mahatma Gandhi, finding, as all generals must find, that there must be a plan for his campaign made out a great plan of battle for his people. He does not fight, as your President has reminded you, with swords and guns; there are no drummers to the fore, no wounded to be carried in ambulances, there are no base hospitals, no titles and honours afterwards, there are no great parades and banquets. But there is a great campaign and he says: "My soldiers, I expect obedience from you, discipline from you, and there are four commandments that you must fulfil if you will be worthy of the Swaraj to which I will lead you."

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

The first, he said, was: "You must be reborn and how will you be reborn? From what will you be re-born? You must be re-born out of the degradation of your poverty; be self-sufficient, be self-reliant. How will you be self-sufficient and self-reliant, while in your country you are so helpless. Your industries, famed throughout the world, are dead; for every measure of cloth that covers you from your bridals to your funerals, you depend upon the foreign loom. You stupid, you blind, you foolish, you suicidal, you murderous people, you take from your own soil that which is meant to be the heritage of your children and you send it across the sea and mortgage the future and the honour of your posterity." Therefore, he said: "A nation that would be free, a nation that would be fit for the Renaissance of its country, must be economically free; in every home there must be food. While one child dies in India, because it starves, the whole nation is degraded and stained with shame." He therefore said: "In every home, a spinning wheel. Till every woman in this country can have bread in her hand for her children, the men cannot win deliverance for the country." You have all heard Mahatma Gandhi ridiculed, because he said that the spinning wheel will bring Swaraj to India. I, who am but the mouth-piece of Mahatma Gandhi, know in my heart of hearts that the spinning wheel will make India free; the hand that spins the cotton that grows in the Indian Soil, spins the web of destiny for India and the hand that weaves the threads, spun by the decayed fingers of the woman, weaves the fabric of liberty for the wearing of the nation. Therefore the first condition of the Indian Renaissance is Khaddar, of which Mahatma Gandhi speaks.

People have said to me that Khaddar is coarse cloth: "You Mrs. Naidu, so artistic, are you going to wear Khaddar?" I have worn Khaddar. (Cheers). For every inch spun of this stuff (pointing to her saree) there is the benediction of a woman who knows that her hands are buying bread for her little children. You all have heard of Dacca silks, and the embroidery of Moorshidabad and the silks of Kashmir. Who hears of them to-day?

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

In your Ceylon, as in India, the fine ladies go to Japan and France for their chiffon and silks, to Italy for their lace, to Coventry for ribbons, but for every yard of ribbon, for every yard of foreign silk and French chiffon, some woman sold her honour in the market place, because the rich women of the country had sold them into that degradation and shame. Therefore, I believe that the spinning wheel is the redemption of the womanhood of India. Even to-day the woman behind the purdah, who cannot go out as their Hindu sisters do, have blessed the spinning wheel because it has saved them from the reproach that they are idlers hanging on the one solitary wage earner. To-day the Muslim women of India, behind their purdahs, widows in their homes, and the middle classes, are economically independent and no man dares say to them, "You are dependent upon my charity."

The next plank of the Renaissance of India is the removal of untouchability, which does not I know apply to a place like Ceylon. It does not apply to the Muslim community that has the truest democracy that has ever been evolved by the civilizations of the world. But we Hindus have to learn from a small community like the Mussalmans what the meaning of brotherhood can be, not in its academic definition, but in its actual and practical reality.

The third plank then in this programme of renaissance is to me, as I said, the chiefest thing—Hindu-Muslim unity. And that is a unity which is a far more living and real and deep-rooted thing than many like to believe it. They said that whilst the Khilafat question remains unsettled, it will remain; but directly they hear that the Treaty of Sevres has been reversed and that Mustapha Kemal Pasha is victorious, you will find that the Mussalmans will desert you.

But if any man in India will accept the challenge, I give the challenge to every man from the Viceroy downwards; I challenge him to disprove the reality of this great fundamental Hindu-Muslim unity. (Cheers). They and we, the Hindus and Mussalmans across in India, the Parsees in India, every Englishman in

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

India, belong to India, and share the common heritage of India, but as children of the soil, as comrades, companions, equals trusting one another, loyal to one another, no one superior, no one inferior in a great democracy of liberty. (Cheers).

My friends, I have told you in briefest outline the campaign of Mahatma Gandhi. He has said: "We will have non-co-operation for the motto of our banner of struggle." But what does non-co-operation mean? Nobody has misunderstood and misinterpreted that great word more than some of Mahatma Gandhi's own followers. Believe me, I who have lived so close to the heart of Mahatmaji, that I have become like as the earth that is perfumed by living in the vicinity of the rose, I can tell you that this non-co-operation movement is not a movement of hatred or race bitterness, it has in it nothing of revenge. It is a movement of purification that extends to every single section of life inward and outwards—non-co-operation with what is evil within you in your domestic systems, in your social systems, in your indigenous life and in your alien Government. It does not mean bitterness against the Englishman, it means no bitterness against any man whether he be foreigner or our own people, but certainly it stands for non-co-operation against every sin and folly, tyranny and injustice, whether perpetrated by the Indian or the foreigner in our land. (Loud applause).

This is the Indian Renaissance, based on the equality of every race, which urges on every community, the absolute co-partnership, responsibility and sacrifice by men and women together. We in India are proud of saying that in our *shastras* women had a very high and unique place, but I look onwards towards to-morrow. Let the dead past bury its dead; We are the children of to-morrow and the to-morrow of India will be built on the equal sacrifice and courage and vision and devotion of men and women alike in this great movement in which I have the privilege to share. To-day throughout the length and breadth of India you will hear the mingled pæans of men and women in prayer alike. In the United Provinces, in the courageous

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

campaign of the Punjab, in the powerful campaign of the South of India, in the lyric campaign of Bengal, you will find there are true pilgrimages of men and women going hand-in-hand towards the common shrine. Not long ago when my great friend, Dr. Jagadish Chandra Bose was opening his great institution and I was listening to his lecture on the unity between human life and plant life, my attention was all the time fixed upon the picture above his head. It was a space that had to be crossed before the ultimate shrine could be reached. There was a man with a sword; there was a woman with a flute; and to me who loved symbols everywhere, it seemed that the courage of the man had to be sustained and inspired by the music of the flute the woman carried. It was this comradeship of inspiration and achievement, that Mahatma Gandhi has brought into life to-day. He says: Not by the blood of friend or foe shall the new page of our history be stained, though the old tradition was the tradition of bloodshed even in the epic ages of India. Though Mustapha Kemal Pasha wins by the sword in Angora, though Poland fights with the sword, and Ireland with the sabre, India shall fight with weapons not forged by human hands, but struck and beaten and shaped on the divine anvils of heaven, and the name of the sword shall be Courage, the name of the shield shall be Devotion, the name of the victory shall be Sacrifice, and the name of the reward shall be Freedom. (Loud and prolonged applause.)

You people of Ceylon are in the throes of your own Renaissance. I wrote to a famous leader in India yesterday, "Come to Ceylon and behold the spirit of Mahatma Gandhi in action." I came at a moment to Ceylon when the hearts of the united Ceylonese people were thrilled with the action of the chosen leaders of the country. You are the harvest. My master is in prison, his hands are idle for a moment but the harvest is here. The winds of destiny have blown the seeds from his hand across the seas to your Island of spice and palm. And so let me give you one message from my master, from my leader, from my teacher,

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

from my saint, even as Asoka sent his great message of peace. And while Lord Buddha was forgotten in India, you in Ceylon kept alive the great tradition of the Middle Way of Enlightenment. So let me, who come here from India, the soil where the seed was sown, in return for the branch of the Bo-Tree which Sangamita brought to Ceylon, take back an ear of the corn of your unity to my people and say: "Behold they return the debt of Lord Buddha, in the time of Mahatma Gandhi, who is preaching for liberty." (Prolonged applause,)

## CHAIRMAN'S CONCLUDING REMARKS.

THE CHAIRMAN said:—I am sure you all feel that you have had an intellectual treat. It is very seldom that we have heard eloquence such as was displayed to-day. It is the eloquence of her heart and that accounts for the eloquent address we have listened to-day. The subject of her discourse as I have told you before is one of enthralling interest to us, because, as the learned lecturer told us, it is the problem that India has been and is confronted with. We too have our trials and difficulties, but as Madame Sarojini rightly said, unconsciously we are reaping the benefit of the seed sown in India by her great master and wafted across the seas to us. And that is this doctrine of non-violence. Those who take up the sword must perish by the sword. No Empire in the history of the world that was created by the sword ever lived. It died by the sword. Mahatma Gandhi's preachings are not new things to this world. As Madame Sarojini had rightly said they are new in this sense only, that they are doctrines preached in a new form. A greater than Mahatma Gandhi preached these identical doctrines centuries ago, and a greater than Mahatma Gandhi suffered more even than Mahatma Gandhi suffers now for these self-same doctrines, and that great reformer of the world, that great preacher who preached to the world non-resistance, who preached love as the fundamental principle of his doctrine and who preached universal brotherhood as the basis of that belief, spoke of a kingdom which is now almost

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

supreme in this world and that is the Kingdom of Christ. Remember that it is the kingdom based on all the principles on which Mahatma Gandhi is now working upon. It flourished and it became great by reason of that fact. But those who are benefited by that kingdom have forgotten their Christ. Rome failed in the height of its glory because Rome was built with the sword. It died by that sword. The Empire of Great Britain is now before us as the greatest Empire, perhaps, the world has yet produced. That Empire was built on righteousness. The Empire was built on sound principles. (A Voice : Question). I say it was. It has continued to exist by reason of this well-laid foundation but England has forgotten her Christ. England has forgotten the secret of her greatness and so long as she does not realise that the secret of justice, of the success of Government lies in being righteous, in doing good, in trying to give every person his due irrespective of race, of colour, of caste, of creed, so long as she does not realise these facts, the time will come as it did in case of Rome when England will cease to exist. No race, no kingdom built merely on brick and mortar can live for ever. It is only a kingdom built on the hearts of the people that can exist. England has had her chance. England has had her opportunities. Will she take it or will she reject it? On that depends the question of her future greatness and existence. We here, as Madame Sarojini Naidu has pointed out, have not the great difficulties that Mahatma Gandhi has had in India. We have less of racial bias, we have less of disunion here, we are more or less a united people and we have worked for that common good and amongst those who have asserted the principles of right and justice recently in our local legislature, you will find the names of practically all the prominent races living in this island. Mussalman and Sinhalese man and Tamil man all joined in one united protest against official impropriety. The history of this little crisis is rather amusing. We are unfortunately a people who are trained more or less in Western ways. The members of our Civil Service and our Public Services generally are very much liked by us. They are very

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

much our own and a good many of them belong to the ruling race. As I said before we have pampered them all this time. We have given them fat salaries. We have given them as much as they wanted, but unfortunately our Ceylon Civil Service have developed a taste for creme-de-menthe. (Laughter). I hope I have pronounced this word correctly. I do not see Mr. Benjamin Horsburgh here (Laughter). In fact we have given our Benjamin's portion, but unfortunately the more we give our Ceylon Benjamins, the more they open their mouths. (Loud laughter). So we have voted a trifle of six million rupees to supply that creme-de-menthe. This was the difficulty. In regard to this there was difference of opinion and I am sure you, as a reformer, an ardent reformer and as one whose spirit is with us will rejoice on this sign of unity, not only of unity, but also of downright honest independence. The action of our Councillors means this and nothing else. We are not going to hit you back with our fists. We simply decline to co-operate with you any further in giving away from the funds of the tax-payers that which we think should not be given away. If you insist on giving it away in spite of our protest, we do what we should do in those circumstances. We retire. We go away. We will have nothing further to do with you. (Applause). That is the spirit. We too I for one, are entirely for Mahatma Gandhi in regard to the question of non-violence. I do not believe in any violence and least of all in Ceylon. We are after all a small people that could be crushed easily. Our only weapon is the weapon of right and justice and nothing else and that we have to assert as far as practicable and possibly on the lines of the saintly character who is now daily suffering miseries and enduring in jail, what all greatness entails—suffering for the people, the poor and down-trodden. Ladies and gentlemen, I feel that I am taking away to some extent the effect of the marvellous address given to you by Mrs. Sarojini Naidu. We thank you, Madam, most sincerely on behalf of the Ceylon National Congress for your brilliant address. We thank you for the words of advice and take them as you have given them in true earnestness and in the hope that it would be of benefit to our country. We trust that your stay in our country will be pleasant and that you will carry away with you happy memories and recollections. (Applause).

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## CHAPTER III.

## MARCH 1923—DECEMBER 1923

### Section I.—*Annual Sessions 23rd March, 20th and 21st April, 1923.*

The proceedings commenced with the address of Dr. W. A. de Silva, Chairman of the Reception Committee. In the absence of Mr. H. J. C. Pereira, K.C., President, the Hon. Mr. C. E. Corea, Vice President, occupied the chair and conducted business.

After the first resolution was passed on the motion of Mr. C. E. Victor S. Corea, the House adjourned till the 20th of April.

Dr. W. A. De Silva, Chairman of the Reception Committee, in addressing the gathering, said: "Ladies and gentlemen,—I believe it is the duty of the President of the Reception Committee to welcome the delegates to Congress. The Congress is held this year on an unfortunate day—a week day, at a time when there are no holidays intervening. It is natural, therefore, we cannot expect a very large number of members to come here from out-stations. Still to-day mostly you have come from the various districts in the Island for the holding of Congress. It is my duty on behalf of the Committee to welcome you here to-day. (Cheers.) I believe the President of the Reception Committee has two duties: first to welcome the delegates, next to give a general outline in the form of what I may call an introduction to the proceedings of the day. Our Vice-President who is present here takes a very keen interest in the affairs of the Island. (Cheers.) I know he will be able to go into greater details in regard to the resolutions that are to be brought up before you to-day. In the meantime I will confine myself to a few principles. Principle, ladies and



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

gentleman, is a word that has been recently much abused because the word Principle, has been interpreted from the 21st Century dictionary (Laughter). When a scheme comes before the public for the information of the people of this country, it is not to be discussed but every item and every word in that scheme is known and labelled as a principle that cannot be altered (Laughter). This thing we do not accept. We do not want that interpretation. I think we would prefer the interpretation given to the word in modern times. Principles are not the things that are enunciated in the Council Chamber that they are like the unbending laws of the Medes and Persians. They are basic principles on which certain forms of Government or certain ideals are guided. Now the basic principle in regard to governing the country is a very simple one. In accordance with the present developments no country can be governed unless those who are governed act in co-operation with the governing class (hear hear) that co-operation we ought to try to secure. It is in the nature of things that if a person is privileged, he does not readily give up that privilege. It is a manly principle, one could say, but these manly principles, where a person preserves his privilege, have to be given up when the pressure of public opinion compels him to leave the trenches. They have entrenched themselves on one sentence in the despatch of the Secretary of State. I do not think the Secretary of State ever meant when he sent that despatch that the principles mentioned shall not be altered and that the whole despatch consists of principles. Now we know that it has been definitely admitted by all classes in the island, including all communalists, that the country must get Self-Government as the basic principle of its Government. Continuing Mr. de Silva said that no person had disputed it. The European Association had admitted it. Perhaps even the Officials had even admitted it and the only opponents to a Scheme of rational Reforms were the people who said that it was their duty to indicate a path through which they must go to their goal. That path he would say was full of pits. In fact they dug pits every day. The principal pit was the pit of communalism. They said that the principle of communal representation should be

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

introduced into Ceylon for the purpose of getting Self-Government. He might call it insincere, but that word was considered to be an unparliamentary word. He did not personally consider it to be so. If those pits were dug they would require a great deal of work to fill them up. There was very strong opinion in this country that the people of the country should have the right to direct their own affairs and the affairs of the Government of the country. That was a principle which could not be disputed. That was a principle which had to be conceded. If they were in sufficient earnest, if they were determined on united action, by convincing the public that they meant what they said, it would be possible for them to gain their ends, but if they were not frank enough to say exactly what they thought and what they required and what they considered their just rights, if they did those things the day of attaining Self-Government would not be far distant. He did not think that the people of the country were unmindful of their own rights and privileges. Congress should assert in a manner that was convincing that the demands made by Congress were the only demands acceptable to the people of the country. They asked for just principles. The social and economical conditions of the country had been changed during the last century and those changes had not been met. They could not prosper and progress unless the Government was shaped in accordance with the requirements of the country and in accordance with the social and economic changes, which had taken place in the life of the country. Those conditions had to be met by devices that would help progress in the directions necessary. They had not yet received any indications that they were being set on the path of Self-Government. No responsibility had been given them. Their critics said that they had been getting a large number of institutions of a nature that was desirable. They had Advisory Boards, Educational Boards, Railway Boards and other Boards, but these were merely ships without rudders. To those who had to toil with those boats and who had to work in them the labour became useless because the charts were held by other people and were not shown to the people who needed them at all. Those Advisory

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Committees had been devised not for the purpose of promoting Self-Government, but for hindering Self-Government because they were merely made to feel that they had some sort of power and that they could exercise some sort of influence in getting what they required. But when they came to exercise that influence, they found that the charts had been removed from them and changed principles had been brought forward. Those institutions of Local Self-Government were something like vermin with many feet. He meant the centipede. The centipede could walk both ways. It tried to go forward and it tried to go backwards, and then it had a sting too and that was the worst part of it. There were some who could crush it with their feet and others who could brush it aside and say "Let the Poor Animal Live." That was the exact situation they were in and that was the reason why the Congress should demand in clear tones that the people of the country should be set on the path of Self-Government by giving them powers of initiation and work in connection with the Government of the country. Of course, they had numerous critics but they should remember the psychology of the critics. When a man had gone beyond the age of 60 his powers were on the wane and feeling that he had a few years to live his whole idea was to conserve all the privileges he had in his possession. They had found that those who worked in the forefront were now intrenched in new positions which they did not occupy before. Therefore they should not feel angry with such critics and should not feel displeased or disheartened with the words said by them. They should take them at their word. An Englishman in a well written article in the "Fortnightly Review" made two demands on the Congress. For one thing he recognized the importance and influence of the Congress. At the same time he made an appeal. One appeal was that there should be a certain amount of influence exercised to stop the growing tide of ill feeling in the country. The second was that they should all be prepared to lay the firm foundations for Self-Government in the country. There could be no doubt whatever that there was a great deal of growing ill-feeling in this country. The reason was that though in the Legislative Council the members might have heavenly powers yet

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

they had no earthly powers. The Council seemed to be a place which might be described as a manufactory of gases; and there was nothing substantial done within it. There was no constructive work done. The representatives of the people could only put questions to the Official Members; they received in reply vague answers which they could not verify by going into the actual working of the departments; and the chief of the department questioned was under the impression that this working of his department was being tampered with. And as a result there was inevitable ill-feeling, and that condition of things would prevail until steps would be taken to remedy the present evil. The appeal also said that the whole of the European community recognized the fact that a firm foundation should be laid for Self-Government, but unfortunately it seemed that the foundation was to be laid with digging deep because responsibility did not seem to be given to the people. Under the new Scheme the level ground was covered with a certain amount of mud and slush and that was the perpetuation of communal representation. They were asked to build a structure of Self-Government on mud, but no sensible men could do that. They wanted power to work for Self-Government. It had been stated that those who asked for Reforms had never formulated any Scheme of the Reform of the Legislative Council. It was not for those who were outside to form Schemes, but it was for the Government to place a Scheme before the public and then ask that it be criticised. The present Executive Council was not an Executive Council, but it was an antiquated place of pottery that wanted smashing completely. More than a hundred years ago there were Executive Councils in India of a superior type to that here. No act of a Government was valid without the consent of the Executive Council, but in Ceylon the Governor could act with or without the advice of the Executive Council. They should get the present Executive scrapped and get one which has some power to govern. That body should be reinforced by the representatives of the people so that affairs could be conducted with the wishes of the people. The members could be drawn from the Elected Members of the Legislative Council. Without that there could be no Self-Government.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

There had also been a deal of loose talk as to the Members of the Executive being something like Heads of Departments, but that was not so; they would be only responsible for dictating a policy. Then there was another question. It was said that the people who demanded Self-Government in this country were only a handful. That was not so. They had fifty per cent. literates in this country. And more than the educated classes it was the villager who wanted Self-Government. The pressure for Self-Government had come mostly from the vast number of the inhabitants of the country. They had found that it was impossible to live in this country because of the bribery and corruption, the throttling of industries and of other similar hard circumstances. There was a great deal of talk of the unalterable principles behind the Scheme of the Secretary of State, but he did not believe that that was exactly as they were told by the Government. He thought that the refusal of the Government to give the right of election to the Mohammedans of their representatives to Council was an insult to the Mohammedan community and they should agitate over it until they found redress. The demands of Congress were the right demands. Every one said that the country deserved to have Self-Government. If they worked strongly the demands of Congress would be granted. He had now to call upon the Vice-President to take the Chair in the absence of the President who had to do his duty to his client. He remembered the speech he had made before Lord Milner and one of the Secretaries mentioned to him that if they had men like Mr. Pereira they were fit for Self-Government and that it was a pleasure to know that there are men of this type in Ceylon. He would also be present at the next Deputation. His sense of duty and loyalty to his client had kept him away. Mr. Corea did not require introduction. He could not be moved by any wind. He was a man who would go straight to his aim, and it was men like him who accomplished many things in this world. He had acquired great qualities by fighting with Mr. George Wall for the abolition of the paddy tax in the island. He had led public opinion in this country and they wanted such men in the country who could lead.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

THE CHAIRMAN said: Before we open, Mr. E. T. de Silva has a proposal to put before you which I commend to your consideration. I may say that personally I am entirely in agreement with the suggestion that he has to place before you.

MR. E. T. DE SILVA said: Ladies and gentlemen, by your leave I rise to move that "This Sessions of Congress be adjourned for the 13th and 14th April."

As the Chairman of the Reception Committee has told you, responsibility, professional responsibility, of a very grave character, prevents Mr. H. J. C. Pereira, our chosen President, from being here to-day. Mr. H. J. C. Pereira has to a very large extent moulded public opinion in this country and as had been stated by Dr. De Silva has made large sacrifices for our cause. It may be that some of you, and certainly I, do disagree with him on some points, but I feel certain that there is no delegate in this hall who will not be willing to undergo some personal inconvenience to hear the language of sincerity, the language of independence from Mr. H. J. C. Pereira. (Cheers). I think our deliberations would be the poorer for his absence. I beg permission of you to move this resolution.

Mr. C. W. W. Kannangara seconded.

The resolution was put to the House and lost.

---

## THE CHAIRMAN'S ADDRESS.

The Hon. Mr. C. E. Corea then addressed the House as follows:—

The principles I stand for and the ideals I cherish are well-known. But in the circumstances which have compelled me to occupy this position to-day, it is not right or proper that I should insist on my own personal views and convictions. I am at this moment merely a make shift and I must strictly limit myself to the function of a stop-gap. I sympathize with you in the misfortune of having to take up the heavy burden of your present responsibilities without the guidance you have the right to get from a Presidential address. You have chosen your President

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

because his views are known to you and acceptable, because you know you could rely with confidence on his advice: and because you were prepared to follow his lead. Your policy for the immediate future must be fashioned for you by him. The responsibility is his and it is a serious and heavy responsibility. Mr. H. J. C. Pereira, when he consented to continue as your President undertook to put his shoulder to the wheel. He knows the gravity of the situation and he has told you that he is prepared to stand by you to meet any situation that might arise. You will remember the promise he gave you, in his first Presidential address on the 22nd December, 1921. He said: "It is no use thinking that by folding your arms and going home after the annual proceedings of the Congress, you will succeed in getting what you want. You must work for it night and day. You must have constant Meetings and until you secure your aims you should not rest. And so far as I am concerned, I am prepared. In spite of professional engagements and otherwise, in spite even of my advancing years, I am prepared to help you to the uttermost." And Mr. H. J. C. Pereira is a man of his word. I earnestly ask you therefore not to be discouraged because he is unavoidably prevented from being with you at this Extraordinary Meeting. No doubt you will be under a very serious disadvantage, in having to face the situation that has arisen without any guidance from the Chair at the outset. That guidance must come from the President of your choice and no one else. It is not for me, who is only a *locum tenens,* to trespass on the President's prerogative. It may however, perhaps be permissible for me to recall to your recollection what your President has stated on a previous occasion, that is pertinent to the present situation and to ask you to take what he said into account in shaping your policy in the crisis at which you have now arrived. In his Presidential address to the Congress in 1921, he referred to the position we stand in regard to our British connection. He said: "The first point we have to consider is the position we take in regard to our British connection." And that I submit is the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

first point you have to consider to-day: You have to review that position and clearly realize what that position is, before you venture one step towards formulating any policy for what you claim to be a National Congress. By calling yourself the Ceylon National Congress, you assert that Ceylon is a nation. What then is meant by the British connection? How do we stand? Your President said: "We stand in this respect in a peculiar position in regard to the British Crown. We are not, remember, a conquered nation. That is an all-important fact to remember in this connection. Ceylon was never conquered by the British." If this is an all-important fact, you have to face it as such. It is not enough simply to state a fact: and then try to ignore it. You must be prepared to take a fact with all the consequences which emerge from that fact. This all-important fact therefore must be squarely faced. And I ask your permission to examine this fact for a moment. In 1795 a British expedition from Madras was sent to Ceylon to assist the Sinhalese King Rajadhi Raja Singha against the Dutch. While operations against Colombo were proceeding, Mr. Andrews, a high Indian Civil Servant proceeded to Kandy, as an Ambassador from the British, to negotitate a treaty with the king. In the report of his Embassy Mr. Andrews states the position taken up by the Ambassador of the Sinhalese King during the negotiations, was as follows: "They informed me no part of the Island was considered as property of the Dutch, but that as watcher they had been placed round the Island to protect and defend the Dominions of the King...that the Dutch not having fulfilled their engagements, His Majesty was willing that we, (the English) should expel them and occupy those situations which they had been originally stationed in for his defence. That their master as sovereign of the Island had stationed the Dutch as watchers or guardians of the Coast...the English might enjoy the same privileges as had been originally granted to the Dutch." Eventually a treaty was concluded between "Sri Lankesvara Uttama Maha Vasala or the Court of the Sovereign of the Island of Ceylon" on the one part, "Right Hon.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Lord Hobart, Governor of Madras and his Councils for the affairs of the Hon. English (East India) Company on the other, by which it was "agreed that henceforth it shall be incumbent on the Hon. Company to assist the King against all enemies. And in like manner shall the King render assistance to the Hon. Company against the attacks of their enemies on the Island of Ceylon (Art 3rd), that in order to secure the constant protection and assistance of the Hon. Company by enabling them to keep a Force on the Island of Ceylon, the King shall cede to the Hon. Company for ever a situation...whereon the Hon. Company shall have full permission from the King to erect such forts and fortresses as shall appear necessary." The seal and signatures of the Government of the East India Company were affixed to the treaty on the 12th February, 1796, and the Dutch capitulated on the 16th. This Treaty was the first link of the British connection. The connection was completed as you know by the Kandy Convention of 1815 by which "the dominion was vested in the Sovereign of the British Empire.....saving to all classes of the people their civil rights and immunities according to the laws, institutions and questions established and in force amongst them." That the Convention stipulated for, guaranteed and safeguarded to the people of Ceylon continuity of their nationhood is clearly and unmistakably seen from the proviso in Clause 9 which differentiates the people to whom their own laws are conceded from British subjects. The proviso states that " in charges of murder wherein any British subject is defendant. . . no such British subject shall be tried otherwise than by the laws of the United Kingdom." The full significance and legal effect of the reservation to a nation of its own laws and institutions, by a 'Transitory Convention" such as this, which is a form of Treaty which operates irrevocably once for all, will be known to those in the assembly who are acquainted with Constitutional law, to whom also I will leave the application of the dictum laid in Field's International Code that "when a nation chooses as its Sovereign the Sovereign of another nation, it does not thereby lose its independent existence." Delegates of the Ceylon National Congress,

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

I ask you to examine and test the British connection as to its origin and its purport and determine the national rights and liberties which that connection is intended to safeguard. Your President has stated "Our Constitution is based on fixed and well-known principles." Clearly define those principles: set them up on the banner of your advance and take as your watchword the inspiring declaration of your President when he said: "We stand on our principles. That is the bed rock on which our Constitution should be built: and by those principles we stand or fall." Gentlemen, this is all I have to say. You will note that I have endeavoured to suppress my own views and opinions, only placing before you those of your President, one fact stated by whom I merely followed a step further. I trust it will not be reported that I delivered a Presidential address. I hold that no one but the President has the right to do that. And I want it to be clearly understood that in consenting to-day to occupy this position in order to enable the Congress to enter upon its functions, I am not committing myself to the policy of action which Congress adopts. By the Congress principles I stand: but I am by no means in accord with its methods. The Congress has hitherto maintained methods of conciliation and compromise. The success of conciliation and compromise has not been conspicuous. The Congress takes pride in what it calls its moderation. I will not sacrifice an iota of the national claim to the respectability which is to be gained by earning the title of moderate. The Congress also has been as a curb to popular emotion. I do not say that such a curb was not necessary for a period, seeing the gravity of provocation. But I cannot consent to be a party to the entire suppression of national aspirations. Therefore, I tell you frankly that, while I wholly endorse the aim of Congress, which is national emancipation, I hold myself free to search for and if I find, point out expeditious routes to the end in view, lost, according to the ingenious version of an old saying which the boys of Royal College displayed on a banner at the great match: "Hope deferred makes men profane."

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

This is a pregnant sentiment proceeding from the coming generation. Note it, gentlemen. I have done. I now formally open this Meeting for the discussion of the business on the Agenda.

---

## THE FIRST RESOLUTION.

MR. C. E. COREA then proposed :—

"This Congress condemns as unsatisfactory and reactionary, the Scheme of Reforms proposed in the Secretary of State's Despatch, dated the 11th January, and re-asserts the necessity for a substantial territorially-elected majority in the Legislative Council."

MR. COREA said : The first resolution has been laid upon me. I do not propose to discuss its merits. You will remember that I led the protest Meeting held in this hall. On the 26th October last, shortly after Council, Members declared the boycott which they have since upheld, the Hon. Mr. James Peiris said : "Let us give up discussion." I repeat that advice. Indeed the matter in question is beneath discussion. At the same Meeting Mr. D. B. Jayatilaka said : "The passing of resolutions would not do. We must be prepared to act." I say so too. I took up this motion because it is not simply a resolution, but a verdict. I put this resolution to you because it does not mean going on your knees to beg, but standing up to give judgment. The Congress condemns. When you condemn a thing you pronounce it to be evil. You cannot enter into any compromise with evil. The Congress condemns the Scheme of Reform. The resolution is in these terms :—

A suggested amendment has been sent to me, and that is to add to the resolution by asking for a clear definition of the status and power of the Finance Committee. I absolutely decline to have anything to do with any asking. I do not intend to take you a begging. Whom are you to ask? I say that the status and power of not only the Finance Committee, but of every institution to the Constitution must be defined and established by ourselves. The Constitutional status : our powers : our rights must depend on no one's favour : but must rest on our own

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

self determination. I therefore move the resolution as it stands and I do not think it necessary to add one word beyond what has been said by your President on the subject, namely "we consider our irreducible claim is that we should have a territorially elected majority in the Legislative Council of Ceylon. We shall be satisfied with nothing less, and until we get it, we shall fight for it.

Mr. E. T. De Silva in seconding said that he had not been asked but ordered to do so. He accepted the order. He must confess that it was no doubt a great privilege to be called upon to second what after all was the most important resolution on the Agenda. He did not himself think that many words were needed to commend the resolution to the House. As a matter of fact the subject of Reforms and the Despatches had been discussed in all places and by all manner of men, and the discussion on the public platform was almost as threadbare as on the Montagu-Chelmsford Report. He wished to speak a word of explanation on his own behalf. He wished to say that the resolution was not directed and was not meant to be directed against minorities or any other communities. He had always been a believer in the policy of idealism, but he added a ltttle law and some practical common-sense to that policy of idealism. The world was not governed by idealism alone, it was governed by sentiment, it was even governed by prejudice and as a practical common-sense politician he was always willing to make allowance not only for sentiment, but even for prejudice. That is why he would be the very last person to sponsor a resolution which was directly or indirectly aimed at communities who did not possess a strong numerical significance in this Island. The terms of the resolution, why were the Reforms unsatisfactory and reactionary. We would tell them what appeared in columns of cold print. It was only yesterday or the day before said Mr. De Silva that the walls of the Council Chamber reverberated with the echoes of the words of his learned and Hon. friend Mr. E. W. Perera who said that territorial representation was the bedrock of Reforms. They had heard the stirring address of his friend on the left, the President of the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

National Association. There was a complaint made last year that the speeches in Congress were inordinately lengthy and there was useless repetition. He very much symphathized with a long suffering public and newspaper Editors. In a nutshell he would tell them why the Reforms are unsatisfactory and reactionary. It was agreed on all sides, it was assented to by the Communal Members of the Legislative Council themselves, the European Member, the Burgher Member and others that a territorial representation was the desirable goal. The difference of opinion as Dr. De Silva pointed out was really in regard to the length of time required to get there. It was again conceded not only in Ceylon but all over the world that every country deserved Home Rule. There would always be divisions and cleavages as in every other country. The last Order-in-Council was a notorious document. It had its defects but it certainly had one merit. That Order-in-Council definitely put them on the road towards territorial representation and the path towards Responsible Government. (Hear, hear). "But where do we stand to-day? That principle has been reversed and our faces have been turned away from that direction and there is kept dangling before our eyes a vague unreal and shadowy form of Responsible Government based as communal representation" said Mr. De Silva, and continuing, said that he did not for a moment object to the wishes of other communities, but he objected with all the vehemence in his power against that mischievous attempt to make Home Rule in Ceylon a veritable impossibility. The position of the Government was immoral. He did not generally disagree with their revered Vice-President, but he begged of his hearers to beware not to go into the parlour listening to the words of the spider: "Walk into my parlour said the spider to the fly." He would ask them to keep out of that parlour. In that he was in complete agreement with their Vice-President. He saw in that Scheme of Reforms a deliberate attempt not only for the exploitation of the Sinhalese to place them at a disadvantage against others but also an exploitation of the sentiments of others and attempt to place them in a position of artificial superiority over the Sinhalese. He thought

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

they should all stick together and keep Mr. Spider at arm's length. In other words he would not ask them to reject the Scheme of Reforms, because if they did, human nature being what it is, they could not help creating in this country intercommunal and internecine warfare. Such an agitation would bring on greater disasters than their blunders of the past. He could not resist the inclination to say that they had been all along fighting over minor issues and trivial details. They would remember the story of the fox and the cheese, and how the arbitrator swallowed up the cheese. The cheese was the Responsible Government which they had in their Congress plate in 1919. Owing to their own disputes as to whom the major power should go to, which community should have more, the sly fox of autocracy swallowed up Responsible Government which was on that plate. He hoped and trusted that these bickerings would cease and they would see to the bigger issues involved. They would notice the wording of the resolution.

"Congress Condemns."—He was sorry to say that he had to quarrel with so eminent a scholar and exponent of the English language as their veteran and revered friend Mr. Corea. If they condemned any principle it was right not to touch it. He did not think the word could be so extended as to mean reject. Therefore he thought that the resolution he was seconding meant no more than that they place on record their condemnation of the mischievous Scheme, but rather go no further. They were expressing their determination to carry the matter further by any process of agitation they might desire. The Scheme was bad for another reason. The Scheme had left the Legislative Council, where it was, namely a glorified debating Society. There was no responsibility of the Executive to the Legislative Council. There have been no Ceylonese invested with responsibility. He had been following the speeches in the Council for the last three years and could not fail to notice the cynical indifference of the Governor and his remorseless callousness. The best part of the resolution dealt with the territorial majority. It was true that the inhabitants of this country had the right to enter the general electorate. He did not know whether there was a single Communal Member of

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

the Legislative Council or of any community who would under the present circumstances deny the justice of the necessity of a territorial majority in the Legislative Council. He also felt that when the new electorates return members among them they would find members of all communities. He agreed with Mr. Corea that there was no use in discussion. It was not only placing on record the formal resolution they had to do, but he trusted and hoped that those who were unhappy in disagreement, would be generous and by a magnanimous gesture heal the wounds of the past and by wise statesmanship get all communities to work together for their common object namely the progress and happiness of the people of Ceylon. (Applause.)

MR. FORRESTER OBEYESEKERE said that he had received only a few hours' notice of addressing them on that motion so that he was not in a position to do so with that same degree of authority with which he would have been able to speak to them had he the time to study the question with that degree of attention which the subject deserved. But he felt greatly on this question of the Reform that had been given to the country. His feelings on the subject were so great that he would not let this opportunity pass. He entirely agreed with the sentiments expressed in the resolution. There were certain concessions in the Scheme given them after years, of agitation, which they might appreciate. He was pleased to see the absence of the Governor from the Legislative Council as a general rule (applause). They had seen the indignity in which H. E. the Governor had been placed in at times. They liked to see him fill his place in Council with grace and without compromising the dignity of the Governor. Let them hope that on the few occasions on which they would now have the privilege of seeing H. E. the Governor in the Council he would fill his place with grace and dignity. He was also grateful for the Unofficial majority in Council which allowed the voice of the country to reach the Secretary of State. He was also grateful, for the first time, as the result of Mr. James Peiris' efforts in Council, for the opportunity given to the various Sections of the population to weld themselves into one community by returning a common

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

member to represent them in Council. That was a desideratum which he himself had desired. When he first took his place on the Congress platform in 1919 that was one of his strongest desires. For all these he was grateful, but by their side what did they see? They had seen on the whole an insidious attempt to keep the communities apart while bringing them together only when the Sinhalese people were affected. The Sinhalese people were subjected to various disabilities while other communities were encouraged to perpetuate their differences. They were not grateful for such methods. As pointed out by Dr. W. A. de Silva, there were a large number of inconsistencies in the Reform Despatch. The speaker referred to an instance where the Government had granted them concessions when it had not been convinced by argument. He proceeded to explain his meaning. Take for instance the residential qualification. He (the speaker) had supported it. But the framers of the Despatch declared that they had not been touched by the arguments brought forward for its removal, but that they removed it since the people asked for it. They knew the *raison d'etre* for their Tamil friends asking for a reserved Seat in Colombo. That was in view of the residential qualification. If the residential qualification were retained, he (the speaker) would have been the first to support a reserved Seat for the Tamils in Colombo. The Government granted the concession of the removal of the residential qualification. They had to beware of gifts like that. Why had they framed the Despatch in this way? That was clear from the fact that through the Despatch the Sinhalese had been made the butt of the Despatch. The whole object was to keep the Sinhalese at a disadvantage, to make the Sinhalese and the Tamils outnumbered by the minorities and the Officials. If the Secretary of State's desire was to protect the minorities, there was no difficulty of protecting the Kandyans in their provinces. Mr. Obeyesekere proceeded to argue that the Kandyan people were not responsible for the plight in which they found themselves, that they had

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

asked for nomination only as a temporary measure at the beginning. The treatment of the Kandyans in this manner was one of the greatest shames which the Secretary of State had been persuaded to perpetrate on this country. (Applause). He called upon the Kandyans to acquit themselves like men.

With regard to Territorial Members, the speaker maintained that the Secretary of State in his Despatch should have given due weight to the difference between Territorial Members and Communal Members, although it was not necessary to draw a distinction within the Council between Sir P. Ramanathan, who represented only himself and Mr. E. W. Perera who represented a whole Constituency. He maintained that they must now indicate to the Secretary of State in what respects they wanted Reforms. (Applause).

Mr. C. B. Paulic Pulle supported the resolution.

It was unanimously adopted.

---

## SESSION ADJOURNED.

At this stage of the proceedings, Mr. Victor Corea moved an adjournment. He said it was the wish of the Vice-President, since most of the Delegates and the President were absent, that this Sessions stand adjourned for the 20th April. In moving this this resolution he said it would be an act of courtesy to Mr. H. J. C. Pereira to do so, especially since he was going about the end of April to England to carry the war for Reforms into the heart of England itself.

Mr. Geo. E. De Silva in seconding said that it was in the interests of the Congress that they should adjourn this Meeting.

Mr. A. E. Goonesinha then rose to say that he could not understand the object of this new motion since it was substantially a representation of a similar motion that had been proposed and rejected earlier in the day.

Mr. F. R. Senanayake came forward and explained the object of the adjournment.

Mr. M. W. H. De Silva and several others got up to oppose the motion for adjournment.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## CHAIRMAN'S RULING.

THE CHAIRMAN said:—On the point of order raised by Mr. Goonesinhe I think the motion is entirely different from the one that was originally before us, which was to have no meeting at all to-day. The first motion was to adjourn altogether. Now we have opened the Sessions and gone through business. The proposal now is for the adjournment, instead of to-morrow, at this point, for the 20th April. The ruling being that the motion is in order, the sense of the house is to be taken now.

The motion was finally carried by 35 against 15.

Congress stood adjourned till April 20th.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## ADJOURNED SESSIONS.

## 20TH AND 21ST APRIL, 1923.

---

The Adjourned Sessions of the Ceylon National Congress was held at the Tower Hall, Mr. H. J. C. Pereira, K.C., the President, was in the chair. Among others present were: Dr. W. A. de Silva, Messrs. C. L. Wickremesinghe, M. A. Arul Anandan, A. A. Wickremesinghe, Francis de Zoysa, S. R. Wijemanne, the Hon. Mr. E. W. Perera, Messrs. Geo. E. de Silva, C. S. Rajaratnam, D. S. Senanayeke, Forrester A. Obeyesekera, the Hon. Mr. E. R. Tambimuttu, Messrs. M. T. de S. Ameresekera, F. R. Senanayake, S. J. K. Crowther, J. L. C. Rodrigo, G. A. Wille, E. W. Jayawardene, E. J. Samarawickreme, C. H. W. Kannangara, S. D. S. Gunasekere, Dr. E. V. Ratnam, and W. Sathasivam and D. E. Weerasuriya, (Hon. Secretaries).

The President was garlanded on arrival.

---

## THE PRESIDENTIAL ADDRESS.

The President, in opening his Presidential address, said that he felt that in the interests of his country he should accept the invitation to be President of Congress again, though he had not expected to occupy the position that had been offered him last year. During his tenure of office he would do his best in the interests of the country. It was only the other day that Mr. Lloyd George, in the course of his electoral address to the students of Edinburgh University, speaking of Politics, said that there was no profession, which was carried on under more exacting, more irritating, and more mortifying conditions than the profession of Politics. One was liable to be misunderstood at every turn, abused and one's work not appreciated on all sides by friend and foe alike. What was true of English Politics was true of this country. But that did not worry him in the least. (Cheers). He had been abused and misunderstood but he would



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

try to teach those who understood him the truth. Before he dealt with the all-important question of the suggested Reforms in regard to the Legislative Council, he would like to refer to an important event, which took place in Colombo recently.

He referred to the Strike—what was known as the lightning Strike that took place amongst the working class in Colombo. He would tell them there was no man, who was more in sympathy with the working class of this country than himself. (Cheers). Men of the middle and higher classes could well look after themselves. It was the poor working class that had to be looked after by others. He took upon himself to create the first Trade Union among the working classes, when he was young and the world was young. It was many years ago when a Printers' Strike took place caused by inordinate hours of work and poor pay. They struck and among those who helped to organize the Union were his friend, Martinus C. Perera whose absence on the present occasion he regretted, and that noble Goanese whose life was but of short duration in Ceylon, the late Dr. Lisboa Pinto (Cheers). The Strike ended fairly satisfactorily and the men got to a certain extent what they wanted and they returned to work and forgot all about the Union which lapsed into obscurity. That was the history of the first Strike among the workmen in Ceylon. He took pride in the fact that he took part in trying to at least do something towards ameliorating the condition of the workmen, and securing them their just rights. Workmen and labourers have grown in number in Ceylon, particularly in Colombo which has become a big manufacturing centre. There were Unions formed in regard to these men in Colombo and elsewhere, but nothing very substantial has been done in regard to them so far. As a result of the recent Strike the sufferers were the poor workmen. That was because they were not organized, and they had not calculated on their resources. In fact they had no resources. Strike was a weapon which might be called Non-co-operation, and was a powerful one, if properly and rightly used at the right time, in the right place. Constitutional agitation on the right lines had been the only weapon that they could and should use to secure

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

their just rights. (Applause.) They had been told often by enthusiastic members of Congress, mostly by the younger members, that the old Constitutional weapon was played out; that they were wasting time in sending Memorials, holding Meetings and appealing to those in power and that these ways had been tried and found wanting and that something more drastic should be adopted than the so-called Constitutional methods. There were only two ways of securing their rights as citizens—by Constitutional agitation and by Revolution, one or the other, there was no middle course. If they were not prepared to have a revolution, they must adopt the only method open to them and that was the Constitutional method. Revolution in Ceylon would be ludicrous, the very idea was repellent. He had persistently told them that nothing could be gained of a lasting and substantial character by revolutionary methods. They might secure temporary advantages and no more. The only method of securing lasting, permanent, and substantial rights was the method known to the civilized world and always exercised by civilized people, namely, the Constitutional method. He made these remarks in a spirit of cordial sympathy with those who have suffered in connection with the Strike.

## POLITICAL SITUATION.

In considering the political condition of the country at present, as a result of the disclosures made in the last Despatches from the Secretary of State for the Colonies to the Governor in regard to the proposed Reforms in the Legislative Council, he said that in dealing with the subject one had to be careful that he did no injustice to one side or the other. He had always told them that the British Government as a Government—he was not speaking of the British Government in Ceylon, but of the British Government in the larger sense—the Government of the British Empire —as a rule could be relied upon to do justice, if any Government in this world could be expected to do so. They had always been taught and they had always believed that an appeal to the British Caesar would not be an appeal to deaf ears. They

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

had appealed to the British Caesar in regard to their demands and they got their reply. They had now considered how far their first claim had been recognised by the British Government and how far they had been rejected and not taken notice of. In regard to the Despatches sent by the British Colonial Office it had to be considered from two distinct standpoints. First of all, did the Colonial Office propose to give them anything which might be regarded as an improvement for the old order of things? If it did, let them not be churlish and refuse to see or accept it. Let them look it in the face and accept what was good and let them condemn what was bad as severely and in unmistakeable language—(applause)—and tell them that it was against the wishes of the people and that the Government has refused to grant what they had asked. It would be remembered that it was not long ago that the Legislative Council came into existence in Ceylon. It was somewhere in the thirties and the first Council was purely a Government body, the unofficial element in it being of no account whatsoever. That continued to be so for a considerable period. It was in the sixties, he believed that the first attempt was made by leading Ceylonese to improve the conditions of the Council. They had heard of the days of the Reform League of which the great Lorenz and George Wall were the leading men who fought hard to improve the constitution of the local legislature. It would be surprising to hear that the utmost extent to which they went was this. They did not work for Elected Members, territorial or otherwise. Their object was—the main object of the Reform League—only to have a majority of Nominated Members, so that Government might not have the official block to prevent legislation according to the wishes of the people as represented by the Nominated Members. The little which they asked for and which they fought for was not granted to them. (Cries of "shame"). He heard a voice crying "shame." He repeated it himself louder and said "shame!" It was not done and Council was defied both by the local Government and by the British Government in England. It continued to remain what it then



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

was. All those Reformers of that Council played a part that our Reformers did in recent times. They walked out of the Council as a protest against their prayers not being granted. The Council continued in that unhappy condition for a considerable time with a few additions here and there, as it pleased the whim of any particular Governor in whose hands were the destinies of Ceylon. Later on during the *regime* of Sir Arthur Gordon, later Lord Stanmore, certain additional Members were nominated to represent certain sections of the communities in this country. Prominent among these were the Kandyan Member representing the Kandyan community and the Mohammedan Member to represent the Mohammedan community. All this of course did not add to the usefulness of the Council as a Legislative machine. It might have added to its picturesqueness in having the various races perhaps in their national costumes assembling in force in the Council Chamber for the discussion of measures dealing with the welfare of the country generally. Then came the agitation that had been going on persistently which resulted about ten or twelve years ago in a deputation waiting upon the then Secretary of State for the Colonies, Lord Crewe, with the object of securing if possible even to some extent the principle of elect-tion into the Council. That object was secured to a very limited extent and they were given a seat in the Council known as the Educated Ceylonese Seat, the Member for which was elected by Educated Ceylonese. The Burghers were given the right of electing their Member and so were the Europeans. In regard to the others they remained as they were and the old official block was there to prevent any definite movement on the part of the Unofficials to carry out the wishes of their constituencies, if the Government thought that it was not desirable to give effect to the wishes of the Unofficials. Further agitation a few years later and an undoubted improvement was effected. The improvement was a very marked one and that was the introduction very largely of the elective principle into the Council by giving at least a nominal Unofficial majority, or majority not of Elected Members, but of

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Elected Members and Nominated Members, nominated by the Governor. That was distinctly an advance for the reason that the Electoral Principle was for the first time recognised and it was recognized in a way that had helped them considerably in the further development that had taken place. The Elected Members were mostly elected on the territorial principle, that is to say, they were elected to represent not particular communities as Members were in the years gone by, but elected to represent certain Constituencies, that is representation was not racial, but national (Cheers). That was an important point he would draw their attention to. There was a great deal of misunderstanding about this idea of racial and national representation. They were there in the Congress—their National Congress. (Cheers). They knew no race, no religion, no colour, no creed. They believed in one nation in Ceylon and that was the Ceylonese nation. (Loud applause). To them it did not matter whether a man elected to represent a particular Constituency was a Tamil, Englishman, or Sinhalese or Burgher or any one else so long as that man was accepted by the free votes of the electorate as the best man in their opinion to represent them. They were satisfied to the extent not only that that man represented a particular Constituency for which he had been elected, but that he represented also whole Ceylon. (Applause). As was pointed out in the course of a valuable article contributed by his good friend Mr. Wille in one of the local papers some time ago it was Burke, who challenged a question such as this. True, he said that he represented such and such a Constituency elected by the people of that Constituency to represent them, but the moment he came into Parliament he came in the character of a Member of that Constituency and also as a Member for the whole of England because his Constituency was only earmarked for the purpose of division or convenience. That was the true position of the Territorially Elected Member and that was a position which no Communally Elected Representative could have. It was impossible, it was self-contradictory. A man who was communally elected was

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

elected by the members of a particular community, a race, and he could not go into Council with any pretence of representing anybody else, but to watch the interests of the community which returned him. In Ceylon that representation was a negligible term. (Hear, hear). When the Reforms were granted some two years ago, the principle of territorial election was for the first time recognised and introduced into Council. They had therefore gained substantially. It was undoubtedly a vast improvement on the past and a step well in advance, but they must not run away with the idea that they had gained a lot by it. No. It was a first step only that they had made. They had their feet firmly placed, when they secured that. They were not going to recede from that to please the Governor here or the Secretary of State in England. In securing that right they had secured something actually substantial. It was not a present made to them. They had to fight for it. They forced it out of the hands of Government. Government had given them the privilege. Why? Not because Government was afraid of them. What was there to be afraid of? It was not given by way of charity. They never asked for charity. It was given because the Government appreciated the strength of the case and Government realized the demands were just and fair. The British mind for once asserted itself and Government gave that privilege as a means by which they could develop their Council into greater things in the future. They were aware that the Reform proposals were accepted conditionally, that is to say they were accepted not as a solution of the problem that was placed before the Colonial Office, but as a temporary arrangement to be carefully revised later, and thus enable the authorities to give them what they were prepared to show them were their just dues. The agitation continued. They kept on hammering at the doors of the Colonial Office and the result was the latest Despatches which would practically be embodied in the next Order-in-Council later unless amended in any material aspects as the result of representations made by the people and are being made by them to the home authorities in England. With

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

regard to the outcome of their efforts so far, there were two things. Unfortunately for them and unfortunately for the country, personal ambitions of individual men helped to create dissension in their ranks. The Tamils as an organized community who sent their Representatives to Congress had ceased to do so. A number of them had been trying to make the Government understand that so far as the Tamils were concerned, it was not territorial but communal representation that they wanted. He did not blame any one, as each man was entitled to hold his views just as much as any other. There were, however, a number of progressive Tamils both old and young who were still fighting with them. (Cheers). It was only the Die-hards who were greatly disturbed and who were trying to mislead the members of that community. If he understood the true Tamil he felt sure that the Tamil would not to be led by the Die-hards, but act as the civilized, progressive and most enterprising community they were known to be. They would soon realize that the salvation of Ceylon depended not on the growth of communalism or racialism but on the growth of the true national spirit which the Congress fostered and would always foster. (Applause.) Let them not misunderstand him. He did not want to deprive any man, be he Sinhalese, Tamil, Moor, Burgher, of his own racial ideals, his racial activities, of the pride he took in his language or any other particular trait of his race, in matters social or religious, but in the matter of politics let them be all united. But what he would like to say was that there should not be a country consisting of petty nationalities. That was not true nationalism. Let it nor be said to their discredit that they allowed tribalism to have sway in this country. Their object should be to secure progress in the country, political progress which meant everything for this country on true national lines. Whatever their social differences might be let them have no differences in regard to their political rights and in their political endeavours. (Applause). Let them all be united as one nation—the Ceylonese nation. Referring to the Despatches he most emphatically would say there was matter for congratulation that they had secured one further step in the way of Political

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Progress in this country. Looking at the facts they would see that instead of 11 Territorially Elected Members in Council as at present constituted, they would have 21 Elected Members. That was a distinct improvement taken in conjunction with certain other amendments made or to be made by the proposed Order-in-Council. The official representation which was 14 in the present Council was going to be reduced to 12, so that the Territorials gained in numbers ten and the Officials lost two. In addition to this there were, what he might rightly term surpluses of Communally Elected Members. There were three instead of one Mohammedan Member. Two instead of one Burgher Member. So far as the Burgher Members were concerned they were told that the Burgher Members were to be elected, same as the European Members, but in regard to the Mohammedans and Indians their selection would be known in process of time as soon as electorates could be formed. Counting on the Territorially Elected Members and those Elected Communally, they have secured an elected majority. The Territorial Members formed nearly half of the Council, and combined with the Burgher, Indian and Mohammedan Representatives they would undoubtedly form a strong phalanx on the Unofficial side to support Unofficial measures in the Legislative Council. The Officials would undoubtedly be in the minority. One gain to his mind that was obvious from the Despatches was that the old Official block had gone and he trusted gone for ever. (Applause). Was that not a thing to be proud of? Have they not gained something? Why be churlish? Why not admit it and offer thanks for what had been given just as much condemn anything that was not given or what was wrong? Political rights could not be secured in a day or two or even in a hundred years as in certain cases. The present British Parliament was evolved gradually into its present representative character and even now they must realize that the House of Lords could thwart legislation sent up by the Commons in England just as much as the Governor was able to do it here in this country. They had progressed to a certain point. They must bide their time in patience and by Constitutional agitation they would achieve their

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

end. His Grace the Duke of Devonshire had given a time-limit for further agitation, of five years. No Duke, no Governor under the sun could limit them. (Applause). In spite of Dukes and in spite of the Governor in spite of everybody, they would continue their agitation ceaselessly. (Loud applause). They had no time-limit and they would carry on the warfare whether they wished or not until they ultimately got what they wanted. (Applause). He (the speaker) might not live to see it, but the generations to come would benefit by their labours of the present. They had secured for the present what the giants of old, Lorenz and George Wall could not secure. This, they had done by continuous agitation within a comparatively few years. In fact within twelve years they had been able to change the Council from that ancient, useless, ornamental body into a living, active body as it was now. Another considerable step in advance was the removal of the residential qualification, one of the most important victories they had secured. Let it be said to the credit of Sir William Manning that in his Despatch he himself asserted his dislike for the change, yet he felt that the voice of the people was strongly in favour of the removal of the restriction and he therefore suggested to the Secretary of State, that the restriction should be removed. There, they saw the actual Manning, the Englishman. As he had always told them, it was a truism that wherever he might be, an Englishman was alive to a sense of justice—(cheers)—only they had sometimes to force it out of him—(laughter)—but the sense was there. Then again there was going to be a vice-President in Council. Imagine one of their own to occupy the Presidential chair in Council in the not distant future. That was one of the achievements of the political agitators of this country. There was also the darker side of the picture. So far he had spoken of the brighter side. It was true the Government block was gone, but there were means and methods by which on special emergency that block might arise in a different form. (Laughter). It was possible, he did not say it was likely in every case, certainly there were possibilities—of the old enemy showing its head again in a different form. They must be prepared to crush that head the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

moment it showed itself and adopt methods which lay in their power to prevent the occurrence of the old catastrophe. He was apprehensive that matters had been somewhat accentuated by certain remarks made by Mr. Owen, the Chairman of the Ceylon Association in England. At unguarded moments officials who were entertained to dinner occasionally by the Association were liable to come out with some truths, which when they saw in cold print were horrified to think that they had ever uttered in public. Mr. Owen deplored the fact that the Ceylonese whom he always thought were kept under and always in the minority in the political stage had suddenly become aggressive and that they had secured a majority in Council and that the Governor had done his best for them and so it was their duty now to do their best for the Governor and their Member should be careful to support Government against the arrogant Ceylonese. That was the interpretation he (the speaker) put upon the published speech of Mr. Owen. The possible combination of the Communally-Elected Members in Council would certainly be a blot and very bad blot in the Scheme. The Scheme of communal representation which had been put forward seemed to him to take away as far as possible the effect of the granting of what they felt to be a gain to the Ceylonese, namely their territorial representation. On the last occasion that he spoke he quoted authority after authority and particularly from the Montagu-Chelmsford Report. The communal representation they tried to introduce to India was only a temporary one and even the "Times of Ceylon" had stated that communal representation would retard the growth of representative Government. In fact the introduction of the communal principle was not to be increased by any means, but was to be decreased as years went by. Mr. Ormsby-Gore and Mr. Woods, Under-Secretaries who were sent to Jamaica and the West Indies, where similar problems existed, stated in unmistakable terms that the system of communal representation was not to be encouraged. It was advisable to continue it or to increase the numbers. In civilized Ceylon, the Premier Colony of the Empire which was far ahead of Jamaica, India or any other Colony in the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

British Empire such a system was impossible. He could not say who put the idea into the head of the Secretary of State. Was it the Die-hard Memorial? He most emphatically challenged the statement made by local authorities that the growth of this country had been hitherto and would be hereafter on communal lines. That was not true. (Applause). There was nothing to justify such a statement. All communities in this Island moved freely and there was no communalism or racialism in evidence. The racial prejudices were the creation of disappointed place-seekers and disappointed aspirants to political power. He could not understand the necessity of communal representation, unless it was for spectacular effect, when the Members representing different races appeared in picturesque costumes. That reminded him of an an incident when he was in England on a visit. He attended a play called "Potash and Perlmutter" in which the wife of Perlmutter was fond of bridge. She used to lose much and there were always passages at arms between husband and wife on such occasions. The husband used to exclaim "O Rosie you will always go no trumps when you have four knaves in your hand because they look so pretty." (Laughter). It struck him that there were Rosies in Ceylon who looked at their political cards in the same way as Mrs. Perlmutter. They liked to have a picturesque scene in Council. There certainly was no material upon which the Colonial Office in England could have come to the conclusion that the statement was actually true, unless the Duke of Devonshire accepted the statement of the man on the spot, who must have got the idea put into his head by the sycophants who gather round the Governor and other Officials. These busy bodies put the idea into the heads of gullible Officials who readily believe what they hear. For instance, Sir Ponnambalam Ramanathan is known to be trusted by Sir William Manning a great deal. He could not understand why a Tamil Seat was reserved in Colombo, when in the ordinary course there was every likelihood of a Tamil being elected for one of the two Seats for Colombo. It was a direct challenge and insult to the Sinhalese. Let the Tamils remember that the Sinhalese were

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

their friends, in spite of the mischievous attempts of busy bodies to create dissension and bring about a cleavage. The Tamils were too keen-witted to be taken in and noble-minded to be led away easily. He hoped that the gift they have received would not be accepted by them who are a progressive race. His experience of the inhabitants of the North was that the people were cultured and enterprising and progressive in character and that they would not be taken in by gifts of such doubtful value. If the communal representation was to be carried to its logical sequence, it would not surprise them to find a Malay Member too in one of the Mohammedan Seats. Even such a pro-Government man as Sir Marcus Fernando had condemned the principle.

Mr. Pereira next referred to the necessity for more education of the rural population before the people were fit for Home Rule which was the goal of their ambition. He condemned the attempt to introduce tribalism among a peaceful community. In conclusion, he said that if all races were to be represented in Council, why should they leave out the aborigines of the island the Veddahs from entering Council. Let them not look to India for examples in making their Constitution. In spite of the so-called unity there were caste and community riots in India between Hindus and Mussulmans, a thing which was happily absent in Ceylon. He dwelt on the necessity of adopting Constitutional methods and continue that form of agitation which alone would bring them the desired end, when he hoped to see, at least generations would live to see a Federation of States within the British Empire and Ceylon as one of the States. They could then send to their turbulant neighbour, India-the message :—

Sound aloud the timbrel over Asia's sad sea.

Sri Lanka has triumphed, her people are free.—(Loud applause).

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## REVERSION TO COMMUNALISM.

MR. E. J. SAMARAWICKREME moved "This Congress views with great misgiving and grave concern the reversion to communalism as the basic principle of the scheme of reforms, and protests against the communal checks and balances provided under the scheme as undemocratic, and calculated to cause disunion among the different communities in the Island."

He said: The resolution which I have to propose to you is one which is condemnatory of the communalism of the proposed legislature. It is to some extent covered by the first resolution which was adopted on the first day of the Sessions. It was rightly interpreted by my friend Mr. E. T. D. Silva as one which in no way implied a decision on our part to reject the foothold which the proposed reforms give us for the continuance of our campaign. But though it is covered by the resolution it is not inappropriate that the condemnation of the communalism of the Government proposal should form the subject of a special resolution. It is as very aptly described by the Hon. Mr. E. W. Perera, something which casts a dark shadow upon and obscures the concession contained in the proposed reforms. It is a plot for which no real justification exists. It is true that various groups have made a demand for representation on racial lines. But if that demand was merely sentimental, if it was politically unhealthy and unsound—whatever might be said in favour of a graduated scale for the elimination of communalism—there can be no justification for fostering and encouraging the growth of an unhealthy and unwholesome sentiment. To the question as to what are the special interests of a community which are distinct from or which should prevail over the best interests of the island as a whole, no intelligible answer has ever been forthcoming. But we should not therefore betray any resentment against the demand from some quarters for racial representation. It is the natural result of racial representation for nearly three quarters of a century. We are reaping what the bureaucrats of old have sown. And it is not very surprising that Government wishes to follow the example. Gentlemen, communal feeling on the part of the people of the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

land is the only obstacle with which the bureaucrat can oppose us in our onward march towards a position of political self-respect. Its elimination therefore is required not only by reason of its intrinsic demerits but by our own self interest. We must therefore set about to overcome what remains of communal feeling among us. The checks and balances referred to in the resolution are very suspicious. Mr. E. T. de Silva has described them as an exploitation of the communal sentiment of the races other than the Sinhalese. But to my mind the most potent danger was the tendency to exploit the Sinhalese sentiment. There was that in them which was calculated to cause resentment on the part of the Sinhalese and to bring into existence a communal feeling. Happily it has not had that effect. All congressmen are as indifferent to-day as to the race of their representative in Council as they ever were. Had it been otherwise, had the Sinhalese given up the struggle for the territorial principle, the corner stone of responsible government and asked for equality of treatment on a communal basis or a trace of communal feeling manifested itself it would have been triumphantly pointed out to not as the outcome of these proposals but as the evidence of a hidden and ineradicable vice. It would have undoubtedly been a triumph for the local bureaucracy. It was therefore with great concern that I read the paragraph published from the speech of the President of the Maha Jana Sabha and which has been construed as hinting at a racial boycott by the Sinhalese. I know the President and I know his views and I have not the shadow of a doubt that the removal of the passage from its context has made its true meaning obscure. I have not had the opportunity of talking on this subject to its author but I think that his real object was to contend that in these democratic days it was more to the interest of the other races than of the Sinhalese to kill what there is of communal feeling. But I would deplore the use of language even for such a laudable purpose which might be misread as a hint of the possibility of anything so immoral and unprincipled as boycott by the Sinhalese of their own countrymen, their own brothers, if not by blood at least by adoption. Gentlemen we know how a seat in

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

the Legislative Council came to be regarded as a hallmark of social eminence. And it is not unnatural that a feeling should have arisen among groups or races that their prestige required that one or more of their Members should be amongst the august lot of "Honourables." I do not know that the title will no longer be associated with a seat in our legislature. I do not know that the feeling that I have referred to is universal nor do I suggest that the conservative elements amongst certain communities have not a real, though a vague, though undefinable, fear of political change. But gentlemen, we are free to admit and it must be said to the credit of the various Communities that on the people of this country Communalism has had less effect here than elsewhere in creating anatagonism between class and class or in narrowing the political outlook of their Members. Their broad-mindedness and the free intermingling of Members of various races in their business and social relations have saved them from such a fate. But gentlemen even if Communalism had no effect at all in the way of making Members representing Communities put the advantages accruing to their race before the good of the island as a whole, even if it never made a Communal member say to himself—the measure before me is generally speaking sound, but I am here to further the interests of my communitity; can I not alter it so that the other community may bear the burdens of this measure; mine may only share its benefit. If no cases of the kind that the Hon. Mr. Boteju called the attention of the Legislative Council to in the course of the debate on the proposed reforms ever occurred, it nevertheless would be hopeless for us to expect the British authorities to lay aside these theories and the experience gathered through centuries to evolve for our parliamentary institutions a basis different from that on which all founded, namely, the territorial principle. The case the Hon. Mr. Boteju called attention to is a very practical illustration of the disadvantages of communalism, Mr. Boteju pointed to a statesmanlike utterance of a communal Member, one instinct with a desire to do the greatest good to the greatest number and to

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

his failure when it came to action to act up to that declaration by reason of the known wishes of his communal electorate. As I said before, gentlemen, it is too late in the history of the British Empire for tiny little Ceylon to expect the anomaly of anything like responsibe Government based upon racial representation and the extension or perpetuation of that form of representation can have only one result, the retarding of our political progress and that is why we are distrustful and are so greatly grieved. Gentlemen, I find it as difficult as the Hon. Mr. Perera found it, to believe in the sincerity of any one believing in British Parliamentary institutions who prates on the virtues of communalism. It is impossible to take any expressions of preference for it seriously. Such opinion cannot receive any weight as against the clear and strong condemnation of it by men of such eminence and outstanding ability as the authors of the Montagu-Chelmsford Report and the endorsement of it by the British Cabinet and the absence of a word of criticism of the working of Indian Councils from the point of view of their constitution mainly on non-communal lines. The Report that I referred to was the outcome of elaborate study and careful examination of the subject. It was made, and it was adopted by the British Cabinet in circumstances involving the greatest responsibility. The weight of authority is therefore enormous. But assuming that it is wrong and that communalism is preferable we cannot hope to advance within the Empire without discarding it. While therefore we ourselves are ready to suffer something of it out of regard for the wishes of those of our fellow countrymen who demand what are called safeguards we are not prepared to leave communalism as a legacy to our children. We respect the view of those who demand temporary safeguards. But we apply to officials who encourage the growth of communalism the condemnation that they themselves have pronounced upon such actions. Let me conclude by reading that sentence of condemnation to you.

MR. SAMARAWICKREME then read the passage he referred to from the Montagu-Chelmsford Report.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

MR. C. S. RAJARATNAM in seconding the resolution said that he did so with pleasure. The resolution set off the proposed scheme of reforms as one of checks and balances. He would add that it seemed to him that it was liberally designed to lay the door open for bargains and betrayals. The racialism that seemed to have prompted the underlying principles of the scheme seemed to be the unfortunate racialism that seemed to overtake the Britisher himself when he crossed over to the East. In view of the undoubted truth of the statement of the case made by their President they need not inquire very far to find out how it was that that aspect of racialism could be given such prominence, such wholly unjustifiable prominence in that scheme. Of course the minorities of the members of certain communities had been to some extent responsible for it but how was it that those minorities had received such an effective hearing whereas the voice of the Congress of such an organised representative body as the Congress that could speak and did speak with authority on behalf of the people of the country, how was it that that voice had not been heard—that the demands of the Congress and the statement of facts made by the Congress had been to say the least ignored (cries of shame). He said that that was due to the unfortunate tribalism that overtook the Britisher himself when he crossed over to Eastern latitudes. There was only one hope that he could express and that was that although that scheme appeared to them to be a scheme devised for the special purpose of increasing the cleavages and divisions that to some extent had come into existence within recent times—although that scheme was intended to bring about that most regrettable of results, he hoped that the good sense, the true feeling of unity and identity of interests that existed between the various communities of the Island would assert itself and that the very purpose for which that scheme of checks and balances had been devised would be defeated very soon and that within a very short time of the reconstituted Council coming into existence the devices of that very scheme would fail and the purpose the authorities had in view rendered futile by the true sense

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

of unity and the true love of the country as a whole that marked every community, large or small, that inhabited this country.

Mr. S. Pasupathy in supporting the resolution said that he came as the accredited representative of the Kurunegala Association. Although the political activities of Kurunegala had not much come into the limelight, yet the people of Kurunegala were fighting their political battle for the attainment of Swaraj. *"The Daily News"* in a sub-editorial of the 24th November had an easy fling at them and it carried with it the reflection that Kurunegala was like a political rhinoceros that must be attacked from outside. It also gave the implication that it was only then that the people of Kurunegala had realized a sense of political responsibility. Of course he gave *The Daily News* the high credit of glittering sincerity in that particular arena of journalistic activity. It galvanised their energies and it was a champion of popular freedom, but he refused to subscribe to the implications of its suggestions that political consciousness was the monopoly of the newspapers and of the man in the city. The Congress should go from province to province encouraging the industrial growth and the cohesion of the provinces. It might seem paradoxical how he, a Tamil, came forward to discount a system that affected his race. In the first place he would tell them that the Tamils and the Sinhalese were trying for democratic Government and since he came to that hall his idea had been strengthened in the light of the pronouncement from the chair. In view of that he held that advancement on communal lines was treason against the nationalism of Ceylon. Communalism in any form, in any sphere would benefit neither the grantor nor the grantee, but would be a permanent source of frictions and conflicts. In that view he stood supported by that Political Mazzini of Ceylon, Mr. Corea of Chilaw. Communalism and national advancement was a contradiction of terms. It might even be described as political brigandage. Therefore anyone who would surrender to that gilted glamour would be opposing the goddess of democracy. That would lead them down the incline of political

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

moribundity. That was a travesty of history. Of all the political delusions of the West the most heinous was to say that democracy was a Western institution. It would not be sedition to the chair if he said that the motherland of Home Rule had been the East. To say that the West was the only heir to democracy was a political crudity. It might be that the noble lord did not look beyond the white land. But there was no justification for a journal that had made its home in the East, that had opportunities of knowing the soul of the East to proclaim a political heresy. *"The Times of Ceylon"* which was credited with some commonsense had said it seemed that democracy was an exotic plant to be planted for the first time in Ceylon. He did not know why that esteemed journal should dip in those delusions so late in the day when the leaders of the West had discovered where democracy had its origin in the bygone ages and if there was a suppression of those inner qualities now it was because of the actions of the intruders. Communalism was the Spirit and Handmaid of that Doctrine of "divide and rule." It had come sanctified by the passage of time and it was more powerful and destructive than the bomb and the bayonet. Of all human failings the most wicked was to refuse to listen to the records of history at whose door many a sovereign had to bend his knee. The amity of the races living in this island was a far greater treasure than the glimmering reforms that sought to erect communal camps. The idea of race should be immolated at the altar of the motherland. It was refreshing and reassuring to contemplate the note of harmony struck by the President of the European Association, Mr. Villiers. It opened a new vista of opportunities. It was truly illustrative of the true spirit of the Englishman and he hoped that counsel of perfection was to his own countrymen. He would ask Mr. Villiers to propagate it till every member of his community practised it and brought into the hotch-potch of the commonwealth of this country all their interests. He asked every inhabitant of this island to do likewise.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

The President then called upon the Hon. Mr. E. W. Perera to speak.

MR. PERERA, rising amidst applause, said that the command of the Chairman and the Secretary that he should speak a few words to them could not be disobeyed; but in regard to what he had to tell them, it would not take more than a few minutes, because the subject had been fully and eloquently thrashed out by their President, Mr. Samarawickreme and by Mr. Rajaratnam and the last but not the least eloquently by Mr. Pasupathy from Kurunegala. (Applause). He had not only to remind them that the *Ravana* of reaction had once more enthroned himself in their Island and that they could not now expect the help of shining legions from a *Rama* from across the waters, but also that they had to forge their own weapons to fight the accursed demon. (Loud Applause). He was not speaking with regard to particular Officials or to the Administrator that guided their destinies to-day, but to the whole Executive Government of the Country. (Applause). It was only Sir William Manning that stood out to be shot at, it was not only he that was the greatest danger in the way of their acquiring their political rights, but there were subtler beings in the inner Cabinet. (Applause). It was this bureaucratic *Ravana,* this spirit of obscurantism that they had to fight. He need not speak much about the dangers of communalism on the present occasion. They had spoken about it in Council, however inadequate their voice was there, and their Chairman had spoken about it on the present occasion. Their Delegates had gone across the water, at great expense and inconvenience to themselves, to lay their grievances before the British Parliament. It was now the duty of each one of them all over the country at large to supply the ammunition, if their mission was to succeed. These Delegations alone would not do. The delegates ought to have ready reports of Meetings, etc., as expressions of organized public opinion, expressions of public indignation, to show the English authorities, Otherwise their enemies would put down their views as those

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

of a few agitators. The principle of racialism introduced into the Scheme was more far reaching in its implications than they would ever think it to be. What did it mean? It meant in Government Offices certain races would be favoured. It was the same poison that was introduced to the Government Service against the Ceylonese in the higher branches of the Service. Sir Henry Cotton, that great Indian authority, it was he who asked on that occasion whether people from Ceylon could compete in England for Probationers Examinations. If he remembered right Mr. McCallum Scott, asked the Government if these people were to be debarred from the higher service, under what rule there were so many Jews in the Front Bench of the House of Commons. He would warn them that it was this racialism that would be made the pivot in the campaign of the enemies of Reform for preventing them from getting their just rights. They must gird their loins and fight. He would ask them to agitate, agitate and agitate, as Sir Arthur Havelock had said. (Applause). He would conclude his remarks with the historic call: "To your tents! O' Israel!"

Mr. D. E. Weerasuriya, who spoke next, said that the word "Swaraj" was on the lips of everybody, particularly of those from the North. They ought to recognize that they could not attain "Swaraj" until the communal idea was eliminated. That was what the able mover of the motion had explained. H. E. the Governor during the Reform debate in 1921, laid great stress on the necessity of safeguarding little nationalities in their midst. He was not satisfied with the generous concessions, in Mr. James Peiris' motion. If any case was made out for the re-presentation of any minority, there was a very strong case made out in regard to the Kandyans. It was a case that received the special consideration of the Governor himself, the Governor saying that the Kandyans were a backward people. When the Reform Scheme came, there were no special safeguards for Kandyans in it. (Cries of "shame"). What was the reason for the omission. That was to be found in the secret memorandum, because its authors made

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

provision for all communities, except the Kandyans. (Laughter). It was not necessary for him to dilate on the dangers of communalism, but since the Kandyan point of view was obscure, he would say a few words from that point of view. If minorities had to be so carefully safeguarded, why was there no representation for the Tamils, the Parsees, the Barathars and the Veddahs. (Laughter). They would soon have a human zoo, as their President had told them. (Laughter). From the Kandyan point of view, he would appeal to the Delegates from the various parts of the country, although the Congress as the Congress had nothing to do with communal representation, to make a generous gesture and stand out to enable some Kandyan gentleman of the Conservative type to be returned to Council from the Kandyan Provinces. (Applause). Then he would tell them that a good deal of work had to be done. If they worked hard they could gain *Swaraj* in their own life time. He did not subscribe to the dictum that Home Rule had been planted here from the West. (Applause). That was the burden of the Imperialistic cry. He did not subscribe to the view that any race had a divine right to rule over another race. (Applause). They had heard a lot of talk about the British Commonwealth. But there was no such Commonwealth. (Laughter and applause). They had heard a great deal about Constitutional agitation. But they had no Constitutional Government in the country. (Laughter). But he agreed with the Chairman that even tried revolutionary methods would not do, because they had to win the sympathy of the British public. He appealed to the young men to join the Congress in propaganda work.

Mr. H. J. C. Pereira in putting the motion to the House made a few comments on each speaker on the resolution. In speaking of Mr. E. W. Perera he said that he might take the opportunity to say a few words about something that was now happening. He went on to decry the scramble for Seats that was now taking place in some parts of the country and of the danger that those people were causing the Reform cause. He next emphasized the necessity of Constitutional agitation and if they

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

worked steadily, there was no reason why within the life time of the younger men in the Congress they should not attain their goal. The Duke of Devonshire should not impede their progress by placing a time-limit. There was the writing on the wall in England itself to-day. A certain King of old had such a warning. There was such a warning in England to-day. (Applause). That was the victory of the Labourites at the recent elections. The King had read the writing on the wall and had invited Labour Representatives to the Palace. He expressed his confidence that Labour would do justice to their cause. (Applause).

The resolution was put to the vote and carried unanimously.

The following resolutions were also adopted :—

"This Congress is of opinion that the widening of the franchise by the reduction of the income and property qualification is imperative and should be given effect to in the proposed Constitution, and that there is no justification for the grant of a plural vote to communal electors, otherwise than as a feature of a Legislature with a majority of territorially elected members."

Proposed by Mr. F. R. Senanayake seconded by Mr. A. A. Wickremesinghe.

"In the opinon of this Congress the Executive Council shall consist of six Members, three of whom shall be Officials and three shall be chosen by the Governor from the Unofficial Members of the Legislative Council for the time being, two at least of the latter being Territorially Elected Members. The Members so selected shall be placed in charge of such Departments as the Governor may determine and shall be responsible through the Governor to the Secretary of State for the administration thereof. Such Members shall on selection vacate their Seats in the Legislative Council and be included among the Official Members thereof and shall enjoy the same status as other Official Members of the Executive Council. Their period of Office shall coincide with the duration of the Legislative Council."

Proposed by Mr. G. A. Wille.

Seconded by Mr. C. S. Rajaratnam.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

The following amendment was moved.

"This Congress deplores the omission to make any provision for the reconstitution of the Executive Council in the proposed scheme of Reforms and suggests that the Executive Council be re-constituted to consist of His Excellency the Governor as President and six other Members of whom at least three shall be Ministers chosen by His Excellency from among the territorially-elected members of the Legislative Council and placed in charge of such departments as His Excellency may determine. These Ministers shall retain their seats in the Legislative Council and support the Government policy and Government measures in the said Council. They shall be removable from office by His Excellency the Governor and shall go out of office on the dissolution of the Legislative Council."

Proposed by Mr. Francis de Zoysa.
Seconded by Mr. A. E. Goonesinghe
Supported by Mr. F. P. Senaratne.

The amendment was put to the House and lost, the votes on each side being equal and the President giving his casting vote against it. The original motion was adopted.

"This Congress is of opinion that the Government proposals should be modified by the reduction of the number of Official Seats in the Legislative Council from twelve to at least nine."

Moved by Mr. F. A. Obeyesekera.
Seconded by Mr. C. W. W. Kannangara.

"This Congress is of opinion that the Schemes suggested by the Director of Education and the Board of Education for improvement of the pay and prospects of the members of the teaching profession are unsatisfactory and that immediate steps should be taken by Government to formulate Schemes that would satisfy the just demands of teachers as regards pay and prospects."

Moved by Mr. C. W. W. Kannangara.
Seconded by Miss Eselin Perera.

There also spoke Messrs. J. P. S. Wickremanaike and Collin de Soysa.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Owing to the fact that it was found necessary to hold a Special Session in October 1922, the Annual Sessions, which should normally have been held in December was postponed.

The following are extracts from the minutes of Executive Committee meetings, referring to this Session :—

(*a*) "Considered date for holding the Sessions of Congress. Resolved that the Sessions be held on Friday 23rd Saturday 24th March at the Tower Hall."

16th December, 1922.

(*b*) "The following officers were elected for the coming Congress.

*President.*—Mr. H. J. C. Pereira (re-elected)

*Vice-President.*—Mr. C. E. Corea.

*Hony. Secys.*—Messrs. D. E. Weerasuriya, and W. Sathasivam.

*Chairman of Reception Committee.*—Dr. W. A. de Silva.

*Members of Reception Committee.*—Messrs. E. T. de Silva, F. A. Obeyesekera, A. E. de Silva, and D. S. Senanayake."

9th March, 1923.

(*c*) "It was resolved to adopt the following resolutions for submission to the forthcoming Sessions of Congress."

23rd and 24th March, 1923.

*Resolution* 1.—This Congress condemns as unsatisfactory and re-actionary the scheme of reforms proposed in the Secretary of State's despatch, dated the 11th January, and re-asserts the necessity for a substantial territorially-elected majority in the Legislative Council.

*Resolution* 2.—This Congress views with great misgiving and grave concern the reversion to communalism as the basic principle of the scheme of reforms, and protests against the communal checks and balances provided under the scheme as undemocratic, and calculated to cause disunion among the different communities in the Island.

*Resolution* 3.—This Congress is of opinion that the widening of the franchise by the reduction of the income and property qualification is imperative and should be given effect to in the proposed Constitution, and that there is no justification for the grant of a plural vote to Communal electors otherwise than as a feature of a legislature with a majority of territorially elected members.

*Resolution* 4.—In the opinion of this Congress the Executive Council shall consist of six members, three of whom shall be officials and three shall be chosen by the Governor from the unofficial members of the Legislative Council for the time being, two at least of the latter being territorially-elected members. The members so selected shall be placed in charge of such departments as the Governor may determine and shall be responsible through the Governor to the Secretary of State for the administration thereof. Such members shall, on selection vacate their seats in the Legislative Council and be included among the official members thereof and shall enjoy the same members' status as other officials of the Executive Council. Their period of office shall coincide with the duration of the Legislative Council.

*Resolution* 5.—This Congress is of opinion that the Government proposals should be modified by the reduction of the number of official seats in the Legislative Council from twelve to at least nine.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(Submitted by the Galle Association)

*Resolution* 6.—This Congress is of opinion that the schemes suggested by the Director of Education and the Board of Education for improvement of the pay and prospects of the members of the teaching profession are unsatisfactory and that immediate steps should be taken by Government to formulate schemes that would satisfy the just demands of teachers as regards pay and prospects.

(Submitted by the Lanka Mahajana Sabha)

*Resolution* 7.—That in view of the small support given to education by Government and the inadequate provisions now made therefor, this Congress is of opinion (a) that the education vote should form a larger portion of the public revenue than at present, in order to secure a more vigorous promotion of all branches of public education; (b) that even if Elementary education cannot immediately be made universally compulsory, it should at least be made cheaper and brought more within the reach of the masses.

(Submitted by the Ceylon Workers' Federation.)

*Resolution* 8.—In view of the increasing unemployment among labourers and the room for improvement in the conditions on which labour, both skilled and unskilled, is employed in Government establishments and in private workshops, and the great amount of distress prevailing among the labouring classes, especially owing to the exorbitant rents charged for the classes of property occupied by the poorest inhabitants, this Congress requests the Government to appoint a Commission to inquire into the position of labour in Ceylon.

(Submitted by the Ceylon National Association.)

*Resolution* 9.—In the opinion of this Congress the powers vested in the Governor by the Defence of the Realm Act should be withdrawn as the necessity for the same no longer exists.

(Submitted by the Ceylon National Association.)

*Resolution* 10.—In the opinion of the Congress the recommendations of the Retrenchment Commission should be given effect to without delay.

(Submitted by the Ceylon National Association.)

*Resolution* 11.—The Congress deprecates the delay on the part of the Covernment in carrying out the recommendations of the Public Service Commission.

(Submitted by the Kandy Mahajana Sabha.)

*Resolution* 12.—That Government be requested to take immediate steps to put into effect the proposed Hydro-Electric Scheme in Ceylon.

---

The following proposals for the amendment of the Congress constitution are submitted to this Congress by the Special Committee appointed by the Congress on the 28th October last to consider the amendment of the Congress constitution :—

*Article* 5.—Any constituent association may, two months before the date fixed for the Congress, suggest to the Executive Committee the names of persons who are in their opinion eligible for the Presidentship of the ensuing Congress. The Executive Committee shall send to the constituent associations the full list of the names suggested and shall do so from among the persons suggested as aforesaid, if any names have been suggested. The President shall be elected by ballot. If there are more than two nominations, the three who stand at the head of the poll shall be re-submitted for balloting till the President is elected.

*Article* 9.—The Executive Committee shall decide which of the resolutions of which notice has been given shall be placed on the Congress Agenda in addition to such resolutions as the Committee may, of its own motion, resolve to place thereon and the order in which they shall be placed. A copy of the Agenda shall be sent to the constituent associations at least seven days prior to the Sessions.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

*Article* 10.—No amendment shall be permitted to be moved at the Congress unless at least twenty-four hours notice of it be given to the Secretaries and at least one-third of the Committee present at a meeting called for the purpose of considering it vote for the inclusion of the amendment in the Agenda. Provided, however, that the Chairman may allow any amendment to be moved at any Sessions with the leave of the Congress.

*Article* 11.—The Executive Committee shall consist of one member nominated by each constituent association and an additional member nominated by each association having a hundred or more active members on the roll and a further fifteen members to be elected by the Congress, and shall hold office from the day of the meeting of Congress at which it is elected till the conclusion of the sitting of the next Congress.

The Executive Committee shall elect its Chairman, Secretaries and Treasurer, and take all steps necessary to give effect to the Resolutions of the Congress.

The quorum for a meeting of the Committee shall be seven.

Of these only the first six resolutions were discussed consideration of the others being postponed indefinitely owing to lack of time.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

SECTION II.—*Memorials.*

---

CEYLON,
COLOMBO, 23rd MAY, 1923.

To

HIS GRACE
THE RIGHT HONOURABLE
THE DUKE OF DEVONSHIRE, K.G.,
His Majesty's Principal Secretary
of State for the Colonies,
Downing Street,
London.

MY LORD,

The Ceylon National Congress at a Meeting held on the 20th April, 1923, unanimously adopted the following among other resolutions :—

(*a*) This Congress condemns as unsatisfactory and reactionary the scheme of reforms proposed in the Secretary of State's despatch, dated the 11th January,* and reasserts the necessity for a substantial territorially-elected majority in the Legislative Council.

(*b*) This Congress views with great misgivings and grave concern the reversion to Communal representation as the basic principle of the scheme, as undemocratic and calculated to cause disunion among the different communities in the Island.

2. When the Order-in-Council of August 1920 creating the existing constitution was proclaimed by His Excellency the Governor in Ceylon there was widespread opposition to it, more especially on the part of the Ceylon National Congress, which had, since its formation strenuously laboured for a reform of the constitution. As a result of representations made to His Excellency the Governor by the Ceylon National Congress it was agreed that the constitution as proclaimed should be given a fair trial for, at least, one year before any further Reform proposals were considered. During the course of and at the end of the period of

---

* Vide Appendix.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

trial His Excellency himself publicly testified to the ability, good sense and moderation of the members of the reformed Council and to the satisfactory way the business of the Council was conducted.

3. The working of an extended scheme of local self-Government in Ceylon which came into existence almost simultaneously with the new Council also afforded strong testimony to the existence of a broad and liberal sense of citizenship in almost every part of the Island and the fitness of the people for a more liberal constitution.

4. That the country should have shown such a marked appreciation of homogeneity and progress in spite of the existence of a few small groups who as the result of a system of racial representation in the Legislative Council of the Island for over half-a-century are more or less wedded to communal representation, is a fact that cannot lightly be ignored.

5. The memorialists greatly regret that His Excellency the Governor has not given due weight to those vital points in the recommendations that he has made to Your Grace on the Reform proposals.

6. The Congress has deputed a certain number of its members to represent them in England and to present its case to Your Grace.* The memorialists feel that it is not necessary to go into any detailed consideration of the resolutions passed, in view of the fact that the Congress has been favoured with a copy of the memorandum issued by its delegates in England which is entirely in accord with the demands of the Congress and of the majority of the people of the country. The Congress, therefore, wishes humbly to press those demands on Your Grace for your serious and careful consideration.

7. The memorialists feel compelled to challenge as wholly unwarranted the imputation that the Congress is not representative of the Island. Its representative character is testified to by the fact that practically all the foremost men in the country are members of its Executive Committee and all the most important

---

* Vide Section III.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

provinces, districts and towns in the Island are represented in the numerous political associations affiliated to the Congress.

8. Like all similar institutions not only in the East but even in the West, the Congress has been assailed by interested individuals and groups of individuals. That, however, it is submitted, cannot take away from the prestige and position of a political body whose credentials are beyond criticism.

9. The memorialists understand that the most recent attempt to belittle the efforts of the Congress and to discredit it, has been a memorial addressed to your Grace, which is being circulated by the friends and relations of certain Tamil gentlemen, who are the avowed enemies of the Congress movement. The leader of this small group happens unfortunately to be Sir Ponnambalam Arunachalam, once President of the Congress. A secret meeting of about eleven Colombo Tamils appears to have been held at the residence of Sir Ponnambalam Arunachalam, where it was decided to draft and circulate a memorial amongst the Tamils of the Western Province to whom it is proposed to grant a communal seat. In this connection attention has to be called to the fact that the Tamils of Colombo have their recognised organisation, namely, "The Colombo Tamil Association."

10. Sir Ponnambalam Arunachalam during the time he was President of the Congress was one of the most ardent supporters of territorial representation, and he had vehemently condemned the perpetuation and extension of communal and racial representation. Unfortunately, owing to personal differences between Sir Ponnambalam Arunachalam and the Hon. Mr. James Peiris in regard to the representation of the City of Colombo, Sir Ponnambalam Arunachalam withdrew from the Congress. The members of Congress have learnt, with regret, that Sir Ponnambalam Arunachalam had personal ambitions of his own to represent the City of Colombo and felt that he had been thwarted in realising them by Mr. Peiris offering himself for election. It may here be remarked that Mr. James Peiris publicly stated before his election that Sir Ponnambalam Arunachalam had

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

asked him to stand for election. That Sir Ponnambalam Arunachalam's present attitude is in entire conflict with that adopted by him while he was a member of the Congress will be demonstrated by his presidential addresses to the Congress as well as by the communications forwarded by him to the Colonial Office.

11. The memorial that was prepared as a result of the secret meeting referred to has been published in the local Press without the consent of its authors. Its authenticity has since been acknowledged. As this memorial will shortly be forwarded to the Secretary of State by the Governor, Congress submits that it contains many statements false in fact, and inferences and innuendoes most misleading and unjustifiable.

12. It is alleged in this memorial that as a result of the proposed creation of a communal seat for the Tamils, the Sinhalese have started a boycott of the Tamils living in Sinhalese districts. On the publication of the memorial in the Press, representative Tamil gentlemen living in the Western Province, belonging to the professional, land-owning and mercantile classes have publicly and emphatically repudiated the statements made in the memorial regarding any racial antagonism existing between the two races and have laid stress on the friendly relations that now exist between them as they did in the past. It is obvious that the object of such a wholly unfounded and baseless statement in a memorial to be presented to Your Grace at this juncture is to prejudice the minds of the British authorities against the Congress claims. A repetition here is scarcely necessary of what we have more than once urged on the Secretary of State for the Colonies, that the Congress does not in fact represent or even pretend to represent any particular race or community in the Island. Its portals are thrown open to all, irrespective of race, colour or creed. In the Executive Committee of affiliated associations which go to form the Congress are men representative of all races in the Island, of social standing, wealth and culture. In regard to the proposed new communal seat for the Tamils in Colombo the memorialists beg especially to draw Your Grace's attention to the closely reasoned and able speech made by one who enjoys the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

confidence of the Governor, as a member of His Excellency's Executive Council and a nominated member of the Legislative Council. It is the speech made by Sir Marcus Fernando at a Meeting of the Legislative Council held on the 14th March, 1923, when the new Reform proposals were discussed. Sir Marcus condemned in clear and emphatic words the creation of the proposed new communal seat in Colombo as a retrogressive measure, wholly uncalled for under the circumstances, wholly unjustifiable and a measure which would if carried into effect, create racial antipathies and racial jealousies in the capital of the country where such feelings and antipathies are now unknown. To quote his words :—"It will be introducing an apple of discord into the new Eden, which we thought, the proposed Reforms were going to create in Ceylon." If there be any truth in the statement referred to that as a result of the proposed creation of a communal seat for Tamils the Sinhalese have started a boycott of the Tamils living in the Sinhalese districts, no stronger reason can be urged, no more cogent proof adduced of the soundness of the contention of the Congress that communal representation helps to create racial jealousies and animosities where they did not previously exist. Indeed the mere fact that the allegation is made whether with or without any foundation for it, is proof of the justice of the contention.

13. The memorialists refrain from dealing with details relating to the Reforms whether of the Legislative Council or the Executive Council and would unanimously urge on Your Grace to accede to the claims made by the delegates on their behalf and beg that it may please Your Grace to make such modification in the proposed Reforms as would satisfy the needs of the country and the just aspirations of the people. The memorialists are as anxious as Your Grace that all political efforts and struggles should not continue interminably. They have always worked for peaceful development and ordered government, and it has always been their anxiety to avoid methods which would cause any bitterness or distrust between the rulers and the ruled. It is in that spirit that they are now appealing to Your Grace. They feel that

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

their appeal will not be in vain, considering that it comes from a progressive, law-abiding people, conscious of their rights and desirous of fostering that co-operation between the people and the Government of the country, that will secure for the Government the confidence and stability which it is the duty and privilege of all loyal citizens to promote.

We have the honour to be,
Your Lordship's
Most obedient, humble servants,

*President.*

*Honorary Secretaries.*

---

On behalf of the Executive Committee of the Ceylon National Congress which consists of the following :—

1. D. E. Weerasooriya, Proctor, Hony. Secretary, Ceylon National Congress, Colombo.
2. W. Sathasivam, Proctor, Hony. Secy. and Treasurer, Ceylon National Congress, Colombo.
3. M. A. Arul Anandan, B.A. (Cal.), Advocate, Colombo.
4. M. T. de S. Amarasekera, LL.B. (Lond.), Barrister-at-law, Colombo.
5. J. A. C. Attygalle, Proctor, Ratnapura.
6. C. Ariyanayagam, Proctor, Vice-President, Matale Association, Matale.
7. W. E. Bastian, Merchant, Norris Road, Pettah, Colombo.
8. The Hon'ble Mr. C. E. Corea, Member Legislative Council for North Western Province, Vice-President, Ceylon National Congress, President Chilaw Association, Chilaw.
9. P. Chelvanathan, Advocate, Chilaw.
10. C. E. Victor S. Corea, Advocate, President, Young Lanka League, Chilaw.
11. Dr. S. O. Dharmaratne, President, Kalutara, Association, Kalutara.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

12. C. H. Z. Fernando, B.A., LL.B., (Cantab), Member of the Colombo Municipal Council, Colombo.
13. J. E. Gunasekera, Principal, Mahabodhi College, Hony. Secretary, Lanka Mahajana Sabha, 2nd Division, Maradana.
14. D. J. K. Gunatilleke, Proctor, Kalutara.
15. Dr. C. A. Hewavitharane, ex-President, Low-country Products Association, Colpetty.
16. S. M. Ismail, Proctor, Station Road, Wellawatte.
17. A. S. John, Hony. Secy., Indian Association of Ceylon, Colpetty.
18. T. B. Jayah, B.A. (Lond.), Principal, Zahira College, Colombo.
19. D. B. Jayatilaka, M.A. (Oxon), Barrister-at-Law, President, Ceylon Workers' Federation, Colombo.
20. E. W. Jayawardene, Member of the Municipal Council Colombo, Colombo.
21. Wilmot Balasooriya, Proctor, Matara.
22. C. W. W. Kannangara, Hony. Secretary, Galle Association, Galle.
23. Kamar Kassim, Proctor, Colombo.
24. H. de S. Kularatne, Proctor, Ambalangoda.
25. A. F. Molamure, B.A. (Cantab), Barrister-at-Law, Kegalle.
26. Magdon Ismail, Proctor, Kalutara.
27. A. Mahadeva, B.A. (Cantab), Principal, Paramesvara College, Jaffna.
28. A. H. E. Molamure, President, Ratnapura Mahajana Sabha, Ratnapura.
29. Rev. J. S. B. Mendis, Madampe.
30. Forrester Obeyesekera, Vice-President, Kandy Mahajana Sabha, Kandy.
31. H. J. C. Pereira, K.C., President, Ceylon National Congress, Colombo.
32. The Hon'ble Mr. E. W. Perera, Member Legislative Council for Western Province "B" Division, ex-President, Ceylon National Association, Kotte.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

33. The Hon'ble Mr. James Peiris, M.A. LL.M. (Cantab), Member Legislative Council for the City of Colombo, Colombo.
34. R. L. Pereira, Member of the Colombo Municipal Council, Colombo.
35. W. H. W. Perera, Hony, Secy., Theosophical Society, Colombo.
36. The Hon'ble Mr. W. M. Rajapakse, Member Legislative Council for Western Province "A" Division, Negombo.
37. C. S. Rajaratnam, Advocate, Kandy.
38. Dr. E. V. Ratnam, F.R.C.S. (Edin.), Member of the Colombo Municipal Council, President, The Colombo Tamil Association, Colombo.
39. W. A. C. de Silva, President, Kurunegala Association, Kurunegala.
40. E. J. Samarawickrema, ex-President, National Association and Low-country Products' Association, Colpetty.
41. E. T. de Silva, Barrister-at-Law, Colpetty.
42. F. R. Senanayake, B.A., LL.B. (Cantab), President, Lanka Mahajana Sabha and ex-President, Low-country Products Association, Colombo.
43. D. S. Senanayake, Landed Proprietor, Colombo.
44. Peri Sunderam, M.A., LL.B. (Cantab), Barrister-at-Law, Vice-President, Ceylon Indian Association, Colombo.
45. M. W. H. de Silva, B.A. (Lond.), Barrister-at-Law, Bambalapitiya.
46. C. Sunderalingam, B.A. (Oxon), and B.Sc. (Lond.), retired C.C.S., Colombo.
47. George E. de Silva, Member of the Kandy Municipal Council, President, Y.M.C.A., Kandy.
48. W. A. de Silva, J.P., President, Buddhist Theosophical Society, Member Education Board, ex-President Low-country Products' Association, Colombo.
49. H. A. P. Sandarasagara, Barrister-at-Law, ex-President, Ceylon National Association, Colombo.
50. P. Thambirajah, Member of the Local Board, Kurunegala.



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

51. J. N. Vethavanam, M.A. B.L., Advocate, Hony. Secy., Kandy Mahajana Sabha, Kandy.
52. D. L. E. Amerasinghe, Proctor, Negombo.
53. D. R. Wijewardene, B.A., LL.B., (Cantab), Barrister-at-Law, Colombo.
54. C. L. Wickremasinghe, Proctor, ex-President, Galle Association, Galle.
55. S. R. Wijemane, Advocate, Hony. Secy., Ceylon National Association, Bambalapitiya.
56. E. A. P. Wijeyeratne, Proctor, Kegalle.
57. A. A. Wickremesinghe, President, Kegalle Mahajana Sabha, Kegalle.
58. G. A. Wille, Proctor, Colombo.
59. The Hon'ble Mr. A. C. G. Wijeyekoon, Member Legislative Council for Central Province, Kandy.
60. Francis de Zoysa, President, Ceylon National Association, Colombo.

---

## SECTION III.—*Deputation.*

---

## FIRST MEMORANDUM ISSUED BY THE CEYLON REFORM DEPUTATION MAY, 1923.

The Colonial Office has issued a parliamentary paper (Cmd. 1809) containing certain proposals for the revision of the Constitution of Ceylon. These proposals are mainly based on a number of suggestions embodied in a comphrehensive resolution moved in the Legislative Council of Ceylon in December, 1921, by Mr. James Peiris, the Member for the City of Colombo. The Government has, however, refused to adopt some of the more important suggestions and varied others, so that in the Report the proposed reforms will, we fear, fail to satisfy public opinion in Ceylon. We would, therefore, invite attention to a few of the more serious defects in the proposed scheme in the sincere hope that with their amendment the new Constitution may be a real

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

advance on the present one, and may be accepted as the first instalment of reforms ultimately leading to full responsible Government.

2. It is a matter for sincere gratification that the Secretary of State for the Colonies in response to popular demand decided to publish the reform proposals both here and in Ceylon before their final adoption. The value of this concession has, however, been largely discounted by the announcement in the concluding paragraph of his despatch, which declares (p. 30): "It should be clearly understood that while I may be able to accept amendments in detail, the general principles of revision must be regarded as settled by this despatch" As will be seen presently, the main principle, which it is sought to establish by the proposed form of the Constitution, is open to graver objection than any particular detail of the scheme. We venture, therefore, to hope that the Secretary of State will be prepared to regard the whole question of reforms, including both principle and detail, as still open to discussion.

3. In order to understand the present position it is necessary to refer briefly to the events that led up to the formulation of the new scheme. It will be remembered that as a result of an agitation carried on for several years, the Constitution of Ceylon was revised by an Order in Council in September, 1920, but the proposed scheme of reform was so unsatisfactory that the Ceylon National Congress, at an extraordinary session held in October of that year, unanimously adopted a resolution rejecting the reforms and calling upon the country not to participate in the election of members for the new Council. When the Government found that popular opinion strongly supported this line of action it came to terms with the Congress which at a subsequent session, held in December, passed the following resolutions:—

"In view of the assurances of the Government contained in the memorandum of the 6th December, 1920, signed by the Hon. Mr. H. C. Gollan, Attorney-General, and submitted this day to the Congress by the President, this Congress recommends participation in the elections under the Order in Council, unsatisfactory

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

as it is, in order to utilise the opportunity now assured to the Congress of shaping the new Constitution and of working for the early realisation of the full Congress demands on reforms."

"This Congress recommends that the country do return as members of the Legislative Council only those candidates who, while accepting the assurances of the Government contained in the memorandum of 6th December, 1920, signed by Hon. Mr. H. C. Gollan, Attorney-General, pledge themselves :—

I. To support zealously the policy of the Congress as to the constitution and powers of the Legislative and the Executive Councils as laid down in the first resolution of the Ceylon National Congress held in December, 1919.

II. To exert themselves to secure, *inter alia,* amendments of the Order in Council in the following particulars :

(i) As regards qualification of members :

(a) the residential qualification to be abolished.

(b) disqualification by reason of dismissal from Government service to be eliminated.

(c) As regards disqualification by reason of imprisonment, the same provisions to apply as exist in England for Members of Parliament.

(ii) As regards qualification of voters :

(a) imprisonment not to be a disqualification after the period of imprisonment.

(b) qualifying period of residence to be reduced from one year to 6 months.

(c) franchise to be widened by the reduction of the property and the income qualifications.

(iii) Rule 11 of Schedule 3 to be amended so as to empower members to put supplementary questions.

(iv) Rule 60 and 61 in Schedule 3 regarding limitation of discussion to be omitted.

(v) Power to be vested in members to move the adjournment of the Council to discuss urgent matters.

(vi) The Governor's power to suspend unofficial nominated members (in case any should be appointed) to be eliminated.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

III. To a redistribution of electoral areas and reallotment for seats on a basis of population, literacy, etc., securing adequate representation and a substantial elected majority.

IV. To the abolition of all Communal and Special Electorates and their inclusion in the General Territorial Electorate."

All the members returned by Territorial Electorates, save one, took this pledge substantially in the terms of the Congress resolution, and it was in pursuance of the agreement between the Government and the Conrgress that Mr. Peiris, who was President of the Congress in 1919 and 1920, moved the resolution referred to in the Legislative Council.

4. One feature of the Reform Scheme of 1920, to which strong exception was taken both in Ceylon and in Parliament (see House of Commons debate on 11th August, 1920), was that it sought to extend racial representation. In view of this fact it is most unsatisfactory to find that in the present proposals communal representation has been elevated to the position of the determining principle of Reform. We deeply regret this pronouncement, firstly, because it is based upon a serious misunderstanding of the prevailing conditions in Ceylon; and, secondly, because it is liable to be construed as an attempt on the part of the Government to intensify and perpetuate racial differences among the Ceylonese in order to postpone, if not to prevent, their reaching the goal of full responsible Government.

5. The Governor, Sir William H. Manning, in his Despatches lays special stress on the numerical superiority of the majority population, emphasizes the existing racial and other differences, and eagerly seizes upon every reactionary tendency that has recently manifested itself in the Island in support of his recommendations. Nowhere does he make the slightest allusion to the very real community of interests that binds all sections of the people of Ceylon and which is making its influence felt unmistakably and in ever growing degree especially in public matters. The evidence of this spirit of common citizenship is by no means rare or meagre. One or two facts may be mentioned in suport of this assertion. The elections

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

for the Legislative Council in 1921, afford a striking case in point. Although the majority of the Sinhalese voters were Buddhists, yet of the 9 members returned for the predominantly Sinhalese districts, one only was a Buddhist, and one Electorate (the Sabaragamuva Province), almost entirely Buddhist, elected a Christian Minister by an overwhelming majority in preference to a Buddhist candidate. These facts are sufficient to prove that religious differences which in many countries form the greatest obstacle to national unity do not operate with such baneful effect in Ceylon. nor have communal differences prevented the people from co-operating in political matters. So far back as 1912 when the elective element was first introduced into the Legislative Council and a new seat, called the Educated Ceylonese seat, was allotted to the permanent population, a Tamil candidate (Sir P. Ramanathan) was returned with a large majority over his Sinhalese rival (Sir H. M. Fernando), although the Sinhalese naturally commanded a larger number of votes than all the other sections. In 1917 the same member was re-elected after a contest, his opponent on this occasion also being a Sinhalese. Likewise the elections for the Municipal Councils and recently formed Urban Councils, which have taken the place of previously existing Local Boards, prove that racial differences and prejudices do not affect the choice of representatives for these popular institutions. In towns where Sinhalese and Tamils pre-dominate, Burghers and Mohammedans have been elected as members, while Burghers have been chosen as Chairmen of several of the Urban Councils composed mainly of Sinhalese and Tamil members. Further it will be admitted on all hands that in matters affecting the social and moral welfare of the community as a whole there is hearty co-operation among the people irrespective of race or religion. All these facts clearly show that there is a genuine and growing movement among the people towards unity, which it is the duty of the Government, we submit, to do everything in its power to foster and strengthen. But the Ceylon Despatches ignore these indisputable facts: nor do they give any indication that the local Government recognises it as a part of its duty to promote that tendency towards national

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

unity. On the contrary the present proposals are calculated to deepen existing differences and make them permanent. In fact, the Governor's recommendations and the reasons with which he supports them offer plain encouragement to each section of the community to go on fighting for its own advantage. Furthermore they invite the minorities to regard the possible predominance in the Legislative Council of representatives belonging to the majority population, namely the Sinhalese, as a latent source of danger against which they must combine for their own safety. It is hardly necessary to point out the evil results that must necessarily follow the adoption of such a policy which is not only unworthy and unstatesmanlike, but exceedingly unjust to the Sinhalese people whose numerical superiority in their own country is viewed almost in the light of a crime for which the very districts which they occupy in larger numbers than others is to be penalised by the denial of the right of adequate representations, the granting of which is assumed without reason or proof to be a menace to the well-being of the other sections of the community.

6. Although the agitation for constitutional reform in Ceylon has gone on for years, no one has yet proved that any section of the community, whether European or Ceylonese, has any interests which are adverse to, or inconsistent with, those of the other sections of the people. In proposing to abolish the two seats allotted in 1920 to the Chambers of Commerce (European) and the Low-Country Products' Association (Ceylonese), the Government has virtually accepted the argument of those who maintained that the special representation of these interests "was unnecessary and objectionable under the conditions prevailing in Ceylon." The same reasoning applies with much greater force against the separate representation of the different sections of the community whose mode of living is more or less similar, who pursue the same avocations, and who enjoy identical rights and liberties under the same general law. As a matter of fact the demand for communal representation which has been put forward by certain minorities is based mainly on sentiment. Racial representation in Council was inaugrated by the Government many years ago, and it has been

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

officially cherished and nursed ever since; so that some of the communities have come to regard this form of representation as a matter which concerns their prestige. This fact has always been frankly recognised by advocates of reform. The Ceylon National Congress, while totally opposed on principle to communal representation as inimical to the political progress of the country, has nevertheless agreed that the special representation of the minorities should continue as before, at least temporarily. It will also be noticed that one of Mr. Peiris' resolutions (II, p.8), accepted by the Government with an amendment reaffirms this view and even suggests increased representation to two of the minority communities. Further the National Congress proposed in 1921 that the minority communities, while retaining their right to elect their own communal representatives, should be allowed to join the general electorate and vote in the election of members for territorial constituencies. Mr. Peiris' resolution (IX, p.13) on this suggestion too has been adopted by the Government. Consequently under the new constitution every member of a minority community who, is entitled to the franchise will have a double vote, one on the communal electorate, and the other in a territorial constituency. In the face of these facts no reasonable person can maintain that the programme of political reform advocated by the Ceylon National Congress and submitted to the Legislative Council by Mr. Peiris, does not deal with the minorities either fairly and even generously. In any country the utmost right a minority can claim for itself is separate representation in the Legislature. In Ceylon, although no section of the people have any special interest, yet adequate representation is conceded to the minorities. Moreover these minorities are now to be given the right of voting on the general electorate and even running candidates for territorial constituencies. The Government is not, however, content with securing these advantages to the minorities. It would go much further and deny adequate representation to some of the most important and progressive districts for the strange reason that in these areas the Sinhalese form the bulk of the population. The whole scheme it propounds thus resolves itself into an attempt to establish a fantastic "balance of power"

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

based upon no principle, but mechanically devised for the obvious purpose of preventing the possible predominance of Sinhalese territorial representatives in the Legislative Council, which contingency, for some unexplained reason, is regarded as a dreadful evil to be averted even at the cost of justice and fairplay.

7. In one part of his despatch (p.26) the Governor thus lays down what he regards an equitable principle of representation :—

"Our object must be to endeavour to guarantee that the people of all parts of the Island shall have fair and reasonable representation; neither over representation nor under representation but such representation as will give those who send their representatives to the Council a voice in its proceedings commensurate with their interests."

Now let us turn to the scheme of representation Sir William Manning has recommended, and see how this excellent principle is put into practice. His scheme thus distributes the seats on a communal basis :—

| | Population. | No. of Seats. |
|---|---|---|
| Europeans ... ... | 8,300 | 3 |
| Burghers ... ... | 29,100 | 2 |
| Mohammedans ... | 265,200 | 3 |
| Indians { Indian Tamils ... | 606,700* } | 2 |
| Indians { Mohammedans ... | 33,100 } | |
| Ceylon Tamils ... ... | 514,300 | 8 |
| Sinhalese ... ... | 3,016,400 | 14 |

Obviously Sir William Manning has failed to apply his principle to the working out of his scheme. The failure becomes still more glaring when the representation of territorial divisions is considered. Under the proposed scheme the 21 territorial seats are thus distributed :—

| | Population. | No. of Seats. |
|---|---|---|
| Colombo Town ... ... | 244,000 | 1 |
| Western Province (exclusive of Colombo) ... ... | 1,002,800 | 3 |
| Central Province ... | 717,900 | 2 |
| Northern Province ... | 374,831 | 5 |

* Mainly a floating population of immigrant labourers, a small percentage of whom will be entitled to the franchise.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

| | Population. | No. of Seats. |
|---|---|---|
| Southern Province ... ... | 671,300 | 2 |
| Eastern Province ... ... | 211,830 | 2 |
| N. W. Province ... ... | 491,800 | 2 |
| N. C. Province ... ... | 96,500 | 1 |
| Province of Uva ... ... | 233,800 | 1 |
| Province of Sabaragamuwa ... | 471,800 | 2 |

## A STUDY IN CONTRASTS.

These figures provide a study in contrasts. Compare for example the treatment accorded to the Western Province and the Northern Province respectively. The latter is given five seats. This may be considered a fair allocation; for, although this Province occupies the sixth place in point of numbers, it occupies in many other respects an advanced position which entitles it to a large measure of representation. Now turn to the Western Province, which has a population nearly three and a half times as large as that of the Northern Province, and includes within its limits the capital City of Colombo the life-centre of all the intellectual, social, commercial and industrial activities of the Island. Sir William Manning relegates this premier Province, incomparably superior to the other Provinces to a secondary position with four elected seats, of which one is allotted to Colombo. Similarly the Southern, the Central, and the North Western Provinces, with vast populations and important agricultural and industrial activities, are forced down to the level of the Eastern Province, which is far behind them in almost every respect. Surely an arbitrary scheme like this which fails the test of elementary fairness, whether viewed from the territorial or even from the communal point of view, cannot possibly be regarded as a step forward in constitutional reform.

8. In this connection another important fact calls for special consideration. In the present scheme, out of the 21 territorial seats 7 are treated as Tamil and the remaining 14 as Sinhalese on the ground that they are allotted to districts in which the Tamils and Sinhalese respectively form the majority. But this designation conveniently ignores the proposal already accepted by the Government to allow all persons, irrespective of race, resident in any

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

electorate, to vote if otherwise qualified, for the election of a member to represent such electorate. Further any person whose name appears on the elctoral register may, if otherwise qualified, stand for any territorial constituency. If the relative voting strength of the different communities is considered, there can be no doubt that in every case the minority vote will exert a powerful influence upon the elections, while in some of the constituencies, labelled Sinhalese or Tamil, if voting proceeds on communal lines, a Sinhalese or a Tamil candidate will have a poor chance against a combination of the other communities. Take for instance the Eastern Province. Of its total population of 211,830, only 101,200 are Ceylon Tamils, that is to say, the latter form a minority as against the total strength of the other racial groups. Yet the two seats allotted to this Province are labelled Tamil. Turning to the City of Colombo, which is considered the stronghold of the Sinhalese, we find that the Sinhalese, both Low-country and Kandyan, number only 114,600, out of a total population of 244,000. In these circumstances the designation—Sinhalese or Tamil—applied to these territorial divisions is a gross misnomer. But it has been designedly used for a definite purpose, namely, to excuse the denial of adequate representation, as indicated above, to some of the most important and progressive districts in the Island. We emphasize this palpable injustice not because of the disadvantageous position in which the Sinhalese as a community have been placed in this scheme. We are not at all concerned with the communal aspect of representation. What we protest against is the deprival of some of the territorial divisons of a just and fair measure of representation on account of a senseless fear of Sinhalese predominance which seems to obsess the official mind. To make the present scheme less objectionable we ask that four more territorial seats be added one each for the Western, the Southern, the Central, and the North Western Provinces—bringing the total number of territorial seats to 25.

9. We are not directly concerned with the number of seats allotted to each minority section, so long as there is a substantial majority of territorial representatives. But on this occasion we cannot shut our eyes to the fact that while bare justice is denied

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

to districts of first rate importance, the proposed scheme treats the minorities with extraordinary generosity. To some of them additional seats are now offered, although the necessity or desirability of this gift was never discussed in the Legislative Council either on Mr. Peiris' motion or on any subsequent occasion. If any such open discussion took place it is extremely doubtful if the mention of a special seat for the Tamils in Colombo Town or the Western Province, would have received sufficient unoffical support to justify its inclusion in the present scheme. When the Secretary of State's despatch on the reform proposals was discussed in the Legislative Council on 13th March last, unofficial opinion was equally divided on the question of this special Tamil seat, nine voting for it and nine aganist it, among the latter being three Members who served on the Allocation Committee, on whose "practical unanimity" the Governor claimed to base his recommendation of this seat (p. 27). Messrs. Drieberg, the Burgher Member, and Tambimuttu, Member for the Eastern Province, himself a Tamil, spoke against the retention of this seat, which they considered utterly unnecessary, particularly in view of the proposed abolition of the residential qualification. The motion to the elimination of this seat was defeated by a majority of 10, composed entirely of officials. Public opinion in Ceylon will naturally resent the use of the official vote to introduce a serious innovation of this nature with the Constitution. That the proposal has no merit of its own is proved by the fact that the local Government has been obliged to change its original recommendation.

It will be noticed that in his Despatch to the Colonial Office, Sir William Manning recommends a "Communally-Elected Tamil seat" for Colombo Town (p. 27). The Secretary of State in his reply accepts this proposal to reserve a Tamil seat in Colombo. Apparently it has since been discovered that to provide a communal seat for a handful of Tamils in Colombo—14,000 out of a total population of nearly a quarter of a million—is a proposition that can be justified on no principle. It is though now proposed, we find, to reserve this seat for the Tamils in the whole Western

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Province. But the suggested change does not in the least make the proposed innovation less objectionable. Beyond the fact that a small section of Tamils have clamoured for a reserved seat in Colombo, no reason has yet been given why the 24,600 Tamils in the Western Province should be treated differently from the 51,900 Ceylon Moors, 16,000 Indian Moors, 18,800 Burghers, residing in the same Province, or the 27,700 Sinhalese residing in the Eastern Province, which is admittedly a Tamil Province. Apart from all other considerations, it is a reactionary effort of the worst type to introduce this piece of territorial communalism into the most advanced Province in which the circumstances are most favourable for the well-being of all sections into one united whole.

10. The last Order-in-Council provided for the inclusion of 14 officials in the Legislative Council. Strong objection nas always been made to this meaningless increase of official representation, but the Government proposes to reduce the present number only by two. In urging upon the Government the desirability of a further reduction at least by two of the official elements in Council, we would quote the following remarks from Mr. Wood's Report in the West Indies which apply with equal force to Ceylon. Recommending that the number of official members in the Legislature of Jamaica be reduced from ten to five, Mr. Wood says :—

"With a Council sitting for over a hundred days in the year on four days in the middle of each week, it will readily be understood how inimical it is to the public interest to have the Directors of Public Works, Agriculture, etc., continuously removed from their work attending mute at the Council, lest at any moment their vote should be wanted by the Governor." (Cmd. 1679 p, 13).

11. The present Scheme conserves the Governor's right to nominate three members to the Legislative Council. When the last Order in Council was issued, it was stated that this power of nomination was for the benefit of interests that might otherwise go unrepresented. That reason does not now exist. The minority

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

communities have been given adequate representation, and the Government has come to the conclusion that such interests as commerce and agriculture no longer need special representation. It has however been suggested this time that this right of nomination will enable the Governor to offer seats in the Council to candidates rejected by the electors. There is certainly much naivete in this novel proposal to console candidates defeated at the polls with nominated seats, but it is so opposed to the principle of representation by election that it will not, we venture to hope, be seriously entertained. We would strongly urge the abolition of these nominated seats, which are always, and for very good reason, viewed with distrust and suspicion. If the Government is not prepared to adopt this suggestion, we ask that the power may be held in reserve to be used only in case the Territorial Electorates do not return a sufficient number of Kandyans.

12. These suggestions regarding the territorial, official and nominated seats, if adopted in their entirety, will of course give the territorial members in Council a very small majority. It is difficult to understand why the possibility of this development should be viewed with such alarm and apprehension as the Ceylon Despatches betray at every turn. The past history of political agitation in Ceylon does not in the least justify this official nervousness. There is already an unofficial majority which it is now proposed to increase. The position of the Government can in no way be affected if that majority is composed more of territorial representatives than communal members. The assumption is wholly gratuitous that a territorial majority, even if it is entirely composed of Sinhalese and Tamil members, will seek to impose its will upon other sections of the people. In every territorial constituency, as we have already shown, the vote of the electors who belong to the minorities, will have a great influence upon the elections. Moreover, the Constitution provides ample safeguards against class legislation prejudicial to any section of the community, should any party or combination of parties be foolish enough to embark on such a suicidal policy.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

# SECOND MEMORANDUM ISSUED BY THE CEYLON REFORM DEPUTATION.

## Constitutional Reform in Ceylon.

*(Memorandum No. 2 issued by the Ceylon Reform Deputation).*

1. The Colonial Office has issued another Parliamentary Paper (Cmd. 1906) on the proposed revision of the constitution of Ceylon. It contains a number of documents which may be conveniently classified as follows:

(i) The memorandum of the Ceylon Reform Deputation set forth in the White Paper, Cmd. 1809 (No. 1).

(ii) (*a*) Two memorandums (Nos. 2, 10) by Mr. H. J. Temple and (*b*) certain telegrams and memorials from the Tamil Mahajana Sabhai (Nos. 3, 15), from the "Ceylon Tamil League" (No. 4), from the "Tamils of Ceylon" (No. 14) supporting the proposals of the Government, and the Secretary of State's reply (No. 6).

(iii) The Governor's despatch on the debate in the Legislative Council of Ceylon regarding the proposed reforms (No. 7).

(iv) Certain telegrams and memorials, regarding the seats allowed to the Indians and the Mohammedans, from the Indian Association of Ceylon (No. 5), from the Malay community in Ceylon (No. 9), from the Ceylon Indian Electorate Association (No. 11), and from the Secretaries of public meetings of Mohammedans (No. 12), and the despatches of the Secretary of State on these representations (Nos. 8, 13).

2. Of these documents Mr. Temple's memorandums claim our first attention mainly for the reason that in his capacity as "the representative in England of the European Association of Ceylon," he has taken upon himself to answer the criticisms in our memorandum of the 12th April (No. 1) on the proposed scheme of reforms. Mr. Temple performs this task in a manner which is, to say the least, very unusual in discussions conducted by fair-minded and responsible persons. Over and over again he

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

mistakes our position in regard to most important questions and proceeds to refute arguments which we have never urged. That in making this assertion we do no injustice to Mr. Temple will be clearly seen from a comparison of his version of our views with what we have actually stated in our memorandum. Here are a few instances taken from one single paragraph of his first memorandum (No. 2).

(*a*) "The Congress Party are opposed to communal representation." (p. 14).

Here Mr. Temple gives utterance to a half-truth which misrepresents our attitude as much as if his statement were wholly untrue. The Congress view on communal representation was thus clearly stated in our memorandum (para. 6 ):

"The Ceylon National Congress, while totally opposed on principle to communal representation as inimical to the political progress of the country, has nevertheless agreed that the special representation of the minorities should continue as before, at least temporarily." (p. 7).

Further Mr. Temple cannot possibly be unaware of the fact that every resolution on constitutional reform passed by the Congress since 1919 contains a proviso for the special representation of minorities as a temporary measure.

(*b*) "They state that no one has yet proved that any community has interests differing from the interests of other communities in the Island." (p. 14).

Nowhere have we made any such assertion. What we said was quite a different thing :

"No one has yet proved that any section of the community, whether European or Ceylonese, has any interests which are adverse to, or inconsistent with those of the other sections of the people." (p. 6).

"Differing interests" need not mean adverse or conflicting interests. A farmer's interests differ from those of a trader, but it does not therefore follow that these two sets of interests are

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

mutually hostile. On the contrary in a civilized country they generally compliment each other. This is equally true of communities as well. That is exactly what we have said in regard to Ceylon, and no one who is really acquainted with the conditions prevailing in the Island can challenge our statement.

(*c*) " They state the demand for communal representation is only based on sentiment." (p. 14. repeated on p. 16).

Here is our statement on this point :

"As a matter of fact the demand for communal representation which has been put forward by certain minorities is based mainly on sentiment." (p. 7).

The substitution of "only" for "mainly" may possibly be clever tactics, but it can hardly be regarded as a fair way of dealing with an opponent's argument.

(*d*) "Finally, they claim that the continuance of communal representation is a deliberate attempt on the part of Government to intensify and perpetuate racial differences amonst Ceylonese for the unworthy purpose of preventing Ceylon securing Self-Government." (p. 15).

This sentence contains a double misrepresentation of what was stated in the fourth paragraph of our memorandum (p. 5). A reference to that paragraph makes it quite clear that our criticism was not at all directed against "the continuance of communal representation." We should have stultified ourselves if we objected to an arrangement to the continuance of which, as a temporary expedient, we have all along agreed. What we did condemn was the proposal to elevate representation on a communal basis " to the position of the determining principle of reform" and that "for an indefinite period of time"— an official declaration of policy which we regretted as being "liable to be construed as an attempt on the part of the Government to intensify and perpetuate racial differences among the Ceylonese." Although the situation since created in Ceylon by these proposals would have justified much stronger language than the above, we did not as a matter of fact charge the Government, as Mr. Temple

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

alleges, with making a deliberate attempt to intensify and perpetuate racial differences.

Such instances can be easily multiplied, but these are enough, we think, to indicate the mentality of this critic. Deep rooted prejudices have apparently led him to read into our statements meanings not justified by the context and attribute to us views which we have not expressed. Little value can be attached to criticisms that emanate from such a source.

3. We stated in our memorandum that the proposal to make communal representation the determining principle of reform is due to a serious misunderstanding of the prevailing conditions in Ceylon. Mr. Temple undertakes to refute this assertion by expatiating on the fact that the population of Ceylon is made up of several racial groups which have distinctive characteristics of their own. He even discovers communal differences which might well escape the notice of the keenest anthropologist. According to him, for instance, one communal barrier between the Kandyans and the Low Country Sinhalese lies in the fact that "he (the Kandyan) lives in the interior, while his Low Country brother prefers the maritime provinces"! In enlarging thus upon this theme Mr. Temple merely imitates the official despatches which seek to concentrate attention upon the points of difference, racial and otherwise, which exist among the people of Ceylon. Our complaint is that these despatches, dwelling exclusively upon this aspect of the matter, present only a part, in fact an insignificant part, of the truth, and are therefore misleading. The authors of these official documents and their unofficial apologist studiously ignore the essential fact that notwithstanding the racial and religious diversities upon which they lay so much stress, there has grown in Ceylon, especially in recent years, a general recognition of a community of interests which binds all sections of the people and makes strongly for national unity. Not even Mr. Temple has been able to deny this fact. Indeed he admits that "religion, happily, has never been a factor or an influence in politics in Ceylon." (p. 16). That admission simply means that Ceylon is free from an evil which has proved in Ireland, in India,

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

and in many other lands, the greatest obstacle to political unity. Everybody will admit that language presents no great difficulty in Ceylon. Besides English, the knowledge of which is rapidly spreading in the Island, only two languages, Sinhalese and Tamil, are generally spoken, and these are understood in most parts of the country. There then remains only the racial or communal difference which is so vigorously exploited by the authors and defenders of the present scheme. In our memorandum (pp. 5-6) we gave a few indisputable facts showing how the growing spirit of common citizenship has enabled the people of Ceylon to rise superior to racial feelings in public matters, such as the election of members for local institutions and for the Legislative Council. If racial prejudice prevails in Ceylon to the extent the apologists for the communal principle so emphatically assert it does, one would naturally expect it to manifest itself most strongly in local affairs with which the bulk of the people are intimately and immediately concerned. But Mr. Temple himself virtually admits that elections for Municipal Councils and Urban Councils do not proceed on racial lines, but he urges in explanation of this fact that "the question of 'national' politics do (*sic*) not arise in municipal affairs." Putting it a little more concretely and explicitly, his position amounts to this: You can trust the people of Ceylon to rise above racial prejudices in local matters, but not in questions affecting the whole country, such as the election of members for the Legislative Council. Even this argument, specious at best, totally fails in view of what we have stated in our memorandum (p. 5) with regard to the elections of 1912, when all sections of the people except the Europeans and the Burghers were formed into one electorate—the Educated Ceylonese Electorate—for the purpose of electing a member to represent them all in the Legislative Council. This composite electorate returned a Tamil candidate with a large majority over his Sinhalese rival, although the Sinhalese naturally commanded the larger number of votes. The same thing happened five years later, when that member was again opposed by a Sinhalese candidate. On this important fact, which is fatal to his whole contention, Mr. Temple

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

has not a word to say; he has simply refused to see it. But unless it can be proved that during the past four or five years the people of Ceylon have degenerated into a state of crude tribalism, from which they may not emerge for long years to come, there is clearly no justification for the proposal to establish communalism as the principle of reform for an indefinite or any period of time.

4. It must not be supposed for a moment that we oppose this proposal merely on academic grounds. True enough we hold the view, proved by the experience of other lands, that no real political advancement can be made along the path of communal representation. But our objection to the present scheme is based on other important practical reasons as well. Mr. Temple urges in its defence that "it merely recognises and accepts things as they are." If this were so, there would certainly be some justification for this proposal, although it would still be open to the criticism that passive acceptance of things as they are hardly deserves the name of reform. But the scheme now proposed obviously involves much more than mere conformity to an existing state of things. It reverses the unifying policy initiated in 1912 and reinforces the disruptive tendencies of the reforms of 1920 not only by establishing communal representation as the basis of reform, but also by creating a new kind of communal seats, as the one provided for the handful of Ceylon Tamils in the Western Province. If the scheme is thus reactionary in principle, an examination of its details shows that it is arbitrary and unjust in application. The facts and figures given in our memorandum (p. 8) conclusively prove that the distribution of seats provided in this scheme proceeds on no equitable basis, whether it is considered from the territorial or even from the communal point of view, and results in undue favour being shown to certain communities and districts, while other communities and other districts are treated with great and, we regret we have to say it, deliberate unfairness. Mr. Temple tacitly passes over this part of our statement, though it goes to the root of the whole matter. Yet he seeks indirectly to justify the present proposals. In one place (p. 14), for instance, he says that each Ceylonese community

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

secures under these proposals an increased number of seats. Mr. Temple in his enthusiasm for the principle underlying the scheme has apparently neglected the obvious duty of studying its details. Had he done so, he could not possibly have made that unqualified statement, for he would have at once seen that the Low Country Sinhalese, instead of getting an increase to the number of seats they now hold, stand to suffer a loss of certainly two, may be three, seats! The following table will make this quite clear :—

| | Population | No. of Seats in Present Council | | | No. of Seats in Proposed Council* |
|---|---|---|---|---|---|
| | | Elected | Nominated | Total | Elected |
| Europeans | 8,300 | 3 | — | 3 | 3 |
| Burghers | 291,000 | 1 | 1 | 2 | 2 |
| Mohammedans | 265,300 | — | 1 | 1 | 3 |
| Indians | 639,800† | — | 1 | 1 | 2 |
| Ceylon Tamils | 514,300 | 2 | 1 | 3 | 8 |
| Kandyan Sinhalese | 1,088,700 | — | 2 | 2 | 6 |
| Low Country Sinhalese | 1,927,700 | 10 | 1 | 11 | 8 |

There is no possible justification for this reduction of seats, which has somehow escaped Mr. Temple's notice, although it affects the largest and, in many respects, the most important community in the Island. It may, perhaps, be urged that if the Kandyan and the Low Country Sinhalese are taken together, there is an increase of one in the number of seats allotted to them. But this explanation cannot be consistently advanced by Mr. Temple in view of his laboured efforts to prove that the Kandyan and the Low Country Sinhalese are two distinct communities. Further, if they are treated as one community, it would bring into greater prominence the contrast between the niggardly measure of representation granted to the three million Sinhalese and the over-generous treatment accorded, say, to the Ceylon

* The three nominated seats held in the present Council respectively by a Burgher, Ceylon Tamil and a Low Country Sinhalese is, for obvious reasons, excluded from this list. †Included in this number are half a million immigrant labourers from South India who to a very large extent form a floating population.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Tamils—only half a million—the number of whose seats is increased from three to eight.

5. The table given above invites attention to another very objectionable result that follows from the proposed distribution of seats. It will be seen that out of the 32 seats in the proposed Council not less than 18 are allotted to the one million minority (excluding the immigrant labourers), while only 14 seats are assigned to the three million majority population. In other words the proposed scheme establishes minority rule in Ceylon. It is to cover this serious defect in the scheme that desperate efforts are made to prove that the Sinhalese are divided into two distinct communities. But unfortunately for this attempt the scheme itself treats the Kandyan and the Low Country Sinhalese as forming one community and constituting the majority population. They are not given the right of special representation conceded to the minorities. Consequently neither the Kandyan nor his Low Country brother is entitled to the double vote now offered to the Europeans, the Burghers, the Mohammedans, the Indians and the Ceylon Tamil (in the Western Province). It is obviously unfair to deny to the three million majority even so much representation as has been so readily conceded to the one million minority. The injustice becomes still more glaring when the fact is taken into account that the minorities, while electing their eighteen communal representatives, are now in a position to exert a profound influence on the election of members for the fourteen seats allotted to the majority population. When we invite attention to this fact, it must not be assumed that we are opposed to the granting of the double vote to the minorities. As a matter of fact the suggestion was first made by the Congress as a means of promoting national unity. It was embodied by Mr. Peiris in the scheme which he submitted to the Legislative Council. This scheme made territorial representation the basis of reform while it conceded fair and adequate representation to the minority sections. The Government rejected the principle of territorial representation, but eagerly welcomed the suggestion as regards the double vote and proceeded to incorporate it in its own scheme of communal

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

representation with the result that the minorities are now given a majority vote in the Legislative Council in addition to a powerful—and in some cases a preponderant—voice in the election of candidates to represent the majority section of the population.

6. It is sought to make out that the Government proposals are opposed only by the Congress which is further declared to be a "Low Country Sinhalese machine" (p. 18). Were these assertions true, it would even then be a grave mistake, we submit, to treat this opposition as of little consequence. The Low Country Sinhalese form half of the permanent population, and it will be readily admitted that as a community they occupy a position in no respect inferior to that of any other section of the people. It would be, to say the least, an unwise proceeding on the part of the Government to disregard the views of half the people of a country in a matter which affects them so intimately as constitutional reform. But it is by no means true to say that the Congress represents only the Low Country Sinhalese. The names on its Executive Committee, composed of delegates of Associations affiliated to it, prove that, notwithstanding the secession of some Tamils who took a leading part in establishing the Congress and formulating its policy and programme, it is the most representative political organization in the Island embracing within its fold the progressive elements in all sections of the people. Out of the sixty members of the present Committee not less than twelve are Tamils, all of them men of standing in their community, while the Kandyan Sinhalese and the other smaller communities are also well represented. The Congress has always stood firmly for self-government within the Empire, to be attained by progressive stages, and for constitutional agitation as the sole means of realizing that end. It is a mistaken policy, we think, to try to weaken, discredit, or wreck the Congress, as some reactionaries in Ceylon, both official and unofficial, are bent upon doing to-day; for, if by any chance their efforts succeed, they will be taking away from the people the one medium they now have of giving constitutional expression to their needs, grievances, and legitimate aspirations.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

7. Turning now to the Tamil memorials, they need not, we think, detain us long. These representations purport to emanate from three independent sources, the "Ceylon Tamil League," the Tamil Mahajana Sabhai, and the "Tamils of Ceylon." Now there is no means of ascertaining when, where and under what circumstances the "Ceylon Tamil League" came into being and who its office-bearers are. Its sole activity has been the despatch of a cablegram (No. 4) approving of the reform proposals, especially the creation of a seat for the Tamils in the Western Province. The same views are expressed in almost identical language in the memorial (No. 14), which contains, it is said, seven hundred signatures. Clearly these signatories have no right to speak for the "Tamils of Ceylon" numbering half a million, who have not by any recognized method given them that right. It was recently stated in the Press—and the assertion was not, so far as we are aware, contradicted—that the Tamil Mahajana Sabhai had held no general meeting of its members since its formation in 1921. Representations in its name, therefore can hardly be regarded as an authorized expression of the opinions of that Association itself, much less of the Tamil community as a whole. All these telegrams and memorials have one main object in view—the bolstering up of the preposterous claim for a special seat for the small number of Tamils in the Western Province. They try to achieve this end by giving currency to not a few misrepresentations, the most mischievous of them being the assertion that the Sinhalese are aiming at domination over the other communities. The whole history of political agitation in Ceylon is a refutation of this baseless assertion. In 1912 and 1917, as we have already shown, Sinhalese votes returned a Tamil to the Legislative Council. Further, no instance can be given in which the Sinhalese have asked for any special right or concession for themselves. In denying this false alarm raised by a few individuals for personal reasons, we need only add that politically sane and responsible Tamils do not believe in this bogey of Sinhalese domination or Sinhalese hostility. It was only the other day that the *Ceylon Patriot*, an English newspaper owned and edited entirely by Tamils and published at Jaffna,

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

testified to the cordial relations that existed between the Sinhalese and the Tamils and refused to believe that the Sinhalese desired to dominate the Tamils or any other community. Similar views have been publicly expressed by prominent Tamils residing in all parts of the Island. To quote one, Dr. E. V. Ratnam, an elected Member of the Municipal Council of Colombo, and President of the Colombo Tamil Association, in an interview published in the *Ceylon Daily News* (15th May, 1923), has spoken thus with special reference to the memorial of "the seven hundred."

"I ought to express my personal views in the matter chiefly to contradict a false rumour without any delay. I have not signed a memorial. I will be the last person to sign such a memorial. I consider it a filthy thing and no one who has any self respect and love for the Motherland should touch it even with a long pole." Referring to the statement in the memorial that the Sinhalese were carrying on a campaign of hostility against the Tamils, Dr. Ratnam added, "No sane person will take such a statement seriously. It is only an electioneering dodge manoeuvred by one masterful individual, and the anxiety of another individual to oblige the Government at any cost."

8. The factitious importance with which it is now sought to invest this communal seat for the Tamils in the Western Province—24,600 all told—almost touches the ludicrous. The Governor solemnly declares (p. 27) that it "affected the principles" of reform. If the statements in the Tamil memorials, mentioned above, are to be taken seriously, the political future of the whole community is bound up with this seat. It must, therefore, strike one as exceedingly strange that this demand, now proclaimed to be so vitally important, was publicly put forward for the first time only two years ago. In order to show this matter in its true light, we cannot do better than state here in order the chief events connected with the agitation for political reform during the past ten or twelve years. It was in 1909 that an organized effort was first made to place the demand for the revision of the Constitution before the Home Government. This was done by a deputation to the Secretary of State, which was

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

led by Mr. H. J. C. Pereira, K.C., the present President of the Congress, and by a number of memorials from several political Associations in the Island. In the memorial of the Jaffna Association,, dated 10th April, 1909, occurs the following paragraph :—

"13. Your memorialists therefore respectfully pray that Your Lordship will be pleased to sanction such changes in the constitution and working of the Legislative and Executive Councils of Ceylon as are likely to satisfy public feeling. They respectfully beg leave to submit the following suggestions for Your Lordship's favourable consideration :—

"First, as regards the Legislative Council, that (1), except two or three seats that may be reserved for nomination by the Governor for the representation of minorities, all the unofficial seats be filled up by popular election; (2) that provincial be substituted for racial representation; (3) that regularly constituted bodies otherwise unrepresented, such as the Planters' Association and the Chamber of Commerce representing particular interests, and recognized as such by Government by definite regulations, be granted the right of electing their own representatives; (4) that the unofficial and the official element be equalized; (5) that the unofficial members be granted the right of initiating proposals involving expenditure of public money within prescribed limits. Next, as regards the Executive Council, that Sir West Ridgeway's recommendations in 1903 for the addition to the Executive Council of two Unofficial Members of the Legislative Council be now sanctioned and given effect to."

Here there is no reference to a reservation of seats for the Tamils in the Western Province or anywhere else. In fact such a demand would have been entirely inconsistent with the second suggestion "*that provincial be substituted for racial representation.*" These representations resulted in the introduction in 1910 of a very small measure of reform, the only satisfactory feature of which was the creation of one electorate for all sections of the people except the Europeans and the Burghers. The elections

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

under this reform took place, as stated above, in 1912 and again in 1917. Then in December, 1918, a Conference was held in Colombo for the purpose of making arrangements for convening a National Congress for the following year. In the meanwhile the Ceylon National Association, the Reform League, and other Associations had made representations asking for a substantial measure of reform and in June, 1919 this demand was pressed upon the Secretary of State by a deputation headed again by Mr. H. J. C. Pereira. None of these representations contained the remotest suggestion about a Tamil seat in Colombo or the Western Province. The first session of the Congress was held on the 12th December, 1919, under the presidency of Sir Ponnambalam Arunachalam. The first resolution passed at this session formulated the demands for constitutional and administrative reform in the following terms :—

"This Congress declares that, for the better government of the Island and the happiness and contentment of the people, and as a step towards the realization of responsible government in Ceylon as an integral part of the British Empire, the Constitution and Administration of Ceylon should be immediately reformed in the following particulars, to wit :—

"1. That the Legislative Council should consist of about fifty members, of whom at least four-fifths should be elected according to territorial divisions upon a wide male franchise and a restricted female franchise, and the remaining one-fifth should consist of official members and of unofficial members to represent important minorities, and the Council should elect its own Speaker as President.

"2. That the Legislative Council should continue to have full control over the Budget and there should be no division of reserved and transferred subjects.

"3. That the Executive Council should consist of the Governor as President, assisted by official and unofficial members, of whom not less than half should be Ceylonese unofficials chosen

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

from the elected members of the Legislative Council. With the view of affording them administrative experience, such Ceylonese members should be made responsible for the administration of Departments placed in their charge.

"4. That the Governor should be one who has had parliamentary experience and training in the public life of England, the better to fit him to discharge the duties of a constitutional ruler and to help in the smooth working of the political machinery under the altered conditions."

This resolution, which, reaffirmed in subsequent years with slight modifications, embodies the political creed of the Congress, was moved by Mr. (now Sir) P. Ramanathan. Here too one notices no recognition of the necessity for a special Tamil seat. The Congress further empowered the Executive Committee to send another delegation to England. This deputation was led by Sir P. Arunachalam, as President of the Congress, and Mr. H. A. P. Sandarasegara, advocate, was one of its members. Then followed the Order-in-Council of September, 1920. The reforms introduced by it were considered so unsatisfactory that an extraordinary session of the Congress was convened for October 15th, when the following resolution was unanimously adopted :—

"This Congress rejects as utterly inadequate and reactionary and as an affront to the people of Ceylon the Scheme of Reform enacted by the Order in Council published in the *Ceylon Government Gazette* of the 23rd September, 1920, which under the guise of extending popular election and control seriously curtails the powers of the Legislative Council, increases the autocratic powers of the Governor, restricts freedom of discussion and control over the Executive, imposes humiliating disabilities on the people's representatives, introduces invidious distinctions between communities, creates special representation and denies even the beginning of responsible government."

It will be seen that one count of the indictment against the scheme of reforms of 1920 was that it introduced "invidious

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

distinctions between communities" and created "special representation," a charge which can obviously be laid against the present proposals with even greater justice. The Congress further called upon the people not to participate in the elections for the new Council. When the Government found that the country supported this demand, it came to terms with the Congress. This compromise was ratified at a session of the Congress held on 18th December, 1920, which passed the two resolutions given in our previous memorandum (p. 4). At the same session the following resolution, moved by a Tamil delegate, was also adopted :—

"This Congress recommends to the Government that, when the constitutional reforms promulgated by the Order in Council are revised next year, the Northern Province of this Island be granted three seats in the Legislative Council instead of the one seat now allotted, in view of the importance and special claims of the Province based on the literacy and enlightenment of its population, the number of its registered voters (which is 13,360 in the District of Jaffna so far registered and almost equal to that of the whole of the Western Province) and on the distance of the Northern Province from the seat of Government."

One important fact that should be remembered in connection with the proceedings at these sessions of the Congress in 1920 is that delegates from political associations in the Tamil districts took part in them and fully concurred in the resolutions that were passed. So far not a whisper was heard about a special seat for the Tamils. The elections took place in May, 1921. About this time the political views of Sir P. Arunachalam, hitherto an ardent reformer and an opponent of communal representation in any shape or form, began to undergo a serious change for reasons which, though now an open secret, we refrain from discussing here. He transferred his activities to Jaffna, where with the co-operation of his brother, Sir P. Ramanathan, he brought into being, on 15th August, 1921, the Tamil Mahajana Sabhai, whose labours so far have been limited to the production of two memorials to the Government supporting communal representation.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

It was on this occasion that reference was made for the first time to "a pledge" given prior to the Conference of December, 1918, by Mr. Peiris and Mr. Samarawickrema with regard to a Tamil seat in Colombo. A perusal of this letter (Cmd. 1809, p. 23) makes it quite clear that the pledge was "to accept any scheme, which the Jaffna Association may put forward so long as it is not inconsistent with the various principles contained in the resolutions," the most important of these principles being that of territorial representation. No such scheme providing for a Tamil seat in Colombo was submitted to the Congress in 1919 by the Jaffna Association or any other body, nor was this question raised at any subsequent session of the Congress. In fact "the pledge," known only to the few persons immediately concerned, had been tacitly allowed to drop in view of the great programme of reform adopted by the Congress, until it was revived under the circumstances related above. This narrative of events makes it absolutely clear that in spite of the artificial importance now given to the question of a special seat in Colombo, till 1921 the Tamils themselves did not include it in their programme of constitutional reform. Even at this stage the question would most probably have found a natural and satisfactory solution but for the fact that the local Government began to utilise it to further its own ideas of reform. Apparently about this time, with the knowledge, if not at the suggestion, of the Governor, Sir P. Ramanathan entered into a pact with some other communal representatives in Council, one term of this secret arrangement being a reserved seat for Tamils in Colombo. The parties to this bargain submitted in February, 1922, a "Joint Memorandum" laying down the principles to be followed in revising the constitution and containing a detailed scheme of representation on a communal basis. Every attempt that was made in Council to secure the publication of this document was resisted by Government, and it remained a secret until September, 1922, when a newspaper, *The Ceylon Daily News,* published it in its entirety. In the meanwhile, the Allocation Committee which had been appointed subsequent to the debate on Mr. Peiris's reform resolutions had submitted

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

its report. But this was an entirely superfluous task; for the Governor's recommendations (Cmd. 1809) simply followed, both in regard to principle and detail, suggestions made in the "Secret Memorandum."

9. Having indicated the process by which the creation of a special seat for the Tamils was projected into the present proposals as a principle, we shall now briefly examine its merits as a detail, the only position which it is entitled to hold in any scheme of reform. The reason urged in support of this claim is the prominent position which, it is said, the Tamils in the Western Province occupy as compared with other communities as bankers, merchants, capitalists, professional men, government servants, etc. During his recent visit to Jaffna the Governor has, in the course of a speech to which we shall presently refer, laid special emphasis on this alleged Tamil superiority in these different spheres. We for our part do not in the least desire to detract from the full meed of praise to which the Tamils may be entitled for the progress they have made, in spite of difficulties, by their industry, perseverance, and capacity. But the sober-minded and the far-sighted among the Tamils themselves will, we have no doubt, agree that it confers no benefit upon their community to exaggerate their good points beyond recognition or to give them credit for imaginary achievements, and that postive harm is done to the whole country when special rights or privileges are asked for or granted on such false grounds of superior merit as have been advanced in connection with this proposed seat. It would be an easy task, were we so minded, to prove that in Colombo and in the Western Province the Tamils do not occupy a position in commerce, in the professions, and in the government service, which entitles them to any exceptional treatment in the matter of representation. But we refuse to undertake this invidious task of instituting comparisions between different communities, thereby intensifying feelings that have been roused by recent official pronouncements. We would, however, express our surprise and regret that the Governor should have allowed himself to be

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

misled into making statements in support of this claim which are palpably erroneous. It will be noticed that in the debate in the Legislative Council on the proposed reforms a motion for the elimination of this seat was defeated only by the use of the official vote. The minority in favour of the motion included not only Mr. Tambimuttu, Member for the Eastern Province, but also Mr. Drieberg, the Burgher Member, both of whom had served on the Allocation Committee, while the latter had also signed the Joint-Memorandum. They explained their change of opinion as regards this seat as being due to the proposed withdrawal of the restriction of residential qualification which would now enable Tamils resident in Colombo to stand for seats in the Northern and Eastern Provinces. Their anticipations in this respect have already been proved correct. Ceylon newspapers that arrived this week announce that two prominent Colombo Tamils (Sir P. Ramanathan and Mr. K. Balasingham) have been chosen as candidates for two constituencies where they will be unopposed, while two others (Mr. H. A. P. Sandrasegara and Mr. A. Mahadeva) are contesting two other constituencies. The only possible justification for this special seat has thus been removed.

10. In defence of the present proposals it is asserted that all communities except the Sinhalese accept them as satisfactory. It is no matter for surprise if the communally-minded members of those minority sections who have been specially favoured express approval of the scheme. How the adherence of a section of the Tamils has been won over can be easily understood from the proceedings of a public meeting held in Jaffna for the purpose of arranging a fitting welcome to the Governor on the occasion of his recent visit to that town. We quote from the *Ceylon Daily News* (12th June, 1923) :—

"Sir A. Kanagasabai (nominated Member of the Executive Council) was elected chairman and Mr. A Sabapathy was appointed secretary.

"Sir A. Kanagasabai then explained the object of the meeting and said that they, the Tamils, were beholden to His Excellency,

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

for it was Sir William Manning who had actually fought their cause for them after having shown and advised them what they should do. And it was His Excellency, he reiterated, who obtained for the Tamils *the preferential treatment and concessions* as outlined in the Draft Scheme of Reforms. Such being the case, he said, it was their bounden duty to show their gratitude to Sir William Manning and accord him a fitting welcome."

The speeches with which Sir William Manning has signalised his visit to Jaffna amply confirm Sir A. Kanagasabai's account of the genesis of the proposed scheme of representation. The *Times of Ceylon,* of 13th June, 1923, published the following summary of His Excellency's speech in reply to an address of welcome :—

"His Excellency replied at length and thanked the Tamils for the welcome given him and supporting his reform despatch and intimated that it would please them to hear that all his recommendations, including the seat in the Western Province, had been sanctioned and that the Secretary of State had further thanked the Tamils for simplifying his task. A high compliment was paid to Sir Ponnambalam Ramanathan for the assistance rendered in drafting the reform proposals. The seats given to them, His Excellency said, was their birthright and they were justified in fighting for them."

These statements place beyond all doubt what we have already stated above—that the proposed scheme is the result of a compact, to which the Governor was not a stranger. In these circumstances it is by no means surprising that it gives "preferential treatment" to the parties to the bargain, while it denies bare justice to those who were not associated with it. Apart from the singular method of constitution-making revealed on this occasion, the Governor's utterances raise two important questions. In the first place, is it in keeping with the dignity of his office and the high responsibility attached to it that he should enter the arena of public controversy as a partisan, as he has done during this visit to Jaffna?



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Then, was it right and proper for him to announce that the Secretary of State had sanctioned all his recommendations, before Parliament had an opportunity of expressing an opinion on the Government proposals? In submitting these matters for the consideration of the Imperial Government we would only say that the Governor's speeches are calculated to impair the confidence of the people in the impartiality of his judgment in these important matters, and to provoke acute controversies and embitter feelings, which cannot but be harmful to the best interests of the people.

1. In our first memorandum we stated that the present scheme of representation would intensify and perpetuate existing differences. It is evident now that it is already having the effect also of creating divisions which did not exist before. The Memorial of the Malay community (No. 9) affords a striking case in point. The Malays demand separate representation for themselves on the ground that except religion they have nothing in common with the Ceylon Moors with whom they are grouped. There can be no doubt that from a communal point of view this demand is perfectly justifiable. The scheme has created dissension among the Burghers also, a section of whom are asking for separate representation on social grounds. This separatist tendency is bound to spread further. In fact, it can hardly be avoided, considering that people differing in race, language and religion and scattered throughout the country are grouped together under this scheme of representation. The Indian electorate, for example —that is, if one is ever formed—will include perhaps a dozen races differing in language and religion as well, living in different parts of the country, and having nothing in common except the name of their native land. It is clear that these difficulties can be avoided only by grouping together people living in the same locality, enjoying similar rights and privileges under the same law, and having a common interest in the welfare of their common home, however much they may differ in other respects. In short, the adoption of the territorial principle, with whatever safeguards

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

that may be necessary at the present time, is the only satisfactory solution of the problem of representation which will lead the people of Ceylon towards national unity and ultimate self-government.

On behalf of the Ceylon Reform Deputation,
JAMES PEIRIS,
D. B. JAYATILAKA.

55, TREGUNTER ROAD, S.W. 10.
21*st July*, 1923.

---

* The following extracts from the minutes of Executive Committee meetings refer to this deputation.

"The appointment of a delegation to confer with the Secretary of State for the Colonies on the present political situation was considered. Mr. Francis de Zoysa moved and Mr. D. S. Senanayake seconded that Messrs. D. B. Jayatilaka and J. W. de Silva be appointed. Carried."

The Secretaries were directed to send a cablegram to the Secretary of State requesting him to give an interview to the Congress delegates."

(3rd March, 1923.)

"The business was the discussion over the Duke of Devonshire's proposal to divide Colombo town into two electorates and to send one member each to the Legislative Council. It was resolved that a cablegram be despatched to the delegates in England stating that there was local feeling against such a division and consequently for them to consider the matter and take such steps as may be necessary."

(1st September, 1923.)

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

ARTICLE PUBLISHED IN THE "ASIATIC REVIEW," JULY, 1923.

# THE CONSTITUTION OF CEYLON.

By D. B. Jayatilaka, M.A.

[The writer of this article is a member of the Executive Committee of the Ceylon National Congress, and is now one of its delegates in London.]

The Constitution of Ceylon is again in the melting-pot. In February last the Secretary of State for the Colonies issued a Parliamentary Paper* containing certain proposals for its revision. This step marks a welcome departure from the practice hitherto followed by the Colonial Office in regard to Constitutional reform in Ceylon. For the first time it has invited the people most concerned to express their views on the proposed reforms before their final adoption. The opportunity thus granted has been fully utilized. In Ceylon the Government proposals have been discussed and criticized in the Legislative Council, in the Press, and in various political associations, including the National Congress, while here in London the Ceylon Reform Deputation have issued a memorandum dealing very fully with the proposed scheme. This volume of criticism, as well as the Governor's report on the debate in the Legislative Council, is now before the Secretary of State, who, it is expected, will shortly—perhaps after the discussion of the whole question in the House of Commons on the Colonial Office vote—finally settle the form of the new Constitution. I welcome, therefore, the oportunity afforded me at this juncture of reviewing in these pages the present offer of the Government.

In order to appreciate the criticism to which the proposed scheme has been subjected, some knowledge of our history is indispensable. It is, however, unnecessary for our present purpose to go beyond the British period, although the earlier history of

* "Correspondence relating to the Further Revison of the Constitution of Ceylon." Cmd. 1809.



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

the island is by no means devoid of facts of constitutional value. It was in 1796 that the British first appeared on the scene. In that year they ousted the Dutch from their possessions in the Coast districts which they had wrested from the Portuguese in 1656. The rest of the country, however, still remained under the rule of the King of Kandy. The last occupant of the Sinhalese throne was, like his three predecessors, of Tamil origin, the Sinhalese royal line, which had held sway over the island for over twenty centuries, having become extinct about the middle of the eighteenth century. He was deposed in 1815, and by a solemn treaty, the Convention of Kandy, the whole kingdom was transferred to the King of Great Britain. In the first period of the British occupation the government of the country was purely bureaucratic, although, so early as 1809, the Chief Justice of the day, Sir Alexander Johnston, after a careful enquiry into the prevailing conditions in Ceylon, recommended the establishment of a Council with elected representatives. No change in the form of Government was, however, effected until 1833, when, upon the recommendation of a Royal Commission, which considered Ceylon best fitted in the East for the introduction of Western institutions, a Legislative Council and an Executive Council were constituted. These bodies were composed of officials with the exception of a few non-official members of the Legislative Council who were nominated by the Governor. Notwithstanding the progress which the country made in all other directions, this Constitution remained intact for more than fifty years; in fact, until 1892, when a few more unofficial seats in the Legislative Council were created. But this small increase of unofficial members scarcely affected the character of the Government; the Council continued to be purely advisory with an official majority, and, as regards its unofficial element, nomination remained as before the sole method of selection. This "reform" did, indeed, in one respect positive harm; it strengthened and extended racial representation, which has proved to be the greatest obstacle to the political progress of the country. Two decades passed before the Constitution was again amended. The Morley-Minto reforms

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

had already been introduced in India, and the insistent demand of Ceylon for a forward movement could not be altogether ignored. In fact, on this occasion the Colonial Office seemed inclined to take a liberal and sympathetic view of the question. But the efforts of the local Government prevented the development of that tendency, and the reform that was granted (in 1912) made no substantial change in the Constitution. In one direction, however, a small advance was then made; an elective element was added to the existing system of communal representation. Moreover, in the creation of electorates, except the Europeans and the Burghers, who had separate registers of their own, the remaining sections of the population—the Sinhalese, the Tamils, the Moors, the Malays, etc.—were formed into one constituency. In view of recent developments it is an important fact to bear in mind that a decade ago these different sections were considered homogeneous enough to be placed on a common electoral roll for the purpose of choosing one member to represent them all in the Legislative Council.

Apart from this concession the reforms of 1912 were wholly disappointing. So the agitation for a truly liberal measure of reform was continued with greater vigour than ever, until it culminated in 1918 in the birth of the Ceylon National Congress, which became, as it is to-day, the most powerful political body in the island. In its first session the Congress formulated its demands for Constitutional reform in a series of resolutions. These resolutions, reaffirmed in subsequent years (with certain modifications), from the platform of the Reform party in Ceylon. That part of them which bears on the Constitution may therefore be well quoted here:

1. "That the Legislative Council should consist of about fifty members, of whom a substantial majority should be selected according to territorial divisions upon a wide male franchise and a restricted female franchise, and the Council should elect its own Speaker.

2. "That the Legislative Council should continue to have full control over the Budget, and there should be no division of reserved and transferred subjects.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

3. "That the Executive Council should consist of the Governor as President assisted by Official and unofficial members of whom not less than half should be unofficials chosen from the members of the Legislative Council elected according to territorial divisions, such members to be responsible for the administration of departments placed in their charge."

These demands were submitted to the Colonial Office both by memorials and by two deputations that waited on the Secretary of State (Viscount Milner) in 1919 and 1920 respectively. In September, 1920, the Government by an Order in Council promulgated its scheme of reform. Some of its provisions, both main and incidental, were so unsatisfactory that the National Congress at a special session unanimously adopted a resolution rejecting the reforms, and called upon the country not to return members to the new Council. The matter was reaching an *impasse* when the Government, realizing that public opinion was behind the Congress, came to terms with it and a compromise was effected. At a subsequent session the Congress passed the following resolution:

"In view of the assurance of the Government contained in the memorandum of December 6, 1920, signed by the Hon. Mr. H. C. Gollan, Attorney-General, and submitted this day to the Congress by the President, this Congress recommends participation in the elections under Order in Council, unsatisfactory as it is, in order to utilize the opportunity now assured to the Congress of shaping the new Constitution and of working for the early realization of the full Congress demands on reforms."

At the same session another resolution was passed recommending the country to returns as members of the new Legislative Council only those candidates who pledged themselves to support the Congress policy in regard to reforms, and to exert themselves to secure the amendment of the Constitution in specified particulars. All the territorial members (save one, who, too, was not opposed to the Congress programme) took this pledge substantially in the terms of this resolution. The reformed

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Council came into being in June, 1921. Its career for the past two years bears testimony to the ability, moderation, and independent spirit with which the elected representatives of the people have discharged their duties. It has also proved that in actual practice the unofficial majority which the Government spokesmen* claimed to be a distinctive feature of the reform introduced in 1920 is more illusory than real.

To return now to the compromise arrived at in December, 1920. In pursuance of that agreement Mr. James Peiris, the member for the City of Colombo, and ex-President of the Congress, proposed in the Legislative Council in December, 1921, a series of resolutions for the amendment of the Constitution. In the course of the debate that followed it became quite clear that the Government had in the meanwhile hardened its heart against any substantial change in the Constitution created in 1920. The present proposals are the outcome of that changed attitude, so strangely at variance with the spirit, if not the letter, of the understanding with the Congress. However that may be, there can really be no meaning in undertaking to re-amend the Constitution so soon after its last revision, unless it be for the purpose of eliminating or modifying those features of it to which public opinion was at the time of its introduction strongly opposed. Now no part of the reform scheme of 1920 provoked so much criticism in Ceylon as well as in the House of Commons† as its provisions for extending racial representation. It is, therefore, not a little surprising to find that representation on a racial basis has become the corner-stone of the proposed edifice of reform. In fact, the main object of the present scheme seems to be the establishment of communalism on a firmer basis than before and "for an indefinite period of time." This proposal certainly reverses the policy initiated in 1912, when the elective principle was first introduced into the Constitution. Under that

---

* See the statement of the Under-Secretary of State for the Colonies (Lieutenant-Colonel Amery) on July 29, 1920.

† See the Proceedings in the House of Commons on August 11, 1920.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

reform, as has already been pointed out, the Sinhalese, the Tamils, the Moors, the Malays, etc.—in fact, all sections of the population except the Europeans and the Burghers—were formed into one electorate. That system lasted for nine years, till 1921, and two elections were held under it. There is not a tittle of evidence to show that this grouping together of these diverse racial elements in one electorate was detrimental to the interests of any one of them. That being so, the present proposal to hark back to communalism as the basis of representation is wantonly reactionary.

Now let us for a moment examine the reasons that have been put forward in order to justify this reversion to communalism pure and simple. The Governor, Sir William Manning, merely quotes some census figures* which show that the Sinhalese form the majority in their own country, and that the main sections of the population—the Sinhalese, the Tamils, and in one case the Moors—respectively occupy certain areas in larger numbers than others. These are by no means startling facts, disclosing a situation peculiar to Ceylon, and calling for exceptional treatment. These official despatches seek to make the most out of the obvious fact that the population of Ceylon is composed of several racial elements, but they are silent on the most important aspect of this problem of a mixed population—namely, the relations existing between these different communities. The vital question is this: Are the people of Ceylon still in the stage of tribalism, divided into hostile groups, holding no commerce with one another, and bound by no ties of common interests? Not even the most enthusiastic supporter of the proposed scheme would venture to answer this question in the affirmative. On the contrary, he would be forced to admit that, although in Ceylon, as in many another land, racial and religious differences do exist, they have not raised impassable barriers between the different communities, and that, as a matter of fact, a real community of interests, ever

* See the Parliamentary Paper referred to (Cmd. 1809), p. 5.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

growing stronger, binds all sections of the people. Many instances may be given of this growing spirit of common citizenship which has enabled the people of Ceylon to rise superior to racial and religious differences in public matters. So far back as 1912, when for the first time the people were given the right to elect a representative, a Tamil candidate (Sir P. Ramanathan) was returned with a large majority over his Sinhalese rival (Sir H. M. Fernando), although the Sinhalese naturally commanded a larger number of votes than all the other sections. In 1917 the same member was re-elected after a contest, his opponent on this occasion also being a Sinhalese. Again in 1921, although the majority of the voters were Buddhists, yet of the nine members returned for the predominantly Sinhalese districts one only was a Buddhist; and—this is a still more remarkable fact—one electorate, almost entirely Buddhist, elected a Christian minister by a very large majority in preference to a Buddhist candidate. Similarly the elections for the Municipal Councils and the recently formed Urban Councils prove that racial and religious prejudices do not affect the choice of representatives for these popular institutions. In towns where Sinhalese and Tamils form the majority Burghers and Mohammedans have been elected as members, while Burghers have been chosen as chairmen of Urban Councils composed mainly of Sinhalese and Tamil members. It is hardly necessary to add that in matters affecting the social and moral welfare of the country there is the heartiest co-operation of all, irrespective of race or religion. All these indisputable facts point to a growing solidarity among the people and a strong movement towards national unity. The official despatches ignore these features of our public life, and in this respect they do less than justice to Ceylon. Further, the Government proposals, instead of promoting that growth of national unity so essential to political progress, are calculated to have an exactly opposite tendency. If adopted in their present form, they will result in "the creation of political camps organized against each other," and "teach men to think as partisans and not as citizens."

Having so far discussed the principle, we proceed now to consider Sir William Manning's scheme of representation on its

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

own merits. In one part of his despatch he assures us that he is anxious to avoid over-representation and under-representation. Let us see how he puts this excellent idea into practice. His scheme thus distributes the seats on a communal basis :

| | Population | No. of Seats |
|---|---|---|
| Europeans ... ... | 8,300 | 3 |
| Burghers ... ... | 29,100 | 2 |
| Mohammedans ... ... | 265,300 | 3 |
| Indians { Indian Tamils ... | 606,700* | 2 |
| Indians { Mohammedans ... | 33,100 | |
| Ceylon Tamils ... ... | 514,300 | 8 |
| Sinhalese ... ... | 3,016,400 | 14 |

These figures need no comment. A mere glance at the list is sufficient to show that this allotment of seats has proceeded on no principle. One inevitable result of this apportionment, however, calls for special notice. It will be seen that the minority sections (excluding the immigrant labour population) total about a million. No less than 18 seats are allotted to this one million minority, while the three million (Sinhlaese) majority† are assigned just 14 seats. In other words, these proposals, if adopted in their present form, will establish minority rule in Ceylon. The lack of principle to which I have adverted above becomes still more glaring when the representation of territorial divisions is considered. Twenty-one seats (made up of the 14 Sinhalese and 7 Tamil seats given above) are thus distributed territorially :

| | Population | No. of Seats |
|---|---|---|
| Colombo Town ... ... | 244,000 | 1 |
| Western Province (exclusive of Colombo ... ... | 1,002,800 | 3 |
| Central Province ... ... | 717,900 | 2 |
| Northern Province ... ... | 374,831 | 5 |
| Southern Province ... ... | 671,300 | 2 |

* Mainly a floating population of immigrant labourers a small percentage of whom will be entitled to the franchise.

† Mr. H. J. Temple, in a letter to *The Times* (June 7), urges that the Kandyan Sinhalese should not be included in the majority population. As I pointed out in my reply (in *The Times* of June 18), the scheme itself treats the Kandyan and Low Country Sinhalese as forming the majority population.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

| | Population | No. of Seats |
|---|---|---|
| Eastern Province ... ... | 211,830 | 2 |
| North-Western Province ... | 491,800 | 2 |
| Northen-Central Province ... | 96,500 | 1 |
| Province of Uva ... ... | 233,800 | 1 |
| Province of Sabaragamuva ... | 471,800 | 2 |

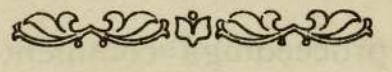
Again comment is superfluous; the scheme carries its own condemnation. No amount of argument can possibly justify the allotment of 4 seats to the Western Province, including Colombo, the Metropolis, having a population of over one and a quarter million, while 5 seats are bestowed on the Northern Province, far inferior to it in point of population and general advancement.

The interests of minorities are, of course, urged in defence of this scheme of representation, so arbitrary and unfair, whether you consider it from the communal or from the territorial point of view. It is a novel doctrine that in any country the minorities are entitled to any right other than that of adequate representation. From the first table given above it is clear that in Ceylon the minorities have been given adequate, and in some instances more than adequate, representation. Moreover, entirely on the initiative of the advocates of reform, the minorities are now to be included in the general electorate, so that the members of the minority sections, if otherwise qualified, will be entitled to a double vote—one in their communal electorate and the other in a territorial constituency. Further, the Constitution provides ample safeguards against class legislation injurious to the interests of any section of the community. In view of these facts the plea cannot be genuine that the interests of the minorities necessitate unjust discrimination against the majority population.

Space forbids reference to other features of the proposed scheme which are open to criticism. In fairness, however, I must not omit to say that it contains several good points—such as the abolition of the residential qualification and the provision for the election of a Vice-President. But these are of minor importance, and cannot in themselves produce good results, so

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

long as the whole scheme is based upon the reactionary principle of communal representation. I have said enough, I deem, to convince any impartial person that the present proposals require considerable modification before they can be considered just and satisfactory. If the proposed revision of the Constitution is really intended to be a further step in the direction of self-government, then advance must needs be a long the line of territorial representation extended so as to include the whole population and give fair and adequate representation to each territorial division while the special representation of the minority section is retained as a temporary expedient.



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## CHAPTER IV.

## DECEMBER, 1923—DECEMBER, 1924.

### SECTION I.—*Sessions, 21st and 22nd December, 1923.*

The Fifth Session of the Ceylon National Congress commenced yesterday at 2·30 p.m. at the Headquarters of the Congress at Dean's Road, under the presidency of Mr. D. B. Jayatilaka, Advocate.

The Hall and its precincts were tastefully got up for the occasion, the chief feature of the decorations being the Indian Home Rule Colours.

A large number of delegates from all parts of the Island attended, and the Secretaries and the Reception Committee did everything to secure their comfort, Mr. H. L. de Mel, C.B.E., Chairman of the Reception Committee being "At Home" to them in the evening at his residence "Elsmere," Horton Place.

By the time the proceedings commenced every seat in the large hall was fully occupied. The platform presented a pleasing sight, the Red, White and Blue predominating in the decorations. On the background was again the flag of the Indian Home Rule Party.

The proceedings commenced with the address of the Chairman of the Reception Committee, Mr. H. L. de Mel. After extending a hearty welcome to the delegates, he made a reference to the defection of Sir Ponnambalam Arunachalam, the first President of the Congress. He read to the audience Sir Ponnambalam's declaration of faith in the Congress in 1919, and he appealed to him from the Congress platform "to be true to what he then said and join us in our work for the political emancipation of our country." Mr. de Mel went on to lay stress on the importance of the Agricultural and Industrial development of the



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

country. In conclusion he called upon, amidst an outburst of applause, Mr. D. B. Jayatilaka, the President-elect, to take the chair.

Mr. Jayatilaka, was garlanded three times on occupying the chair. Amidst tense silence he proceeded to deliver his Presidential address.

---

## THE PROCEEDINGS.

The Hon. Mr. H. L. de Mel, the Chairman of the Reception Committee said :—Brother Delegates and Gentlemen. It is my duty in the name of the Ceylon National Congress to welcome you in this hall to take part in the deliberations of the Congress of 1923. You have come here from different parts of the Island representing various public bodies, each of whom desire in their small way to set before the public and the Government the several wants of the country in order to achieve progress and development on right lines. I am also pleased to see among you a number of visitors drawn from several Nationalities, who are here to shew us their sympathy in our aspirations. I, however, deplore very keenly that several of the Tamil Associations have failed to send their delegates to the Congress and I make a strong appeal that we do make a strenuous endeavour to bring those, our friends, within our Constitutional fold. They are our countrymen, they have lived for centuries side by side with us and I see no reason why the right hand of fellowship we have extended to them should not be accepted. Sir Ponnambalam Arunachalam, the leader of the Congress Movement used the following words at our first Congress on 11th December, 1919 :

> "By the inauguration of this Congress we proclaim that we have done once for all with our petty differences and dissensions and that, whatever one's creed, race or caste may be, if only, in the memorable words of our Island Chronicle the Mahawansa, he "makes himself one with the people," he is a true son of Lanka, a true Ceylonese, and entitled both to serve our dear Motherland to the best of his

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

power and to enjoy in the fullest measure the advantages and benefits she offers."

I appeal to him from this Congress platform to be true to what he then said and join us in our work for the political emancipation of our country. Gentlemen, I assure you that looking into the world's conditions of to-day, there never was a time when peace, and good-will among all races and among all nations were needed more than they are to-day. For five years the world has been clamouring for peace, after a terrible war and has not achieved it, but gentlemen, we who are ony 4½ million people living quietly in our insular home, need not be obsessed by those world-wide differences in our social, domestic and political ties; for, have we not in the last century stood together in all matters which concern our vital interests? Within the last decade we have dropped even those shackles (of caste) that bound some of us in our social and domestic ties and therefore it is an important matter for all of us, now, brethren, to dwell together in amity and peace. I therefore beg of you, who are present, immediately you go back to your homes and your towns to see that all Associations which have been organized for the mutual improvement of the people should heartily co-operate with the Executive Committee of the Congress during the next 12 months to work out a strong policy to push forward our claims and our ambitions.

Nobody sitting outside the Congress can or will deny that the Congress has in the course of its constitutional agitation from the very commencement of the first Conference (I speak of this because I have been a member from the very inception and have closely watched the work both from within and without) has achieved a great advance in our Constitutional progress for the better government of our country and it is therefore only right that we should all join in this common work. If the Congress does not, as is sometimes alleged, adequately represent all the races, surely the fault lies not with the Congress Leaders who have always invited all the races but on the shoulders of those races themselves who turned a deaf ear to such invitations and

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

prefer not to respond to their call. I would submit that it is the duty of such races in response to our repeated invitations to attend the Congress, and not blame the Congress, when, in fact, they ought to be blamed themselves. We have for years in the three Municipal Councils of Ceylon and in several of the Local Boards and Urban Councils, where our vested rights are at stake, proved beyond all doubts that our interests are so common and inter-dependent that we do not hesitate to let those interests be represented on elected bodies by the best men irrespective of creed, caste or race. Our proceedings in Congress are always in public and it is therefore not right or proper to attribute improper motives to such a body. Those who differ from certain Congress views must, by every proper endeavour, try to convince the others of the fairness of their proposals. Mud slinging, envy, wrath are most detrimental to the interests of all of us.

This Congress has made representations to the Government of Ceylon and His Majesty's Government in England twice within the last four years has achieved a fair measure of success, and such agitation, if continued with the same ability, prudence and sagacity that characterised it in the past with the further co-operation and active participation of those who stand outside will enable us to reach our goal within a reasonable time. May I say in this connection that it is not proper for some of us merely to content ourselves with throwing objections and creating differences and cleavages among us.

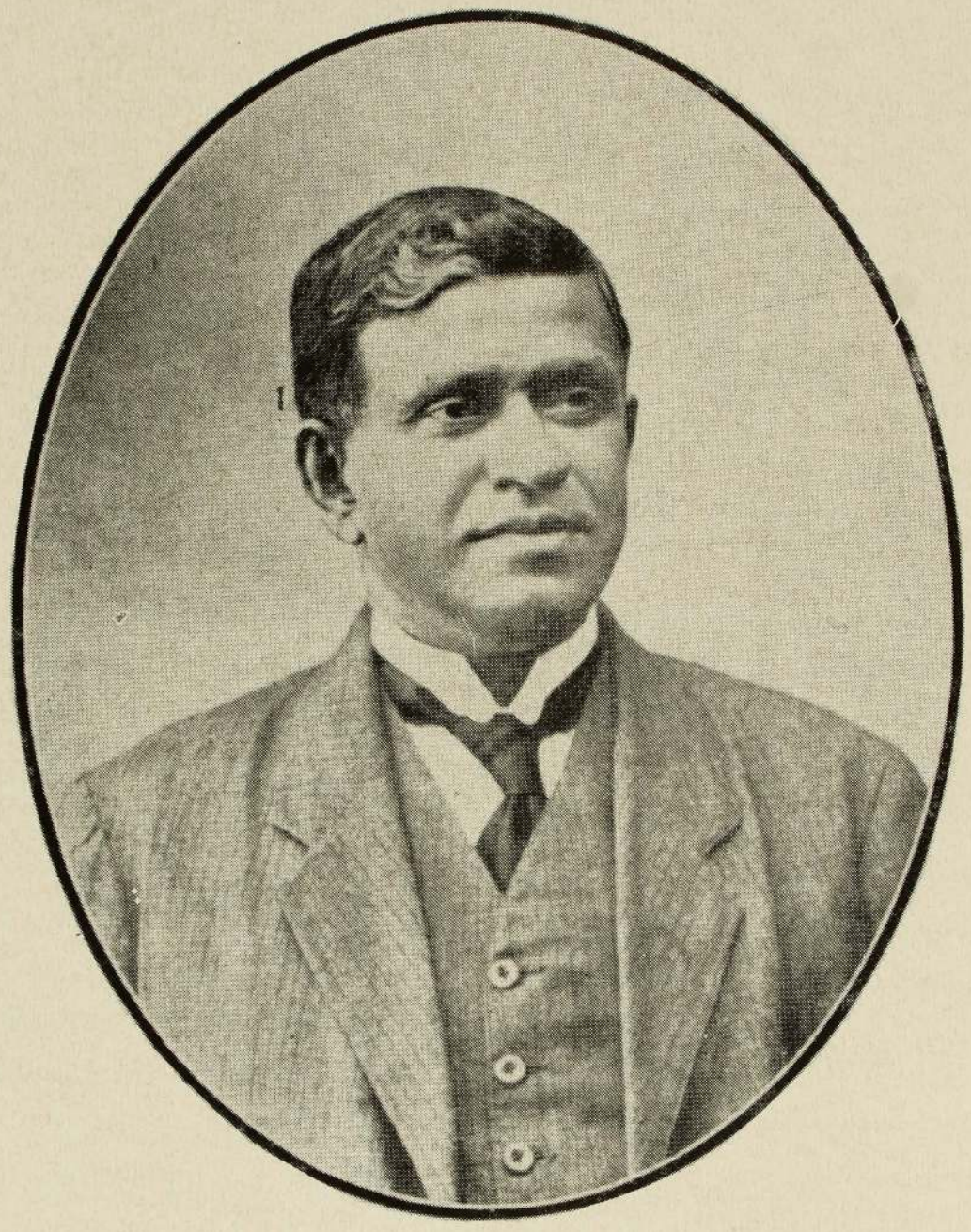
We see that the younger men of the country have taken and are taking an interest in achieving a larger share in the Government of our land. We have seen that even the masses are alive to the rights which they have for generations ceased to exercise. I would like next briefly to refer to the economic development side of our work. While we all would like to gain constitutional privilges and rights, we must not be less enthusiastic in studying our domestic, social and economic requirements, and I would especially invite your care and attention to the importance of each individual developing our individual resources for the common

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

benefit. This country of ours is a glorious inheritance. I have visited many countries outside and I say we live in a blessed country. It is primarily an agricultural country and I must confess that for a variety of reasons, which I cannot discuss in the course of my address this afternoon, we have not advanced ourselves agriculturally during the last century in the maintenance of our food supplies and necessaries for ourselves. Why should the peasant decay? Why should our paddy lands produce less? Why should our cattle not find sufficient sustenance? If the more intelligent of us would join our brethren engaged in the purely agricultural side of life and develop his resources along with the development of his education, can we not achieve something more? It has been said, gentlemen, that paddy cultivation from a capitalist point of view is not a success. I am not going to contest the assertion. My late father for over 33 years was engaged year after year in paddy cultivation on capitalistic lines but on a reasonable basis of co-operation with 150 to 200 Goiyas who toiled but now those toilers are disappearing. I admit that it has not been very remunerative but yet we have in Ceylon a large expanse of paddy lands in the typical rice growing provinces and we must plod along and make them remunerative. They are national assets and must be potential factors in our common life. Our gentlemen farmers, or our proprietary planters resident in the country owning paddy lands as well as plantations under economic crops who live among the people should assist their neighbours by example and precept and prove that five blades of paddy can grow where one grew before; shall we not then be able to achieve something?

I deplore the tendency of the average village youth, who when he goes through the vernacular school, forsakes the plough of his ancestors and seeks to convert himself into an industrial artisan or a quill-driver. Will it not be for the public good if the average educated village youth with his education did more to raise his own class. This would raise the tone and level of our rural life, the Island's best asset. I do not for a moment wish to discourage

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org



The Hon'ble Mr. D. B. JAYATILAKA

(President 1923—1924)

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

SPECIAL COLLECTIONS
MADURAI KAMARAJ UNIVERSITY LIBRARY

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

a number of the able village youths from pursuing higher education even up to the University standard but I speak generally of the class now trained in our elementary rural schools. The discussion raised by Mudaliyar Edirisinghe at the present meeting of the Board of Agriculture on this subject ought to be further considered by all of us carefully. A kindred subject is the problem of vocation for our future young men who leave our Colleges and our Schools . After the learned professions we all naturally turn to industry and commerce as the next great service for maintaining our children. It is indeed very fortunate for Ceylon that within the last 15 years the use of the automobile has developed so rapidly in Ceylon that we have to-day some 4,000 young men who have qualified as Chauffeurs and draw a fairly satisfactory wage; then in the subsidiary industry to support this form of transport we have quite another 5,000 employed in the various garages, workshops and transport companies doing auxiliary work in connection with it. Now, gentlemen, if these nine to ten thousand of our youths had not been diverted into this large arm of employment we should have been faced with a grave crisis and it is now for us to consider what the thousands of boys who leave our Colleges year after year are going to do in the future. Along with the projected Hydro-Electric Scheme we must make ample preparation for the training of our youth to participate in the manning of a very large and technical industry which is capable of great extension.

Mr. De Mel continued to lay stress on the economic development of the country. Infant mortality, maternal welfare, education, Parangi and Anchylostomiasis, all received his attention. Finally he called upon Mr. Jayatilaka to occupy the chair and address the House.

Mr. D. B. Jayatilaka then occupied the Chair, and addressed the Assembly as follows :—

FELLOW DELEGATES AND FRIENDS,

I must, I feel, associate myself, be it by one word, with the cordial welcome which the Chairman of the Reception Committee

SPECIAL COLLECTIO
JAFFNA PUBLIC LIBRAR
Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

has extended to you. To preside over an assembly of this nature is indeed a privilege. That privilege has fallen to my lot this year. I must not allow this opportunity to pass without expressing my appreciation, my sincere appreciation, of that honour. I am fully conscious of the responsibility that attaches to the Presidentship of the National Congress. At the same time I feel sure of the good-will and the sympathy of my countrymen in the performance of the task before me. I am equally confident that I can depend on the hearty support and the loyal co-operation of the delegates and of the Associations they represent. That will, I expect, considerably lighten my task and help me to make the record of the coming year's work not unworthy to be placed alongside with that of its predecessors.

Fellow delegates, We have met this afternoon to inaugurate the fifth annual session of the Congress. The proposed programme of work is in your hands. You will doubtless notice at once that it contains no resolution on the question of constitutional reform which invariably formed the main subject of discussion at all previous sessions. I need hardly explain the reason for this omission. The long expected Order-in-Council embodying the proposed reforms has not yet come, and, according to a statement made by the Colonial Secretary last week in the Legislative Council the Government is not in a position to say when it may be expected. Until the proposed measure is promulgated, obviously no profitable discussion of the subject is possible. Notwithstanding the exclusion, inevitable in the circumstances, of this topic of paramount importance, our programme is, as you see, fairly full and contains several resolutions on matters of vital interest to the community. You will also notice that the first item on the agenda is the consideration of the amendments to the constitution of the Congress proposed by the Special Committee appointed last year. This matter calls for careful attention at your hands. Rules of the Congress must necessarily undergo revision from time to time in the light of experience. It is possible that other amendments besides those recommended by the Special

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Committee may be desirable. The present system, for example, of appointing delegates to the Congress, I think, needs revision. Such points will be carefully considered during the year with a view to their being submitted for revision at the next session.

On Friday last week fell the fifth anniversary of the birth of the Ceylon National Congress—an event which, all will agree, has impressed its mark on the public life of Ceylon. We may therefore rejoice on this occasion that the Congress has survived the age of infancy and is now entering upon the second stage of its career. But self-gratulation on the past alone will not suffice. It must be our business to look forward and see that the Congress continues to be strong and efficient in the years to come. The Congress in a state of health and vigour is, I unhesitatingly say, indispensable to all political progress in this country. This is true to-day as has never been before. The years before us will, I venture to predict, be a testing time for the people of Ceylon. Their patriotism, their political faith, foresight and capacity will all be subjected to a severe trial in the near future. Events in the past year or two clearly indicate two things : (1) that our political development has now reached a point at which, unless we are alert and watchful, a wrong turning may easily be taken which may lead us back again into the wilderness ; (2) that reactionary forces in our midst are making a combined and determined effort to block the path that leads to the goal of Swaraj. Meeting as we do at what must thus be regarded as a critical juncture it becomes our duty on the one hand to examine carefully the present situation and the possibilities in the near future, lest we may be unprepared to meet the difficulties that lie before us, and on the other hand to restate our aims, immediate and remote, as clearly and emphatically as possible so that subtle and specious reasoning may not be able to misrepresent them.

The policy and the programme of the Congress and the principles which underlie them have been fully and eloquently expounded year after year by my distinguished predecessors. I would therefore invite your attention on this occasion to an

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

aspect of the matter, to which sufficient attention has not hitherto been given. The suggestion is sometimes made that the Congress is the work of a few misguided enthusiasts who have suddenly sprung it upon the world, and are seeking to impose upon an unwilling people an impossible and an extravagant scheme of reform. This view, it need hardly be said, is absurdly erroneous. The Congress is the legitimate off-spring of a movement which started many years ago, and whose development, painfully slow and intermittent at first, but rapid in its later stages, can be traced step by step right up to the birth of this national institution in 1919. As a matter of fact the agitation for Council reform began almost simultaneously with the establishment of the Legislative Council in 1833; for we read that in 1834 a memorial was sent to the Secretary of State protesting against the action of the Governor who had delayed the nomination of the unofficial representatives in Council. Even in those early days the bureaucracy was extremely reluctant to give up any part of its uncontrolled power, and during the next three decades disagreements between the Government and the Unofficial Members of the Council frequently arose, mostly on the question of finance culminating in 1864 in the resignation of all the Unofficial Members and the formation of the famous Ceylon League. In those early days, however, political agitation was limited to the securing of certain rights to the Legislative Council and did not go so far as to include a demand for any change of the Constitution. In fact the Ceylon League in its memorial to the Secretary of State disclaimed any desire for the enlargement of the Council although it took care to add that such a change was "desirable on other grounds." The efforts of the League to secure any sort of control over the finances of the country were defeated by the Governor, Sir Hercules Robinson (Lord Rosmead), who in his despatch declared in emphatic language the unfitness of the people for any measure of self-Government. The failure of this effort seems to have damped all enthusiasm for Reforms, and thereafter little is heard of any further agitation for a decade or more. The first

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

definite scheme of Reform was formulated in 1877 by a liberty-loving Englishman, William Digby, a name which together with that of George Wall should always occupy a conspicuous place in the history of the social and political development of modern Ceylon. In that year Mr. Digby contributed to the *Calcutta Review* a remarkable paper entitled "An Oriental Colony ripe for Representative Government" in which after describing in detail the vast strides of progress, the Island had made since 1833 and proving the utter inadequacy of the existing system of Government, its unsuitability to the changed conditions, and the fitness of the people for a liberal measure of self-Government, he proposed a scheme of reform, which, it is no exaggeration to say, has since formed the basis of all proposals put forward on behalf of the people for the amendment of the Constitution. Mr. Digby's scheme provided for a Council of 41 Members 13 being Officials and the other Representatives elected by the people for territorial Constituencies, with the exception of 4 Members, representing planting interests and the British Chamber of Commerce. Racial representation was limited to the City of Colombo, which was given 5 Members to be elected by the people to represent the European, Burgher, Tamil, Sinhalese, and Moor and Malay Communities. The scheme also provided for the selection of a Speaker from amongst the Members. It also proposed the addition of 4 Unofficial members to the Executive Council. These Members who were to be paid salaries were to hold office for three years and to be entrusted with "portfolios of Agriculture and similar matters." It is hardly necessary to invite your attention to the fact that the scheme of Reform proposed by the Congress differs only in some respects from Mr. Digby's proposals. His article is full of interesting passages which may well be quoted as being applicable to the present situation. At one place he says :—

"The diverse races in the island, instead of seeking to acquire dominance one over the other, are being drawn together and to think and act as one people; distinctive race names are giving place to the comprehensive and descriptive appellation of

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Ceylonese. It is not possible to conceive of a time when British agricultural interests in Ceylon will cease. It is too profitable to be given up by those engaged in it, as is sometimes urged would be the case were justice done to the people in the manner indicated in this paper."

That was how a large-hearted and fair-mined Englishman who lived and worked among the people appreciated the state of affairs nearly half a century ago. To-day when we think of the great services rendered to Ceylon by Englishmen like George Wall and William Digby, have we not good cause to regret that so few of the present generation of English residents in our midst are prepared to identify their interests with those of the people and fight for the common rights of all? Mr. Digby concludes his paper with the following summary of his contentions :—

(a) "That the interests of the island suffer grievously from the necessity for referring everything to Downing Street, London, for decision;

(b) "That full justice is not done to the island, because those most acquainted with its wants are denied a proportionate share in its government;

(c) "That, with almost unexampled opportunities, all progress save that which is material, has been comparatively slow and intermittent; much has been done, vastly much more might have been accomplished;

(d) "That the people of the land have displayed an astonishing fitness for self-Government, and that therefore the duty of the English rulers is to recognise the manhood it has developed, and to give fair play to the qualities it has been the means of bringing forth.

(e) "That the experiment of ruling the East through the people of Eastern lands will, of necessity have to be made and that a better theatre than Ceylon for the inception of the new rule cannot be conceived, the action of the people themselves having already taken the proposal out of the region of experiment; and

(f) "That Opportunity calls for action."

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Strange enough this opportunity seems to have been missed for no action was taken as a result of this strong appeal, probably owing to Mr. Digby's departure for India where we find him performing heroic service in relieving the sufferings of millions in the Madras Presidency during the famine of 1878-79. For the next quarter of a century political Ceylon apparently slumbered. In the meanwhile great and stirring events were happening in the Far East where on the blood-stained fields of Manchuria Japan vindicated for all time the right of Eastern peoples to enjoy their national existence free from the domination of Western Powers. In India too the strenuous labours of the National Congress, maintained for years, began to bear fruit, and the agitation for political reform had entered upon a new phase which at last compelled an obstinate bureaucracy to give heed to the people's voice and introduce some important modifications in the system of government. All these happenings had naturally an effect on Ceylon, and led to a reawakening of the public interest in the question of constitutional reform. In 1908 an agitation was again set afoot, in the course of which representations were made to the Home Government both by a deputation which was headed by our ex-President, Mr. H. J. C. Pereira, and by a number of memorials one of which was submitted by Mr. Pereira himself on behalf of 760 signatories belonging to various communities in the Island, and the others by the National Association, the Chilaw Association, the Jaffna Association, and the Low-Country Products Association respectively. Special mention must also be made of an important memorandum which was submitted to the Colonial Office by another of our ex-Presidents, Mr. James Peiris. The proposals embodied in these various documents were modest as compared with Mr. Digby's proposals. They however agreed in condemning racial representation in Council and asking for the substitution of election for nomination and the inclusion of an unofficial element in the Executive Council. The opinion held by the reformers of that day are well expressed in the following paragraph quoted from the memorial of the Jaffna Association which, I may say, form extremely interesting reading in view of recent developments. The memorial opens thus :—

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

"That your memorialists, representing the Tamils of the Northern Province, the chief centre of the Tamil population of this island, in general meeting assembled on February 9, 1909 passed the following resolutions :— "That the Ceylon Legislative Council as it is at present constituted is unsuitable to the existing conditions of the Colony in that (i) the method of nominating unofficial members is not likely to secure their independence, (ii) it is founded on racial representation, a principle likely to prepetuate class feeling, and not calculated to introduce the best talents into the Council, or to represent the interests of the various districts, and (iii) the preponderance of the Official over the Unofficial element concentrates all the power in the hands of the official majority. That in the opinion of this Association reforms are urgently needed in the respects mentioned above. That steps be taken by the Managing Committee to do what is needful to ensure the ultimate realisation of the reforms indicated above.

The memorial then proceeds in a later paragraph to make the following suggestions for the reform of the Legislative Council :—

I. "As regards the Legislative Council that (i) excepting two or three seats that may be reserved for nomination by the Governor for the representation of minorities all the unofficial seats be filled up by popular election. (ii) that provincial be substituted for racial representation, (iii) that regularly constituted bodies otherwise unrepresented such as the Planters' Association and the Chamber of Commerce representing particular interests, and recognised as such by Government under definite regulations be granted the right of electing their own representatives, (iv) that the unofficial and the official element be equalised, (v) that unofficial members be granted the right of initiating proposals involving expenditure of the public moneys within prescribed limits."

As a result of these representations the Colonial Office, it is believed, was prepared to grant a liberal measure of reform, but again the "man on the spot" interfered so effectively that the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

reform that was ultimately granted was exceedingly meagre and unsatisfactory except in one important respect,—the introduction of the principle of election. The Governor, Sir Henry McCallum, resorted on this occasion to the tactics usually adopted by the bureaucracy in such circumstances. In his despatch on the memorials he started by belittling the representative character of the memorialists and then proceeded to combat vigorously their contention that the Constitution of Ceylon as it then existed was antiquated and emphatically denied that it needed amendment in any respect. But the most extraordinary part of this pronouncement was the subtle attempt made by Governor McCallum to create a new division among the people based on education. He boldly declared that the Ceylonese—Sinhalese, Tamils, Moors and Malays—who had received an English education were totally estranged from the bulk of the population by reason of that education. He further declared that the Civil Servants represented the uneducated masses and their interests much more effectively and satisfactorily than the educated men of their own communities could do. He therefore proposed that the small minority of English educated Ceylonese should be politically segregated from the rest of the people and given the right of electing one representative, while the bulk of the population should continue to be represented in Council by Civil Servants and nominated members. The Colonial Office was apparently convinced of the soundness of these contentions. Their utter falsity, however, was proved within the next few years, but at what a terrible cost to the people! Proceeding on the assumption that the officials knew the condition of the people and what was good for them much better than the people themselves the McCallum-Clifford Administration forced through the Council the Excise Law of 1912 in the teeth of universal opposition and enormously increased drinking facilities in the country. Within six years that policy, wicked in the extreme, had to be totally reversed and the principle of Local Option has since been adopted with what results we all know. The blundering policy pursued on that occasion proved that the present generation of officials was not in touch with the people

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

and therefore not in a position to gauge their sentiments or to understand their needs and aspirations. If further proof of this fact was needed, that was supplied in abundance in 1915 when our bureaucracy, panic-stricken by the supposed discovery of a conspiracy, which existed only in the official imagination, forced the hands of a weak Governor, new to the country, to place a large portion of the Island under the heel of Martial Law for three months during which cruel sufferings were inflicted on the people. Ceylon will not easily forget the horrors of those dark days. But out of that great evil a great good has come. The atrocities committed under Martial Law convinced the people of this country, as no amount of reasoning and argument could have done, that unless the existing system of Government was radically changed their life and liberty might at any moment be jeopardised. This feeling of insecurity, shared by others besides the community which suffered most under Martial Law, added tremendously to the strength of the demand for constitutional reform. When public opinion was thus gathering strength, there appeared at the psychological moment a leader who could organise the progressive elements in the country and make a united effort to secure a large measure of reform. Sir Ponnambalam Arunachalam, recently freed from the shackles of office, was eminently fitted for this task. His great abilities, wide experience, and organising capacity were placed at the disposal of the reform movement into which he threw himself heart and soul. Much as we regret his present attitude towards the Congress we cannot possibly forget the most valuable services he rendered during the early years of its career. His writings and addresses gave to the movement a new impulse which manifested itself in the formation in the early part of 1917 of the Ceylon Reform League and other political Associations in different parts of the Island. Then followed in December, 1917 the first Conference on constitutional reform attended by a large number of delegates from various political Associations. On that occasion Sir Ponnambalam Arunachalam, who presided, delivered an important address in the course of which he outlined "the measures considered immediately necessary for the remedying of the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

evils under which the people of Ceylon labour." After giving an account of what had already been done by the National Association and the Reform League to secure a reform of the Constitution he submitted the draft of a proposed memorial and commended it to the acceptance of the Conference in these words :—

"I have no doubt that this conference so representative and influential will arrive at a satisfactory solution of the difficulties that have been raised without prejudice however to the main principles of the scheme. We all feel that racial representation is pernicious and has operated to widen cleavages in the community and to obstruct the unity and harmony which we should all do our best to promote. I cannot see that any question could come before the Legislative Council which is likely to be decided to the detriment of any particular community. If such a decision should ever be arrived at, it should be promptly reversed by the veto expressly vested in the Governor and the Secretary of State."

The memorial was discussed clause by clause and finally unanimously adopted. It demanded in respect of the Legislative Council the abolition of the official majority, of racial representation, and of the nomination of unofficial members by the Governor, and in their stead a large increase in the number of elected members on a territorial basis with safe-guards for the minorities. It submitted a scheme of representation which provided for 17 territorial members, 4 minority representatives, and 12 official members.

In 1918 the second political Conference was held in Colombo which passed resolutions reaffirming the principles stated above. It was at this Conference that the momentous decision was taken to convene a National Congress in the following year. Before the Congress met the Ceylon National Association and the Reform League had taken the important step of appointing a deputation, headed again by Mr. H. J. C. Pereira, to interview the Secretary of State for the Colonies and press upon him the claims of Ceylon for a large measure of constitutional reform. Then under the presidency of Sir Ponnambalam Arunachalam the first Congress

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

met in December, 1919 when, as you will remember, the first resolution stating in set terms the proposals of the Congress for the reform of the Constitution was moved by Sir P. Ramanathan. That resolution with but slight modifications has been reaffirmed in subsequent years so that it constitutes to-day the political creed of those who belong to the Congress.

This brief account of the reform movement will, I hope, make two things clear:—First that the Congress is not the frightful monster, some people imagine it to be, created by some foolish fanatics bent upon bringing ruin upon this country, but the natural result of the normal development of that movement started many years ago; and secondly that its aims, far from being revolutionary, err, if at all, on the side of moderation.

This account will also, I venture to hope, help us to understand the present situation and the task before us. I have not thought it necessary to deal with the events of the last three or four years; they must be all fresh in your memory. The delay in the publication of the Order-in-Council certainly makes it difficult for us to gauge accurately the position of affairs to-day, but we have some idea of the Government proposals, and if we take that as the basis of our estimate we cannot go far wrong. At the very outset we must unhesitatingly admit that so far as numbers go the proposed Council is a distinct advance upon the existing one. The number of territorial members is more than doubled and the official representation is reduced to an absolute minority. The provision for the election of a Vice-President is also a valuable concession and, if report speaks true, it is also proposed to introduce an elected element into the Executive Council, which is certainly a step in the right direction. The most satisfactory feature of the Government scheme is undoubtedly the proposal to include all residents in an area in the general electorate irrespective of race, I need hardly refer to the fact that the whole credit of putting forward this proposal, which is bound to have far-reaching effects in the future, belongs to the Congress at whose instance Mr. Peiris proposed it in the Legislative Council.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

When we go deeper into the details of the Government scheme and examine the principles upon which it is based, its ugly features become manifest. Then we see that it rests upon no just and equitable principle and that it is an artificial attempt to maintain a sort of balance between communities which the authors of these proposals somehow consider indispensable. Looked at from this point of view the whole scheme, to adopt the words of Sir P. Arunachalam, "is pernicious and is bound to operate to widen cleavages in the community and to obstruct that unity and harmony which we should all do our best to promote." Further it proposes in effect to establish minority rule in Ceylon. The consideration of these different aspects of the proposed reforms cannot but drive one to the conclusion that they are not calculated to hasten the day of responsible government. Their aim is to combine the minority sections against the majority population. They seek to establish communal representation for an indefinite length of time and thereby prevent national unity.. Here lie the danger and the difficulties to which I have referred in the earlier part of this address. If the people of this country, especially those who belong to the minority communities, follow the lead given by the Government in this matter, the halt in our political progress to which His Excellency the Governor has recently referred on more than one occasion will, indeed, be a long one. Sir William Manning has also said that the next step will depend on us. That is true, but in a different sense from what His Excellency perhaps means. Possibly he hopes that the new Council will, by their good and docile behaviour, earn for the country another small instalment of reforms as a gift from above. I prefer to understand the Governor's advice differently.

The future is certainly in our hands, and it will be independent of official pleasure or displeasure, if we but realise our duty to the country and perform it sincerely and well. One thing we have to realise is this. The enlargement of the Legislative Council is not the ultimate goal we have in view. It certainly adds to the power of criticism we possess, and may enable us to create difficulties for the Government, but it falls far short of responsible

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

government. The appointment of two or three unofficial members to the Executive Council does not alter the situation very much. So if we are determined to attain responsible government within a reasonable time, we must bestir ourselves and try to bring about that condition of national unity which is indispensable to the realisation of that goal. Full responsible government can only be demanded by, and granted to, a united people. It is impossible to imagine how national unity can be reached along the path of communal representation. One cannot help thinking that these cardinal facts are not realised by many who are eager to bring about this consummation as early as possible. It must also be admitted that the attitude of that section of Tamils who have seceded from the Congress will tend to postpone the realisation of our aims. I have already said that the next step is in our hands. I should rather say that it rests with the minority communities to say whether and when we shall attain full responsible government. So long as they remain satisfied with any special advantage they may derive under the present scheme of communal representation and refuse to recognise that community of interests which binds all sections of the people to form one united whole, further progress towards the goal of Swaraj cannot but be retarded.

I have referred above to the Tamil secession. It is a delicate subject to which the saying "least said soonest mended," specially applies. But in view of the gross misconceptions and misunderstandings that prevail in regard to this matter even in the minds of those who have the opportunity of acquainting themselves with actual facts, I should just like to make a few observations solely for the purpose of removing these wrong impressions and for paving the way, if possible, to the restoration of those conditions of harmony and friendship which prevailed up to the time of this unfortunate difference. For the solution of this difficulty it is important to ascertain exactly what constitutes the grievance of those Tamil friends who are now standing aloof from the Congress. From what has been stated above it is clear that we and they were in full accord in formulating those principles upon

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

which the Congress programme and policy are based. Further in the scheme of representation which was submitted to the Secretary of State by the Executive Committee of the Congress the territorial divisions in which the Tamils are exclusively interested, viz, the Northern and Eastern Provinces, were allotted exactly the same number of seats as have been given to them in the Government scheme. Obviously as regards the principle or the scheme of territorial representation they can have no cause of complaint. There then remains only the question of a reserved seat for the Tamils in Colombo or the Western Province. I am afraid most people are now tired of hearing about this seat. Even among the Tamils there are, I believe, a large number who would rather see this seat at the bottom of the sea than allow it to be an obstacle in the path of progress. On the other hand there is no doubt that the Governor wants it. It is the price he paid for securing the support of a section of the Tamils for his scheme of representation. There are of course the Tamil Associations which emphatically declare this seat to be essential to their communal welfare; and there are, I must say, some members of the Congress also who consider it a matter of indifference whether this seat is retained or not. I respect that opinion, though personally I do not agree with it. No amount of reasoning can refute the assertion that the creation of a special communal seat like this will undermine the whole position of the Congress in regard to the principle of representation which it has adopted after most deliberate consideration. It is of course urged that the attitude of the Congress in this matter is a violation of a certain pledge given by two of our leaders. The reference is to a letter written to Sir Ponnambalam Arunachalam by Mr. James Peiris and Mr. E. J. Samarawickreme on 7th December, 1918, that is, a year before the establishment of the Ceylon National Congress. Assuming for a moment that the pledge was unqualified and unconditional and for all time it is difficult to understand how it could bind the National Congress which was not in existence at the time the pledge was given, and why the violation of it—if there has been really any violation—should be regarded as an



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

offence committed by the Congress. If you examine the pledge, you will find that it was a promise to accept any scheme which the Jaffna Association might put forward so long as it was not inconsistent with the various principles contained in the resolutions which were to be submitted to the Conference of 1918. That Conference took place a few days after the pledge was given. The Jaffna Association was duly represented on that occasion. So far as I am aware, neither the Jaffna Association nor any other Tamil Association put forward any scheme which reserved a seat for the Tamils in the Western Province. A year afterwards Congress met for the first time when the principles of reform were definitely settled. In 1920 the Congress met twice. On both occasions these principles were reaffirmed. On none of these occasions was any mention made of a reserved seat for Tamils in the Western Province. It cannot possibly be that, when the members of the Jaffna Association and other Tamil delegates including Sir Ponnambalam Arunachalam himself took part in those proceedings, they did so with a mental reservation in regard to this seat. A more reasonable and honourable explanation of their attitude is that "the pledge" known even then only to the few persons immediately concerned, was tacitly allowed to drop out in view of the great programme of reform adopted by the Congress. As to why it was revived in 1921 after the elections no satisfactory explanation has yet been given. It is sometimes suggested that it was due to a personal grievance, that the whole trouble arose because Sir Ponnambalam Arunachalam who had done so much for reforms was left without a seat in the new Council. Sir Ponnambalam himself has made no such statement, and I cannot believe that he will ever make such an assertion for the very simple reason that it was his own choice not to put himself forward as a candidate in 1921. These are the true facts of the case, and I ask my Tamil friends if they have any real grievance which justifies their withdrawal from the Congress, to state it. I have already said that the Governor has set his heart upon this seat. It is therefore more than probable that it will be retained in the new scheme of reform. Now the question for the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Tamils is: Will they go on hugging this precious boon for ever and refuse to take their part in the great work of promoting national unity which is the only avenue to national self-Government? I make this earnest appeal to the Tamil Community" "whether you got this seat for ever or for a time, do not make it a permanent barrier athwart the path of progress towards the goal of Swaraj."

To the other minorities too I would make the same appeal. I would ask them not to barter their birth-right of full citizenship for a mess of pottage represented in this instance by a communal seat or two. Their interests are identical with those of the rest of the population. That fact has been demonstrated over and over again in the Council Chamber when the representatives of the minorities stood shoulder to shoulder with territorial members in opposing measures which they considered detrimental to the best interests of the country. There is I know a fear among the minority sections that the Congress desires the immediate abolition of the representation of minorities. This in spite of repeated declarations on behalf of the Congress that, while it is opposed on principle to racial representation, the minorities should continue for a time to have their own representatives in Council. How long this temporary expedient should continue must be a matter of understanding and agreement between the different sections of the people. In the meanwhile it would be the business of the Congress to do its utmost to remove suspicions, misconceptions, and misunderstandings in regard to this and other matters and do its best to educate public opinion so that the day may soon approach when each community will of its own accord give up this privilege of special representation for the sake of the common good, just as the Japanese princes and chiefs surrendered their feudal rights for the sake of national unity thereby inaugurating the glorious Meiji Era of Japan's greatness and prosperity.

To the European Community also I would make a special appeal. Though small in numbers, they occupy a position of great influence in the country. The Englishmen of the earlier generations have rendered splendid service to the people with

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

whom they did not hesitate to co-operate for the common good. That example has not been followed to any appreciable extent by their successors. The Englishmen of the present day are rather inclined to stand aloof from the people seeking to maintain their own prestige and interests and refusing to identify themselves in any degree with movements calculated to promote the development of liberal institutions in the Island. They have in fact shown at times that as a body they are opposed to the extension of political rights to the Ceylonese. There is, however, reason to think that this angle of vision is changing and that the Europeans are prepared to reconsider their attitude towards such questions as constitutional reform. I need hardly say that we shall heartily welcome this change when it takes practical shape. I would further say that in this matter the Englishmen in our midst have a golden opportunity of not only promoting the best interests of this country but of rendering a unique service to the whole British Commonwealth. In no part of the British Dominions are circumstances so favourable as in Ceylon for a real meeting of the East and the West, for a genuine co-operation of all sections of the people on equal terms for securing the common welfare of all. It is time that English residents considered the desirability, nay the necessity, of throwing down the barriers of prestige and interests that separate them from the rest of the community and take their rightful place as citizens claiming for themselves no rights or privileges denied to others. It is time that they abandoned the groundless fear that the extension of political rights would endanger their financial interests. As Mr. Digby pointed out fifty years ago, no such danger really exists. British capital, British energy, and British enterprise have contributed so much to the progress of Ceylon that no sane person would ever dream of driving these valuable assets out of the country. Self-interest alone, not to speak of justice and fair play, would prevent the adoption of such a disastrous policy. At the same time it would be unwise to forget that there are other motives besides self-interest which influence the conduct of men. In the history of

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

every people a point is reached some time or other when self-interest yields to national self-respect. The people of Ceylon are slowly but surely reaching that point. In spite of many difficulties to some of which I have already referred, there can be no doubt that in the not distant future national self-respect of the people of this country will assert itself and demand a controlling voice in the management of their own affairs. When that hour comes, considerations of self-interest will have little weight and opposition to the national will is bound to create ill-will and friction which cannot but be harmful to the best interests of the country. It is therefore I say the duty of responsible Englishmen in our midst to take timely steps to prevent any such undesirable development by co-operating with the people and giving them the benefit of their larger experience in the conduct of public affairs.

I have been obliged to deal somewhat exhaustively with these various aspects of the political situation, as it is to-day a subject of paramount importance to us. At the same time let us bear in mind that constitutional reform is after all a means to an end, the end being the welfare of the community. This well-being of course depends to a very large extent on favourable political conditions. It is therefore nothing but right that we should endeavour to secure such a form of government as shall enable the needs and requirements of the people to be duly heard and attended to. But while we are endeavouring on the one hand to secure constitutional reform, it is our duty on the other hand to work for the welfare of the people so far as present opportunities permit. The happiness of the country depends mainly on three intimately connected things—Food Supply, Health, and Education. If these factors are taken into consideration, we realise how far below the average standard Ceylon falls. The question of an adequate food supply has engaged public attention for several years. But the progress that has been made so far in increasing the production of food stuffs is by no means satisfactory. Why a fertile country like Ceylon cannot produce sufficient food for its population, not

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

at all dense, is a question which deserves our earnest attention. There are of course certain reasons which are within the knowledge of all. The policy of the Government until recent times has not been to encourage paddy cultivation. Further the harsh administration of such laws as the Waste Lands Ordinance and the Forest Ordinance has seriously affected cultivation in Kandyan districts. In this connection I would invite your attention to the important resolution on chena lands which will be placed before you and the equally important motion relating to the improvement of transport facilities especially in agricultural areas.

Intimately connected with the question of food supply is that of the health of the people. One acts and reacts upon the other in a manner which few people realise. That the sanitary conditions prevailing in this country are unsatisfactory is proved by the extraordinary high rate of mortality especially among infants. In many parts of the country the inhabitants are in the deadly grip of malaria, parangi, and the hook-worm disease which not only inflict untold sufferings on them but render them utterly unfit for sustained labour. Here lies one root cause of the difficulty of bringing vast areas of the country under cultivation. It is therefore obvious that the most important thing, in fact, the indispensable preliminary condition, for the improvement of agriculture in the country is the promotion of the general health of the people. It is of course a matter for satisfaction that the Government has realised its duty in this respect and is making special efforts to grapple with these fell diseases. But progress is slow and it may take many long years before the ravages caused by these diseases are effectively checked. In this connection I should like to draw your attention to a matter which calls for careful consideration. Everybody knows that the efforts of the Government are confined to providing medical treatment on European methods. A few figures will show you how utterly inadequate this provision is. There are to-day altogether 90 hospitals, including those for special treatment, and 475 dispensaries. The Medical Department employs 191 Medical Officers and 325 Apothecaries. In the whole Island there are not more than 650 medical men qualified

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

to practise English medicine including the 191 medical officers mentioned above. If the Apothecaries are also included in the list the total number of men who can practise English treatment are little over a 1,000. Further we know as a matter of fact that most medical men in private practice are found in important towns. From these facts it is obvious that extensive areas are unprovided with any sort of English medical treatment. At the present rate of progress it will take centuries before English medical treatment can be provided in adequate measure in all parts of the country. The question then arises: is this unfortunate state of affairs to be allowed to continue, or is there some other means of relieving sickness and suffering in the Island? That there is such a means every one who knows anything about the country will readily admit. I refer to the indigenous system of medical practice which has come to us as a heritage from the past. To-day it may safely be asserted that 90 per cent. of our people have recourse to the *Vedarala* or *Pariyare* in cases of illness. They have no other alternative. Further the treatment costs them exceedingly little. But this ancient system of medicine has to a very large extent deteriorated owing to various reasons. Is it not the duty, I ask, of the Government and the public to devise some means of raising the status of the native practitioner and helping him to improve his knowledge and practice so that his skill and experience in the art of healing may be utilised for the relief of the mass of sickness and suffering which prevail in this country?

Next comes the question of education on which you will be asked to consider an important resolution. There can be no doubt that all departments of education from the village schools to the Univesity College suffer through lack of funds. We know that vast areas in remote parts of the country are still unprovided with educational facilities of any kind so that no less than 400,000 children are growing in ignorance without any sort of training which can be helpful to them in after life. Coming to higher education the University for which the country has been agitating for over twenty years is still coming, and when it comes

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

it is a matter of great doubt whether it will fulfil all the expectations of a great national seat of learning. This is a matter which the public should watch most carefully. No better illustration of the attitude of the Government towards education can be given than the position of Oriental learning in the Island. In India Government maintains at its own expense schools for the promotion of Sanskrit learning. In Burma an annual examination under the auspicies of the Education Department is held for the purpose of issuing certificates of proficiency in Pali language and literature. The whole expense of this examination including the travelling expenses of candidates appearing at the examination is borne by the Government. Now turn to Ceylon and see what our Government is doing for the promotion of oriental studies so intimately associated with our own civilisation, culture, and art. For over 15 years an Oriental Studies Society presided over by the Director of Education has held an annual examination in Sinhalese, Pali, and Sanskrit. These examinations have doubtless given an impetus to the study of these languages, but the expenses of the examination are defrayed by the annual subscriptions of members of the Society and the fees paid by the candidates which in the case of the highest examination amounts to no less than Rs. 25. The contribution of the State to this important branch of studies amounted in 1921 to the magnificent sum of Rs. 6,000, out of which about Rs. 1,000 formed the salary of the Inspector of Pirivenas, the balance Rs. 5,000 being paid as grants to a few of these institutions! It is also worth while noting that no Pirivena is inspected unless it gets itself registered by paying a registration fee of Rs. 25. A more disgraceful exaction can hardly be imagined. Such vagaries can scarcely be avoided unless and until a comprehensive scheme of national education is devised.

Another question on which a resolution has been placed on the agenda calls for comment. I mean the resolution regarding labour conditions in Ceylon. There can be no doubt that the conditions of the labour population has deteriorated owing to the increased cost of living in recent years. It is a matter which calls for careful inquiry and sympathetic consideration.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

In Ceylon a very large majority of the people earn their living by the labour of their hands. So it necessarily follows that the contentment of so large a section of the community is a matter of great importance. In Ceylon the distinction involved in such phrases as Capital *vs.* Labour, Classes *vs.* Masses, hardly exists. It is the duty of all who care for their country's welfare to see that such distinctions which in other lands have been the cause of bitter strife and hatred should not be introduced to Ceylon. But such class warfare can be avoided only if the right of the labourer to justice, fair-play, and decent conditions of life is fully recognised. The resolution that will be placed before you refers only to indigenous labour. It does not therefore follow that we are unmindful of, or indifferent to, the interests of the vast army of immigrant labourers employed mainly in the planting districts. On the contrary while we express satisfaction that the penal clauses which disgraced our Labour Ordinance have been removed and the condition of the immigrant labourer has somewhat improved, we shall watch with sympathy the efforts now made by the people and the Government of India to further ameliorate his position.

Before I conclude I should just like to make a few observations on the work of the Congress itself. During the past four years the Congress, absorbed in the question of constitutional reform, was necessarily obliged to confine its attention to that one question. Even here its activities were mainly confined to the sessions that were held in Colombo. The time has come, I think, for us to take a further step enlarging the activities of the Congress and organising public opinion in the country with regard to questions of national importance. I propose therefore to place before the Executive Committee which you will appoint to-day a comprehensive programme of work for the coming year. I would ask the Committee to re-appoint the Propaganda Committee in order that the important work of forming local Associations where none exists may be continued. It is also my intention to ask for the appointment of several sub-committees to study various questions affecting the community. These investigations will be

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

carried out in co-operation with other Associations and individual persons. If such a programme of work can be carried out, it will enable the Congress at its annual session to deal with various questions that come before it much more effectively than it is in a position to do to-day.

Fellow delegates, I have done. To the best of my ability I have tried to place before you the task that lies before us; and in conclusion I would ask you to accept as your motto the great saying of the epic poet of India, that

"Mother and mother-land are greater than heaven itself."

Let us attend to our business to-day in that spirit; let us carry that same spirit into all our work in connection with the welfare of our country, so that whatever we may do may redound to the glory of the land which we call our motherland.

---

The Resolutions adopted were the following :—

## DEFENCE OF REALM ACT.

(1) Submitted by the Ceylon National Association :—

"In the opinion of this Congress, the powers vested in the Governor by the Defence of the Realm Act should be immediately withdrawn as they are subversive of public liberty, and no necessity for their continuance now exists."

*Proposer*: Mr. M. W. H. de Silva. *Seconder*: Mr. Peri-Sundaram. *Other Speakers*: Dr. I David, Hon. Mr. E. W. Perera.

(2) Submitted by the Lanka Mahajana Sabha :—

## THE EDUCATION VOTE.

"In view of the meagre support given to education by the Government and the inadequate provision now made therefor, this Congress is of opinion that the education vote should form a larger proportion of the public revenue than at present, in order to bring education within the reach of the masses and to secure a more vigorous promotion of all branches of public education, especially technical, industrial, and agricultural."

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

*Proposer*: Mr. T. B. Jayah, *Seconder*: Mr. David Samaraweera. *Other Speakers*: Messrs. F. P. Senaratna, J. Vincent Mendis, D. G. A. S. Wanigaratna, S. H. Dahanayaka, C. Ponnambalam and Hon. Mr. C. W. W. Kannangara.

## RESTRICTIONS *RE* CHENA LANDS.

(3) Submitted by the Kurunegala Association :—

"The restrictions placed upon private individuals, in regard to proof of title to chena lands claimed by them, are calculated to cause injustice and hardship. This Congress, therefore, demands that the laws relating to this question be revised at the earliest opportunity."

*Proposer*: Mr. A. A. Wickramasinghe, *Seconder*: Mr. C. V. Ranawaka.

## LABOUR CONDITIONS.

(4) Submitted by the Ceylon Workers' Federation, Young Lanka League, the Ceylon Labour Union, and the Sinhalese National Association :—

"In view of the increasing unemployment among the labourers and the room for amelioration in the conditions under which labour, both skilled and unskilled, is employed in Government establishments and private workshops, as evidenced by the recent strikes and otherwise, and the great amount of distress continually prevailing among the labouring classes, this Congress requests the Government to appoint a Commision on which labour is adequately represented, to inquire into the conditions of labour in Ceylon and recommend measures for their improvement."

*Proposer*: Mr. M. M. Pinto, *Seconder*: Mr. P. Givendrasinghe, *Other Speakers*: Messrs. J. S. Perera, Martinus C. Perera, and D. H. S. Nanayakkara.

## NEXT GOVERNOR.

(5) Submitted by the Executive Committee of the Congress :—

"It is the opinion of this Congress that it is essential for the ordered progress of the country especially at this transitional

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

period, that on the expiry of the term of the present Governor, a Governor with Parliamentary experience should be appointed."

*Proposer*: Mr. S. R. Wijemanne, *Seconder*: Mr. C. H. Z. Fernando, *Other Speakers*: Dr. S. Muttiah and Mr. J. S. Jayawardane.

## RECOMMENDATIONS OF THE RETRENCHMENT COMMITTEE.

(6) Submitted by the Ceylon National Association :—

"This Congress urges that the recommendations of the Retrenchment Committee should be given effect to without delay."

*Proposer*: Dr. S. Muttiah, *Seconder*: Mr. F. A. Obeyesekera.

## FOOD SUPPLY.

(7) Submitted by the Galle Association :—

"This Congress is of opinion that with a view to the encouragement of agriculture and the securing of an increased food supply in the country the Government should take early steps to furnish increased facilities for the transport of produce by providing a better system of roads throughout the Island, particularly in the less developed agricultural districts."

*Proposer*: Mr. Sadris Silva, *Seconder*: Mr. S. H. Dahanaika.

NOTE.—The following extract from the minutes of the executive Committee meetings refers to the election of officers for the year.

"The following gentlemen were nominated for the Presidency :—

Messrs. D. B. Jayatilaka, C. E. Corea, E. J. Samarawickreme, and Dr. E. V. Rutnam.

Mr. E. J. Samarawickreme declared that he would not seek election.

Mr. F. A. Obeyesekera then proposed and Mr. A. A. Wickremasinghe seconded that Mr. D. B. Jayatilaka be elected President.

Mr. P. Chelvanathan proposed and Mr. D. E. Weerasooriya seconded that Mr. C. E. Corea be elected President. These names being put to the ballot, Mr. D. B. Jayatilaka was declared elected President.

Mr. D. E. Weerasooriya proposed and Mr. P. Chelvanathan seconded that Mr. Francis de Zoysa be elected Vice-President.—Carried.

Mr. Francis de Zoysa proposed and Mr. A. F. Molemure seconded that Messrs. D. E. Weerasooriya and J. E. Gunasekera be elected Hony. Secretaries. —Carried.

Mr. T. B. Jayah proposed and Mr. E. A. P. Wijeratne seconded that Mr. D. E. Weerasooriya be elected Hony. Treasurer.—Carried."

(6.12.23.)

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

SECTION II.—*Extracts from the Minutes of Executive Committee Meetings.*

## DEATH OF SIR P. ARUNACHALAM.

"The President then, moved the following resolution re sad demise of Sir P. Arunachalam.

"The Executive Committee of the Ceylon National Congress expresses its profound sorrow at the great and irreparable loss sustained by the country by the death of Sir P. Arunachalam the first President of the Congress and desires to place on record its grateful acknowledgement of his unremitting labours for several years in promoting the interests of the Congress. That this vote of condolence be communicated to Lady Arunachalam and the other members of the family."

The resolution was passed, all members standing.

(23—2—24.)

## ORDER-IN-COUNCIL, DECEMBER, 1923.

*Vide Appendix.*

Mr. A. E. Goonesinghe moved and Mr. P. Givendrasinghe seconded "That the Ceylon National Congress do reject the Order-in-Council as utterly inadequate and formulate a scheme of non-co-operation with the view of boycotting the new Legislative Council."

After a lengthy discussion the motion was lost 6 voting for and 15 against the motion.

The Committee was unanimously of opinion that the Order-in-Council needed immediate amendment in many important particulars. The following were among the points discussed.

(a) The need of a substantial territorially elected majority in the Legislative Council.

(b) Increased representation for important territorial constituencies.

(c) Reform of the Executive Council ensuring some measure of responsibility.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(d) The amendment of the clause 54 of the Order-in-Council, so as to ensure a full debate in Council and a vote of the whole Council before the certification is made, and to secure the suspension of the matter so certified until the pleasure of the Secretary of State is signified.

(e) The need for publication of a despatch and a declaration of future policy.

After a full and free discussion of these and many other points, on the motion of Mr. A. A. Wickramasinghe, seconded by the Hon. Mr. C. W. W. Kannangara, the following Sub-Committee was appointed to draft a cablegram to the Secretary of State for the Colonies and to draft a memorial to be presented to the Government both here and in England.

The President Mr. D. B. Jayatilaka, the Hon. Mr. E. W. Perera, Messrs. E. T. de Silva, M. A. Arul Anandan, F. R. Senanayake, T. B. Jayah and E. J. Samarawickrama and Messrs. D. E. Weerasooria and J. E. Gunasekara (Secretaries).

The same Sub-Committee was appointed to consider and report to the Executive Committee of the Congress on a policy and programme to guide the electorates in electing their representatives in Council.

(3—3—24.)

---

"The report (annexed hereto) of the Sub-Committee on the Order-in-Council was read and discussed. Mr. A. E. Goonesinghe moved and Mr. M. Reyal seconded that the report be adopted subject to the following resolution which was unanimously passed. "In view of the refusal by the Secretary of State for the Colonies to publish the scheme of reform of the Executive Council before the election of members to the New Legislative Council the Executive Committee of the Ceylon National Congress recommends that the electorates do call upon the candidates to pledge themselves to take effective steps at the earliest opportunity in the New Council to secure a reform of the Executive Council on the lines set forth in the resolution No. 1 of December, 1919," Viz: "That the Executive Council should consist of the Governor as

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

President assisted by official and Unofficial members of whom not less than half should be Ceylonese unofficial chosen from the elected members of the Legislative Council, with the view of affording them administrative experience, such Ceylonese members should be made responsible for the administration of Departments placed in their charge." And resolution No. 4 of March 1923, Viz.: "In the opinion of this Congress the Executive Council shall consist of six members, three of whom shall be officials and three shall be chosen by the Governor from the un-official members of the Legislative Council for the time being, two at least of the latter being territorially-elected members.

The members so selected shall be placed in charge of such departments as the Governor may determine and shall be responsible through the Governor to the Secretary of State for the administration thereof. Such members shall, on selection, vacate their seats in the Legislative Council and be included among the official members thereof and shall enjoy the same status as other official members of the Executive Council, Their period of office shall coincide with the duration of the Legislative Council."

(2—6—24.)

---

## REPORT OF THE SUB-COMMITTEE ON THE ORDER-IN-COUNCIL OF 19TH DECEMBER, 1923.

"In view of the statement made in the House of Commons by the Secretary of State for the Colonies that certain changes in the Constitution of the Executive Council would be announced soon after the elections to the new Legislative Council, the Sub-Committee have, after careful consideration of the situation, come to the conclusion that it would be more advantageous to defer the proposed representation on the Constitutional changes introduced by the Order-in-Council of the 19th December, 1923 until the changes in the Executive Council are published, so that the whole scheme of reform may be dealt with in any such representation.

The Sub-Committee also considered the question of pledges. They are of opinion that the special circumstances which in 1920

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

made the demand of certain specific pledges from candidates necessary, do not exist at the present time, and do not consider it desirable that the Congress should recommend any specific pledges on this occasion. Where, however, such a course is deemed necessary, it will be sufficient, they think, if the constituency concerned secure from the candidates a declaration of adherence to the Principles of Reforms for which the Congress stands."

D. B. Jayatilaka,
Edward W. Perera,
M. A. Arul Anandan,
T. B. Jayah,
E. T. de Silva,
J. E. Gunasekara.

(28th May, 1924.)

---

## CASTE AND RELIGION IN ELECTIONS.

The Committee having discussed the matter at length, passed the following resolution :—

"This Committee strongly deprecates the attempt now made in certain constituencies to introduce considerations of caste and religion in connection with the election of members to the Legislative Council as fundamentally opposed to the principles and policy of the National Congress and inimical to the political progress of the country, and resolves that

(1) All candidates be asked to make a public declaration as early as possible condemning the introduction of religious and caste considerations into elections and undertaking to discountenance the adoption in any shape or form all such appeals to religious or caste prejudices in election campaigns.

(2) That the electors be called upon not to give their support to those candidates who fail to make such public declaration or adopt directly or indirectly the cry of religion or caste in order to promote their candidature.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(3) This Committee authorises the Secretaries to communicate the above resolutions to all candidates for territorial seats and publish their replies immediately on their receipt. (10—7—24.)

---

"Up to the time of holding the meeting the Secretaries had received 14 letters from the Candidates seeking election to the Council expressing their willingness to abide by the decision of the Congress Committee re attempted introduction of the cry of caste and creed in electioneering camps. Names of the said Candidates :—Messrs. D. B. Jayatilaka, D. E. Weerasooria, Francis de Zoysa, James Peiris, T. G. W. Jayawardane, E. W. Perera, S. R. Wijemanne, Lionel de Fonseka, W. Edwin Botejue, H. R. Freeman, G. E. Madawela, T. B. L. Moonemalle, K. Balasingham and D. S. Senanayake.

The Committee having considered these replies appointed a Sub-Committee consisting of Messrs. D. B. Jayatilaka, C. S. Rajaratnam, M. A. Arul Anandan, Peri Sunderam, E. J. Samarawickrama, J. W. de Silva, Camar Cassim, and P. Givendrasinghe and Mr. J. E. Gunasekera, (as Secy.) to take such steps as may be necessary to give wider publicity in the constituencies to the Congress principles and policy bearing on the elections and the rules and regulations governing them. (26—8—24.)

---

## REFORM OF THE EXECUTIVE COUNCIL.

*Vide Appendix.*

"The Despatch of the Secretary of State for the Colonies on the reform of the Executive Council together with the Governor's decision on the matter, was discussed. Mr. Frank P. Senaratne had in his letter expressed his views on the subject. After the discussion Mr. J. W. de Silva moved and Mr. M. A. Arul Anandan seconded that 'this Committee is emphatically of opinion that the Reform of the Executive Council contained in the Government *communique* dated October 3, 1924, is inadequate and unsatisfactory, particularly because no provision has been made therein for placing such Elected Members of the Legislative Council as

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

are appointed to the Executive Council in charge of Government Departments as set forth in the resolution passed at the Session of Congress held on March 24, 1923, which resolution reads as follows :—

"In the opinion of this Congress the Executive Council shall consist of six Members three of whom shall be officials, and three shall be chosen by the Governor from the Unofficial Members of the Legislative Council for the time being two at least of the latter being territorially elected members. The members so selected shall be placed in charge of such Departments as the Governor may determine, and shall be responsible through the Governor to the Secretary of State for the administration thereof. Such members shall on selection vacate their seats in the Legislative Council and be included among the Official Members thereof, and shall enjoy the same status as other Official Members of the Executive Council. Their period of office shall coincide with the duration of the Legislative Council."—Motion was carried.

(13—10—24.)

NOTE.—Hitherto extracts from the minutes of Executive Committee Meetings have only been inserted as notes, explanatory of Sessions held, Memorials and Memoranda submitted, Receptions given, etc., and comprised all such actions of the Committee as were important enough to deserve mention. During this year there were certain important and interesting proceedings of the Executive Committee, which cannot be published as mere notes to any particular document; they are, therefore, published as a separate Section.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

SECTION III.—*Reception to Moulana Shaukat Ali and others.*

The Ceylon National Congress at a special public meeting held on 9th January, 1924, at the Public Hall accorded a hearty welcome to the distinguished Indian visitors into this Island, Maulana Shaukat Ali and party. The Hall was fully packed, the gathering being an immense one. Mr. D. B. Jayatilaka, President of the Congress, was in the Chair. Some stirring addresses were delivered the texts of which will be found below :—

## THE CHAIRMAN'S SPEECH.

The Chairman, rising amidst applause, said: Friends, on your behalf and on behalf of the Ceylon National Congress it is my most agreeable duty to offer a very cordial welcome to our distinguished visitors. First and foremost, to the Venerable Lady Biamman Shaiba, the noble mother of noble sons, (Applause) whose efforts for her country and her faith at her time of life show to what heights of self-sacrifice Indian womanhood can rise at the call of duty. (Applause) Her presence amidst us even for a few days must be an inspiration to all of us. Then we have on this occasion the privilege of welcoming Moulana Shaukat Ali (Applause), Dr. Kitchlew (Applause), Seyed Muhammed and Maulana Akthar Ali. (Applause). Before last Monday a very few of us had set our eyes upon these gentlemen, but their careers, their doings and the their sufferings for the sake of their country have been familiar to us and to-day we welcome them not as strangers but as old and respected friends. (Applause). We should have welcomed them for their own sakes but we are happier to welcome them to-day for the great cause they represent. In them we salute the Indian people, nay the great Indian nation which is being re-born to-day (Applause). We cannot but regret that the distinguished President of the Indian National Congress Moulana Mohamed Ali is not present here on this occasion. We would ask Moulana Shaukat Ali to convey to his illustrious brother our respectful greetings and our wishes for the speedy recovery of his daughter whose illness prevented his presence here on a visit to Ceylon. It is impossible for us not to think to-day

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

of Mahatma Gandhi, the incarnation of the tribulation of India to-day. I say the triumph of India to-morrow (Applause), whose career exemplifies for us that spirit of self-sacrifice which reached its culmination twenty-five centuries ago in India in one of India's greatest sons, Lord Buddha (Applause). They are not here on a pleasure trip. They have come on a special mission to their co-religionists and I have not the slightest doubt that it will be responded to by the Muslims of Ceylon. But we welcome them to-day not as reprsentatives of the Islamic section of India but of all India. India is a name sacred to all of us, irrespective of race and creed. It is our second motherland. Our religion, our languages, and arts and sciences, all these things and many others besides we owe to India. She has been our teacher for centuries and even in regard to political matters we are following in the wake of India. It is the example of India that inspired us to our activities, whatever they may be in that direction. The aim of India and Ceylon is the same—it is Swaraj (Hear hear). Our methods may be different because our circumstances are different. Our difficulties big enough for us, are small when compared with the huge problems that confront Indian patriotism and Indian statesmanship; for one thing, the language question which is a serious problem in India hardly exists in Ceylon. Our distinguished visitors, must have already noticed that there are only two languages in the country, Sinhalese and Tamil, not to speak of English. Then there is the question of religion. Religious strife and religious animosity have been the greatest hindrances to unity in India. That does not exist in Ceylon. That fact has been admitted even by those whom we call our political opponents. Unless we create this difficulty for ourselves our task is a much simpler one than India's. Then there remains for us to solve only the question of racial and communal differences. Even then there is not the slightest doubt that there is friendly intercourse between different sections of the community. There is good will and sympathy but we lack one thing yet and that is a patriotic feeling which will enable all of us belonging to different sections to rise above petty communal

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

considerations and work in unity . It is here that our distinguished visitors can help us. They can tell us how they are solving their problems, settling ancient feuds, and making Hindus, Moslems and others work together to make one nation. You have come to pay your respect to our distinguished visitors and to hear them and I would repeat your welcome to them, and express the sincere hope that their stay in this Island, though short, will be a pleasant one and that they will carry away when they leave us not only a well-filled purse but happy recollections of their stay in our midst. I have the greatest honour and pleasure in calling upon Moulana Shaukat Ali to address you. (Applause).

## MOULANA SHAUKAT ALI'S ADDRESS.

Moulana Shaukat Ali said that he was sure they would excuse him if at the very beginning of his speech he would tell them that he was not a very polished speaker. Neither in speech-making nor in the field of science had he any training. He had neglected his studies but he had spent the money he got from his mother on beautiful cricket shirts and flannel trousers and boots. He was not sorry for it now. He would also ask them to excuse him as he was hoarse. It was practically after two years that he had this strenuous campaign. They were practically two years of rest for him at Government expense; free board, free lodging, no doctor's bills to pay and solid 14 hours' sleep a day. Certainly after his release on the 23rd October he had five consecutive hours of sleep a day. Wherever they were, whatever they were doing, day and night for India there was one figure always present before them and they had made up their mind, god willing, they would get their great chief Mahatma Gandhi out of jail or the whole of India would become one huge prison for 32 crores of people. (Applause). He would like to tell them something about Mahatma Gandhi. He had known him intimately. He had worked with him day and night and they travelled together for long hours and on many an occasion that huge bulk of his had been useful in protecting the Mahatma from being trampled by the mammoth crowds that crowded round to greet him, many a time with the Mahatma he

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

had worked for 10, 12, 14 hours at a stretch and travelled hundreds of miles. He (the speaker) had wrapt him in that huge cloak of his and put him to sleep like a baby. But that man had the strength of his convictions. The speaker then referred to some of the works of Mahatma Gandhi in self-sacrifice and added that when Mahatma Gandhi had the whole country ready for civil disobedience he gave up the programme after the Chauri Chaura incident. Mahatma Gandhi could never forget that incident. His heart and lips always went together. When he gave a promise he meant to keep it. When he heard of the Chauri Chaura incident all his plans were wrecked. He had the courage to stop all civil disobedience and tell the country that it was not ripe for civil disobedience so long as Chauri Chaura incidents were possible. He (the speaker) and others were in jail when they heard that. Had they been out he dare say they might have fought with their chief but he doubted whether they would have succeeded because Mahatma Gandhi's convictions were so strong. The Government tried to make out that the Mahatmaji's movement was a movement of violence. The speaker however would tell them that if there was one man who had stopped revolution in India it was Mahatma Gandhi. If it was not for Mahatma Gandhi the country would have broken out long ago. When the Mahatmaji went into jail he issued orders to his intimate friends that if there was any agitation which would result in violence he would never come out of jail. The country obeyed his call and kept absolutely quiet. What did they think the British press said about it. Instead of appreciating the Mahatma's motives they said that the influence of Mahatma Gandhi was ephemeral, that it was only temporary and that he had no hold on the people's imagination. (Laughter). Mahatma issued orders that when they went into prison they should be exemplary prisoners. Though the prison authorities treated them as murderers and thieves they obeyed Mahatmaji's orders.

The speaker detailed the hardships and humiliations they were subjected to in prison. He had only one suit of clothes and one morning he found his shirt full of lice. Those were small matters however. When one fought for freedom a few lice did

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

not matter. (Laughter). The two years he spent in jail had given him strength. He could face any Policeman the British Government could send. (Laughter). He intended one day to write the story of his jail life. It would be amusing reading. The treatment they received was disgraceful. Englishmen outside apologised for the Government orders, but not all the prison walls, handcuffs and warders could break the spirit of the Indians. (Applause). He had told the Englishmen: "You cannot break our spirit, but you have blackened your face in the sight of the whole civilised world." They had thought that the Indians were cowards that they had no gumption to stand up and fight, but the speaker thought that they had shown that it was not so. India to-day was not what India was four years ago.

The speaker referred to the self-sacrifice the Indian women made for the cause of the country. They had given up their silks and their jewelleries for the Swaraj and Khilafat funds. To them the appearance of the audience here in the matter of dress gave them sore-eyes. (Laughter). The material here in the person of youths was splendid. If they formed volunteer corps to work for freedom he was sure that they would be more efficient than those in India.

Continuing the speaker said that India was determined to win her freedom. They were preparing the country for the final civil disobedience. Already the Sikhs had refused to pay the police tax. He thought the Government would be wise to realise the position. India had made mistakes in the past, but it would make no mistakes in future. He personally was a friend of the British. Next to his mother he owed a great deal to his English teacher at Aligarh, but he would tell them that if the Government did not make peace with them, if they did not satisfy them in the matter of the Khilafat and Swaraj, not one pice, not one Indian soldier would sacrifice anything for the Empire even if the Empire went to ruin. They were men of peace, though his appearance was against him. (Laughter). They had given the Government another year to prove that England was true to her promises. If wiser counsel prevailed well and good. If not even the worm would turn some

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

day. India could put up a fight the like of which was never seen in the world. He did not want to make threats. But Englishmen ought to appreciate a man who honestly gave a challenge and then a clean fist in the face. (Applause).

Speaking about Ceylon he said that the time was coming very soon when India would attain her freedom. He could assure them that India was not going to forget Ceylon. (Applause). They did not want to rob Ceylonese of their independence, of their individuality. India was prepared for the federation of races. Burma and Ceylon could not exist independently without India. India would welcome them as jewels in her diadem. They would have absolute autonomy and independence. When the time came he would repeat, they could count on their big brother India. It was a pity that Indians had neglected Ceylon. Ceylonese should come more frequently to India and establish closer relationship. There was fine material here. If he could get as fine a lot of young Muslims, Buddhists and Christians in Bombay as he saw here, his work would be ten times stronger. He could not pay them a higher compliment. Probably the young men did not yet realise their strength, but that time would come soon. (Applause). If they would but discard their collars and ties they would be happier and stronger. (Laughter and applause).

## DR. KITCHLEW'S ADDRESS.

Dr. Kitchlew, speaking next, thanked them from the bottom of his heart for the honour they had done them by giving them such grand receptions. He could assure them that they were absolutely overwhelmed by the demonstrations. They had been so kind and generous to them that they did not know how to thank the people of Ceylon. He had been asked by many of his friends there to give some sort of advice to the young men of this country and to Ceylonese generally, but particularly to the youth of Ceylon. He would at the very outset frankly tell them that he was not there to offer them any advice whatsoever. He thought that it would be wrong on his part to come forward and tell them that they should do this or that. They had sufficient experience of getting advice from other people. Only a few years ago they were absolutely dependent on the advice they used to get from

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

their friends in England, particularly the friends of the Labour Party. His experience and the experience of his countrymen had been that the time when they depended on the advice, some well meant advice, of people who were not of their own country, and whose interests were materially different from their country, that their case was really weak and they soon took things into their own hands and came to know that if they wanted self-government for their country and if they wanted to win Swaraj they must give up ideas of getting foreign advice. They in Ceylon had their own country, their own Government, their own conditions of life, and they had to mould their own future life in accordance with their own ideas and their own mentality. He could assure them that they in India had always looked upon Ceylon as a country for which they had a great regard, a great affection and a great love. He regarded them as flesh of his flesh, and bone of his bone, and if they ever wanted India's assistance and help, but not their advice, he thought that that help would be coming forward from India in any shape or form that they might require. (Applause).

Dr. Kitchlew continued that whatever be the future of this country it lay in the hands of the Ceylonese.

He had been asked to say something of the great struggle they were carrying on in India. He could not with the time at his disposal give them an history of it. But he would tell them one thing: They in India meant business. The movement in India, if anything, was a revolutionary movement pure and simple; but the methods employed were quite different to those that had been hitherto employed in revolutions. There were two ways to get Swaraj. One was the weapon of destructive warfare, but he would tell them frankly that they had discarded that weapon. Some people thought that it was a sign of weakness, that because they had no guns, no ammunition they did not come forward with the weapon of warfare. That was not the case. He could assure them that if the country wanted it, their army was with them, their youths were with them and the movement would not fail. But they had no such idea. They were carrying on a great

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

experiment before the whole world. They were following the great leader who taught them that without bloodshed, but by simple soul-force, by suffering they could show to the world that the old civilization of India was still living. They had come to teach the world that God had not created man to shed the blood of his own brother.

The speaker next gave a brief account of the growth of the Indian National Congress. It was 38 years old and could be divided into three periods. First there was the movement by a few of the educated men who felt for their country. That continued for some years when for the first time in the history of the national movement there rose a great man with a great soul who suffered for his country. He was the first man to teach that the freedom of India did not lie in fights in the Council halls but within the walls of the jails. (Applause.) That great man was Tilak. He was the man who led the youth of the country.

Hundreds went to jail.

The second stage was the most important. It began with the Congress of Lucknow when for the first time Mohammedans as a body came and joined Congress. (Applause.) Before, the Congress was considered to be a Hindu body, but from the day that pact was drawn up Congress became national. That was the turning point of the movement. He had the privilege of playing a humble part at that stage. The speaker referred to the Rowlatt Legislation and the attempts made to represent India as a hot bed of revolution. Then arose Mahatma Gandhi. (Applause.) He saw through the whole thing and at Bombay he declared Satyagraha or civil disobedience. That was taken up throughout the country. At Amritsar the people organised a Satyagraha Committee. At the time the response to the appeal was tremendous and Government did not know what to do. They thought that in the Punjab they would remove the root of the trouble if they deported the speaker and some others. (Laughter.) The speaker told the authorities that in their own interests they should tell the people that they had been deported but that no harm

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

would come to them. But the members of the bureaucracy would not listen to advice from firebrands like the speaker. The result was that within ten minutes of their arrest all the shops in Amritsar were closed and there was a regular hartal instituted throughout the City and the people in thousands marched towards the quarter where the Europeans lived. There was a bridge and on one side of it were the military while the mob were on the other side. The military somehow felt obliged to open fire. There were a few Indians killed and at this time his younger fellow-citizens lost their heads and turned back and killed about four or five of the Police and insulted a European woman. A similar movement within a couple of hours was taken up throughout the Punjab. Mahatma Gandhi wanted to go to the Punjab to see what was going on there but the bureaucracy would not allow it. In order not to have the blame on their own shoulders they wanted to show to the world that the speaker was a great Conspirator and that he had asked the Kabul people to go down and invade India. (Laughter).

Referring to the Jallianwallah Bagh tragedies the speaker said that it was the real turning point of the movement. Three days after the speaker was arrested the people had gathered together in their hundreds of thousands. Martial Law was declared and the military had taken possession but the people had gathered together at the Jallianwallah Bagh to pass a resolution denouncing the mad acts of their own people who in spite of all that Mahatma Gandhi had told them had gone wild at Amritsar. When that vast gathering was present the great General of India, General Dyer (laughter) brought his soldiers and his military to this place. (Shame, shame.) He took machine guns also but the passage was too narrow for these and they could not be taken to the spot. General Dyer went there determined to teach the people a lesson—not only the people of the Punjab, but to the whole of India and all the Eastern people, that they dared not go forward and fight a British Government or take up a revolutionary movement. That was his idea. He wanted to uphold the prestige of the bureaucracy. What happened? These hundreds of thousands were unarmed, they had not the faintest ghost of an idea that they would

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

be shot down. They were doing their duty by passing the resolution denouncing their own countrymen. At that time without any warning being given to the people, without anything being said, General Dyer went with his army and gave orders to his men to open fire, (Shame, shame.) There were ladies in the crowd. There were ladies watching from the windows of houses. If they came to Jallianwallah Bagh they would still find the traces of blood that ran down those walls (Cries of "shame," "shame.") The speaker said he did not know how to thank General Dyer for what he did. For the first time the blood of Hindus and Sikhs were mingled together for the common cause of the country What happened? There was a debate in the House of Lords. (Laughter.) There was a white-washing commission (Laughter.) The report of it said: "Yes. It is true that 400 men lost their lives and 1,000 were wounded. But it was simply an error of judgement." (Shame). Was it a surprise that even men like Mahatma Gandhi lost faith in British justice? It was then that they realised that their salvation lay in their own hands. There were two ways open to them. One was open violence. But they were not going to pollute their hands with the blood of their fellowmen. They chose the other—soul force. They had told the Government that they would not allow the Government to rest till the question was settled. They wanted Swaraj (Applause)—absolute right of self determination. So far as the Empire was concerned they did not want to get out of the Empire. But whether they remained in it or went out they would have the right to govern their country in the way they liked in their own interests. (Applause) They wanted equal status in the Empire. They had told the Government: We want freedom; and no damned nonsense." (Loud Applause) They wanted no difference between black and white. It rested with England to say whether they wanted India to remain in the Empire or not. It must not merely be in words but in acts. They must prove that they really wanted India to be in the Empire.

The speaker continued that from all that he had heard and seen during the last two days he felt that Ceylon too wanted the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

right of self-determination. He had seen for himself, as did his brother Shaukat Ali, that there was splendid material here—splendid stuff, if they would excuse his saying so. But it was not yet properly organised. They wanted training and organization. Above all they wanted workers, bold and straight-forward who would not be afraid to say things they really meant. (Applause) They were still in the first rung. He had heard what happened in 1915 in Ceylon. Well, they had had a taste of Jallianwallah Bagh. (Laughter.) He would tell them frankly that India looked upon Ceylon as a mother her son. But he would beg of them, for God's sake to get the idea out of their heads that they could get what they wanted by depending upon India or any other country.

Dr. Kitchlew in conclusion thanked the gathering for the reception given them. He asked them to establish a closer touch with India by sending Ceylonese to the Indian Congress. They would stand, Indians and Ceylonese, shoulder to shoulder not only for the freedom of India and Ceylon but for the freedom of the whole East. (Loud Applause).

Dr. Muhammed next addressed the gathering on the ties that bound India and Ceylon. India gave Ceylon what she cherished most—her religion (Applause). She also owed her language to India. When such were the relations between the two countries how could they be regarded as two separate countries. He advised the Mohammedans to join the Ceylon National Congress and not to be persuaded by suspicions that the Sinhalese majority would crush them. (Applause).

## THE VOTE OF THANKS.

Mr. E. T. de Silva in proposing a vote of thanks said :

It is a convention that there should be a vote of thanks on occasions like these. An English Bishop last month advocated the abolition of the practice. But the vote of thanks it is my privilege to propose to-day is not a mere act of courtesy but the spontaneous desire on the part of the public of Ceylon to express their thanks to our guests for their presence here to-day. Seagirt within a little island we are apt to be insular and isolated in our views. We

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

are lulled to sleep not only by the monsoon breeze but also by the soft lullaby that Ceylon is the premier Crown Colony of the British Empire. And so we have cause to be thankful to the leaders of the neighbouring continent for their visits to us from time to time to rouse us from our slumbers. A few years ago we had in our midst the great Tilak and Bepin Chandrapal. Quite recently the singing bird of India despite her broken wing and broken heart carolled to us and the echoes of her songs are yet to be heard in our valleys. To-day we have with us the venerable lady whose sublime example of brave motherhood has thrilled the women of India. We have her son Moulana Shaukat Ali. I verily believe the stars in their courses are fighting for the liberation of India. In one generation there have been born to India the Mahatma Gandhi and the Ali brothers. They profess different religions and perhaps their outlook on life is different. But the inscrutable Providence guiding the destinies of India has willed that these men should join hands, that they should preach the gospel of love and reconciliation among the Indians themselves in order to obtain Swaraj. To me my religion, to you yours said Mohamed Ali. This is a noble utterance we should take to heart to-day. Moulana Shaukat Ali is making a gallant fight for the Holy Places of Islam and for the spiritual authority of Islam. Some of us of other faiths have sympathised with him and his cause for Moulana Shaukat Ali in fighting for the Holy Places of Islam is fighting also for the principle of the freedom of the Holy Places of all religions. But, as the President has told you, Moulana Shaukat Ali is not only a great religious leader but also a great Indian hero. He has suffered for his country and has found strength in suffering. He comes to us with a martyr's crown. It is good fortune for us to have him with us for even one brief week. We thank him for his address. We thank Dr. Kitchlew and Dr. Mohamed. I have a profound conviction myself that responsible Government for our own country can come only by peace and good will among all races and all creeds. I know full well your visit, Sirs, and yours, venerable mother, will link in close and yet closer union the ties which bind the Mohammedan community to the Sinhalese,

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

the Tamils, and the other inhabitants of this Island. We look forward to another visit from you and from Mohamed Ali himself. meanwhile we shall treasure the lesson of your life that the chapter of petty racial and religious quarrels must be closed before we can open the ever glorious chapter of Swaraj. (Applause.)

The vote was seconded by Dr. E. V. Ratnam and carried with acclamation.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## CHAPTER V.

## DECEMBER, 1924—DECEMBER, 1925.

### SECTION I.—*Sessions 19th and 20th December, 1924.*

The sixth Session of the Ceylon National Congress opened 19th December, 1924, at 2-30 p.m. at the Congress Hall in Dean's Road. There was a large gathering of delegates representing political Associations in almost every part of the Island, and a larger attendance of members of the general public. The presence of a number of ladies both among the delegates as well as among the audience, added interest to the gathering.

Mr. C. E. Corea, the President-elect, received an ovation on arrival at the Hall and was garlanded on mounting the platform. The Hon. Messrs. W. Duraiswamy and S. Rajaratnam, Members of the Legislative Council from two of the Northern Province Constituencies, who were spectators of the proceedings and the Hon. Mr. E. R. Tambimuttu, Member for the Batticaloa Division of the Eastern Province, were cheered on entering the Hall, and were accommodated with seats on the platform. Others seated on the platform were: the Hon. Messrs. Forester Obeyesekere, C. E. Victor S. Corea, D. B. Jayatilaka, T. B. Jayah, Mr. W. A. de Silva and Dr. S. Muttiah and Mr. C. W. Perera, the Hony. Secretaries.

The proceedings commenced with the address of welcome to the delegates by the Hon. Mr. Forester Obeyesekere, Chairman of the Reception Committee, who said: Ladies and Gentlemen, brother and sister-delegates and visitors,—I am proud to be given the opportunity, as Chairman of the Reception Committee, of offering you a cordial welcome. Now I desire to perform a melancholy duty. To-day, my brothers, India mourns a valued friend who at the University was a College acquaintance—a valued acquaintance of mine. India owes to the late Mr. E. S. Montagu



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

a debt that she can only adequately repay by treasuring his memory in the years to come. Can the Ceylon National Congress hesitate to admit that the cause of Ceylon Reform was greatly furthered by the honest and straightforward handling of the question of Indian Reform by Mr. Montagu? If so we too have lost a helper and a friend. Now let me ask your permission to move—and I ask your unanimous approval to be signified by standing and passing in silence—the following motion:

"This meeting of the Ceylon National Congress records its sense of deep loss to the cause of political reforms through the untimely death of the late Honourable E. S. Montagu, and desires the Secretaries to convey an expression of its sense of loss to the relatives of that great lover of India."

To welcome you is a special privilege for a variety of reasons. This year we are met under very happy auspices. Your President for the coming year has been selected by a unanimous vote and, so far, has your Vice-President and even the Chairman of the Reception Committee. So in spite of storm clouds that threatened to dull the light of the Ceylon National Congress, the contributing light from each affiliated Association has been sufficient to give clear proof of a heartening co-operation towards the securing of the essential objects of the moment.

In the next place we are met after the unusual stress and excitement of a General Election—where ample proof has been given that the people of all communities in this Island are worthy of the trust that Congress has for years insisted should be reposed in them.

In this connection permit me to quote from a morning paper "The new Council will assuredly find a place in history as a body of men who understand their business and who are willing that that business should be transacted without any of those extravagant attitudes that once formed part of a member's idea of his duty to his constituents."

"It means that there has taken place a restoration of the dignity, the usefulness and the gravity which should accompany



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

the deliberations of the legislature of the Island. It seemed that the members had definite ideas on the subjects they chose to comment on. There is apparently an organised effort behind this manifestation of rare good sense and dexterous management of debate. It seems as if this temper of large sanity and balance of judgment will continue in Council because it is true to say that the men in it seem eager and willing to do their work in a manner agreeable to the interests of the country, the claims of Government for fair-play and its regard for the dignity of a deliberative body."

We in Congress desire this estimate to be proved true throughout the coming years. I have read this because to me it is a valuable tribute paid to the Ceylon National Congress whose pledges to the Government have been redeemed. It would be churlish to deny that such reforms as have so far been obtained from an unwilling Government have been obtained chiefly through the selfless self-sacrificing activities of the many patriots who worked in and through the Congress. If it is true that "ye shall know them by their fruits," then that body of patriots who, in a flippant moment, were called Ceylon's "Core of Rot" have proved to all, who are not devoid of fair-play and truth, that they constituted the very pith and essence of all that really mattered in our beloved Lanka, in the matter of political reform.

Brother delegates, I will not reiterate what you know too well. I will not give you a catalogue of all the achievements of the Ceylon National Congress and those other nuclei that later constituted the Congress. Anyone who has no purely communal axe to grind will admit the claim I make that this country could not and cannot do without the Congress. But do we now see open contempt or ridicule poured on man or measure merely because such were concerned with Congress? Mistakes through which Congress suffered greatly, or for which Congress was blamed were not committed even with the knowledge of Congress. They were the mistakes of individuals who did not consult Congress.

To-day if there is ridicule for Congress it is found within closed doors, or it is spoken with bated breath by assassins of

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

truth, of fair-play, and of a people's honour, because a people's independence touches their honour, because our right to seek smooth transition from stepping-stone to stepping-stone of our path to Swaraj touches our honour. I do not deny that Congress made big mistakes. Congress made a big mistake when it took it nearly three years to admit through an ex-President that, for a time, the Kandyan representation would have to be on a communal and territorial basis. Congress made mistakes through concentrating its gaze on the final stage of self-Government which we aimed at, and those principles by which alone a smooth transition was possible without taking certain temporary and practical facts into consideration. Did not the Congress make a grave and unnecessary mistake when it promised 'due safeguards to minorities,' and took two years to shape those safeguards to be such as could have been accepted by the minorities. But pray remember that in seeking Swaraj Congress hesitated to provide such props for the minorities as would be so engrafted to the thing supported as would be impossible of removal. We now know from every Congress leader that the safeguards granted to minorities will remain till the minorities desire their removal. Consistency in its reference to practical politics is not wholly a virtue. Can the charge be maintained that in the matter of the principles for which Congress stands, Congress has been inconsistent? I think not. Congress does not deviate from its principles. Those principles will stand as a light-house pointing the way to politicians storm-tossed and driven by opposing currents on a political sea. Are courage, strength and firmness in practical action not more to be desired when the country's real interests are involved, when threats might be proved vain, when bluff can be exposed acting through fear of a seeming inconsistency? Do we not know that the country's good sends us sometimes to plough our lonely furrows in spite of inconsistency?

Let us take an illustration from our own President's experience. At a time when all Chilaw had strenuously set her face against co-operation as a demonstration against Government

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

officials, were we not pleased to see, in spite of a seeming inconsistency, how our President loyally took his part in those demonstrations and succeeded in converting an impatient Governor, who was ignorant of Sinhalese history, to a re-consideration of the Governor's estimate of our President, (inimitable and not to be imitated in his choice of language or of subject) who emerged as a result of his inconsistency as "a most reasonable man across the table." Do we in Congress not accept the position that, where there are two methods by which the same end might be achieved, that method is the one that we should and would prefer which gives promise of success, which justifies a large percentage of Congress claims, and which is better because it is more consitutionally based?

Has Congress at any time in its history really hoped to secure except a last and desperate resort, anything from the Government by threats. Some there are who tell us "we accept Congress principles but do not like Congress methods." What are the Congress methods that are disliked? Is it that some Congress leader declined to forego his civic rights when religion and caste were exploited on some individuals' behalf? Is it that some other individual acting as a private citizen, acted inconsistently? Congress will not and may not coerce either the country at large or its own members. Congress can educate the country and this it has done to the best of its ability. Or, is it that the Congress constitution requires still further amendment in the direction of making fair and adequate the representation of the country in its Councils? Is it fair to saddle Congress with the evils resulting from the personal ambitions of individuals? Or from the faults of private individuals? Then we know that unfortunate Tamil-Sinhalese split. Could Congress knowingly have given pledges which it later declined to honour. No, my brothers, it did not.

Congress has done what it could to pour healing balm on wounds unknowingly inflicted, and even this year, when it unanimously selected its President, the pre-eminent reason for the choice was in order to give tangible proof of Congress' desire to secure unity and co-operation with our Tamil and Kandyan brethren without which Congress can but see with one eye, hear with

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

one ear, walk with halting steps and speak with faltering accents? When, over 23 years ago, some of us in England were associating with those who could teach us liberal and progressive principles, we felt that a political organisation in which were represented every caste, religion and race with representatives drawn from all parts of the Colony, was the one essential thing for us in Ceylon, if we throughout this Island were to speak in public and representative meeting assembled so that our voice would be taken to be the unmistakable voice of the people of Ceylon. Did we all not feel that our only hope was and in the future would be, in making it impossible to practise that traitorous principle "divide and rule" against our just claims and aspirations. That must be the corner-stone of the foundations of Congress? Have we no evidence of sops given to our Kandyan brethren or to our Tamil brethren which enable communal dissensions to be fostered? We in Congress want to make impossible of truthful utterance the taunt that the fundamental principles of Congress are but the selfish claims of one community for we know the truth to be that, apart from details of "allocation" of Congress gains—as certain hankerings for past monopolies and the like,—the whole country stands for the basic principles of Congress. To my Tamil and Kandyan brethren let me say: "You have friends, true friends in the Ceylon National Congress. The Congress will not hurt you, though individuals may try: do help us of all communities to be able to secure unity and united co-operation and to fulfil Mr. Leefe's words, uttered on the occasion of an admirable gesture made with a view to creating new bonds between Europeans and Ceylonese, and to say—one country one people, one voice and that—the voice of Ceylon's National Congress.

It behoves the authorities to read and digest the claims of India as set forth by an Indian Prince, for we in the Ceylon National Congress too can echo his words. Let me read what the Maharajah of Bikanir has said:—"We with our roots deep down in the soil, we have an immense permanent stake in the country. As Indians we sympathise fully with the surge towards national status within the Empire, which is the strongest force in

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

India to-day. You see it is no longer enough to be merely loyal to the King-Emperor and the British Raj. That is easy with many of us. It is the very breath of our nostrils and we love our King-Emperor for himself." How true of Ceylon throughout its length and breadth! "If Indians do not live their every day life in voluntary and sympathetic association with those who administer the land in the name of the King-Emperor—a name venerated throughout the whole country—the danger is that the loyalty of the Indian masses which has hitherto been instinctive, may not be sufficiently vivid and dynamic to meet the emergency."

"Surely there is one principle more firmly taught than another in the history of constitutional reform; it is that there can be no going back—the mere talk of this is pernicious at the present time."

"An Indian Prince would find it difficult to retain his position if his Government was not in harmony with the ideas of the majority of his people"—mark you, even an Indian Prince. "The real question for the mass of the Indian people is the officials with whom they are brought in contact from day to day. Send us your best." Yes, my brothers, we too need much honest sympathy.

Though conditions have changed, this need not deter the best products of the Universities from embarking on an Indian career in the old missionary spirit of Munro and Elphinstone which will look to service for India and sacrifice for the Empire for its reward rather than to high pay and good pension. You want men of strong character and broad mind, you want men willing to learn—and endowed with genuine sympathy and goodwill for the legitimate aspirations of the people of India and proud of the opportunity of assisting in their realisation. "You want gentlemen who will shrink instinctively from hurting Indian feelings. The real and great work which remains to be done in India cannot be done if English officials look upon her as solely a place of remunerative employment and are not penetrated by the feeling that they are administrative missionaries of their King and country as well as servants of the Indian people." My brothers, of how many

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

officials can we say that, in administration, they feel they are servants of the people of Ceylon. The old order has changed giving place to the new, just good administration no longer suffices.

"I earnestly plead for men of the broadest outlook regarding good administration not merely as an end in itself but a means to an end, namely, the greater prosperity of India and her steady advance to responsible Government and also, may I say, for men who will be patient of criticism, even if it sometimes seems to be unreasonable, and who will not confound independence with disloyalty or an eager desire for political progress with one impatient to get rid of the British Connection."

We in Ceylon, we in this Congress, accept those words as a truthful exposition of our own claims, our aspirations and our needs. Let those words of an Indian Prince be printed in large letters and placed prominently in the offices of the Heads of Departments in this Colony. Then when those lessons are learnt and the facts digested and practised, there will dawn for Ceylon a new era which will make our beloved Lanka, whether in loyalty, in service or general contentment, the brightest jewel in King George's Crown. The liberty we seek and the methods, which Congress, I know, will adopt, are indicated in the words of Daniel Webster: "The spirit of liberty is, indeed, a bold and fearless spirit but it is also a sharp-sighted spirit: it is a cautious, sagacious, discriminating, far-seeing, intelligence. It is jealous of encroachment, jealous of power, jealous of man: it demands checks: It seeks for guards: it insists on securities: it entrenches itself behind strong defences and fortifies itself with all possible care against the assaults of ambition and passion: it does not trust the amiable weakness of human nature and, therefore, it will not permit power to overstep its prescribed limits. Neither does it satisfy itself with flashy and temporary resistance to illegal authority. Far otherwise it seeks for duration and permanence. It looks before and after, and, building on the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

experience of ages which are past, it labours diligently for the benefit of ages to come."

I know that the good sense of the Ceylon National Congress will not allow it to be satisfied with flashy resistance to the denial or withholding of our just claims. It is an honour to me, however much I may differ from him in some respects and this chiefly in regard to practical politics as distinct from the sentimental and idealistic—it is a great honour to be privileged to welcome you to this Sessions and our President, Mr. Corea, to the Presidential Chair.

Love for his motherland is of the very fibre of his being, and Ceylon, has produced no son who could claim that patriotic instinct in greater measure, whatever may be the methods by which that instinct is evidenced. In the times of George Wall, a Barrister who stood for all those qualities that have made the true Britisher loved in this country above all other Nationals—Mr. Corea even then was helping to make history.

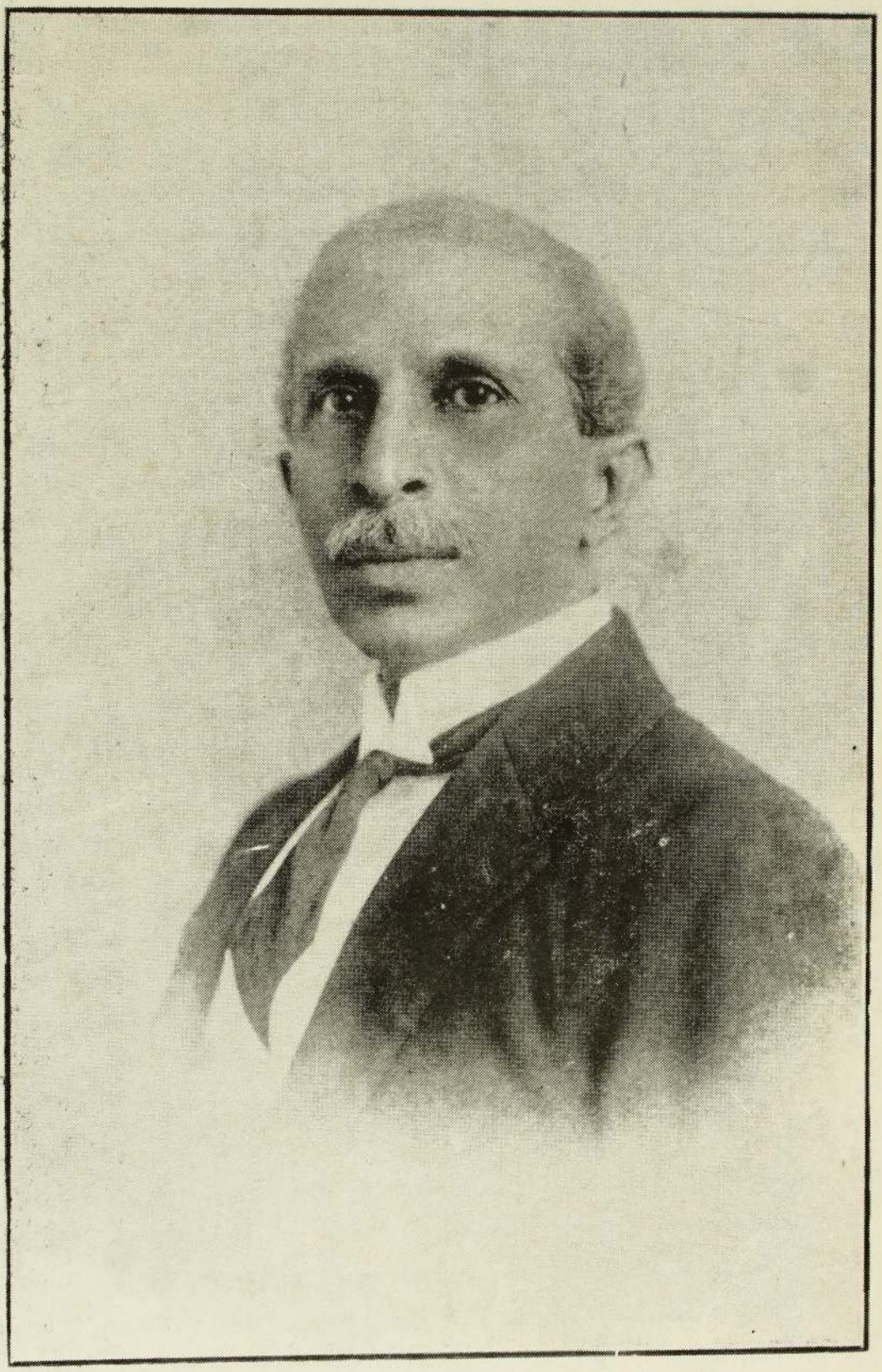
From that day to this his career has been one of devotion to the people—their rights, their claims and their needs. Responsibility of a kind that gives the people's chosen representatives a real share in the administration of the Country and Swaraj within the British Empire as our goal—these are the principles that you will find emblazoned on the flag that Mr. Corea will carry as he leads his forces of the Ceylon National Congress.

Add to these—the necessity for creating a unity among the numerically chief communities in this Island. Mr. Corea brings to the furtherance of those principles qualities and a capacity tested in the fire of the experience and practice of a lifetime. God willing, may his leadership prove, if possible, greater in successful achievement than the careers of any of his illustrious predecessors.

I now invite Mr. Corea to take the chair as President of the Ceylon National Congress. (Loud Applause.)

Mr. C. E. Corea then occupied the chair amidst an outburst of cheers.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org



C. E. COREA, Esq.

(President 1924—1925)

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

The others accomodated on the platform were :—

The Hon. Mr. D. B. Jayatilaka, the Hon. Mr. W. Duraiswamy, the Hon. Mr. S. Rajaratnam, the Hon. Mr. T. B. Jayah, the Hon. Mr. Victor Corea, the Hon. Mr. E. R. Tambimuttu, the Hon. Mr. Forester Obeyesekere, and Dr. W. A. de Silva; Dr. S. Muttiah and Mr. C. W. Perera, Hony. Secretaries.

Mr. C. E. Corea then delivered his Presidential address as follows :—

Fellow delegates, ladies and gentlemen—citizens of this fair Motherland of an ancient nation—I join in the welcome offered to you in fitting terms by the Chairman of the Reception Committee, and I thank you for assembling here in these numbers— many from distant parts and all no doubt at considerable personal inconvenience—to testify to the world that Lanka still is—to testify that the national soul is not quite dead which inspires in the heart of every man, who is a man, the holy refrain : "This is my own my native land." I thank you for your witness of a living nationalism—alive and awake—and I thank you for answering to the call for service. But before you enter upon the service for which you have been called together in Congress, I wish to bring to your remembrance that we have met under the shadow of grievous bereavement. Just 60 years ago, under the leadership of a truly English Englishman, the great-hearted George Wall, a small band of patriots, very few indeed in number, among whom, it is my pride, was my father, formed the Ceylon League which struck on the flint of Non-co-operation, a momentary flash of patriotic ardour. But the coldness of selfish self-sufficiency which prevailed in those days of apathy and inertia soon quenched the feeble spark and the country was as before plunged in darkness and gloom. But there cannot be life without a sustaining source of warmth. In the living national soul there is a hidden fire which never goeth out : which neither injustice nor wrong : nor cruelty nor oppression : nor neglect nor the drench of cold scorn and contempt can utterly quench. The spirit of a nation is eternal. And so, the living principle of the nation in Ceylon survived the direst calamities. And in the long years, athwart the gloom of national

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

decadence, would flash an occasional ray when the living fire within would here and there, burst into little spurts of flame, few and far between : and always doomed to quickly die out leaving smouldering embers which again, anon, sank into cold ashes. The most persistent of these flares was from the departed soul of the greatest patriot of all, the late Mr. Lionel Mendis, Editor of the National Monthly and the Church of Christ in Ceylon, who acting upon a suggestion of the Chilaw Association kept on urging the Hon. Mr. James Peiris and others to take steps towards forming a National Congress. Often, these futile scintillations flashed out far from the nerve centre—as this our Metropolis has been rightly termed. In later years, in this centre of energy, a great man possessed of a keen and observant eye looked and saw in the distances the glow of the scattered sparks of individual enthusiasms, smouldering in isolation towards extinguishment. And the great man arose and made haste : and he went forth and gathered up those far-flung embers, energized them with his own burning patriotism and brought them together in one great life-giving furnace of national endeavour : the crucible in which was shaped and formed this, the Ceylon National Congress. The Congress is the offspring of the late Sir Ponnambalam's noble enthusiasm : and the Congress has dutifully and in love and affection acknowledged him, father. It is true that later, an estrangement occurred over a most trifling cause and a misunderstanding in which, I must say at the risk of your displeasure, the Congressmen were not wholly without blame. At any rate I have it on sure information that on one or two occasions prominent members of Congress slighted him and failed to accord to him the respect and deference they owed him. On account of the undutifulness of these few, the Congress as a whole stands under the reproach of base ingratitude. But, I dare ever, the Congress is not thankless or unmindful of all that Sir Arunachalam has done for it. The Congress most surely mourns to-day his death with the sincerest and most profound grief : realizes the greatness of the national loss : and cherishes the memory of its Designer, Architect and Founder, with the deepest reverence and affection. The

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Congress has called him father: may there be erected in the Congress heart an enduring shrine of veneration and grateful remembrance to the father's memory.

When, while still in a more or less infant stage, the Congress was left without the paternal guidance and wise counsel of Sir Arunachalam, its steps began to falter and there was certainly some danger of its floundering to disaster. At this juncture there came to its aid, to take hold of its hand and guide its progress over slippery ground to the right path, the most forceful personality that the Motherland has produced in the latter days. The Congress is to-day doubly bereaved: first, of the Author of its being, and more recently of its Saviour in the day of peril. When the late Mr. H. J. C. Pereira answered the call of the Congress for succour, he had withdrawn from public activity under circumstances not unsimilar to those which compelled Sir Arunachalam to turn away from participation in Congress. He too, like Sir Arunachalam, had felt the sting—sharper than a serpent's tooth—of ingratitude. His bitterness of spirit found expression in a passage in one of his presidential addresses, which also showed in a touching manner his fellow-feeling with Sir Arunachalam. After a reference to Sir Arunachalam as the Father of Congress, he went on to say: "I regret his absence to-day, I regret his action in not taking further part in our deliberations. You must accept disappointments, both personal and otherwise, in regard to all such public movements. I have taken part in many of these public movements and I took part in that movement which brought the first scheme of reforms And the thanks I got when I returned to Ceylon was downright abuse.....I acted according to my lights. It now appears that my lights were all darkness. It may be so.....But that was no reason why I should be vilified both in the Press and outside..... Though I had been wronged personally, I did not cease to take part or lot in the political movements of the country. On the contrary my interest in political advancement continued and will continue. Similarly I hope that our distinguished leader, Sir Ponnambalam Arunachalam, would agree with me and come back and help at this particular crisis." Mr. Pereira was personally

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

wronged, vilified and abused for acting according to his own lights. But he triumphed in the end by standing on principles. He found the Congress at the parting of ways—inclined to drift away from its principles. Its most trusted men, including the President, who had gone into Council pledged to the Congress to press for reforms in terms of the Resolutions passed at the first Sessions, had failed in their trust and substituted an emasculated scheme of their own making. I must take my share of the blame, for I was one of them. I had my excuses: but it boots not to trouble you with them at this moment. I may, however, be permitted to state this much: I had to follow my Leader.

The Reforms which the Hon. Mr. James Peiris asked for in Council, and which have been substantially granted, showed a wide departure from the Congress principles. The Congress met on the 22nd December, 1921, and through its President, Mr. Pereira, repudiated in unmistakable terms the Congressmen in Council as representing the Congress in regard to their scheme of reforms. Mr. Pereira said: "It must be distinctly understood—and there is much confusion in people's minds in regard to this—that the members of Council who have taken the Congress pledge as they call it, and who have entered into the Legislative Council as members, are not in Council members of the Congress nor do they represent Congress *qua* Congress. They represent territorial divisions for which they have been elected, that is all..... We always remained independent of the Council. But we will help in remodelling that Council, in raising it to a higher status, and we will still do so as we are trying to secure for the people of this country Home Rule." There had been signs of weakening in the Congress ranks: men were showing a disposition to creep back. Mr. Pereira sharply called up the stragglers to the advanced trench which the Congress had occupied under its first President. He nailed the first resolution to the counter. Lest they forget, he read out the terms of the Resolution and said in reference to it: "The Resolution that was passed by the Congress has always been the principle upon which the Congress had acted. The Congress has not deviated

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

one hair's breadth from that Resolution. We stand to-day in regard to our principles in the same position in which we stood when we formulated that Resolution. We stand upon our principles. That is the bed rock upon which our Constitution should be built. And by those principles we stand or fall." In that wise did that great and powerful Leader save the Congress from shameful retreat,—for the time being. He placed its feet once more on the bed rock of principle. And thereby he did the Congress—and therefore the whole country—a service beyond calculation. Mr. Pereira will go down in history as the greatest upholder of principles. He has passed away without recompense, leaving the Congress most heavily in his debt. The least we can do to repay is to honour the principles he held so dear. In simple gratitute, in nothing else, let Congress stand fast to the principles to which he pledged it. We mourn to-day, the intrepid Commander, the wise Councillor, the unfailing Friend. Let us burn to his memory the incense of grateful remembrance and appreciation.

Brothers in Congress, those were giants indeed. And it is in the Chair made for such giants that you have now placed puny me—weak and small in everything in which they were strong and great. You have conferred on me the highest honour in the land. I dare not venture to thank you: for by doing so I would in the first place be taking upon myself to justify your choice: in the second place, in an organized national movement, the individual counts for nothing,—the recognition of any single person, rewarding him or conferring distinction: all that should not be allowed to enter at all into the question of who should be President of Congress: the one consideration should be, not serving the man, but serving the country. In selecting a President of Congress, the paramount purpose of which is not merely to promulgate pleasing platitudes, but to formulate definite lines of national action in the circumstances that arise, the Associations charged with the duty could serve the country only by fixing their choice on one whose convictions and aims are known to them, and known to them to be in accord with the principles and policy of

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

the Congress. As you know I hesitated when your call came to me. I hesitated because I wished to leave no room for doubt that you fixed your choice on me with open eyes: with the full knowledge of what sort of man you were committing the direction of the Congress to. It has been said that I desired to enforce my own "fantastic fancies"—that is how one paper put it I believe—on an unwilling Congress. Quite the contrary. The post of President brings with it some authority. It was easier for me to take advantage of your generosity to snatch the national Blue Ribbon for my own adornment and glory; and then, take the Congress by surprise by proceeding without notice or warning, to fulminate fiats from this Chair of authority. What would have been the consequence? Yet another "Split" and this time a split within Congress itself. There must of course be differences of opinion. But as the great Apostle St. Paul has stated all things should be done which Gladstone translated "in right becoming figure and fore-ordained arrangement." The President of a National Congress should embody, as it were, the resultant of opposing opinions. The President's opinion should be the echo of the prevailing sentiment, and if a man's opinion is found to be not that, he should certainly not be called to be President. So the moment I heard of my election, I wrote to the Executive Committee stating my views and said "These are my political views and principles: if they are acceptable to the Congress, I am ready to place myself at its service." The Executive Committee wrote in reply, that it could not give me any assurance on the points raised in my letter. I had not asked for any assurance from the *Committee*. I stated my views to the Committee as the medium of communication with the various Associations which made the selection and published them in the Press so that all those Associations may be informed. My purpose was to let the Associations know the sort of man I am, and have opportunity for reconsideration. When after that, the invitation was renewed, there was no call for further reference on my part to my letter: the ruling was that it was desirable that I, with my clearly declared views and aims, should be President of this Congress at

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

this juncture. It was the country's mandate conveyed to me by your Executive Committee. I have obeyed and you have hailed me President. The Congress President's address has been often announced to the country in the Press, under striking headlines as Presidents' "Lead to the Country."

I have already indicated whither I would lead and pointed to the way. Nineteen hundred years ago, there appeared on earth a man saying "This is the right path: follow me." And they took Him, arrayed Him in purple, and crowned Him: they hailed Him King and bowed before Him, in mockery; and then spat upon Him, scourged Him and crucified Him. And that was the Prince of Heaven. What is it then to me, a poor miserable worm of the Earth, if you now take my heart's convictions and crucify them on the tree of your scorn and ridicule. But what would it be to *you*? Look unto yourselves. Would it redound to *your* honour. I am here at your call and not of my own pleasure. Against my own inclinations, you brought me out of retirement—a retirement which was most welcome to me—for what purpose? For what other purpose, but to lead you on your onward progress towards national emancipation and freedom. And yet, at the first step I suggest, you would turn your backs to me and face another way. At least that, according to the same paper, to which I referred before, is your "fore-ordained arrangement." Would that be fair or honourable? Brothers in Congress: I put it to you straight would that be worthy of those who claim to represent a nation once high in the world's estimate for righteousness and honourable conduct? I stated to your Executive Committee that in accepting the Presidentship I shall demand a party backing. The Committee stated it could not give an assurance. As I said before I did not ask an assurance: I stated a right. It is well-known that there is among you a predilection for, a hungering and a thirsting after Western institutions. Every great movement in the West is conducted in accordance with the Party System. What is the basic principle of that system? That the party accepts power on a clear cut issue—say for instance Non-co-operation. This will be called the main plank of the party

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

programme. On that plank the party must stand together, even against individual convictions. If that plank fails: the party goes under: and their Leader goes out of Office. There is clear indication that this Congress has been fashioning itself after party methods. Very early in its history, when Sir Arunachalam was President, he stated that the Congress had to abate its just demands out of a necessity to conciliate "our own Tories." On another occasion, shortly after his return from the 1920 deputation to England, he said "We made a great mistake in asking too little . . . Personally, I was disposed to take the other course, but the 'Moderates' in our deputation thought we should not ask too much." As time went on, it became abundantly clear that there was a small, but powerful reactionary party within the Congress holding up its progress. Perhaps they were the bigger brains—at least they claimed that—they certainly must have possessed the loudest voices. Soon the whisper went round and the country became alarmed by the fear, that this small clique was seeking to dominate the Congress—to capture it, as it has been put, and use it for their own purposes. There is not a scintilla of doubt that this feeling gained ground and began to be wide-spread in the country. The feeling grew so strong and acute that at the very last meeting of the National Association, the startling proposition fell from the Chair to purge the Congress, break it up, and form a new progressive organization. The last words of Mr. Francis de Zoysa before laying down his office as Chairman were as follows: "The first and foremost thing we have to do is to properly organize and consolidate our forces. We must bring together the progressive elements in all the different communities in the Island and form into one great party leaving the reactionary elements out.....I suggest that we should as soon as the reforms come, form a National Liberal League." For my part, I do not propose a Tory hunt. It serves my purpose and it would be more profitable to ascertain who are the Progressives. The two recognized parties in Congress have been designated Progressives and Conservatives. I discern one clear cut issue between them.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

There are those who believe in boycott and non-co-operation as a legitimate constitutional means to a political end and those who do not. Special occasion is not the question. It is a matter of general principle. Let us take account of local non-co-operators. We have no longer with us the foremost of them, Mr. H. J. C. Pereira who said: "Long before Gandhi preached non-co-operation, I practised it" and most vigorously urged the unconditional boycott of the first instalment of so-called Reforms. When the present scheme began to filtrate through our deputations, Council discussions, and other sources, Mr. Pereira said: "Fight with every constitutional weapon: among these weapons is a very useful one and this is boycott." Mr. Pereira has passed on. But we have still among the honoured living the Hon. Mr. James Peiris who was the first to commit the Congress to the practise of non-co-operation: and who said, in October, 1922, "let us give up discussion." Next the Hon. Mr. E. W. Perera—also in reference to the first Reforms: but as I said we are not concerned with the occasion, but with the principle. His characteristic outburst was: "Boycott the accursed thing." After the Council formed on compromise was weighed in the balance over the Salaries Scheme and found wanting, your late President the Hon. Mr. D. B. Jayatilaka, here, said: "The first thing to do is discuss in detail. 'The passing of resolutions will not do.' We must be prepared to act." Therefore no more deputations, memorials and petitions. What then? Surely there could be no mistake as to what he suggested. He is not one to have false cards up his sleeve. If he was asked to plank down his trump card he would at that moment most certainly have played—the Ace of Non-co-operation! And in December, 1922, he moved in Congress the resolution for abstention from taxed articles and mind you, taxed goods in Ceylon are mostly imported goods—stating that they should aim at the economic independence of the people, and that "by taking the proposed step they could plainly tell the Government that they could refuse to be taxed against their wishes." I shall have occasion to recur to this resolution later. However, people may try to camouflage what was the proposed

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

step—proposed do I say, the step adopted by Congress at least on simple; and far wider and more far-reaching in spirit, if not in the paper—what was it in principle, but non-co-operation pure and letter, than what I would propose, for it contemplated abstention from all taxed goods that is to say from all imported articles.— In the National Association in the same month, Mr. Arulanandam commending to that Association the step proposed by Congress said "If the wishes of the people were going to be flouted, it is impossible to say what would happen. We have the example of India and in spite of the fact that Mahatma Gandhi is now in jail the non-co-operation movement is forging ahead and in a short time India will have Swaraj. Ceylon, that has always followed in the wake of India, is not going to be left behind in the fray." Even Mr. James Peiris in submitting a similar motion in 1919 said that if the Reforms the people asked for were not conceded, there would be turmoil. Followed him, as seconder, the outspoken Mr. R. L. Pereira, who never trafficked in double-meanings, but always spoke straight out: He said that " He had no doubt the new Council would be worse than the first.....The remedy was, what was suggested by the Chairman (this was Mr. Francis de Zoysa) namely if they did not get all that the Congress asked for this country ought to non-co-operate with the authorities. They were not going to co-operate until they got an adequate measure of Reforms.....If they were to act up to the principles of Gandhism, which was the only way this country would achieve any measure of success: they should non-co-operate. His Excellency had called it the 'madness of non-co-operation.' That was from the Government point of view but from their point of view it was sanity." Mr. R. L. Pereira said that Mr. Francis de Zoysa had also suggested non-co-operation. I have not read that speech. But on the testimony of Mr. Pereira I claim Mr. de Zoysa also as a non-co-operator.

My last witness—if I may lapse into professional parlance—is Mr. Samarawickreme the mildest of men and one who would not hurt a fly. In characteristically soft words, he uttered on

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

October 28, 1922, a most formidable threat. Having commended the withdrawal and resignation of unofficial members from Council on a memorable occasion, and having stated that the rejection of the Reforms had been right, he said: "We are here to proclaim to those who have the power that they are wrong and that what we asked for is right. And we are going to make as great a nuisance of ourselves to them as they have been to us." Make a nuisance to the Authorities! Surely the suggestion is fairly obvious. Here then is a most respectable array of non-co-operators—those, that is, who recognize and believe in the principle: who would recommend it to the country as a proper, and most effective method of Constitutional agitation on proper occasion. I cannot for a moment admit any suggestion that these most honourable gentlemen, the leading lights of the National Movement, may now recant and repudiate sentiments and opinions which they confidently sent forth to a country which look to them with blind trust for guidance and wise counsel. These are the stalwarts in Congress: the most trusted leaders of the people: and they have said by all means non-co-operate, if the necessity arose. Who then are the reactionaries? The Chairman of the National Association said there were such among us who should be left out—men I suppose who would make this Temple of Nationalism, a house of merchandise. The Hon. Mr. Forester Obeyesekere once brought up a motion from the Kandy Mahajana Sabha the burden of which was the need to rid Congress of clique domination. Where is this clique? In what shameful shadow is it lurking? I have searched for it in every nook and corner without success: it seems to be as elusive as the Scarlet Pimpernel: To create such an impression of a domination as had undoubtedly arisen there must be brains in this clique. But however big their brains, they cannot be more than a very small minority. Are we then under minority Government in Congress? No human organization can be perfect in composition. There may be among us a few self-seekers, who shuddering at the possibility of being called on to endure personal sacrifice would counsel the nation to remain on its knees in prayer and supplication and take every insult lying

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

down—scribes and pharisees these, and hypocrites who "load men with burdens grievous to be borne and they themselves touch not the burdens with one of their fingers." There may be those among us who would use this Congress for self-advertisement and its platform as a hoarding for election placards with a view to future candidature for Legislative honours. There may be again those who tremble,—whose knees weaken at the Official frown: who would run with the hare and hunt with the hounds and hedge about to miss no opportunity for themselves. Brothers in National Congress: soldiers of the motherland who stand in the vanguard of the army of national progress: shame to you if you let yourselves be dominated by such as these: arise from grovelling knees, cease from whining prayers and supplications: gird your loins for action, arm yourselves with the righteousness of your cause: and march onwards to freedom and victory!

Delegates, with the citadel to be gained in sight: and only one single trench left to be captured, we find the national forces depleted of many of its most valiant fighters: and with murmurings and complaints in other sections of the ranks shewing a disposition to fall out of line. The Tamils have seceded: and the Kandyans threaten to form themselves into a separate Congress. In regard to the Tamils the "bone of contention," as it was called, is too well known to need many words about it: indeed too many words have already been wasted over it, which served no purpose but to exacerbate the irritation. The nationals in Tamil territory stated that numbers of their community had wandered away from the home-field and settled in Colombo "on their own." For this reason the Tamils of the North said they refused to have part or lot with the Colombo Tamils: but that the latter must fend for themselves. The Colombo Tamils were put just in the position of a Kandyan daughter married out in *diga,* severed from the family, and losing all rights of inheritance. The Tamils in Colombo accepted this position—which they could not indeed contest—formed the Colombo Tamil Union to organize themselves in their interests.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

The Tamils domiciled in Colombo, cut off from their own community in the Tamil domain, were engaged in the struggle for existence among strangers, among those with whom they had no tie. They were certainly a minority in Colombo—and a very important minority by reason of their high intellectuality, their enterprize, their energy. All sections of the Tamils carefully considered the situation: and in their undoubted right of self-determination asked for the Colombo Tamil Seat. For some inconceivable reason—which is up to this date an unsolved mystery—this raised a furore among some Congressmen. I do not say in Congress, for though I have searched in this matter as carefully as for the elusive clique, I do not find anywhere in the Congress records, one single word by Congress *qua* Congress —to use Mr. H. J. C. Pereira's manner of speaking—on the Colombo Seat. But there commenced and continued unceasingly a stream of most unseemly invective, vituperation and abuse, in Congress, in Council and elsewhere, from Congressmen: most insulting inuendoes and uncalled for attacks on persons to whom every respect was due. And every Sessions of Congress someone or other appeared on the Platform and aggravated the offence by adopting a patronizing tone towards the Tamils and hypocritically calling them to come in to be the butt of their scorn. If I use strong language in this matter it is because I feel strongly that the Congress should not spare emphasis in throwing off the undeserved slur cast on it by the action of a few men who for unknown reasons of their own, brought into the national brotherhood the viper of disunion and distrust. They talked loudly of principles forgetting the most vital principle of all, that union is strength: They have invoked principles to their own confusion: for the Colombo Tamil Seat for the Tamil minority in this city of stern rivalries was well within the Congress principle of "due safeguards to minorities," whereas that which was substituted is an unmitigated communal seat without a vestige of justification, indefensible on any principle; for the Tamil Electorate, in the Province outside Colombo, are still part of the great Tamil

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

majority community, with no tie with the North unloosened, peripatetic captains of industry, who as soon as they have made their little pile would immediately hie home to roost in the North. Brother delegates, on the authority which my place here as President gives me I wish to disavow in the name of the Ceylon National Congress all responsibility of Congress for the so-called Sinhalese-Tamil split: I disavow all racial partiality: all discrimination in the national brotherhood. In the name of the Congress, I assure the Tamils, I assure the Kandyans, the Mohammedans, the Burghers, and all nationals of whatever caste, creed or race, equal rights in Congress, equal voice, equal consideration: and if circumstances will make it possible for me to remain as President, I shall see to it that, so long as I am President, that assurance holds good. But mere verbal assurances are not sufficient to satisfy those to whom unfortunately some cause for suspicion has been given by the rash utterances and aggresive conduct of a few. Therefore two years ago if I remember right, after conversations with the principal leaders in Jaffna and the Tamil Council Members Messrs. Duraiswamy and Tambimuttu, I suggested to the Executive Committee the desirability of appointing delegates from the Committee to discuss, not in their personal capacity, as several individual members of Congress had done before, but as coming from Congress, to discuss with the Tamils the points of disagreement.

I am sorry I have very little information as to what the grievances of the Kandyans are. In November, 1921, a very prominent Kandyan gentleman who has been in the inner circle of Kandyan deliberations, wrote me a letter in which he formulated the general Kandyan view as follows:—

1. The Electorate to be named the Kandyan Territorial Electorate.

2. The area coming under the Kandyan law to be recognized as Kandyan territory.

3. That all natural Kandyans and those who are living within Kandyan Provinces as permanent residents to have a vote

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

in the Electorate: except those who have votes in other Electorates."

I have already in my letter to the Executive Committee advocated the recognition of the three-fold composition of our country: the England, Scotland and Ireland of Ceylon. I am sorry I have not been helped by any criticism of my proposition. That proposition had reference to a state of things which had become crystallized through centuries of constitutional development. As His Excellency very sagely and very correctly stated in his first message to the Council just dissolved: we should build up a constitution suited to the genius of the people. In search of such a constitution our local reformers wandered far and wide to Jamaica, Mauritius, Fiji: and instituted comparisions with those backwoods. I have always wondered, why if they needed precedents from distant climes under the British flag, they did not touch at the Isle of Man and the Channel Islands and take a survey of the little Parliaments of the little nations who dwelt there in British freedom. After the notable Reform debate in December, 1921, the Attorney-General administered a well merited rebuke to our Reform party, in this connection. He said "I hold very strongly that in these days too little attention is given to the past. The present is treated as if it were totally disconnected with the days gone by: as if it were a thing to be dealt with by itself." The genius of a people evolves out of the history of that nation: and to suit the genius of the people of Lanka, our Reformers went to seek in Jamaica and Fiji! And the Reform debate left the Governor thinking of a mosaic of all the so-called Governments which kept conquered races in subjection under the Crown Colony System—a system of which an English writer has said that it is "a quarry of paving stones for hell and those cemented with men's blood mixed with wasted gold and that the sooner it was removed from the sphere of practical politics and put under a glass case in the South Kensington Museum labelled "Extinct' the better for everyone." The genius of a nation who had preserved, unconquered their independence for 2,000 years—through struggles that staggered humanity and

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

by such deeds of bravery and undaunted valour under overwhelming odds, as called forth from more than one English writer the tribute: "that if the warriors of Lanka had possessed a Macaulay or a Presscott to record their deeds of prowess, there are places among its mountainous fastnesses which would have been handed down as magic names vying even with Marathon and Thermopylae"—the genius of such a nation to be suited by a jig-saw mosaic patterned out of the crudities devised to keep under discipline the savage and backward races who had been brought under the yoke of conquest for the purposes of Commercial Exploitation—that is the scheme which the Governor found to have emerged from the Reform debate: and that is the scheme which has been foisted on this country by the grace of resolutions, petitions and memorials, and the bountiful largesse of the Colonial Office. The Attorney-General was entirely justified in the suggestion that we have discarded our not-to-be-ashamed-of past. The Reform Memorial of 1917, in which the Chilaw Association alone refused to join, rested the demand for Constitutional Reform upon an alleged "capacity" to assimilate Western culture, methods and institutions!

Is the genius of the nation so pauperized that we need go grubbing in the debris of scrap heaps of superannuated, obsolete Western methods and institutions, devised by Western culture for the domination and exploitation of descendants of slaves in Jamaica, bastards of Mauritius and the cannibals and head hunters of Fiji. Western culture! Can we forget where it was leading until God sent the Armageddon? Do we not know in what sort it became manifest in Belgian Congo, at Jallianwallah-bagh and among our own innocent peasantry in 1915? Western institutions! Do we not know that they have identified the sacred name of British Kingship with the role of the highway robber? Our Holy Scriptures refer to abominable deeds of men making God a liar. Western institutions, taking form in the abomination which maketh desolate called presumptions in favour of the Crown have made our King a thief,—our own chosen King, a member, gracious and most

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

revered, boundless devotion and unstinted loyalty to whom is in the very marrow of our bones. Here the verdict on Western culture, methods and institutions passed by the profoundest thinker of the age Professor Alfred Russell Wallace who wrote of the purest and most refined of Western Society, that of his own country, as follows: "Taking account of various groups of undoubted facts, many of which are so gross, so terrible that they cannot be overstated, it is not too much to say that our whole system of Society is rotten from top to bottom, and that social environment as a whole, in relation to our possibilities and our claims is the worst the world has ever seen." Look upon this sordid picture; and on that other picture, put together by the genius of our people, which Rev. Cordiner saw before the year 1815 in those parts of the Island which had not come under European influence: "the most beautiful picture of rural simplicity flourishing under a genial climate." The genius of the people of Lanka had no need indeed to yearn after Western institutions. We had no need to search for materials to build up a constitution suited to the genius of the people in that Western institution which quarried stones for the hell of Commercialism: we had no need to pick up discarded bits here and there for patterning that tassellated mosaic of—varigated anomalies with which even Congressmen appear to be so delighted. We had had a Constitution 2,000 years old, of an unsurpassed stability, under which social development brought physical, intellectual and moral progress, a constitution under which not the bodies alone, but the souls of men as well, were fed and nurtured; which provided not only abundance of fruit and grain to nourish sturdy workers, but also that heavenly nectar of culture and refinement which nourished poets, historians, philosophers and sages, and not alone crawling coolies such as are our masses in this 20th century of grace--a constitution which fostered indigenous arts and industries, to-day degenerate and despised, so that the rare specimens of ancient handicrafts which have come down to present time excite wonder and delight in the world outside, while we ourselves satiate depraved tastes with imported rubbish, which we are agonized

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

at the thought of having to forego. That constitution was our Aryan heritage, in common with all Aryan peoples who maintained the Aryan tradition of civic liberty. India had it before the Mohammedan Conquest : and England and all other Aryan Settlements in Europe before the barbarian brought the Feudal System. Mr. Stirling Taylor has described, in an article in the "XIX Century and After," the Aryan political organization as it prevailed in European countries in the early middle ages. He says : "In mediaeval societies, the Central power was of the slightest structure : such Government as existed was mainly in the hands of local assemblies. There was usually a King of sorts, . . . there was a man who called himself the King of the English, there was a King of the French. But in practice—so much more vital than theory—the powers of ruling were left in the hands of small social units of society of which the kingdom was composed . The units were more important than the Kingdom : they were the real basis of its existence . . . (The people) in the main, ruled themselves by their own laws, and judged themselves in their own courts . . . it was chiefly their own laws they administered and not the law of the far away King. . . The Kings and their Councils for the most part left the people to make their own by-laws and and regulations in their local assemblies. . . .

There was another side of mediaeval society he adds "which was still more fundamentally characteristic of the period. Men in those days rarely acted as individuals, they almost always bound themselves together into intimate social units. It was an age not of persons but of social companies. . . . it might well be defined as the group age." Such were the salient features of the Aryan system of local self-Government under which the genius of the people of Lanka developed and which unlike in Europe survived all vicissitudes from Vijaya and to Sri Wickreme Rajasingha. Through all those long centuries, the social environment was composed of a Central Government with a "King of sorts," who had really no control—in the administration, no power of certification and veto in the domestic affairs of the people : and unfettered local self-Government in communal groups. Mr.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Taylor spoke of Kings and their Councils. In Lanka, those Councils were National Assemblies fully representative of the people: In the formation of those Councils the system was not general election, but delegation, the merits of which have been recognized in the constitution of the most democratic Government of these days, the United States of America. Every single village had its own village Councils. These village Councils sent delegates to the District Council—*Ratasabha*—which nominated a member to represent the District in the Council of State, the *Maha Mantri Mandalaya*. Mr. Taylor ends his article with the thought that "it would be easier than some people imagine to go back to many of the principles of the olden days if we desired them." And Robert Hugh Benson has remarked that "ancient thought which had stood the test of centuries, is, in a very remarkable manner being re-discovered by persons more modern than modernists." At any rate, the ancient system had this one merit, that one needed not, in order to promote his candidature and procure his election to Council, employ the services of an Abeyagoonasekera. . . . The most important feature in the old constitution which had so perfectly suited the genius of the people through long centuries of progress and prosperity, was this, that what little authority the King of sorts had he could not exercise by himself and alone. The S'nhalese Ambassadors to Rome in 44, A.D. told Pliny: "For a King they choose among the people one who was venerable for his years and humanity. . The sovereign had a Council of 30 persons *assigned* him by the people." A Council assigned that is to say elected, by the people: note that. The Ridi Vihare MSS recently discovered in England and restored to the country through the patriotism of a Burgher son of the motherland, Dr. Andreas Nell, state, according to my very good friend and colleague in this chair, our respected Vice-President here, who studied the MSS and read a paper on them in the R.A.S.—these MSS written "at a very early period" testify that even so far back as the time of Dutugemunu, about 150 years before the Christian Era, 5 principal estates formed the Government at the period and that Government was incomplete unless all

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

these 5 institutions were in function. They were the Maharaja, the Viceroys or Governors of the 3 Provinces, and 3 classes of Ministers. In A.D. 1154 Edirisi, found that "the King of Ceylon had 16 ministers and learned persons were appointed to assist them in the administration." The "Nikaya Sangrahava," a Historical Narrative written in the 14th century, enumerates the 16 ministers, in charge of Departments. Let us come down to present conditions. What is the chief defect of the present Administration which has raised the clamour for reforms? You will no doubt be surprised to learn that the clearest, the most emphatic, the most correct statement on this head has come from the European Association. In its report on Constitutional Reforms dated the 23rd January, 1919 it formulated the following crushing indictment of the Ceylon Government: "There can be no doubt that we have from time to time, reasons to be dissatisfied with the Administration . . .and the causes of dissatisfaction are :—

(a) Official mismanagement of Government Enterprises.

(b) Official apathy to the needs of the public.

(c) Official indifference to the point of view of the public, and neglect to enquire how new proposals will be received :

Many of the subjects of complaint arise from the attitude of this or that official. In so far as the system may be to blame, the defects noted have probably their origin in the lack of responsibility to the public"—note well that, lack of responsibility to the public—"on the part of permanent Officials who cannot be controlled by any adverse vote of censure, and are ordinarily supported in their acts by the Colonial Office which has no first-hand knowledge of the Island." Can anything be more definite? From this, can anything be more obvious than that the paramount reform needed—indeed the one and only reform which can remove dissatisfaction—is the institution of responsibility of the Government to the public in Ceylon, to the people. In the National Association, on December 16, 1922, after the present constitution

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

—save the mark—had been fully adumbrated, Mr. Francis de Zoysa said "What is at the root of all our troubles, all our grievances? the misgovernment," well-done! Mr. de Zoysa—"all the misgovernment of the country is that the Administration is in the hands of Officials who are not responsible to the people and who are not in sympathy with them, and the question of questions that confronts us to-day is that of Constitutional Reform"—mark that again, not Council Reform but Constitutional Reform "This is the question on which we need concentrate all our attention, all our energy and all our endeavours. And you have concentrated for all you are worth and what have you got? What has your mountainous labour brought forth? Only a new batch of Honourables who need for their housing Rs. 3,000,000 which they jubilantly voted for themselves out of the hard-earned earnings of a starving population: "unfed, untaught, uncared for." I ask you what have you gained in the New Council, which gives not half a step in constitutional progress? It has one redeeming feature, and that has been obtained in the teeth of Congress opposition. This is the unification of all classes in a common electorate. The suggestion was first made in the Reform Memorandum which the Chilaw Association drew up in 1917 which stated in reference to the Burghers and Mohammedans that "The exclusion of these two classes of the corporate community from the general electorate would be detrimental to the political unity of the people of Ceylon" and the Association suggested that "they should share in the general franchise, but, if they desire, be allowed in addition to send members to represent their special interests." And at the first Reform Conference held a month after this Memorandum was printed, I presented that proposition, in my capacity of a delegate from the Chilaw Association: and every one there was against it, and horrified by what they condemned in scathing terms as "the political heresy of the plural vote—" everyone including the Hon. Mr. James Peiris, save alone the Hon. Mr. Forester Obeyesekera who supported me. After that, time and again, I pressed for this concession to the minorities as the one way to allay their suspicions. The suggestion was reprobated

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

and thrown out on every occasion. There is not one word in its favour in any proceedings of Congress or Executive Committee. But to the honour and credit of the Hon. Mr. James Peiris, when I inserted it in the draft Reform Motion which I formulated and submitted for his consideration before the Reform discussion, he accepted it, and brought it up in Council. The Colonial Secretary has graciously permitted the minorities to take part in territorial elections, but he has at the same time made it very clearly understood that we are to order our lives indefinitely on communal lines.

The crystallization of tribalism: that is all that the New Constitution so-called—stands for. And from the absence of all reference to the given Reforms in the Agenda, it is to be taken that the Congress, the aim of which is stated in its constitution is to secure for the people of Ceylon responsible Government and and a self-governing status, is satisfied. Delegates of Associations which call themselves political, I ask you if such is the case why do you come here in your numbers from far and near, merely to babble and cackle and mouth profitless inanities? You are satisfied. Why then in the name of all that is sacred desecrate the holy name of National Congress with your sordid self-satisfaction? Disperse: and return to your palatial villas and stately homes in town and city: burn the incense of praise and adoration to the Colonial Office for its loving kindness and graciousness, plump down on your knees, on costly imported carpets—and raise paeans of thanksgiving and gratitude: and rise from your knees to guzzle imported whisky and gin, and to batten and fatten on imported ham and cheese and frozen meat: make broad your phylacteries and enlarge the borders of your garments from imported cloth: while outside, in the country, your brothers in their millions are toiling and moiling in a dreary wilderness on empty stomachs and in filthy rags: their nerves wrecked by malaria, their limbs being slowly eaten through by hookworm, their bones rotting with the parangi. Brother Delegates, the resolutions which will be moved to-day refer to a number of subjects about which there has been endless talk and discussion. I need

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

not waste my breath or your time in dwelling on themes which have been almost talked out before to-day: and about which ideas are scattered all over, to use the words of the great Mazumdar, as thick as blackberries so that whoever passes may pick up any number of them. In fact, ladies and gentlemen, I really am at a loss to know for what purpose you have brought me here, or what function it is your pleasure to impose on me. On October 28, 1922, the Congress unanimously passed a resolution decreeing "a wide spread movement throughout the country by all the Associations connected with the Congress and all those who are in sympathy to introduce into every home suitable cottage industries principally the art of spinning and weaving: to impress on the people the absolute necessity of national economy: to use all taxed articles as sparingly as possible." There was also some talk at the time of eschewing the luxury of travelling by trains. And it was said that all this was to be undertaken as a preliminary step. I have seen no sign whatever of any such movements among the affiliated Associations and Congress friends. But I know as a fact that since the day many a promising adventure in cotton industries has languished to speedy death for want of patronage. Shortly after that resolution my sister and her husband set up 5 handlooms with the latest improvements at Chilaw. The clothes I now wear were the products of those looms.

From the day of that resolution I have not purchased with my own money, for my use, a single inch of imported cloth except 3 collars on an emergency. Those looms are now scrapped and stored in a lumber room, after a loss of some Rs. 3,000. I do not know what national economy Congressmen had practised in terms of that resolution. You will not catch a Congressman using taxed articles sparingly. All this grandmotherly advice was meant ony for the *Canaille*. True, it is not so much the well-to-do classes, but the poor and helpless masses who look to the Congress to tell them what to do in any crisis. It is these pitiful wretches who hang on the lips of Congressmen for words of cheer

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

and helpful advice. It is an already starving people, whom Official management under the constitution, which has satisfied, will continue to press down under additional burdens that Congress would admonish to stifle their increasing pangs of hunger in an esctatic Contemplation of an economic independence to be wrought out through their sufferings. It is to millions in villages and foetid urban slums who have to divide a single onion or half an inch of maldive fish between two meals that the unctuous advice is given to use taxed articles sparingly. And soul-wearied drudges who sweat from sunrise to sunset for less than a pittance are asked to employ their spare time for cottage industries! The while, sublime souled Nationalists in Congress, filled with divine compassion, continue to dissipate their leisure rolling along in motor cars-de-luxe to feasts fit for gods, at tables groaning under the weight of taxed articles. Shame, thrice shame, to you who would add to the bitterness of an afflicted people the cruel mockery of your hypocritical condolence.

Delegates in Congress: Is Swaraj of which you once talked so glibly, the aim of this Congress or is it not? If it is, make no mistake, deceive not yourselves; Swaraj comes not at mouthcalls, at shibboleths, and phrases. Swaraj can be attained only through sacrifice and suffering and toil. I am prepared to share with you that toil, and suffering and sacrifice. I am prepared to stand with you to face any abnegation and hardship and peril. I am prepared to stand by you: I am not prepared to grovel with you. If, since you yourselves, find comfort and enjoyment in the sunshine of official favour, you care not to move so much as a little finger to lift the heavy burdens laid on your less fortunate countrymen who are being ground down under the iron heel of blind and blundering officialdom, Government by blind man's buff shuffling along to a general overturn you are content to lie in ease and comfort—for an indefinite period—under the soul destroying serfdom of Crown Colony Administration, you have no further use of me. Let me depart in peace.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## A VOTE OF CONDOLENCE.

The Hon. Mr. D. B. Jayatilaka proposed a vote of condolence on the two ex-Presidents of Congress, who were no more. He said: Ladies and gentlemen: Before we proceed to business I think it is our incumbent duty to give expression to our appreciation of the great services rendered in the National cause by the two ex-Presidents, Sir Ponnambalam Arunachalam and Mr. H. J. C. Pereira, also to record our sense of loss which the whole country has suffered by their death. The President in his address has borne eloquent testimony to the great work which these two great men have rendered during their lifetime. So I do not propose to take up your time in going over the story once more, the story of their lives. They were both great men; they rendered distinguished service to the country. (Applause.) The Executive Committee has already recorded the appreciation of the Committee as regards the work done by both the distinguished ex-Presidents; but I think it is our duty on this occasion as you are assembled for the first time in Session of the National Congress to pay our united tribute of respect to the memory of those two men.

I do not propose at this stage—it is not proper for me—to refer to the Presidential address, but I do not want to criticise the Presidential address from this platform. But I must say this I cannot agree with the President when he said that Sir Ponnambalam Arunachalam withdrew from Congress because some individuals had slurred him. I think Sir Ponnambalam Arunachalam was a much greater man than that. He refused to continue to co-operate with Congress because rightly or wrongly he thought we did not agree with each other on fundamental principles. That was the reason and I am perfectly sure of it. I do not want to enter into a controversy, but I ask you to stand up and accept this resolution which records our deep sense of appreciation of the services rendered by Sir Ponnambalam Arunachalam and Mr. H. J. C. Pereira to the cause of the National Congress, and record our deep sense of the loss sustained by the country by their death.

The vote was passed in silence, all present standing.



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

THE RESOLUTIONS SUBMITTED WERE THE FOLLOWING.

(1) Submitted by the Dehiwala-Mt. Lavinia Mahajana Sabha.

This Congress is of opinion that the suggestion made to the Retrenchment Committee in regard to the payment of salaries of higher officials on a Ceylon basis with Overseas Allowances for officers recruited from abroad, should be adopted.

(2) Submitted by the Moratumulla Union, the Galle Mahajana Sabha and the Sinhalese National Association :—

In view of the fact that a great majority of the people depend upon the Ayurvedic (indigenous) system of medicine, this Congress urges upon the Government the necessity of encouraging the regular study of this system by the establishment of a properly organised institution for the purpose, and assisting in the establishment of dispensaries and hospitals, and registration of qualified practitioners.

That a Committee be appointed to submit to the Government a Memorandum on the subject together with the above resolution.

(3) Submitted by the Rambukkana, Dodanduwa, and Galle Mahajana Sabhas :—

With a view to the improvement of rural administration this Congress urges upon the Government to grant to the people the right to elect the headmen of their respective divisions for a definite period by secret ballot.

(4) Submitted by the Ceylon Labour Union and the Sinhalese National Association :—

This Congress considers it necessary that an inquiry should be made into the conditions of labour with a view to their amelioration and calls upon the elected members of the Legislative Council to secure the appointment of a Commission for the purpose.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(5) Submitted by the Panadura Mahajana Sabha.

In view of the gradual abandonment of fertile paddy fields by the small cultivators even in the non-malarial districts of this Island owing to the neglect of Elas which irrigate these fields this Congress urges on the Government the necessity of taking remedial measures.

(6) Submitted by the Mallika Kulangana Samitiya :—

This Congress considers that a limited franchise should be extended to the women of this country.

(7) Submitted by the Ceylon Labour Union :—

This Congress being of opinion that the country is ripe for manhood suffrage, calls upon the Government to grant the right of vote at least to every male over 21 years of age able to read and write any language.

(8) Submitted by the Ceylon Labour Union :—

This Congress calls upon the Government to remove all taxes on foodstuffs that weigh heavily upon the poor of this country.

(9) The following proposals to be added to the Congress Constitution :—

Each member of the Executive Committee of the Ceylon National Congress shall remit to the Treasurer a monthly subscription of Rs. 2/50 in the case of outstation members, and Rs. 5/- in the case of members residing in Colombo payable in advance at the commencement of each month following the date of his election. Should a member fail to remit the said subscription for three consecutive months, he shall at the end of the third month for which his subscription shall remain unpaid be deemed to have resigned and shall cease to be a member, and it shall be the duty of the Secretary to remove his name from the list of members of the Congress Executive Committee and request the association concerned to nominate another in his place; provided that no association shall have the power to nominate a new member unless the subscription due has been paid up. In the case of Committee members directly appointed by the Congress,

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

the Executive Committeé shall elect new members in place of those whose names have been struck off the roll for non-payment of subscription.

(10) Submitted by the Galle Mahajana Sabha :—

Every resolution proposed in English and the speech made by the mover of such resolution at the Sessional meetings of the Congress, be either interpreted into, or a precis thereof be given in the vernaculars.

NOTE :—The following extracts from the Minutes of Executive Committee Meetings refer to the appointment of Officers for the year :—

"The following gentlemen were nominated for the Presidentship—Messrs. E. J. Samarawickreme, Francis de Zoysa, D. B. Jayatilaka, C. E. Corea, G. A. Wille, Dr. E. V. Rutnam and Mr. C. E. Victor S. Corea.

The Hon'ble Mr. D. B. Jayatilaka and Mr. E. J. Samarawickreme declared that they would not seek election.

Mr. A. E. Goonesinghe proposed and the Hon'ble Mr. F. A. Obeyesekere seconded that Mr. C. E. Corea be elected President.

In the absence of any other name being proposed, Mr. C. E. Corea was declared elected.

The Hon'ble Mr. E. W. Perera proposed and the Hon'ble Mr. D. S. Senanayake seconded that Mr. C. W. Perera and Dr. S. Muttiah be elected Hony. Secretaries.—Carried.

The election of a Vice-President was deferred for the next meeting."

(1—12—24.).

"Mr. D. H. S. Nanayakkara proposed and Mr. A. E. Goonesinghe seconded that Mr. W. A. de Silva be elected Vice-President.—Carried."

(9—12—24.).

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

SECTION II.—*Extracts from minutes of the Executive Committee meetings.*

---

## CONFERENCE WITH TAMILS, KANDYANS AND EUROPEANS.

"The Committee considered the question of a round table conference with Tamil and Kandyan leaders suggested by Mr. Corea and directed the Secretary to inform him that it is the opinion of the Committee that he should take the initiative in the matter and begin with an informal meeting."

(9—12—24).

"At a meeting of the Congress Committee held on the 24th August, 1924 it was decided to inform the European Association of Ceylon in reply to its letter of the 15th August, 1924 that a Sub-Committee will in due course be appointed to meet the Committee of the European Association to discuss matters of political moment connected with Ceylon. The Committee considered the question of appointing delegates for the purpose and Mr. R. S. S. Gunawardene proposed and the Hon. Mr. D. S. Senanayake seconded "that in view of the fact that no matter of political importance has yet arisen for discussion with the European Association the appointment of delegates to meet the European Association be deferred until such a question should arise."—Carried.

"The President suggested that a large number of Congress delegates including full representation of outstations be appointed to meet the Tamil leaders. He stated he is in correspondence and will be able to give fuller details at next meeting of the Committee.

As regards the conference with the Kandyans, the President expressed with regret that a bitter feeling exists among the Kandyans rendering any negotiation impracticable at present.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

He hoped that a better opportunity will present itself in the near future."

(8—2—25).

"The Committee considered the steps regarding a conference between the Ceylon National Congress and the Kandyans and it was found necessary to defer the consideration of the question pending information of the attitude of the Kandyan National Assembly.

As regards the conference between the delegates of the Congress and the Tamil Maha Jana Sabbai, the President intimated that he received a telegram from the Hon. Mr. W. Duraiswamy informing him that the names of the delegates would soon be submitted to meet the Congress delegates. The following Sub-Committee was appointed to take all necessary steps for such a conference :—Mr. C. E. Corea (President), the Hon. Messrs. T. B. Jayah, C. W. W. Kannangara, C. E. Victor S. Corea and Messrs. P. De S. Kularatne, M. H. Jayatilake, Geo. E. De Silva, A. E. Goonesinghe, M. A. Arul Anandan, Dr. E. V. Rutnam, C. W. Perera, Dr. S. Muttiah (Hon. Secretaries).

(18—7—25).

"The Secretary submitted to the Committee for consideration the following report of the conference held at Jaffna between the delegates of the National Congress and the Ceylon Maha Jana Sabbai.

"Mahendra"
Jaffna, 28th June, 1925.

This conference is agreed

1. That as regards the Legislative Council, the representation of the people of the Northern and Eastern Provinces and of the Ceylon Tamils in the Western Province and the territorial representation of the rest of the Island in any future constitution shall be in the proportion of one (1) to two (2) as at present.
2. That there shall be in the Ceylon National Congress a Subjects Committee of not more than 35 members who

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

shall be in respect of interests represented in the Congress in the following proportion :— eight (8) for the Southern Division of the Island, eight (8) for the Central Division of the Island, eight (8) for the Northern Division of the Island, four (4) for the Muslims, three (3) for the Indian inhabitants of the Island, two (2) for the Burghers and two (2) for the Europeans.

Any resolution or amendment to be placed before the Congress must be passed by a majority of the Subjects Committee.

If the majority of any particular Division or Community states that any resolution or amendment prejudicially affects their interests such resolution or amendment must be passed by a three-fourths majority of the Subjects Committee, before it is placed before the Congress.

Whenever the word "majority" is mentioned it is understood that it is the majority of members present.

It is agreed that the representation of the Northern Division in the Subjects Committee are to be nominated by the Ceylon Tamil Maha Jana Sabbai.

By the Southern Division of the Island is meant the Western Province, the Southern Province, and the Chilaw-Puttalam District of the North Western Province (exclusive of the Demala Hatpattu); by the Central Division of the Island is meant the Central Province, the North Central Province, the Uva Province, the Sabaragamuwa Province, and the Kurunegalle District together with the Demala Hatpattu of the North Western Province; by the Northern Division of the Island is meant the Northern and Eastern Provinces.

| DELEGATES OF THE CEYLON TAMIL MAHAJANA SABBAI. | | DELEGATES OF THE CEYLON NATIONAL CONGRESS. | |
|---|---|---|---|
| (Signed) | W. Duraiswamy, | (Signed) | C. E. Corea, |
| ,, | A. Canagaratnam, | ,, | T. B. Jayah, |
| ,, | S. Rajaratnam, | ,, | Geo. E. De Silva, |
| ,, | A. R. Subramaniam, | ,, | C. E. Victor S. Corea, |
| ,, | L. R. Spencer, | ,, | M. H. Jayatilake, |
| ,, | F. Baily Mylvaganam, | ,, | M. A. Arul Anandam, |
| ,, | T. R. Nalliah, | ,, | P. De S. Kularatne, |
| ,, | S. C. Tambiah, | ,, | R. S. S. Gunawardene |
| ,, | S. R. Rasaratnam, | ,, | S. Muttiah. |

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

The Committee adopted the first clause of the agreement and asked the Secretary to refer to the delegates of the Tamil Maha Jana Sabbai the second clause with certain verbal alterations and to find out their views regarding such alterations. The clause 2 with alterations ;—"That in the Ceylon National Congress there shall be a Subjects Committee composed of not more than 35 members to be nominated by the Ceylon Tamil Maha Jana Sabbai 16 members to represent the territorial constitution of the Island other than the Northern and Eastern Provinces, 4 to represent the Muslims, 3 to represent the Indian Inhabitants, 2 to represent the Burghers, and 2 to represent the Europeans.

Any resolution or amendment to be placed before the Congress must be passed by a majority of the Subjects Committee.

If the majority of any particular division or community states that any resolution or amendment prejudicially affects their interest such resolution or amendment must be passed by a three-fourths majority of the Subjects Committee before it is placed before the Congress. Whenever the word "majority" is used it is understood that it is the majority of members present."—

(12—9—25).

"Resolution 3—Agreement between the delegates of the Executive Committee of the Ceylon National Congress and delegates of the Ceylon Tamil Maha Jana Sabbai. This was postponed by a unanimous vote on the following Proposal by the President "that the consideration of the 3rd resolution be adjourned for discussion at a session of the Congress to be held as early as possible within the next year."

(General Sessions, 19—12—25).

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## CHAPTER VI.

## DECEMBER, 1925—DECEMBER, 1926.

### Section I.—*General Sessions, 18th and 19th December, 1925.*

Over 150 delegates from Colombo and the Low-country travelled by the morning train which left Colombo Fort Station at 7-30 a.m. Other delegates joined the train *en route*. The earliest welcome that the delegates received was at Rambukkana, where the members of the Rambukkana Maha Jana Sabha sprinkled rose water and offered young king-coconuts. At Kadugannawa the Maha Jana Sabha representatives garlanded Mr. Francis de Zoysa, the President of the Congress, and scattered rose-petals over practically every compartment of the train. The Bodhiwardhana Society of Kadugannawa also offered a similar welcome.

There was a very large crowd collected at the Kandy Railway Station from an early hour to welcome the delegates. No sooner the train came to a halt the delegates alighted and the President (Mr. Francis de Zoysa), Mr. T. B. Jayah (Vice-President) and the Secretary (Dr. S. Muttiah) were garlanded by Mr. George E. de Silva (Chairman of the Reception Committee) and the Secretary of the Kandy Reception Committee, Mr. D. M. de S. Abhayanaike. The whole gathering next formed into a procession led by flag-bearers, school boys and S. Cecilia's Band and marched to "Hill Side," the spacious building in "Hill Street," where breakfast was served to the delegates. "Hill Side" was prettily decked for the occasion with a profuse display of greenery, flags, palms, flowers and festoons.

During their stay in Kandy the delegates were accommodated at "Hill Side."

A spacious pandal spanned the road near the Planters' Hall and was decked with the tender leaves of the coconut and fruits.



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

The words "Welcome to the Delegates" stood out in bold relief in the centre of the pandal. From here to the Empire Theatre the road was flanked by bamboo arches interlaced with the tender leaves of coconut. The entrance of the hall and hall itself was gaily decorated with flags, the colours red, white and blue predominating. The stage was richly carpeted and seats neatly arranged for the accommodation of the delegates. Two huge brass bowls filled with flowers on brass stands were placed opposite the Chairman's table while a similar bowl with flowers adorned the table.

With Mr. F. de Zoysa were accommodated on the platform Mr. C. E. Corea, Mr. E. W. Perera, Mr. A. F. Molamure, Mr. A. C. G. Wijeyekoon, Mr. F. A. Obeyesekere, Mr. Victor Corea, Mr. E. A. P. Wijeratne, Mr. Daniel Joseph, Mr. S. Natesa Aiyar, Mr. W. A. de Silva, Mr. L. H. S. Peiris, Mr. T. B. Jayah, Mr. P. de S. Kularatne, Mr. and Mrs. Geo. E. de Silva, Mrs. T. V. Saravanamuttu, Mrs. Aseline Thomas, Mrs. L. B. Warakawula, Mrs. Wijegoonewardene, Mrs. D. M. de S. Abhayanaike, Mr. S. R. Wijemanne, Mr. G. K. W. Perera and Dr. S. Muttiah and Mr. R. S. S. Gunawardene, Secretaries.

As the Chairman of the Congress Reception Committee, Mr. Geo. E. de Silva, who is also President of the Kandy Maha Jana Sabha, welcomed the delegates.

Mr. de Silva said, that while he regarded it as the crowning movement of his life to have the privilege of offering them on behalf of that historic town a cordial welcome, he was unable adequately to express the feelings that were surging within him —feelings of diffidence at the magnitude of the responsibility thrown on him by their kindness and courtesy in selecting him as the Chairman of their Reception Committee. He could not also but be conscious of the fact that that being the first time that a Congress Sessions was ever held outside the Capital, their lack of experience and inadequate resources and the difficulties they had to face on account of the absence of facilities which large cities offer, necessarily made their preparations rather imperfect.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

If that Sessions was, however, crowned with a measure of success, he was sure that small towns would in future be emboldened to invite the Congress and thus serve to demonstrate the proof of the movement being an expression not merely of the wealth and intelligentsia, but of the whole country. It was opportune that that Sessions should be held in Kandy this time as in that great historic city their forefathers had fought and won many a battle in the cause of freedom. During the dark days of 1915, when people's rights were in jeopardy and the liberties of His Majesty's subjects were at stake, the people of that province vindicated their rights with great courage and fortitude.

They mourned that day the lamented death of the great Queen-Mother who passed away on the 20th of last month, and on behalf of the Congress they should express their heartfelt sympathy with His Majesty the King Emperor and Her Majesty the Queen and the other members of the Royal family.

Within the last few months, they had seen a great deal of change at the head of the administration of this Colony. They found that Sir William Manning, who was rather adverse to the Reform movement which was started by the Congress, and who at the inception of the Reformed Council did not see eye to eye with the elected representatives of the people had laid down the reins of Government. His Excellency had before he left these shores changed his opinion, and was full of praise and admiration of the statesmanlike attitude adopted by the elected Members of the Council in tackling questions which affected the general welfare of this Colony. That measure of appreciation coming from Sir Wiliiam Manning shortly after the constitution of the Reformed Council, showed the capacity of the people of this country for looking after their own affairs. Sir William before he left these shores showed also a remarkable sympathy towards the goal they had in view. They all regretted that His Excellency should have left them just at the time he was beginning to understand them and sympathise with their aims and aspirations.

They had to welcome Sir Hugh Clifford whose career they would watch with anxiety to see whether he would show the same

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

sympathy and broad statesmanlike attitude in consulting the wishes of the people in regard to important measures which affect the welfare of the country. If he did so, they would be able to readily co-operate with him, which co-operation would ultimately redound to his credit. He had no doubt that this Colony welcomed him and assured him of its support and co-operation. That was shown by the number of enthusiastic receptions that had been accorded to him since his arrival in this Colony.

The word co-operation seemed to him to be on the lips of every leader, but in practice there were few who grasped its significance and realised that co-operation must be maintained and not confined to any particular community. He saw around him that those who preached co-operation had signally failed to carry its simplest elements which demonstrated that between black and white, brown and yellow every man who breathes God's air must stand on a basis of equality. He wanted that co-operation exhibited in a tangible form as the Congress was doing. The Congress had practised what she had preached and extended the hand of fellowship to all without distinction. Let those who kept aloof from the Congress practise the same gospel and they would find a united and prosperous Ceylon.

Though there was great indignation on the part of some people at the appointment of Sir Hugh Clifford his utterances had helped to disarm opposition and they looked forward to giving him that co-operation which the Congress was always ready and willing to give provided the rights of the people were not interfered with. Their elected representatives in the Legislative Council had been doing their work with marked forbearance and sympathy so that no one was in a position to complain that their work in Council had been in support of any particular section of the people.

Though mighty changes were taking place in India with regard to the position of the Indians in the British Empire, it was heartrending to find that Indians in South Africa were treated in a most humiliating manner by the South African Government.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Indignities which had been heaped upon them, hardships to which they had been subjected to had excited feelings of indignation throughout the civilised world. Touching appeals had been sent from India to the English Government and they hoped that they would soon cease to hear those woeful tales of illtreatment to the Indian in South Africa. They hoped for the solidarity of the British Empire that the Indian subjects in South Africa of His Majesty the King would receive the same treatment at the hands of the Government as was accorded to all other peoples in the British Commonwealth.

The cost of the administration of the Colony was extravagently high and could be reduced. The Congress had urged times without number that a cheaper indigenous agency should be substituted wherever practicable in place of the costly foreign agency in the various Government Departments. It had been urged that high appointments should be thrown open to Ceylonese in a much larger measure than it had hitherto been done. They had urged that on grounds of economy as well as of justice. He was proud to say that some improvement had been shown in that direction but much remained to be accomplished and he hoped that Government will act fairly in that matter and appoint more of deserving Ceylonese to higher places in the Civil Service. He might take that opportunity of sounding a note of advice to Ceylonese Officials. They could press their claims and the claims of those who were to follow them only by gaining the sympathy, good-will and co-operation of the people.

The objects of the Ceylon National Congress were, as they were aware, the attainment by the people of Ceylon of a system of Government similar to that granted to the self-governing people of the British Empire, and participation by them in the rights and responsibilities of the British Empire on equal terms with the others whose privilege it was to enjoy the blessings of responsible Government. These objects were to be achieved by constitutional means, by bringing about a steady Reform of the existing system of administration and by promoting national unity, fostering public spirit and developing and organising the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

intellectual, moral and industrial resources of the country. These ideals were cherished by every right-minded British Subject. Their creed was no new creed, and it was one which had been adopted all the world over. The foundations of the Congress rested on loyalty to the British Government. The Congress had at no time done or said anything which would give the smallest countenance to any idea that it wanted to overthrow the British Government in Ceylon. The British Government in Ceylon was meant for the good of Ceylon. It was meant to help them to raise their country once more to a position of prosperity and power, and they should all accept that rule and endeavour steadily to improve their position.

He was deeply grieved to say that some of his countrymen had allowed sectarian considerations to prevail over patriotic considerations. No one was entitled to the honour of being called a patriot, be he a Buddhist, Mohammedan, Christian or Hindu, who desired for a moment that any fellow-countryman, whatever his race or creed should be placed under the domination of a man of his own particular persuasion or community or any one section of the community.

He realised that any temporary advantage which few members of one community might gain over members of other communities, was a trifle which did not count in the consideration of large national interests. What did it matter to the vast masses of the people of Ceylon if a few Tamils should gain some slight advantage over the Sinhalese, or that a few Mohammedans should gain some advantage over the Tamils. How ennobling it was even to think of that high ideal of patriotism where Christians, Mohammedans, Hindus and Buddhists should stand shoulder to shoulder as brothers and work for the common good of all, and what a fall was there when they gave up that position and began to think of furthering sectarian interests. He invited them to respond to the higher call and to feel that they must rise or fall together. It had been said that the Congress agitation had done harm to some people. With all respect to those who had taken that view he wished to ask what harm the Congress had done to

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

any community. Had not the Tamils, Mohammedans and English benefited equally with the Sinhalese and other communities? No stable future could be built on the foundation of racial hatred; justice and love ought to form the basis—justice that will ungrudgingly recognise all claims that history had brought into existence—and love that knows no barriers of race or religion and embraces even those who dare to be adversaries from time to time. Faith, hope and charity were to be their guiding stars.

The Englishmen who had done a great deal in contributing towards the progress of this country were keeping aloof from the Congress movement, and he appealed to them to co-operate with the people of this country, and make common cause with them. If Englishmen, when they left their mother-country took oath with their common conscience and said "When I go to Ceylon I will treat the people of that country in the same way I would treat my own countrymen," they would be able to unfurl that banner of equality between man and man and bring about that chastening influence between the members of the same Empire. They wanted a few more George Walls and Freemans in this Island, and the sooner they found such men the better it would be for the prosperity of this country. Congress in short demanded equality of treatment and equal justice for all communities. Let it be done with the desire of avoiding causes of disunion; let it not be done out of feeling of narrow sectarian jealousy. Let them endeavour to win over their brethren who differed from them. He had faith in the future of his countrymen. He had no doubt, that the policy of preferential treatment and other obstacles which keep the different communities of Ceylon from coming together will soon disappear as the morning mist disappears before the rising sun, and that feelings of brotherliness will continue to increase amongst the Sinhalese, Tamils, Englishmen and Mohammedans, until they shall flow like a mighty river welding the people of all communities into a great good united nation which shall realise a glorious future for Ceylon and secure a place of honour amongst the nations of the world. He had great pleasure in inviting Mr. Francis de Zoysa who needed no introduction to them to take the chair as President.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## THE PRESIDENTIAL ADDRESS.

Mr. Francis de Zoysa, the President rising amid loud applause, then said :—

Before I address you on the business of the day will you permit me to add a word of mine to the tribute your Chairman paid to the memory of the great and good Queen Alexandra whose death plunged the British Empire, or rather, I might say, the whole civilized world in sorrow. Queen Alexandra's was one of those beautiful lives which at rare intervals illumine the world to show how much goodness there is after all in human nature. Those of us who have not had the privilege of seeing Queen Alexandra in the flesh or coming into direct contact with her goodness, yet know that in her there was that extremely rare combination of physical and moral perfection. It is true that she passed away in the fullness of time having enjoyed all the blessings of this world in a full measure, but her death must have been a terrible blow to her devoted son, our gracious Sovereign Lord the King, and it may, perhaps, be some consolation to His Majesty to know that his sorrow is shared by the humblest of his subjects in the remotest parts of his far-flung Empire.

The vote was passed in the usual manner, the large gathering standing in silence.

Resuming after a few minutes, Mr. De Zoysa then delivered the Presidential address. He said :—

Fellow-delegates, ladies and gentlemen,

While associating myself with the Chairman of the Reception Committee in offering a cordial welcome to you all, I must thank you most sincerely for the very high honour you have conferred upon me by electing me your President this year, to preside at the sessions being held in this great and historic city—the last strong-hold of the greatness and glory and independence of the Sinhalese people, where the Sinhalese of the Hill-country kept the Sinhalese flag flying for three hundred years after the maritime districts had fallen under foreign rule. This was a great and noble achievement, and the Sinhalese of the Low-country are no less proud of those intrepid warriors than their

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

FRANCIS de ZOYSA, Esq. K.C.

(President 1925—1926)

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

own descendants of to-day in the Kandyan Districts, for they were but maintaining the great traditions of the common ancestors of both branches of the Sinhalese people of the Anuradhapura, Polonnaruwa, Kotte and Sitawaka periods. We do well no doubt to cherish the traditions of our own race and glory in the brave deeds and noble achievements of our ancestors.

But to-day, we are not trying to go back to the Anuradhapura, Kotte or Kandy period. We are but endeavouring to come into full possession of the great heritage of full British citizenship that we of all races and creeds living in this country are entitled to under the British Flag. We may belong to various races and profess various religions. But politically we are all one people, owing allegiance to one Sovereign, claiming this one country as our motherland and entitled to equal rights and like privileges, no matter in which part of this land we or our immediate or remote ancestors were born. We need no passport from any one to go from one part of the country to another, and in spite of the foolish and irresponsible talk of a few individuals, I feel sure that the Kandyans of the present day, both of the peasantry and of the gentry have not lost the great virtue of hospitality for which the Sinhalese people have been always noted and that the delegates assembled here to-day from various parts of the Island will receive a cordial welcome from all sections of the people of Kandy, whatever their political views might be. I was not responsible, in any measure, either directly or indirectly, for the selection of Kandy for the present Sessions. But I feel both grateful and proud that I have the privilege of presiding here to-day because I have always had a warm place in my heart for Kandy, where, as a student, I spent some of the happiest and most profitable days of my life. As I stand before you now, my chief thought, however, is not of the honour to me, great as it is, and much as I appreciate it, but of the very great responsibility I have undertaken by consenting to be your President. Inspired, however, by the example of the great men who preceded me in this chair and encouraged by

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

the assurance of support and loyal co-operation from the Executive Committee and sympathy and good-will from all, I enter on my duties, not without confidence that I shall be able to be of some service to my country in the position to which you have called me.

My first duty to-day is to extend in your name, a respectful welcome to our new Governor, His Excellency Sir Hugh Clifford, who has just assumed the administration of this country. It would be contemptible hypocrisy on our part if we were to say that we either welcomed his appointment when it was made, or that we have no misgivings now as regards the attitude he will adopt towards the legitimate aspirations of the people of this country. His Excellency is not a stranger to us. Even in this land of short memories, thirteen years have not been sufficient to completely efface the memory of Sir Hugh Clifford from our minds. As our Colonial Secretary, he dazzled us with his brilliance. His great intellectual gifts, his high literary attainments, his unbounded energy and capacity for work and his commanding personality won our profound admiration.

But those of us who were not altogether blinded by his extraordinary brilliance, could not but deplore his utter lack of sympathy with the people of this country, his cynical disregard of their feelings, his masterful and autocratic ways, his impatience of all criticism and intolerance of all views other than his own, and his reactionary and repressive policy. We remember how he forced through the Legislative Council the Excise Ordinance and flooded the country with arrack and toddy and how he inaugurated that policy of hostility to the Temperance movement, which culminated a few years after his departure from the Island, in the incarceration as common felons of some of our most prominent public men without either trial or charge and for no other fault than that they had identified themselves with the Temperance cause. We remember how he used to bully and brow-beat even Unofficial Members of the Legislative Council whenever they showed any signs of independence. We remember how he summoned to his aid all his undoubted abilities to

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

oppose the demand of the people for some modification of the Constitution, and all but prevented us from getting even the small measure of Reform we got in 1910—the mere introduction of the elective principle into the Legislative Council. We also remember with what relief the people of this country received the news of his translation to another part of the Empire and with what uneasiness they contemplated the possibility of his return to us as our Governor. These feelings found expression in a monster public meeting, one of the largest ever held in Ceylon—presided over by one of the greatest of men and most moderate of politicians that this country produced in recent times—the late Mr. Arthur Alvis. The following resolution which correctly represented the feelings of the people was moved by the veteran City Father, Mr. C. P. Dias and unanimously passed, and of those who addressed the meeting in support of the resolution two are now Hon. Members of the Legislative Council and two have been elevated to the position of King's Counsel:

"That this meeting, while deploring that necessity has arisen for a clear expression of the sentiments of the permanent population towards Sir Hugh Clifford as Colonial Secretary declares that his official conduct has been marked by lack of sympathy with the people, repression of their legitimate aspirations, a studied disregard of educated public opinion in the Island and the introduction of methods calculated to shake public confidence in the Government and desires to record its satisfaction at his transfer elsewhere."

While disinterested public opinion was finding expression in this way, Sir Hugh, had gathered round him a following of his own composed partly, no doubt of genuine friends and admirers, but mostly of time-serving sychophants who saw the possibility of his return some day as our Governor. There were thus in this country on the one hand men who had earned his gratitude and on the other, those who had incurred his displeasure, and it would be no easy matter for him either to forget the former or forgive the latter and render even-handed justice to all men. This circumstance alone was sufficient reason for us

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

to oppose his appointment, and it is idle to deny that his appointment involves an utter disregard of the feelings of a large section of the people of this country and a studied insult to them. The appointment, however, has been made, and he has come to govern us in the name of His Majesty the King. It is our duty therefore, as His Magesty's loyal subjects, to extend to him a respectful welcome and to offer him our loyal co-operation in the administration of the affairs of this country. His Excellency has come back to us with matured experience and, let us hope, with a changed vision and broadened outlook. He is reported to have stated while in England, that he would have much to learn when he came here. That is all to the good. I only trust that he will not entrust the whole of his education to those who grovel at his feet with or without illuminated addresses. He has much to learn no doubt—but he has much more to unlearn.

I will not on this occasion, presume to tell His Excellency what he must learn or unlearn. But I will respectfully suggest to him the desirability of revising some of the violent views he held at one time, such views in particular, as that the English-educated people of this country are divorced from their kith and kin who are not so educated and that Government Agents are the true representatives of the people, that it is "natural for the Asiatic mind to work crookedly through obscure byways from right to left" and that to govern the Asiatic one has only "to select his pretexts skilfully," and to make out a "plausible case such as may satisfy his unctuous righteousness." His Excellency may have already realized that what he so contemptuously referred to as the "little core of rot" has spread far and wide throughout the country, and that even his giant strength is not equal to stopping that rot now. His Excellency is a strong man and, in many respects, a great man, and we trust that he will have the strength to wipe out the past and start his administration with a clean slate, that he will forget his old prejudices and partialities, his former sympathies and antipathies, his likes and dislikes, and render even-handed justice

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

to all men regardless of colour, race, caste or creed, so that when the time comes for him to lay down the reins of his high office he will have earned the gratitute of the whole country. His Excellency has already said some nice things about our country, about its superiority over Nigeria, about its past glories and about its present advanced position—and has lulled many people to a sense of perfect security. For our part we readily accept the good-faith of all his assurances, and shall ever be ready to extend our loyal co-operation to the fullest extent to which His Excellency would make our co-operation possible.

Ladies and gentlemen, this is the seventh of the annual Sessions of the Congress, and the purpose for which it exists, as stated in the first article of its constitution, and the fundamental principles on which its policy is based, as stated and restated by the previous Presidents in unambiguous and unmistakable terms are sufficietly well known to the public. The activities and achievements of the Congress during the last six years are equally well known, so that I need but say a little on these topics. The Congress has had to overcome many an obstacle, to face much opposition. It has had to meet attacks from without and defections from within. It has braved all this and stands to-day before the country with a proud record behind it and prepared courageously to carry on the noble work it has undertaken of achieving the political salvation of this country.

It is sometimes said that the Congress does not represent the whole country but only a section of it. This undoubtedly is true, at least in one sense. The Congress, as I stated, exists for a particular purpose. It has a definite object in view. It represents only those who are in sympathy with that object. It is idle to suggest that every one in this country is in sympathy with the object of the Congress, and we cannot and do not claim to represent those who do not accept the Congress creed and do not desire the end we have in view. Every country is politically divided into two parties. These parties may or may not be properly organised, may or may not be known by distinctive

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

names. But the two parties always exist. They are the progressives and the reactionaries—those who are always for advancing forward, improving the existing state of things and those who are always opposed to changes and reforms of every description, who in their endeavour to remain stationary really move backwards. These two parties you will always find in every counry. There are, of course, men who do not belong to either of these parties, such as were in England at one time, aptly described as "Trimmers"—those who trim their sails according to the wind. These, however, need not be taken into account. Among the progressives themselves there are those who would progress at a gallop, those again who would be content with a safe and steady trot and those who would but slowly and cautiously creep forward. I claim that the Congress represents all this progressive element in the country, those who are moving forward to get out of the bondage or tutelage—as some would prefer to call it—of Crown Colony Government and to attain full self-respecting manhood as a self-governing unit in the British Commonwealth of Nations. We do not represent and we do not claim to represent the other—the reactionary section of the people of this country. Among the reactionaries are those who honestly believe that the existing state of things is the best in the interests of the country and therefore oppose all reform. We respect their views although we cannot agree with them. But the majority of the reactionaries are those who have vested interests and fight all reforms and oppose all progress in their anxiety to retain these special advantages of theirs or consent to such reforms as would leave their own position unchanged. This is a dangerous class of men and constitute the greatest obstacle to real progress. As was recently stated by an eminent Indian politician "the greatest curse of a subject nation is that in the struggle for freedom, men have to fight more with their own countrymen than with the foreigners." It is said that the strongest opposition to the abolition of slavery came from some of the slaves themselves—some well-fed slaves, I suppose.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

The progressive element is not the monopoly of any particular community or communities amongst us, any more than is the reactionary element. And the Congress represents all communities in the Island in the sense that it represents the progressive element in all communities. I make no appeal to any particular community as such. But I do make an earnest appeal to all men of every community who sympathise with our desire to secure responsible Self-Government for Ceylon to join us and strengthen our hands. If they do not approve of our methods, or even of our policy, it is their duty to come in and direct our activities into proper channels. So long as the object we have in view is not lost sight of, and the fundamental principles on which our policy is based are not violated, it is the wish of the majority that determines all our actions. We are anxious to have with us every one who accepts the Congress creed. But I may say for myself, that I shall never be a party to bribing anyone to join us by the offer of special privileges or special advantages to him or to members of his community.

Whatever may be said about the constitution of the Congress or its representative character, no one can deny that it has a record of achievements of which any political organization may justly be proud. It is true that no measure of responsible Government has yet been vouchsafed to us and that we have not yet emerged from the Crown Colony Government which is utterly unsuited to the present advanced condition of the country. It is true that we have not been given what the most moderate of our leaders have put forward as the irreducible minimum of our demands, viz., a territorially-elected majority in the Legislative Council and ministers selected from among them admitted to the Executive Council and placed in charge of Government Departments. The two elected members who have been called into the Executive Council under the present constitution were deprived of their representative character and converted into nominated members and their position in the Executive Council itself appears to be rather ornamental than useful. In the Legislative Council out of 49 members only 23 are territorially-elected

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

and can be said to represent the general community, and even if we were to include the two members who have been nominated by virtue of their being elected members, we would have but a bare majority.

Still in estimating the value of those reforms, and the magnitude of the task the Congress has accomplished in this direction, we must consider the state of things six years ago when the Congress came into existence. We had then a Legislative Council with an overwhelming majority of officials bound to vote to order and only four elected unofficials, two representing the Europeans and two the Ceylonese. The Executive Council consisted entirely of officials and the Governor held absolute sway—as absolute as the Czar of Russia was at any period of the Russian Empire. Now compare this with the present constitution and you will see that it is no mean achievement that the Congress has been responsible for. We have indeed gone as far as is possible under Crown Colony Government. We have an overwhelming majority of elected members in the Legislative Council though some of them represent only their own communities. And we have four unofficial members in the Executive Council though it is problematical whether they serve any very useful purpose. The position of the smaller communities has in particular been improved by the reforms. The Burghers who had but one member have two, the Muslims who had only a nominated member have three elected members, and the Indians who were not specially represented at all have two elected members. The most satisfactory feature of the reforms, however, is the inclusion in the general or territorial electorate, of men of all communities. This is an important step in the progress towards Self-Government. We have here twenty-three constituencies in which men of all castes, creeds and religions go to a common polling-booth and register their votes for the election of a representative for them all. A candidate cannot ignore any community, however small numerically it may be, and his policy must always be one that will appeal not to any particular community but to the general public. Here we find political unity or at least the foundation of such unity—we already

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

see beneficial results of this measure not only in the closer co-operation we now see between the communal or territorial members in the Legislative Council but also in the conciliatory spirit shown everywhere to-day by members of one community towards those of another. The actual reforms effected in the constitution are but a fraction of the achievements of the Congress during the last six years. It has during this short period educated public opinion in the country and prepared the people to receive Self-Government to an extent truly remarkable. When we first started the Congress we were called Bolshevists. Any one who used the word Swaraj or Home Rule or Self-Government was looked upon as a revolutionary of the worst type to be shunned by all decent people. There were responsible associations which ridiculed the idea of an unofficial majority in the Legislative Council as utterly impossible. There were those who would not touch the Congress because of the first article of its constitution, which merely stated that "the aim of the Ceylon National Congress is to secure for the people of Ceylon responsible Government and the status of a self-governing member of the British Empire." This end it further adds "is to be achieved by constitutional methods, by a reform of the existing system of Government and administration, by a vigorous development of self-governing institutions and by organizing and fostering the intellectual, moral and economic resources of the country." This is the Congress creed and this is what six years ago frightened many an honest soul out of his wits. But to-day everybody knows that Self-Government is coming, whether he likes it or not. We may disagree as to its advantages, we may differ as to our immediate fitness for it. But we all know that it is coming and coming much sooner than was anticipated six years ago by the most sanguine amongst us. Is this not a result upon which the Congress may well congratulate itself?

There is one other achievement of the Congress to which I wish to refer briefly. The Congress has during the last six years roused the whole country to political activity, or roused the people to a sense of their duty by themselves as well as by the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

country. Before the Congress movement was started political activities were confined to the English educated few and to the Metropolis and but to two or three provincial towns. But to-day there is political activity everywhere and political associations have sprung up in the remotest villages and among the most backward sections of our community. A matter for special gratification is the remarkable awakening of the Kandyan Sinhalese who being the last to come under Western influences were also naturally the last to get over the lethargic helplessness they had fallen into chiefly as a result of the devastating wars they had to carry on till about a hundred years ago. When the Congress was formed and the agitation for reform started the Kandyan Sinhalese were considered so weak and helpless that the opponents of the reform took them under their special protection ostensibly to help but really to be used as weapons to fight the reforms with. Some of the Kandyan leaders with child-like faith born of political inexperience placed themselves under Sir Henry Manning's protecting wings rather than co-operate with their countrymen whom they were made to distrust. When Sir Henry Manning's first scheme of reforms came, with it also came the disillusionment of the Kandyans. In that scheme the Kandyans were treated worse than any other section of the people. They were denied the franchise given to all others, and they were made to stand by and look on while others elected representatives for their districts. At an extraordinary session held in December, 1920 the Congress passed the following resolution at the instance of the Kandyans themselves:

"This Congress supports the demand of the Kandyan Sinhalese for the elective franchise and their incorporation in the general territorial electorate with adequate provision to secure for a limited period the return of at least three Kandyans to the Legislative Council."

The Kandyans were granted the elective franchise and incorporated in the general electorate. They have to-day four elected members in the Legislative Council and one Kandyan

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

found a seat even in the Executive Council. The last general election brought home to the Kandyan leaders the necessity of identifying themselves with the cause of the peasantry and of promoting their interests and they have started working in real earnest towards this end. They have formed Mahajana Mandalas throughout the Kandyan districts and have inaugurated a Kandyan Assembly to be held annually. The Congress heartily welcomes this awakening of the Kandyans and in the name of the Congress I offer to the Kandyan Assembly our warm congratulations on the success which attended its first session. This awakening of the Kandyans is a healthy sign of the times, and I have no doubt that once they shake off the apathy that had overtaken them and set their own house in order, they will be the better fitted to stand shoulder to shoulder with the rest of their countrymen and work for the general good of the country. We welcome not only the Kandyan Mahajana Mandalas but also all other associations which exist for the promotion of the interests of various other communities such as the Tamil Mahajana Sabhas the Muslim Leagues, European Association, and the Indian Association. All these serve a useful purpose. The Congress is in no sense hostile to them and they are, I trust, not hostile to the Congress. Not that I object to associations hostile to the Congress. I would indeed heartily welcome an anti-Congress League composed of those who are opposed to the Congress creed and the Congress principles. We would then know our respective strength and have clean fights in the open. The Associations I have named however, stand on a different footing and we have no quarrel with them.

It is both natural and proper that one must be loyal to one's soul, to one's own family, to one's own class and to one's own race. Only everyone must realise that he has yet a greater and a more imperative loyalty to the country, and that the interests of one's self or one's race must never take precedence over the interests of the country as a whole. Sir P. Ramanathan, the President of the Tamil League, stated this in forcible and eloquent language the other day, in the course of one of the greatest

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

speeches he made in recent times, the speech he made in welcoming the new Governor. He said, "If the Government of the people by the chosen representatives of the people for promoting the welfare of the people is to be fully achieved, we are convinced that all the constitutent parts of the community, should, for this purpose, forget all considerations of race, rank and sect and willingly work together, at all times, without fear, favour or ill-will. We are certain that this co-operation will readily secure for us a rich harvest of moral and material blessings."

It was for the promotion of this co-operation that the Congress was brought into being and it exists to-day for the same purpose.

Sir P. Arunachalam, the father of the Congress, said this at its first Sessions: "By the inauguration of this Congress, we proclaim that we have done once for all with our petty differences and dissensions and that whatever one's creed, race, or caste may be; if only in the memorable words of our Island Chronicle, the Mahavansa, 'he makes himself one with the people' he is a true son of Lanka, a true Ceylonese, and entitled both to serve our motherland to the best of his power and to enjoy in the fullest measure, the advantages and benefits she offers." Such was the high ideal placed before us by our first President, and I shall now give you what my immediate predecessor, Mr. C. E. Corea, said in his Presidential address last year to show how constantly and prominently we have placed this ideal before us. He said, "I disavow all racial partiality, all discrimination in the national brotherhood. In the name of the Congress I assure the Tamils, I assure the Kandyans, the Mohammedans, the Burghers and all nationals of whatever caste, race or creed, equal rights in the Congress, equal voice, equal consideration." Such is the broad and solid foundation on which the Congress stands. On this foundation it must stand or fall, and I trust that no reactionary attempts to undermine this foundation will ever succeed. Great as have been the achievements of the Congress in the past it has much greater work to be done in the future. As I have already stated we have not yet got the minimum of our original demands in the matter of constitutional Reform.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

The present constitution, though it is a great improvement on what it was six years ago, is by no means satisfactory either from the point of view of the Government or from that of the people. The Government is in a permanent minority in the Legislative Council and if the Unofficials were to combine against it, the Government can be carried on only by the exercise of the extraordinary powers of certification and veto vested in His Excellency the Governor. This is a most unsatisfactory state of things and a crisis of the first magnitude may arise at any moment. If the administration is to be carried on smoothly the Government must have at its back a considerable portion of the Unofficial Members. Fear of Official displeasure or hope of Official rewards may perhaps influence a few Unofficial votes. Judicious exercise of Official tact may perhaps succeed on occasions in dividing the Unofficial votes. But these are expedients that cannot always be resorted to by a self-respecting Government. Such is the position of the Government. What then is the position of the people's representatives. They certainly can by combining defeat the Government, as they did on one or two occasions recently. But they cannot control the Government. They cannot even initiate any measure involving expenditure.

It is only by co-operation, between the Officials and the people's representatives, that the Government can now be carried on, as His Excellency remarked the other day. But this co-operation would come to an end the moment the two sections fail to see eye to eye with each other and neither party was prepared to give in. The only real solution lies in the harmonising of the Executive with the Legislative or in other words in placing the Executive in a position to command a majority of votes in the Legislative Council. This can only be done by giving a pre-dominant voice in the Executive to a number of elected representatives of the people who enjoy the confidence of the majority of members in the Legislative Council. This, of course, is responsible Government and I say that this is the only possible step forward, indeed it is inevitable. At the next revision of the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Constitution, which will take place in 1928 if not earlier, we must see that in terms of the first motion that will be submitted to you, we get a full measure of Self-Government. A mere tinkering with the Executive or the Legislative Council, adding a few members to the one or the other will not do. We must not only press for responsible Government, but what is of greater importance still, we must satisfy the authorities of our fitness for it. We must in the first place show that we have amongst us men fit to hold high office, men of ability, of probity and of high character and public-spirit. We must also show that we are a united people, ready to act together, without trying to secure some petty advantage for this or that section of the Community. As regards the fitness of our public men, the high encomiums passed by His Excellency Sir William Manning, as well as by other high Officials, on the elected members of the Legislative Council make us hopeful of being able to make out a fair case for ourselves. But much has to be accomplished before we can tell the authorities that we are a united people. There is too much of communalism with us yet. It is not possible nor is it necessary that every one in the country should be weaned of all communal prejudices, before we can say we are a united people. But the leading public men of all communities should in public matters forget all considerations of race, rank and sect and willingly work together at all times without fear, favour or ill-will. A mere pretence of unity will not do. A unity brought about by pacts and agreements based on communal prejudice, communal distrust and communal selfishness is nothing but a pretence and a fraud, and pacts between the two largest communities in the Island guaranteeing to each other a certain proportion of the loaves and the fishes are revolting in the extreme and deserve unqualified condemnation. The only real and lasting unity is unity based on mutual trust, mutual good-will and a recognition of the community of interest. We have the general electorate where all men are brought together on equal terms. It is here that unity can and must be fostered. Every one of the twenty-three territorial Electorates, must have its electoral

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

association, where men of all communities can meet on a common platform and discuss matters affecting the general community. The somewhat unsatisfactory system obtaining at present of selecting delegates and members of the Executive Committee of the Congress might be replaced by selecting both delegates for the Congress sessions and members for the Executive Committee from these Associations in proportion to their relative importance and numerical strength. In this way can we both strengthen the Congress and achieve real national unity, so that when the revision of the Constitution is taken in hand, we can with all confidence make our demand for the status of a Self-Governing unit of the Empire.

Ladies and gentlemen, let me turn now from Constitutional Reform to some of our more immediate needs. There is much that can be done for the general welfare of the country, even under existing conditions, both by ourselves and through our representatives in Council. Our representatives have so far done well by winning the good opinion of the Officials, for it is by co-operation among themselves and with the Officials that they can hope to achieve anything. A tactful cultivation of a spirit of co-operation is all essential. Queen's House tea-parties, official picnics and co-operative cricket matches all no doubt lead in that direction and should not be discouraged. But the extravagant praise that Officials bestow on our representatives in season and out of season, I must confess, makes me at times, somewhat uneasy and wonder if the co-operation is all on one side whether the officials are having it all their own way, and the desire to please, which is a dangerous characteristic of the Ceylonese, is having an over-powering influence on some at least of our representatives. Mr. D. B. Jayatilaka sounded a note of warning in his presidential address of 1923 which I should like to emphasize to-day. Referring to Sir William Manning's statement that our next step forward in our political progress would depend on ourselves, Mr. Jayatilaka said this—"His Excellency possibly hopes that the new Council will, by their good and docile behaviour earn for the country another instalment

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

of reforms as a gift from above." I do not deprecate good and docile behaviour in itself. But I trust that docility will not be carried too far, that no member will sacrifice his own independence, or betray the interests of the country for the purpose of obtaining gifts from above for the country or for himself or his community. Co-operation with the officials must not be with one eye on the Vice-Presidential chair and the other eye on a seat in the Executive Council but with both eyes steadily fixed on the general welfare of the country.

There is much reform, both Legislative and Administrative that is over-due and ought, at least to be attempted by our representatives in the immediate future.

The question of taxation has already been taken in hand, and it is to be hoped that the labours of the Committee now sitting will result in the early introduction of an equitable system of taxation which will fall as lightly as possible on the poorer classes and not too harshly on any section of the people.

The question of Education too is before the Council and I trust that the appointment of a Commission will result in a thorough revision of the Educational policy of the Government. The Congress has discussed various aspects of this problem at several of the previous sessions, and I have no doubt that the motion that will be placed before you on this subject will receive your careful consideration. An aspect of the Education question which was at one time I believe considered by the Government and apparently abandoned and which might again be fully considered with advantage, is as to whether the present Grant-in-aid system should not be abandoned and all education taken under direct Government control.

The land policy of Government needs speedy revision. The sale of extensive tracts of Crown land to large capitalists must be discontinued, especially in populous districts, and a more regular system of selling or leasing small blocks on easy terms to villagers must be popularised.

It is not too late even now to revise the Waste Lands and Forests Ordinances with a view to repealing the iniquitous

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

provisions which have caused and are causing so much hardships to the peasant, especially in the Kandyan districts. The powerful voice of our late President, Mr. Corea, has thundered denunciation of these iniquitous laws from a time that many of us can scarcely remember. But his has been a voice in the wilderness so far as the Government is concerned. In submitting a resolution on this subject at one of our previous sessions, Mr. Albert Wickremasinghe, Proctor of Kegalle, subjected the Ordinances and the interpretation put on certain of their provisions by the Supreme Court to an exhaustive and well-considered criticism. I trust that this matter will receive the serious consideration of our representatives in Council.

There are two large and important questions which must be considered together and at no distant date: the revision of salaries of the public servants and the re-organization of Government Departments. There is the promise of the revision of salaries in 1927 and with it must be considered the other and larger question too, especially with a view to co-ordinating Departments which are inter-dependent, but are at present worked independently to the detriment of the Departments concerned and to the Service in general. The high percentage of the revenue, that is now spent on maintaining the Public Service should not be allowed to continue and the way in which new and expensive posts are being created at the top of certain of the Departments needs prompt attention.

The position of the judiciary of the Island, especially of the minor judiciary, requires revision and improvement. The Supreme Court fortunately is free from interference by the Executive. But to what extent the due and efficient administration of justice suffers by the interference of the Executive with the minor judiciary is best known to us of the legal profession but not unknown to the general public. The interference by the Executive is bad enough. But the Police interference it is that has become a thorough scandal. A Police Magistrate can disregard the wishes of even an Inspector only at the risk of being sent to a less salubrious district possibly to vegetate in some



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Kachcheri as an Extra Office-Assistant. The formation of a separate judicial department was recommended by a certain Commission but this recommendation has so far been ignored by the Government. That something must be done and done without delay is, I think, obvious.

The establishment of a Court of Criminal Appeal will form the subject of a resolution that will be submitted to you and I am sure will receive your careful consideration.

Another important resolution that will be submitted to you is one in reference to the subject of bribery and corruption. The alarming extent to which this evil exists among certain classes of Public Officers, is known to all, but their own superior officers. But how this evil is to be remedied is indeed a difficult problem. The people encourage it and the Government winks at it or is ignorant of it. Difficult as it is the problem must be solved in the interest of the good name and efficiency of the Public Service. Do the Heads of Departments ever wonder how some of their subordinate officers happen to become so rich in so short a time? I wonder.

Agricultural and Industrial development of the country has received much attention at the hands of the Congress at some of the previous sessions and at this sessions too you will be asked to consider a resolution on this subject with reference to the establishment of State Banks. A series of extremely interesting and well-considered articles by the able pen of Mr. G. K. W. Perera has recently appeared in the press on the subject of the economic development of the country. This is a matter in which people themselves can do much more than the Government, and I trust that some at least of Mr. Perera's schemes will assume practical shape in the near future.

Another important question which is always with us is the question of labour. We have discussed this question in all its bearings and have repeatedly passed resolutions and forwarded them to Government. Other bodies specially concerned with labour have done all in their power. But the condition of the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

labourer remains almost where is was before and requires speedy amelioration.

A few words on certain legislation which is urgently needed and I shall have done.

The amendment of the Local Government Ordinance to make it more acceptable to the people and the establishment of Urban and Rural District Councils throughout the Island, ought not to be delayed any longer. If we were to wait until the existing Councils proved themselves to be perfect or until there was unanimity in the demand for a Council in any particular area, we will never have these Councils. Perfection has not been attained even in Government Departments which have been for so many years under the able supervision of efficient Civil Servants. The amendment of the Municipal Council Ordinance should also be taken in hand at once.

The urgent need for the amendment of the Buddhist Temporalities Ordinance is fully recognized, both by the Government and the public and the Government should not wait until the unanimous approval of the Buddhist public is secured for the proposed Ordinance. It is to be hoped that some Buddhist member of Council will take the matter up at once, and secure the passing of the Ordinance without further delay.

There has been much talk of the amendment of the Law of Partition, the Law of Administration and the Law of Mortgage, but nothing has yet been seriously attempted.

There are certain laws which at present disgrace our statute book to which I should like to draw the special attention of our representatives. In the first place there is the panic legislation of the Martial Law period such as the Fire Arms Ordinance, the the amendment of the law relating to trials in cases of sedition and the Riot Damages Compensation Act.

Then there are the amendments of the Criminal Procedure Code and the Police Ordinance by which extraordinary powers have been given to the Police also as a result of the panic of 1915.

Certain provisions under our Criminal Procedure which place the Crown in a more advantageous position than the accused at

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

criminal trials are the subject of a resolution that will be placed before you, while certain obnoxious provisions of the Cocoa Theft Ordinance form the subject of another resolution. Both these resolutions will, I have no doubt, receive your careful consideration.

Lastly I should like to refer to the extraordinary powers vested in the Governor under the Defence of the Realm Act, which formed the subject of a resolution at the sessions of 1923. A question was asked in the Legislative Council too some time ago on this subject. It is extraordinary how tenaciously the Government clings to any power which it gets even temporarily and under exceptional circumstances. What was nothing but a war measure is being continued, long after the war has ceased, I suppose in anticipation of the next war. Can't something really be done to convince the Government of the arbitrariness of conduct such as this?

Fellow Delegates, Ladies and Gentlemen, I have now only to thank you for the patience with which you have listened to me and to apologise to you for having taken up so much of your time. No work is greater or nobler than serving one's motherland. You have undertaken this great work and in all your deliberations and in all your actions, you will, I have no doubt, make the general welfare of the country your chief concern. Let me, however, assure His Excellency that the appetite of the Young Lion of Democracy cannot be satisfied by mere verbal pabulum.

---

## THE FIRST RESOLUTION.

Mr. C. E. Corea proposed the first resolution on the agenda which was as follows:

"The Congress should take early steps so as to ensure a full measure of Self-Government at the next revision of the Constitution."

Mr. Corea said that it was certainly a signal distinction to have charge of such a resolution as the one that stood in his name. Yet he claimed the privilege as a peculiar right, for the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

reason that the central idea was one with which he had been trying all his life to infect the people. He used the word "infect" advisedly because there was a time when the thought was considered a pestilential heresy and he was made "to suffer many things" by being charged with attempting to plant "in this land of content," as it was called a "core of rot." He thanked the eternal arbiter of the destinies of man that he had been permitted to live to see the day when what was once poisonous heresy could be openly asserted. Underlying the resolution there were many thoughts to which one could not at one time give expression in a whisper. This resolution was not a begging resolution. If it was he would not touch it with a pair of tongs. The resolution asked for nothing, and therefore, assumed that there was no quarter to which they need turn in supplication. The resolution meant that it was a matter for self-determination. The central idea in the resolution was undoubtedly the nation. They had spoken for a long time in Ceylon of a nation. They had called themselves the Ceylon National Congress, but had never dared to assert what nationhood really meant. The resolution "mandated" the Congress as the people's executive to ensure full Self-Government. Full Self-Government! Nothing less than a nation could Self-govern.

To come to the heart of the matter, lest there be any mistake about it, the resolution was a direct denial that Ceylon was a Crown Colony. "Self-Government" and "Crown Colony" were absolutely contradictory terms. 35 years ago in 1890 he had submitted to that great Englishman, Mr. George Wall, who was then Editor of the "Ceylon Independent," a letter for publication in which he questioned the legality of England holding the people of Ceylon as slaves of the Empire, by numbering them among the Crown Colonies. Mr. Wall wrote back "I have duly received your article, but durst not publish it. We would be sent to the Andamans." Referring to the wrongs done to this land Mr. Wall wrote: "I grind my teeth at the injustice and absurdity," Mr. Wall added. "The Home Government could not—dare not—

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

carry on if we were men, but unhappily we are cowards squabbling like cats over caste and race, instead of being above such childishness." Mr. Corea asked if the people of Ceylon were certain that they were now above such childishness. Were they sure that they were resolved to be henceforth children no more. If they had not really made up their mind, finally and in very earnest to put away childish things—not merely to assert man's estate by utterance of mouth, no longer to remain as they were when they spoke as a child, understood as a child and thought as a child. If they were still in mind but children, wrapped in the baby clothes of slave mentality which depends upon a paternal despotism; if they still felt weak about their knees and dared not step out without clinging to the apron strings of that doddering old grandmother, the Crown Colony system, he would beseech them to go no further with the resolution, but to stop him as he spoke. He asked them not to add another to the empty sounds which most resolutions in the country had been. Political activity in Ceylon was discredited as a mere childish game of bluff and bombast!

The "authorties"—he applied the term to the powers *de facto*, though he denied that they were powers *de jure*— did not to-day take them seriously, but held them in scorn and contempt because they knew that those who roared like lions and tigers at a distance became at close quarters tame rats who could be easily put through a performance of entertaining tricks at the nod of the Queens' House circus-master. The latest performance took place in the Legislative Council when that excruciatingly funny farce, "The Budget Debate," was staged. In the first Act Hon. Members bellowed ultimatums to the Government, in the last they squeaked *"ehei hamuduruvane."* One day in the middle of the performance the newspapers announced under huge headlines that the Unofficial Members were as adamant and unyielding in rejecting the Government proposal that they should withdraw their demand for the immediate reduction of taxation and be content with a Commission of Inquiry. And the Hon. Mr. Tambimuttu closed the debate with a pretty show of defiance

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

with the words, "No Commission before the taxes on the poor are reduced." But in the end the curtain fell on a "happy family" singing psalms and hymns and songs of praise for that very Commission and a Commission, too, which they themselves had the power to bring into existence, if and when they wanted it. What good on earth could come of political action of this sort, of merely vomiting out words to be speedily swallowed up again. Were they of that breed of animals, which always returned to its vomit?

And yet, had it ever been any better, even in their own National Congress? The Congress began with loudly mouthing "irreducible minimums," but when the irreducible was reduced it was once again *"ehei hamuduruvane."* When the terms of the present Order-in-Council was first announced by Despatch the Congress held an extraordinary Sessions in March, 1923, and passed a resolution which he fatuously undertook, weakly and allowing himself to believe that they were serious and not engaged as before in childish games. The resolution read: "This Congress condemns the Scheme of Reforms." The Congress Constitution peremptorily required that "The Executive shall—mark the word—*"shall* take all necessary steps to give effect to the resolutions of the Congress."

In 1924, when the Order-in-Council had been published a motion was brought in the Executive Committee, calling upon the Committee to do its duty and take steps on the resolution he mentioned. They were told one day at a Congress Session that the Executive Committee was worked by the biggest brains in the country. Somehow, those big brains had failed to function on that resolution and it began to be said all over the country that Congress men had got enough Council seats to go round and had no further interest and did not see any need to be troubled with such a thing as a Congress creed. They had in fact denied that Congress had any creed to bother about. Some colour was given to that charge by the strange silence in Congress on the reform question, since the multiplication of Council seats as if that was the one consummation that had been

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

devoutedly wished. He moved that resolution because he wished the Congress to have the chance to repel the damaging insinuations that had been made against it. He moved it in the hope that Congress would not rest content this time but would force its Executive to give effect to it without funking its duty. It was right that they should know that that resoluion did not proceed from the big brains which had got exhausted in growing big. Neither could he who had never laid claim to a big brain take credit for it. It had been conceived by brains, which might be small but which were still in prime activity and retained youthful vigour. There was great hope for the country in the fact that the rising generation was now stepping forward to the van in the march of national progress. That resolution too had come from the Young Lanka League.

Continuing, Mr. Corea advised them not to stultify the Congress by passing resolutions to be turned down by its Executive. He asked the "progressives" if they really wanted that resolution to be given effect to to swop old brains for new in electing the new Committee.

After condemning certain actions of the Executive Committee, Mr. Corea said, that he too had suffered at the hands of the law. But he had suffered for that which he did do and did acknowledge. He pleaded guilty and he gloried in his guilt. Furthermore he was unrepentant. He was repeating his offence to-day. He had been fined Rs. 5,000 by the Wood-Renton Supreme Court for saying just what is of the essence of this resolution. The chief count of the indictment to which he pleaded guilty was that he stated that Ceylon was not England's chattel, but that continued existence as a nation had been secured by a guarantee to which British honour and the sovereign's word were pledged. The guarantee he referred to was the firm and binding treaty signed at the solemn convention held in this city in 1815. He knew that many of his audience would be shocked as was Chief Justice Wood-Renton at the proposition stated which they would say was "mid-summer madness." Nevertheless he seriously put it

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

to them that there was method in the madness. It was now accepted as beyond question that Ceylon was an unconquered country. This was at first put down to a mere fad of his with which he had traded on the credulity of Sir P. Arunachalam. But now they had the witness of that profound lawyer, their late President, Mr. H. J. C. Pereira who was, if anything, a profound Imperialist.

Mr. C. E. Corea, continuing his reference to Mr. H. J. C. Pereira said that Mr. Pereira in his first Presidential address in December, 1921, told them : "The first point we have to consider is the position we take in regard to the British connection. We stand in this respect in a peculiar position in regard to the British Crown. We are not, remember, a conquered nation. That is the all-important fact to remember in this connection. Ceylon was never conquered by the British." Mr. Pereira reiterated this in October, 1922. He said : "Our country stands in a unique position. We are not a conquered land."

Mr. Corea, continuing, said he would, of course, be reminded that Mr. Pereira while stating the all-important fact, at the same time disavowed the suggestion of independence. On that point he must with all respect most emphatically disagree. The Union Jack is the emblem of freedom, Mr. Corea declared. It was planted here on unconquered ground, on independent territory. Does anyone dare to say that in Ceylon it became the bludgeon of the highway robber. "I cannot conceive of grosser treason, more abominable seditious libel," said Mr. Corea, "than to malign the fair name of England, that 'blessed spot renowned for Christian service and true chivalry as is the sepulchre of the world's ransom, by impeaching her as having been the thief of that which was entrusted to her safe keeping, namely, our nationhood which is to say, our independence." They would doubtless ask him if he repudiated the British connection Mr. Pereira had mentioned. Most certainly not. Mr. Pereira said : "We freely joined the British Empire as part and parcel of that Empire and the King of Britain is as much our King as the King of the British Isles." That was his position exactly.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

In this connection he would refer them to the terms of the Proclamation by which His Most Gracious Majesty King George of England was announced as their Sovereign Lord. It was as follows: "We the Governor of Ceylon and the Executive Council assisted by members of the principal inhabitants, do hereby with the full voice and consent of tongue and heart publish and proclaim that the high and mighty Prince George Frederick Ernest Albert is now by the Grace of God King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, Supreme Lord in and over the Island of Ceylon and Dependencies thereof."

This, Mr. Corea stated, was a legal document settled by the greatest constitutional lawyers. They would not have committed the meaningless redundancy of repeating the Island of Ceylon after mentioning the Dominions beyond the Seas, which of course, would cover all the Colonies, if Ceylon did not stand apart from the Colonies. This country stood in a unique position and His Majesty had vouchsafed himself to the people of Ceylon not as the owner of a Colony but as Sovereign of Ceylon.

He had another high legal opinion to offer, namely, that of the late Mr. Justice Clarence, who writing in the British Empire Series said: "Ceylon is not a Colony in the strict sense of the word, for a Colony means a body of immigrants settled in a foreign country and the English Colonists are but a small fraction of the inhabitants of Ceylon. It is called a Colony because it is governed through the Colonial Office and a Crown Colony because it is administered directly under the Crown."

Mr. Corea said that he must not forget the testimony of Mr. Dornhorst who in a public speech spoke of Ceylon as he and the Colonists. It was then simply a *facon de parler* to call Ceylon a Colony. The term had no legal signification in its application to this country. The first Order-in-Council swept away the one reason which justified its use by removing Ceylon from the direct Government by the Crown. No doubt there were ignorant Englishmen who deluded themselves with the fatuous

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

belief that "our country belongs to England just as much as a chair many belong to any of us." To put it in familiar language, the speaker said, that Ceylon was not the property of the Crown. How then it would be asked, was Ceylon within the British Empire? The answer was plain and simple. They were part and parcel of the British Empire, because that Empire was a Commonwealth of Free Nations. He asked them to consider the word Free. It was surely synonymous with independence. No doubt there were infant races within the Empire, who had to be kept in tutelage and guardianship, such as those whom the new Governor, Sir Hugh Clifford, protected with conspicuous ability and intrepid courage against designs of commercialism. But the management of the British Empire was not a question of autocracy, but to borrow the Governor's words, a co-operative business. The price paid for the British connection was certainly not Ceylon's nationhood, but withal a very fair price, for Ceylon gave Britain for it the key of the Eastern seas, a naval base without which her Empire could never be maintained. Also to Englishmen and all British subjects the freedom of her land for industrial enterprise. Some argued that Self-Government was only for peoples capable of self-defence without outside aid. That was the discredited damnable doctrine of the Huns who said that those only were entitled to be free who had a sufficiency of hellish armaments to stand alone against foreign aggression. If Belgium could have stood alone, the Great War would never have been waged. Where would England be to-day if she attempted to defend herself alone against the German attack. If war was declared to-day by Japan on Australia, the latter would be annihilated unless she had the Empire's support. That was just what they got by the British connection. In the interests of the Empire itself, the integrity of Ceylon was more important than the integrity of Belgium. No doubt in the process of time Ceylon would set up its own military and naval establishments.

Ceylon's internal social arrangements were also considered a bar to Self-Government and it was said that her people were racially divided.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

The argument was that unless various nationalities consented to be in a soup together to be boiled down into an amalgamated mass of mixed breed there could never be national unity. That was a pernicious heresy. Racial difference in human society was in the order of Nature, and Ceylon's social fabric was built on the wholesome and holy principle of nationality. That was what was charged against them, as Communalism debarring them from Self-Government. Anything so bad as the conditions in Belgium? Was there not a clash of interests and racial antipathy, a difference of culture between the French Canadians and the British Canadians in the Dominion of Canada, or between Boer and Britisher in the South African Union? They had been told that so long as the Sinhalese wished to remain Sinhalese, and the Tamils and Muslims and Burghers desired to maintain their individuality, they would be debarred from Self-Government. That was rank rot and nonsense. He was not pleading for communal representation in the Legislative Council. The Council was a very small matter. His argument was that there was no such Communalism in their Society as to constitute a political disability. They would reply that there were the Kandyans. That was the silliest squabble of all. Did the English, because they were numerically preponderant deny to the Scotch their separate individuality? If the Flemish movement for separation could be defended as no obstacle to the political union of two groups of the same race, why should they cavil at the Kandyan movement? He appealed to the Kandyans not to let their legitimate aspirations, to which the glorious traditions of their past entitled them, stand in the way of political union with their brother nationals of a common motherland. The low-Country Sinhalese, he would advise them not to play the giddy ostrich in the sand of quibble and equivocation, pretending not to see what was plain to the Kandyan individuality and the Kandyan nationality. He said that a unity pact was shortly to be laid before them, the aim of which was to give the Kandyans an equal chance with the rest in the Congress.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

The Speaker was interrupted by repeated cries of "No" but he went on.

He concluded by warning their rusty brains which could not keep pace with developments.

His final appeal to his countrymen was that they should reject the silly notion that political union required the absorption of the small by its big neighbour

At this stage a number of delegates wanted the speeches translated into Sinhalese, and the President announced that the speech of Mr. S. W. R. D. Bandaranaike who was to second the resolution will be translated into Sinhalese.

It was finally agreed to allow Mr. Bandaranaike to proceed and a Sinhalese summary of the speech was supplied later.

Mr. Bandaranaike said he considered it an honour to have the privilege of seconding that resolution, because it was proposed by one of the oldest politicians and he was one of the latest recruits to the Congress. He appeared before them as the representative of the Progressive Nationalist Party. It was easy to come with pious resolutions like that, but it was extremely difficult to put them into practice. Before carrying out such a resolution they should see with what preliminary equipment they should be supplied in their journey to that far land of freedom. First of all they should see that Congress took early steps to ensure that all communities were represented. It should be representative of a large majority of the country. It was a fact that the Congress as it now existed was not representative of the people of this country, and they could not ask that body which was not so representative, to speak in the name of all the people and demand such a thing in their name. The earliest step they should take was to see that Congress was made representative of all the people of the country. In doing that let them by all means act according to those principles, which were vital to the interests of the people, but on the other hand let them avoid that bigoted and pedantic adhesion to principles which were not of vital importance to the country. They should consider their practical importance and adopt those

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

which were essential. Supreme unity was required if the Congress was to make the motion effectual. Unity was the first thing necessary.

Continuing, he said, they should understand what they meant by Self-Government. Nothing was so pernicious in politics as not defining the exact meaning of the words used. They should have a practical scheme for Self-Government which would adequately solve the many difficulties existing in this country. He agreed with the proposer of the motion that where they had communities divided by customs, language and religion, it was a fairly impossible task to weld them into one mass. But communities could retain their entity and yet act together as one nation for the benefit of the whole country. Those were the preliminaries necessary to ensure it.

Continuing he criticised the present Legislature as completely divorced from the Executive, and it was an utter farce, more dangerous than the former bureaucracy. What was the use of democratic institutions without democratic control and that was the reason why he urged that the reform of the Constitution was necessary not in 1928 but in 1925. The only criterion of the nation's fitness to govern itself was its will to govern. How could they become fit unless they had experience in self-government? He had the greatest admiration for the British but whenever the interests of his people clashed with those of the British he would certainly stand by his people. A nation had the elementary right to govern itself and it did not matter whether it blundered along as is would give them a chance of becoming fit, for foreign rule in essence was disadvantageous to the people. He did not care whether under self-government the country was worse than under a Foreign Power.

Mr. A. E. Goonesinghe then gave a Sinhalese summary of the speech.

Mr. Victor Corea, speaking in Sinhalese, said that he wished to speak in English for three reasons: Firstly, owing to the fact that if he spoke in Sinhalese certain newspapers would have

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

the opportunity of giving their own interpretations of it; secondly, owing to the fact that he could not speak pure Sinhalese and thus disgrace his noble mother tongue; and thirdly, because it should be translated into pure Sinhalese and that could be done by Mr. Goonesinha. (Laughter.)

Proceeding to speak in English, Mr. Corea said that he was aware that certain wiseacres were suggesting that with the introduction of the present scheme of reforms the Congress should cease to agitate for further Constitutional Reforms.

He held in his hand a copy of "The Ceylon Daily News," in which it was said that the Congress or at least a section of it was so entirely obsessed by Constitutional questions that it still harped on the subject of Constitutional Reform—a topic of which the public had for the time being had a surfeit." Those present would, however, remember that when the present scheme of reforms was initiated by Sir William Manning, that Congress in its Sessions of 1923 expressed its dissatisfaction with the scheme and by a unanimous resolution condemned it. Surely, if they were loyal to the National Congress, they must follow up that resolution, and show the bureaucracy that the Congress was not to be hoodwinked or appeased by sops. They should not be misled by hireling editors who were true neither to their religion, nor to their own kith and kin. They, who were the accredited representatives of the people were surely more competent to gauge public opinion than people who wrote to earn a living—people who more often than not, merely reproduced "their master's voice."

After expressing their dissatisfaction with the present instalment of reforms, and in view of the fact that these reforms fell far short of the Congress demands, should they not be proving themselves traitors to their country if they listened to the insidious advice of the wiseacres.

The speaker was interrupted by Mr. R. R. H. de Mel rising to a point of order, and asking whether the speaker was not indulging in personal remarks and whether his remarks were

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

within the pale of decency. He asked to be forgiven for using such strong terms in criticism of Mr. Corea, but he believed that the editors of Ceylon were doing a world of good for the country and if Mr. Corea was going to treat them in that manner it was too much to be borne. He appealed to the President to uphold his point of order, feeling sure that the wisdom of the President would hold sway with the assembly. (Cheers.)

The President: Gentlemen, I think Mr. Corea is perfectly in order. (Applause.) I think we are entitled to criticise even greater men than editors. (Cheers.) At the same time, I quite admit that the editors are doing very good work and very great work, too. But Mr. Corea is entitled to his opinion of the editors' work, just as much as I am entitled to my opinion and the gentleman who spoke just now is entitled to his. (Applause.) I think the conduct of the editors might perhaps be left alone, but that is Mr. Corea's own lookout and I cannot say that he is out of order in referring to any criticism in the Press on the subject of Constitutional Reform.

Mr. Corea, proceeding, said that as a Councillor himself, he was able to tell them that the position of the Unofficial Members of the present Legislative Council was most humiliating. It was only the other day that Mr. D. B. Jayatilaka, speaking at the behest, of the unofficials, told the Government that the abolition of the taxes on foodstuffs and reduction of the railway rates was the minimum of their demands in regard to the Budget of 1925-1926. The Government had simply laughed at their demands. Then by a majority of votes the Legislative Council decided that the proposed sale of the Bandarawela hotel—a most disgraceful piece of jobbery—should be abandoned. The Government had, he understood, completed the sale, in spite of that decision. Then again, after a full debate in Council, the unofficials defeated the Government party on the question of the Tambarawela Distillery. But despite that victory of the people's representatives the bureaucracy had allowed the distillery to be carried on!

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

"Yet," the speaker cried, "honest Editor of "The Ceylon Daily News" would have the National Congress drop all agitation for further reforms, because, forsooth, the country is sick of the topic." The statement, Mr. Corea said, that the public had for the time being had a surfeit of the subject of Constitutional Reform was not true. He knew that there was a strong feeling in the country that the present was a very opportune moment, when Sir Hugh Clifford had just taken up the administration of the Government, to show the authorities how dissatisfied the permanent population of the country was with the attitude that every Secretary of State for the Colonies seemed to adopt in regard to public opinion in the Island. They would be increasing this official's contempt for Ceylonese public opinion if such an august assembly as the Congress tamely accepted the "present scheme of reforms" and dropped further agitation for a real reform of the country's constitution.

Mr. Corea recalled that when on the eve of the departure of Sir Hugh Clifford from these shores thirteen years ago, certain of his friends and admirers at a social function got up in his honour, stated that the people of the country hoped to see him return as its Governor, he and others thought it necessary to contradict that statement.

Mr. Corea was entering upon a retrospection of the public meeting held in the Tower Hall at Colombo in September, 1912, when Mr. C. Ponnambalam interrupted him and rose to a point of order, while another member of the audience cried, "This is too stale, Sir." (Laughter.)

The President said that he himself did not see the relevancy of Mr. Corea's last remarks. He wished the speaker would confine himself to the resolution.

Mr. Corea: With due deference to you, Sir, my idea in mentioning this matter is to show you that the Secretary of State disregards the opinion even of the acknowledged leaders of this country." He then referred to the Committee appointed to give

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

effect to the resolution against the appointment of Sir Hugh Clifford as Governor of the Island and continued: "Those gentlemen were all looked upon as the leaders of the people. Am I right, Sir?

The President: I won't say that you cannot introduce this as an argument, but still it is very remotely connected with the resolution.

Mr. Corea: Very well, Sir, if that is your opinion I shall defer to it.

Proceeding he said: "What this Committee did in fulfilment of the task entrusted to them I do not know; for you will have noticed that I was not put on that Committee just as the Government is careful to keep me out of every Committee or Commission where the interests of the people are likely to clash with the wishes and views of the bureaucracy!"

Continuing, the speaker asked if there was anyone who would deny that the Secretary of State showed his contempt for Ceylonese public opinion when he appointed Sir Hugh Clifford as Governor of Ceylon, in the face of that resolution. Towards Sir Hugh he had no personal animosity whatsoever. He was opposed to an address of welcome being presented to him by the Legislative Council not because he was afraid of stultifying himself, or feared to be charged with inconsistency. He was influenced by far higher motives. It seemed to him that they would be doing incalculable injury to millions of Ceylonese yet unborn if they allowed the imperial authorities to think that the people of Ceylon were never to be taken seriously; that what they most solemnly asseverated to-day, they could be made to unsay to-morrow, either for a consideration or because they had no backbone; that the leaders of the people were an irresponsible crew who did not know their own minds and whose word was of no value! "Where are the snows of yesterday," the Principal Collector of Customs had asked in the course of the last Budget debate.

The speaker was again interrupted by Mr. Ponnambalam and the President again asked him to confine himself to the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

resolution. Mr. Corea's remarks would doubtless be very interesting if the Governor and the administration were under discussion.

Mr. Corea promised that his next sentence would show the relevancy of his remarks and asked with what greater justice should the Ceylonese not merit the scorn of the bureaucracy if they said they were content with the "present scheme of reforms." The mere increase of unofficial seats in the Legislative Council was no reform of the constitution.

The Legislative Council should be in a position to exercise control over the Executive, and the people of this country should be able through elected representatives to indicate to the Secretary of State at least what type of Governor could best serve the interests of the Colony. The Secretary of State ignored the suggestion for a Governor with Parliamentary experience, but appointed as Governor the very man the people of this country had said they did not want! "Can you imagine a greater expression of contempt for us than this action on the part of the Secretary of State? Well, Sir Hugh Clifford is now our Governor; and we have to make the best of it." In the course of his broadcast speech the other day Sir Hugh Clifford gave assurance of his deep seated desire to co-operate frankly and cordially with the chosen representatives and of his earnest determination to devote all that was in him to the service of their highest interests.

"The warning was that the young lion of democracy in Ceylon should not be too restless. Ladies and gentlemen, while thanking His Excellency for that assurance and that kindly warning, I would venture to offer him in return a word of warning equally kindly and as sincere an assurance. The warning is this: Let not His Excellency think he can intimidate us! The time is past when a Colonial Secretary could force a representative of the people in Council to write to his dictation and read out an humble apology to the bureaucracy for having dared to say that the country was being misgoverned!

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

The people of this country still remembered with indignation how the Colonial Secretary overwhelmed with reproaches, and "trounced," as Mr. Freeman expressed it at a meeting of the Finance Committee, the then Kandyan member for venturing to criticise the Government for playiny the role of the highway robber!

Let not Sir Hugh Clifford, "Governor and Commander-in-Chief in and over the Island of Ceylon and the Dependencies thereof" hope to repeat such achievements.

The Young Lion of Democracy in Ceylon would brook no affront even from the British Lion, because the Sinhalese lion could boast of a more ancient pedigree. That was his warning and his assurance would be thus: I venture to entertain the hope that Sir Hugh Clifford will be as popular a Governor as he was an unpopular Col. Secretary. He was an optimist and was looking forward to the day when Sir Hugh Clifford would be co-operating with the Ceylon National Congress. But if they wished the officials to respect Congress, they must take care that Congress made itself deserving of that respect, by proving its sincerity of purpose, its consistency of aim, the maintenance of its dignity, and above all by making itself fully representative of all the communities that have made this Island their home.

I fervently trust that this Congress will be true to its ideals; and continue its agitation for the further reform of the constitution of this country, never resting nor wavering, until the final goal of Self-Government is attained.

Mr. Frank P. Senaratne in supporting the resolution said that Mr. S. W. R. Dias Bandaranaike had said that Congress should be representative of all communities of the Island. That was a very difficult thing to be achieved because so long as the world lasted there would be differences among communities and nations. However, no community could say that the Congress had worked against its interests. He then urged the necessity for the reform of the present constitution as the present Legislative Council was divorced from the Executive. That was a great defect and disadvantage.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Mr. F. A. Obeyesekere in supporting the resolution said that the proposer and the seconder of that resolution had given two interpretations to that motion. He supported the interpretation given to it by Mr. Bandaranaike, but it should have been more explicitly explained. It was a motion acceptable to every community, but before they did that they should be in a fit state to receive Self-Government. There should be a well-planned preparatory to that goal. There were yet differences between the Tamils and the Sinhalese and the Kandyans and the Low-country people. During the recent elections those differences were clearly evident. Therefore they should be supplied with the necessary equipment to start on that goal of Swaraj. That equipment could be supplied through the means of the Congress. The different communities were not yet represented in the Congress. It was true that there were delegates from various societies but could they sincerely say that every community and interest was represented. They should work to establish an Association where all such interests are represented and it was the Congress that could do it.

He next referred to a remark of Sir Hugh Clifford who said that they controlled the finances of the Colony. He (the speaker) never fully understood that as he thought it was an empty statement to say that the unofficial members controlled the finances in the Finance Committee. The unofficials could only give their consent but never initiate expenditure. He would ask them to urge on Sir Hugh Clifford to fulfil that statement. If the controlling power was in the hands of the unofficials why should they be deprived of their rightful power to initiate expenditure. If Sir Hugh Clifford came with the object of actually co-operating with them and working for the welfare of all the people in the Island they would offer their loyal co-operation. When they watched him for two or three years they would see whether he was there to promote their interests, whether he would promote the interest of the young Ceylon lion instead of the toothless British lion. Sir Hugh Clifford had already made certain statements in disapprobation of the unofficials' action and with a view to frighten them.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Mr. P. Givendrasinghe in supporting the resolution said that he was proud to ask for the freedom of his country from the spot from where they had surrendered that freedom. The only way to win that freedom was by sacrifice and they should be prepared to make even the supreme sacrifice in that freedom. He dissociated himself from what a previous speaker had said about certain Editors. He (the speaker) could say without any hesitation that a good deal of the political and material progress of Ceylon was due to the labours of public-spirited Editors who had voiced the voiceless feelings of the people and had fought for their rights. He hoped that they would not forget that resolution when they reached their homes, but work for it and prepare their own homes and villages and districts by propaganda work and teach the people to sacrifice anything for their freedom. (Applause.)

Mr. P. de S. Kularatne said that Mr. Corea had mentioned that the British did not conquer Ceylon and he would not discuss that, but he would say that the British had laid hold of them all. At first he was going to speak against the motion as Swaraj was to be asked for at the next revision of the Constitution. Moratuwa and certain other places refused Urban District Councils. There was only one way to ask for Swaraj and that was that they should be prepared for Swaraj—a great cry alone was not sufficient.

Mr. W. D. Perera in supporting the resolution said that while they asked for Swaraj they should also ask for more powers to be vested in their Legislative Councillors.

Mr. R. R. H. de Mel said that he wished to refer to Mr. Kularatne's remarks about Moratuwa. As in every other country there were two sections in Moratuwa and one section had asked for an Urban Council but the other section was opposed to it. However, they had finally agreed that if the Local Government Ordinance was amended they would have no objection to the establishment of an Urban Council.

Continuing, he said that if every Ceylonese did his duty they would hasten the day of Swaraj.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Mr. Premaratna next spoke and was followed by Mr. D. H. S. Nanayakkara.

The President then brought the discussion to a close, and said that he would say a few words to remove certain misapprehensions. In adopting that resolution they committed themselves to nothing of the kind that Mr. Corea had suggested. The resolution meant that at the next revision of the Constitution which they had been promised in 1928 the Congress should make efforts to have full Self-Government given to them. That was all that they asked for and they were perfectly justified in passing that resolution. As he had endeavoured to show in his address he felt that their Constitution had come to the highest point it could come under the present Crown Colony Government and the next step was really Self-Government. They could not move politically without having Self-Government and therefore it was their duty to ask the Government to give them Self-Government at the next revision of the Constitution. But it did not follow, therefore, that if the authorities did not give them what they wanted they should take arms or as Mr. Corea had suggested they should Non-co-operate. Their getting of Swaraj depended on themselves. They had four years before them to satisfy the authorities that Self-Government could be given them with safety to themselves and safety to the Empire and that resolution bound themselves to work for it and to attain such a position as to demand that from Government in 1928. One misconception under which Mr. Corea seemed to labour was that when they should work for unity as a necessary condition before they asked for Self-Government and that they should make the population of the country one of hybrids. That was what Mr. Corea seemed to think that unity meant making all the various communities in the Island marry amonst each other and make Ceylon a hotch-potch. They wanted nothing of the kind. Unity was the word that was misunderstood. Unity from a political point of view meant nothing more or nothing less than what Sir P. Ramanathan had said the other dav and which he had already quoted. That was the recognition by the people of every community that in matters affecting the State they should be prepared to forget all

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

strifes of race, caste and creed. They were to be united only in that sense. In matters political they were not to ask the question as to whether so and so who was going to get into the Council was a Tamil, Sinhalese or Burgher. But the only question to be asked was whether he was one of theirs and one fit to occupy that seat. That was the unity they were striving for. He was as proud of being a Sinhalese as himself and he had no objection to every race being proud of itself. There was no suggestion that Burghers, Sinhalese and Europeans should intermarry and produce a race of hybrids. Mr. Corea was grievously wrong if that was what he meant by unity. They should also remember that it was not unity if they made arrangements among themselves and entered into pacts in which they considered two Tamils equals to one Sinhalese. (Applause.) Such pacts would not bring unity. (Loud applause.) The only unity wanted was a sense of understanding of the unity of their interests and a recognition of the fact that no man was to be considered in public matters from the point of view of his race or caste or religion. (Applause.) That unity they had to promote within the next three years. (Applause.) It was suggested by Mr. Bandaranaike that Congress could not ask for Self-Government because it did not represent the whole country. He would tell them once more that the Congress stood for all the progressive elements of this country. (Applause.) They did not speak for those who did not want Swaraj, but for everybody who wanted Swaraj and were willing to go forward towards that object. They had been told that the Congress did not represent certain communities. He denied that. (Applause.) They had every community represented in the Congress. Some communities might be meagrely represented and others largely but they represented every community at least in the sense that they did not close their doors to them. The Congress was open to every community, the Sinhalese of Dondra, the Tamils of Jaffna and the Kandyans from Uva. If they stood out of the Congress it was because they did not appreciate the Congress resolutions or because they were indifferent. With whatever object they stood out whether it was because they did not sympathise with the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

objects of Congress or its motives or that Swaraj was not good for the country or because they were satisfied that their own interests were safeguarded. It might be that the bulk of any particular community might be standing out of the Congress, but it did not make the Congress one representative of that community. There were Mr. Arul Anandan and Mr. Daniel Joseph—(Applause.)—seated with him on the platform. That only established his principle that the Congress was open to everybody. Let everybody come there and he had only to subscribe to their doctrine. It would not do for them to have the whole of Jaffna brought there on a compromise that they should give them certain special rights. That was no unity. (Applause.) If they freely came and accepted their creed then there would be unity. (Applause.) They should work for that end during the next three years. The other consideration that was necessary for that resolution was the fitness of their public men to hold high office. Mr. Kularatne had said that they could not say that they had men fit to hold high office if they at the same time made suggestions that some of the Councillors were influenced by tea parties. He did not agree with Mr. Kularatne. It was only the other day that the Ministers of the Labour Government were twitted with being influenced by parties at Buckingham Palace. That was no claim against England having representative Government. It might be that there was justification for it sometimes but the question was whether as a whole they had a sufficient number of public men whom they could trust and it was for them to work for that end in the next three years. It was on those two grounds, on the ground of their unity and on the ground of their fitness to occupy high positions that they should make themselves fit for Self-Government. What they really meant by responsible Self-Government was in other words Cabinet Government. That was the next step they should have.

Mr. A. E. Goonesinha: I rise to a point of order. (Laughter.)

The President: Please stop. (Applause.)

Continuing, the President said that there seemed to be a certain amount of impatience at his taking their time—(cries of

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

"No! No!")—but he had to remove a few misunderstandings before that resolution was put. In short they should remember that in passing that resolution they did not commit themselves either to the country or bind themselves to the Government. What it aimed at was to make themselves fit and make their public men realise that they should work for the country and not for any particular community. (Applause.)

The resolution was then put to the vote and it was carried unanimously.

---

The other resolutions discussed were:

2. This Congress considers that a limited franchise be immediately extended to women of this country.

Submitted by the Mallika Kulangana Samitiya.

Proposed by Mrs. Aseline Thomas, seconded by Mrs. George E. de Silva, Supported by Messrs. C. W. W. Kannangara, R. R. H. de Mel, D. P. Senaratne, C. Ponnambalam, P. Givendrasinghe, J. P. John, P. John Perera.

Opposed by Messrs. H. A. de Abrew, S. B. Ranasinghe, P. H. Abraham Silva.

The motion was carried.

3. The Conference between the delegates of the Executive Committee of the Ceylon National Congress and the delegates of the Ceylon Tamil Maha-Jana Sabhai.

This Conference is Agreed:—(a) That as regards the Legislative Council the representation of the people of the Northern and Eastern Provinces and of the Ceylon Tamils in the Western Province, and the territorial representation of the rest of the Island in any future constitution shall be in the proportion of one to two (1 to 2) as at present.

(b) That there shall be, in the Ceylon National Congress, a Subjects Committee of not more than thirty-five members who shall be in respect of interests represented in the Congress in the following proportion, namely eight (8) for the Southern Division of the Island, eight (8) for the Central Division of the Island, eight (8) for the Northern Division of the Island, four (4) for the Muslims, three (3) for the Indian inhabitants of the Island, two (2) for the Burghers and two (2) for the Europeans.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Any resolution or amendment to be placed before the Congress must be passed by a majority of the Subjects Committee.

If the majority of the representatives of any particular division or community states that any resolution or amendment prejudicially affects their interests, such resolution or amendment must be passed by a three-fourth (3/4) majority of the Subjects Committee, before it is placed before the Congress.

Whenever the word "majority" is mentioned, it is understood that it is the majority of members present.

It is agreed that the representatives of the Northern Division in the Subjects Committee are to be nominated by the Ceylon Tamil Mahajana Sabhai.

By the Southern Division of the Island is meant the Western Province, the Southern Province and the Chilaw-Puttlam District of the North-Western Province (exclusive of the Demala Hatpattu.) by the Central Division of the Island is meant the Central Province, the Uva Province the Sabaragamuwa Province and the Kurunegala District together with the Demala Hatpattu of the North Western Province; by the Northern Division of the Island is meant the Northern and the Eastern Provinces.

Mahendra, Jaffna, 28th June, 1925,

| DELEGATES OF THE CEYLON TAMIL MAHAJANA SABHAI. | | DELEGATES OF THE EXECUTIVE COMMITTEE OF THE CEYLON NATIONAL CONGRESS. | |
|---|---|---|---|
| (Sgd.) | W. Duraiswamy, | (Sgd.) | C. E. Corea, |
| ,, | A. Canagaratnam, | ,, | T. B. Jayah, |
| ,, | S. R. Rasaratnam, | ,, | Geo. E. de Silva, |
| ,, | A. R. Subramaniam, | ,, | C. E. Victor S. Corea, |
| ,, | L. R. Spencer, | ,, | M. H. Jayatilaka, |
| ,, | F. Bailey Mailwaganam, | ,, | M. A. Arul Anandan, |
| ,, | T. R. Nalliah, | ,, | P. de S. Kularatne, |
| ,, | S. C. Tambiah, | ,, | R. S. S. Gunewardene, |
| ,, | S. Rajaratnam, | ,, | S. Muttiah, |

This Congress ratifies the above agreement arrived at by the delegates of the Ceylon Tamil Mahajana Sabhai and the delegates of the Executive Committee of the Ceylon National Congress, and resolves that the Constitution of the Congress be amended accordingly.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

This was postponed for consideration at a subsequent Session.

4. Submitted by the Kandy Mahajana Sabha and Rambukkana Mahajana Sabha.

That the Government be requested to take steps to establish a State Bank or Banks for the purpose of promoting the agricultural and industrial interests of the Island.

Proposed by Mr. G. K. W. Perera, who proposed it in the following amended form :—

"That the Government be requested to co-operate with the public in establishing banks for the purpose of promoting the industrial and commercial interests of the Island."

Seconded by Mr. D. P. Senaratne,

Supported by Mr. Aturupana Bandara the motion in the amended form was carried.

5. In the interest of the integrity and reputation of the Public Service and the welfare of the people this Congress earnestly requests the Government to appoint a Commission to inquire how far the widely prevalent complaints as regards bribery and corruption among Government employees are well-founded and to recommend remedial measures.

Proposed by Mr. A. P. Tambyah.

Seconded by Mr. A. E. Goonesinghe.

Supported by Messrs. G. M. Karunadasa, A. S. Perera, S. O. Stembo. The motion was carried.

6. Submitted by the Ceylon National Association.

This Congress is of opinion that the creation of a Court of Criminal Appeal is essential for the proper administration of Justice and is long overdue; and strongly urges Government to take immediate steps to establish such a tribunal.

Proposed by Mr. S. R. Wijemanne.

Seconded by Mr. S. Satiawagiswara Iyer.

Supported by Mr. Alfred Fernando.

Opposed by Mr. G. K. W. Perera. The motion was carried.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

7. Submitted by the Moratuwa, the Dodanduwa and the Rambukkana Mahajana Sabhas, the Ceylon Labour Union, the Moratumulla Union and the Printers' Union of Ceylon.

This Congress is of opinion (a) that the Government should vote a larger proportion of the revenue than at present for the purpose of establishing a sufficient number of vernacular schools in all parts of the country so that the Compulsory Education Ordinance may be universally enforced (b) that industrial classes should be attached to village schools wherever local conditions favour industrial development.

Proposed by the Hon'ble Mr. C. W. W. Kannangara.

Seconded by J. Ginige.

Supported by Mr. W. Edwin Perera. The motion was carried.

8. Submitted by the Ceylon National Association.

The provisions of the Criminal Procedure Code which accord to the Crown, the right, denied to the defence in the matter of

(a) challenging jurors without stating grounds of objection; (b) referring cases for trial by Special juries, is anomalous and contrary to the best interests of justice, and therefore should be restricted.

Proposed by Mr. Valentine S. Perera.

Seconded by Mr. K. Kumaraswamy.

Supported by Mr. G. K. W. Perera. The motion was carried.

9. Submitted by the Maddiyama L a n k a Mahajana Sangamaya.

As the provisions in the Cocoa Ordinance in respect of the issue of permits for the sale of cocoa entail much hardship on the growers of Cocoa, the Ordinance should be amended by repealing the requirement of permits or providing against the refusal of any application for a permit.

Proposed by Mr. L. Sumanadasa.

Seconded by Mr. Timothy de Silva.

The motion was carried.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

10. This Congress requests the Government to reduce the railway fares and the charges for postage and telegraph to pre-war rates.

Proposed by Mr. Arthur V. Dias. Seconded by Mr. P. H. Abraham Silva :—Carried.

11. Submitted by the Dodanduwa Mahajana Sabha.

That this Congress is of opinion that the Sanitary Board Ordinance should be amended so as to provide for the establishment of separate Sanitary Boards in rural areas with a fair proportion of elected members until such areas are brought under the local Self-Government Ordinance.

Proposed by Mr. J. Ginige.

Seconded by Mr. William de Silva :—Carried.

12. That all past Presidents of Congress he considered *ex-officio* members of the Executive Committee, in adition to the fifteen members elected by Congress :—Carried.

The newly elected Executive Committee was as follows :—

Messrs. E. W. Perera, E. J. Samarawickreme, Geo. de Silva, F. A. Obeyesekera, C. W. W. Kannangara, Victor S. Corea, Dr. E. V. Ratnam, Dr. Shaffi Hassan, Messrs. A. F. Molamure, W. A. de Silva, C. H. Z. Fernando, M. A. Arul Anandan, K. Natesa Aiyer, G. K. W. Perera, M. T. de S. Amerasekere.

1 Ceylon National Association : Mr. F. R. Senanayeke and Mr. R. A. de Mel.

2 Lanka Maha Jana Sabha : Mr. D. S. Senanayeke and Mr. D. W. Wikramaratchy.

3. Sabaragamuwa Association : Mr. A. C. Attygalle.

4. Ceylon Muslim Association : Mr. S. M. Ismail, Mr. M. I. L. M. Nuhman.

5. Kalutara Maha Jana Sabha : Mr. D. J. K. Goonetilleke, Mr. S. R. Wijemanne.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

6. Matara Association: Mr. Wilmot Balasooriya.
7. Chilaw Association: Mr. C. B. Paulickpulle, Mr. Stanley Amarasekere and Mr. Claude Corea.
8. Negombo Association: Mr. S. Rodrigo.
9. Kandy Maha Jana Sabha: Mr. S. A. Wijeytilleke and Mr. D. M. de S. Abhayanayake.
10. Ceylon Workers' Federation: Mr. Martinus Perera.
11. Young Lanka League: Mr. S. F. Medigepola and Mr. M. V. S. Ratnam.
12. Matale Association: Mr. D. P. Senaratne.
13. Sinhalese National Association: Mr. D. H. S. Nanayakkara and Mr. D. S. de Fonseka.
14. Rambukkana Maha Jana Sabha: Mr. E. A. P. Wijeyratne and Mr. P. H. A. Silva.
15. Mallika Kulangana Samitiya: Mrs. Asline P. Thomas.
16. Dehiwela-Mount Lavinia Maha Jana Sabha: Mr. J. Vincent Mendis.
17. Ceylon Labour Union: Mr. A. E. Goonesinhe and Mr. Fidelis A. Silva.
18. Moratumulla Union: Mr. S. Oliver Stembo.
19. Galle Muslim Association: Mr. M. S. Ismail and Mr. F. Magdon Ismail.
20. Tebuwana Maha Jana Sabha: Mr. K. D. Liyoris.
21. Wadduwa Maha Jana Sabha: Mr. M. H. Jayetilleke Mr. F. C. Perera.
22. Panadura Maha Jana Sabha: Dr. C. W. Dias and Mr. A. V. Dias.
23. Minuwangoda Maha Jana Sabha: Mr. D. M. P. R. Senanayake.
24. Dodanduwa Maha Jana Sabha: Mr. J. Ginige.
25. Kegalle Bharatha Velpa Sangam: Mr. S. Sitttampalam.
26. Printer's Union of Ceylon: Mr. K. Satiyawagiswara Aiyer and Mr. Mohamed Reyal.
27. Kadugannawa Association: Mr. Frank P. Senaratne.
28. Sri Jayawardenapura Pite Kotte Maha Jana Sabha: Mr. A. Hubert Dias.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

29. Gandhi Sangam: Mr. J. P. John and Mr. J. P. Christian.
30. Galle Maha Jana Sabha: Mr. S. H. Dahanayeke and Mr. C. S. Dissanayeke.
31. North Ceylon Workmen's Union: Mr. A. P. Tambyah.
32. Progressive National Party: Mr. S. W. R. D. Bandaranaike.
33. Otara Palata Maha Jana Sabha: Mr. G. C. S. Corea.
34. Madhyama Lanka Maha Jana Sangamaya: Mr. S. A. Rajapakse and Mr. L. M. Premaratne.
35. Mahadampagama Maha Jana Sabha: Mr. S. W. Wickramasooriya.
36. Ceylon Vehicle Men's Union: Mr. P. Givendrasinghe and Mr. D. M. Manoratne.
37. Galle Ayurvedic Association: Mr. N. K. H. Vaidyasekera.
38. Negombo Maha Jana Sabha: Mr. Tudor Ranasinghe and Mr. D. J. Jayewardena.

---

The following were the delegates who attended the Congress Sessions at Kandy :—

Lanka Mahajana Sabha :—Messrs. F. A. Obeyesekere, C. W. W. Kannangara, K. M. Rajapakse, J. Ungurala, T. D. James Appuhami, R. E. Mudalihamy, S. D. Mapitigama, J. N. Jinendradasa, C. P. D. S. Senanayake, S. W. Wickramasuriya, J. Rajakaruna, D. G. E. Nanayakkara, D. W. Perera, K. W. Gajanayake, A. P. Gunaratne, D. Alagiyawanne, K. B. Kadurugala, G. S. Wijeydasa, E. M. Hemachandra, J. T. S. Singho Appuhamy, J. S. Karugavasam, D. W. Wickramaaratchi, G. K. W. Perera, H. D. P. Jayesekere, H. A. de Abrew, B. D. Charles Appuhamy, D. D. Kodagoda, K. V. A. Goonesekere, A. B. C. de Soyza, K. S. Selvadurai, and Dr. Ferdinando.

Kandy Mahajana Sabha :—Messrs. G. Missier, W. D. Perera, T. W. Janis de Silva, L. H. S. Pieris, J. G. Mitrasena, K. J. Kodithuwakku, R. D. A. Pieris, S. A. Wijeytilleke, F. S. Samaraweera, M. W. Ismail, Arthur A. Fernando, Francis

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Gooneratne, Alfred Fernando, T. A. M. Appuhamy, E. Dias de Singhe, P. Dhanamal, P. Gooneratne, D. L. Dissanayake, A. S. Karunaratne, C. P. H. Dharmaratne, E. W. Gunapala, D. E. Ranasinghe, D. D. A. Abeyratne, W. B. Rodrigo, J. P. Amarasekere, F. P. Seneratne, Carl Jansen, D. M. de S. Abeynayake, G. P. Setunayake, K. Kumaraswami, T. J. Hanan, P. F. Goonesekere, A. W. Weerasinha, G. G. Punchihewa, W. T. Sam, C. A. N. de Soyza and V. M. Saravanamuttu.

Maddyama Lanka Mahajana Sabha :—Messrs. T. M. Wimaladasa, M. V. Dharmasiri, L. H. Jinasena, D. R. Premadasa, N. Bandu, L. S. Sumanadasa, B. R. Premadasa, P. W. Sivatu, H. R. Samarasekera, P. V. Goonesekere, L. H. R. Vedamahatmaya, J. R. Rajapakse, B. R. Babanis, L. M. Premaratne, K. A. Johnny, R. P. Premachandra, K. M. Siriwardene, N. D. A. Samaranayake, J. E. Morron, K. Dharmasena, P. K. N. Waidiyadasa, A. N. A. Waidiyasekera, D. S. Jinasena, U. J. Piyadasa, G. M. Kumaradasa, S. A. Rajapakse, K. M. H. Munasinha, L. H. Jinasena and D. W. Premachandra.

Rambukkana Mahjana Sabha :—Messrs. K. D. M. Silva, L. B. Aturupane, A. F. Molamure, K. P. Fernando, C. M. Marikar, G. Don Thomas Silva, W. M. Punchi Banda, J. B. de Silva, U. P. Appuhamy, B. A. Kularatne, D. B. Beddewela, D. M. P. Banda, P. A. A. Silva, Sederis Appuhamy Jayatilleke, K. Abeykoon, A. W. Kira, P. S. Thambayah, W. Ratnayake, G. R. Pinhamy, S. M. Punchirala, R. W. M. Kiribanda, B. G. Siyatuhamy, A. W. Pinhamy, G. M. Appuhamy, E. A. P. Wijeyeratne and P. L. Lapaya.

Ceylon Workers' Federation :—Messrs. D. C. M. Jayewardene, J. A. D. Edirisinghe, W. G. P. Perera, M. M. Pinto, D. B. Jayatilaka, M. T. de S. Amarasekera.

The Progressive Nationalist Party :—Messrs. E. Ediriweera, N. J. Wimalasena, C. Ponnambalam, M. A. S. Marikar, D. N. W. de Silva, J. Malalgoda, C. V. Perera, Bushnal Bastiampillai, J. P. Edirimanasinghe, S. B. Ranasinha, K. A. A. de Silva, S. W. R. D. Banadaranaike, M. D. A. Wijeyesinha and Valentine S. Perera.



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

The Ceylon Labour Union :—Messrs. A. E. Goonesinha, M. Coranelis Fernando, M. A. Fernando, H. C. Cooray, L. B. D. Martin Silva, C. Wilson Fernando, J. D. Dharmasena, D. D. Marshall Appuhamy, M. Paulis Perera, S. M. Sirisena, S. P. Silva, E. J. Soysa, P. D. Piloris Appu, M. D. Faunus Appu, E. P. Wijeysooriya, D. D. Alfred Perera, B. Simon Singho and Elaris Perera.

Gandhi Sangam :—Messrs. J. P. John, Karumapaipillay, K. R. S. Sinniah Pillai, T. Soosawara Pillai, C. Govinda Rao, S. T. Satyavelu, W. Koya Marikar, N. Pitche Marikar, Velu Sauer, J. P. Christian, Suppramanian Chetty, K. Natesa Aiyer, Adacappa Chetty, Rasaratnam, H. Nalliah, Kathar Saibo, Gnanapandithan, K. Muttiah, V. K. S. Suppiah, Pachchigam Pillai, K. Narandiyan, S. T. Mark Appu and S. Ratnayake.

Moratuwa Mahajana Sabha :—Messrs. Hubert de Mel, R. R. H. de Mel and A. V. Fernando.

Galle Mahajana Sabha :—Messrs. R. H. Sadiris Silva, H. D. S. Ratnayake, C. S. Dissanayke and S. H. Dhanayake.

Gampola Association :—Messrs. E. M. Perera, M. B. L. de Silva and S. A. J. Silva.

Kalutara Mahajana Sabha :—Messrs. B. D. Pieris, S. R. Wijemanne, D. C. Paranagama, S. L. D. Leyaris and K. J. K. Goonetilleke.

Otarapalata Mahajana Sabha :—Messrs. S. M. Kurera, G. A. A. Gunetilleke, G. C. S. Corea, S. James Silva, T. Sinhabandu and C. A. Madurapperuma.

Colombo Vehicle Men's Union :—Messrs. N. S. Perera, M. W. Edwin Perera, P. Givendrasinha, J. A. Edmund Singho, R. A. Deonis Appuhamy and W. A. Hendrick Singho.

Galle Ayurvedic Association :—Messrs. N. K. H. Waidyasekera, W. M. Wijeyeratne and P. A. C. Fernando.

Matale Association :—Messrs. T. Sivasidembaram, D. P. Senaratne, Daniel Joseph, S. M. P. Wijeyetilleke, J. D. S. Weerasuriya, S. S. Ponnasamy and Kaderavelu Chetty.

Chilaw Association :—Messrs. Stanley Amarasekere, S. C. Corea, S. Alalasunderam, F. T. Proctor, P. Chelvanathan, Dr. Corea, Messrs. Victor Corea, Claude Corea and C. E. Corea.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Tebuwana Mahajana Sabha :—Mr. D. D. Jayaratne.

Mallika Kulangan Samitiya :— Mrs. Aseline P. Thomas.

National Association :—Dr. D. B. Perera, Messrs. W. A. de Silva, Francis de Zoysa, Dr. S. Muttiah, Mr. R. S. S. Gunewardene and Mr. E. W. Perera.

Moratumulla Union :—Mr. S. O. Stembo.

Printers' Union of Ceylon :—Mr. K. Satiyawagiswara Aiyar.

Hatton District Congress Association :—Mr. K. T. Kumarage.

Ambalangoda Association :—Mr. P. de S. Kularatne and Mr. H. de S. Kularatne.

Negombo Association :—Messrs. Bertram de Silva and E. H. de Zoysa.

Negomba Mahajana Sabha :—Messrs. S. K. Wijeratnam, Tudor Ranasinha, Bertie de Zilva and Simon Rodrigo.

North Ceylon Workmen's Union :—Mr. A. Canagasabai.

Dodanduwa Mahajana Sabha :—Mr. J. Ginige.

Muslim Association :—Messrs. T. K. Burah, S. T. M. Sheriff, T. B. Jayah, S. W. Rahim and M. Hassim.

Sinhalese National Association :—Mr. D. H. S. Nanayakkara.

Telwatte Mahajana Sabha :—Mr. A. A. de Silva.

Young Lanka League :—Mr. B. L. R. de Silva.

Madampahagama Mahajana Sabha :— Mr. S. W. Wickramasooriya.

NOTE :—The following extract from the minutes of Executive Committee meetings refers to the election of the officers for year.

"The following gentlemen were nominated for the Presidency :—Messrs. C. E. Corea, Francis de Zoysa, and F. R. Senanayake.

Mr. F. R. Senanayake did not seek election, a ballot was taken on the remaining two, and Mr. Francis de Zoysa was declared elected.

The Hon'ble Mr. T. B. Jayah was unanimously elected Vice-President.

Dr. S. Muttiah was re-elected co-Secretary. For the other Secretaryship the following names were proposed Messrs. R. S. S. Gunawardene and Mohamed Reyal, a ballot was taken, and Mr. R. S. S. Gunawardene was declared elected.

Mr. George E. de Silva was unanimously declared elected Chairman of the Reception Committee."

(14—10—25).

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

SECTION II.—*Excerpts from minutes of Executive Committee Meetings.*

(a) Death of Mr. F. R. Senanayake.

"The President then spoke of the loss the Congress and the whole country has suffered by the death of the late Mr. F. R. Senanayake and a vote of condolence with the members of the family was passed all standing in silence.

This vote of Condolence has already been conveyed to Mrs. F. R. Senanayake and all the other members of the family. Mrs. Ellen Senanayake has replied thanking the Executive Committee."

(12—2—26.)

"A letter was read from Mr. A. P. Goonetilleke of Naramulla who promised to raise enough funds to provide a Congress statue to the late Mr. F. R. Senanayake. It was however, decided that Congress should co-operate, if possible, with the general public in erecting one big memorial by the whole country to the memory of the late Mr. Senanayake."

(13—3—26.)

(b) Proposed Conferences with representatives of different Communities.

"The main business for the day was the consideration of the Resolution that a Sub-Committee of the Executive Committee be appointed to confer with the representatives of all communities with a view to ascertain under what conditions a united demand through the Congress can be made with regard to the revision of the Constitution of the Island.

Before the resolution was taken up the President suggested the postponement of the discussion of the motion.

Mr. S. W. R. D. Bandarnaike rose to a point of order.

At this stage, Mr. Victor Corea proposed that the discussion of the resolution be deferred and Mr. P. Givendrasinghe seconded it.

Mr. S. W. R. D. Bandaranaike suggested that the mover be given an opportunity of speaking, before any decision is arrived at.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Mr. George E. de Silva maintained that the motion was on the agenda and it should be taken up. He was followed by the Hon. Mr. Jayah who was equally of opinion that the mover should be granted his right of speaking.

Mr. Corea then withdrew his motion.

Mr. George de Silva moved the original resolution and Mr. Jayah seconded it.

The Hon. Mr. Forester Obeyesekere moved the following amendment. That it is desirable that steps be taken to give effect to Resolution 1. passed at the December 1925 Annual Session of the Congress and that the Sub-Committee appointed for the purpose with the addition of Messrs. Forester Obeyesekera, T. B. Jayah, W. A. de Silva, K. Natesa Aiyar, and S. W. R. D. Bandaranaike, should confer with representatives of all communities with a view to ascertain under what conditions a united demand could be made with regard to the revision of the Constitution of the Island." (29—3—26.)

"Resolved

(1) to circulate the draft constitution marked confidential to the different Political Associations to be decided upon by the Sub-Committee, who are not affiliated to the Congress for their views and suggestions.

(2) That the members of the Sub-Committee express their readiness to meet delegates of their Associations at any date and place convenient to them.

It was decided to send the draft scheme to the following Associations:—Ceylon European Association, Colombo Tamil League, Jaffna Maha Jana Sabai, Jaffna Association, Burgher Electoral Association, Korazan National Association.*

The Vice-President† was requested to be so good as to consult Muslim Public Opinion on the subject of the Reforms and place their views before the Sub-Committee.

In like manner, the Hon. Mr. Natesa Aiyar was requested to consult Indian Public Opinion.

The Sub-Committee drafted the letter to be sent to the Associations decided upon together with the draft scheme.‡ (14—9—26.)

---

* For the correspondence with these associations vide next chapter sec. V.

† Mr. Jayah.

‡ Vide p. 726.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Congress Hall,
11, Norris Canal Road,
Colombo, 2nd August, 1926.

The following are the proposals tentatively agreed upon by the sub-committee appointed on the 29th March at a meeting of the Executive Committee with a view to give effect to Resolution 1 passed at the last Sessions of the Congress and also to confer with representatives of all communities in order to ascertain under what conditions a united demand could be made with regard to the Constitution of the Island.

A.—The Executive.

(a) That the present Executive Council should be superceded by a body responsible to the Legislature.

(b) That the Government of the Island should be placed in the hands of an Executive composed of ministers chosen from among the elected members of the Legislature.

(c) Each minister shall be in charge of a group of departments; all government departments being grouped for the purpose.

(d) The chief minister shall be selected by the Governor and he shall nominate the other ministers for appointment by the Governor.

(e) The Executive shall be composed of seven ministers who shall be designated.

1. A Home Minister.
2. Minister of Finance.
3. Minister of Justice.
4. Minister of Education.
5. Minister of Agriculture.
6. Minister of Industries.
7. Minister of Public Works and Communications.

The Home minister shall be in charge of the following Departments :—

1. The Secretariat.
2. Provincial Administration.
3. Local Government Board.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

4. Archæological Survey.
5. Government Stores.
6. Registrar General's Department.
7. Statistical Department.
8. Port Commission.

The Minister of Finance shall be in charge of the following :—

1. Customs.
2. Treasury.
3. Audit.
4. Revenue.

The Minister of Justice shall be in charge of the following :—

1. Judicial Department.
2. Legal.
3. Police.
4. Prisons.

The Minister of Education shall be in charge of the following :—

1. Education Department.
2. Medical and Sanitary Services.

The Minister of Agriculture shall be in charge of the following :—

1. Agriculture.
2. Irrigation.
3. Forestry.
4. Land Settlement.
5. Survey.

The Minister of Industries shall be in charge of :—

1. Excise.
2. Mines.
3. Rubber Control.
4. Salt.
5. Labour.
6. Indian Immigration.
7. Fisheries.
8. Hydro-Electric Department.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

The Minister of Public Works shall be in charge of :—

1. P. W. D.
2. Railway.
3. Postal.
4. Telegraph.
5. Telephone.
6. Harbour Works.

(f) Every Minister shall be adequately paid.

(g) All members of the Executive shall be entitled to use the term "Hon'ble" before their names.

B.—Legislature.

(1) The Legislative Council shall consist of elected Members.

(2) Four-fifths of the members shall be territorially elected. (the proportion however is to be fixed after consultation with the various communities of the Island.)

(3) The total number of members in the Legislative Council shall not exceed 60.

(4) Members shall be paid a fixed salary.

(5) Members of the Legislative Council shall not be entitled to the term "Hon'ble" before their names.

(6) The Island shall be territorially represented in the Legislative Council as follows :—

| | | | |
|---|---|---|---|
| Colombo City | | | 5 |
| Colombo District | | | 2 |
| Negombo | do | | 1 |
| Panadura | do | | 1 |
| Kalutara | do | | 1 |
| Northern Province | | | 7 |
| Eastern | do | Batticaloa | 2 |
| Do | do | Trincomalee | 1 |
| Southern | do | Galle Municipality | 1 |
| Do | do | Galle District | 2 |
| Do | do | Matara | 1 |
| Do | do | Hambantota | 1 |

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

| | | |
|---|---|---|
| North Central Province | | 2 |
| Central | do Kandy Municipality | 1 |
| Do | do Kandy District | 1 |
| Do | do Nuwera Eliya | 1 |
| Do | do Matale | 1 |
| N.W.P. | Kurunegala | 1 |
| Do | Chilaw | 1 |
| Do | Puttalam | 1 |
| Sabaragamuwa. | Kegalle | 1 |
| Do | Ratnapura | 1 |
| Do | Avisawella | 1 |
| Uva | do | 2 |

The territorial divisions are subject to alteration.

C.—Army and Navy.

The Control of the military and naval forces within the Island shall be vested in His Majesty the King or his representative the Governor.

D.—Judiciary.

The Judges of the Supreme Court shall be appointed by the Governor and shall not be removed except by the Governor on an address from the Legislative Council.

E.—Franchise.

The franchise shall remain for sometime as it is to-day. There shall be a restricted female franchise. No woman shall be entitled to vote at the Legislative Council Election unless she has reached the age of 25 years or is married. The franchise shall be limited to

(1). Women who have passed a literary test such as the School leaving Certificate Examination or the Teachers' Examination, or any equivalent Examination.

(2). Women who are possessed of property in their own rights worth Rs.10,000 or more irrespective of any literacy test.

The final report of the sub-committee will be presented at a later meeting of the Committee after the views of the various communities are obtained.*

S. Muttiah,
R. S. S. Gunawardane,
*Hony. Secretaries.*
Ceylon National Congress.

---

* For further excerpts referring to this subject *vide* next chapter sec. IV.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(c) Death of Mr. E. T. de Silva.

The President moved that a vote of condolence on the untimely death of Mr. E. T. de Silva, a staunch supporter of the Congress and at one time its Secretary, be recorded in the minutes and a copy of it be sent to the members of the family.

Mr. Givendrasinghe, the President of the Vehicle Men's Union, informed the meeting that the union had decided to make a presentation of the portrait of Mr. E. T. de Silva, to the Congress. The offer was accepted with thanks."

(3—7—26.)

(d) Portrait of Sir P. Arunachalam.

Mr. George E. de Silva made an offer of an oil painting of the late Sir Ponnambalam Arunachalam to be hung in the Congress Rooms: the gift was accepted with thanks."

(14—9—26.)

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

SECTION III.—*Reception to Mr. Ramsay MacDonald.*

Mr. Ramsay MacDonald and the Misses Ishbel, Joan and Sheila MacDonald were entertained at a public reception organized by the Ceylon National Congress in Colombo at the Public Hall on 20th January, 1926. Congress members and delegates from various affiliated associations over the country and labourers uncomfortably crowded the spacious auditorium and its corridors and accorded the ex-Prime Minister a very warm reception. Long before the doors of the hall were opened labourers were mustering in force on the triangle in front and when they gained admission to the hall they filled the gallery and overflowed into the corridors. The gathering was so large that even the platform had to be converted to accommodate a fairly large number of men and women.

Though the reception was timed to start at 4 p.m. Mr. MacDonald could not free himself from his other duties and it was at 5-10 p.m. that he arrived. The waiting crowd at once burst into a thunderous welcome of applause. Mr. Francis de Zoysa, President of Congress, received Mr. MacDonald and the Misses MacDonald and conducted them to the platform. Mr. De Zoysa then introduced Dr. S. Muttiah one of the Hon. Secretaries to Mr. MacDonald and Dr. S. Muttiah garlanded the distinguished guest. Simultaneously with this three of the daughters of Mr. De Zoysa presented three bouquets of flowers to the three Misses MacDonald. When the prolonged applause had subsided Mr. De Zoysa rose to welcome the distinguished guests. He said: It is my proud privilege Sir, to extent to you and the Misses MacDonald a cordial and respectful welcome on behalf of the Congress which represents about 100 political associations scattered throughout the country and is composed of men of various races and creeds and of all classes and conditions both rich and poor, capitalist and labour, gentry and peasantry. Our main object is to free ourselves from the bondage of Crown Colony Government. (Applause), and attain the status of a self-governing unit in the British Commonwealth of nations (applause). It is not our purpose however, on this occasion to inflict politics on you, Sir, or to speak of our grievances. This is the first time

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

that our country has been honoured by the visit of one who has held the highest office under the British Crown (applause) and although your visit is of an entirely private character and of short duration we feel it our duty to offer you a hearty welcome. (Applause.) We trust that you have enjoyed your sojourn among us and that you will be carrying away with you not very unpleasant memories of our country and people. We have no doubt that you must have been impressed by the physical attractions of our country. We also have no doubt that you must have already found out during these few days that the people of this country are after all not so wild as they are sometimes painted (Laughter). We only wish that you would also not go away with the impression that we are a highly prosperous and contented people without grievances and without aspirations. (Applause.) We wish you and the Misses MacDonald a safe and pleasant voyage home and you a long career of service to the Empire and to the cause of civilization. (Loud applause.) As I told you we represent a large number of Associations. Of these Associations some are composed entirely of labour men and one or two of such associations have desired on this occasion to meet you specially and I have pleasure in introducing the President of the Labour Union. (Applause,) who has an address to give you. (Loud applause.) Mr. A. E. Goonesinhe then read the following illuminated address from the Labour Union.

"We the members of the Ceylon Labour Union, take this opportunity to give expression to our great pleasure at meeting you and to express to you the sincere hope that our Island home has afforded you that peace and rest for which you have come all the distance. It was with no little interest that we have followed your noble and untiring work in the cause of labour. Your efforts have culminated in establishing in your land that liberty and equality for labour so long denied the world over. The work of the Labour Party in England we have no doubt has been a source of inspiration to workers of other lands as it has been to us and we the members of the Labour Union welcome you with affection as England's Labour Leader

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

and not as her ex-Prime Minister. Political power as the means of social reconstruction and betterment is a maxim laid down by you and we earnestly pray Sir, that when that power does come again to you the social reconstruction and betterment of the downtrodden in the Empire will be uppermost in your mind." Mr. Goonesinhe then presented the address amidst applause.

*Presentation by the Workers' Federation.* Mr. De Zoysa then introduced Mr. Martinus C. Perera saying: This is the Vice-President of the Workers' Federation, the oldest Labour Association in the Island.

Mr. Martinus C. Perera said that he had brought a photograph with him so that he might have the pleasure of presenting it to him with his permission. He was the Vice-President of the oldest Labour Association which was still alive and kicking. (Applause.) They had nothing to complain of. Their Association was organized by no less a man than the late Sir P. Arunachalam, the great man in Colombo in his day. Since his death they had great followers in Messrs. D. B. Jayatilaka W. A. de Silva, C. H. Z. Fernando and G. A. Wille who were all behind on the platform. They presented that photograph to him as souvenir. He would find there Col. & Mrs. Wedgwood and the Executive Officers of the Federation. It was taken in February, 1920 when Col. and Mrs. Wedgwood visited the Island.

Mr. M. C. Perera then presented Mr. MacDonald with the group photograph and immediately afterwards Mr. Deonis Appuhamy, the Vice-President of Vehiclemen's Union garlanded the Labour Leader.

Mr. MacDonald in replying said: Mr. President, and my friends of Ceylon, I did not come to Ceylon to make political speeches or any other kind of speeches. I came to Ceylon to enjoy the beauties of your island and to learn something of your history, and now my sojourn among you has almost come to an end. To-morrow I sail home once again, but I am glad to have this opportunity of meeting you. The President very kindly said that he was not going to talk politics. I am much obliged

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

to him (Laughter) nor am I. I think that the greatest virtue that you can wish for as public persons is always to follow the lead of your Chairman. If the Chairman says no politics, however much your heart may be bursting to deliver a great political speech, put it in your pocket for the time being as I am going to do. (Laughter and Cheers). There is one thing the Chairman said. It was not political, but I don't know whether he meant it to be political or not. He reminded me that I would make a very great mistake if I went home under the impression that you had no grievances. I shall do nothing of the kind. (Laughter and Cheers) I have wandered far in my life—North, East, South and West. I have been amongst many peoples, self-governing peoples, Monarchies, Republics, Dominions and Crown Colonies, but I have never yet met the man or woman or community that that had no grievances. (Laughter) I myself am full of them. What better tribute can you pay me than when you assume that you are like myself and that Ceylon has many grievances which the wise British statesman should study carefully for the purpose of doing his best to remedy. (Cheers) You don't require to be told surely, you must assume it, that I believe is democracy. I believe in self-government. (Cheers) I don't believe that you could educate people, open schools, Colleges and Universities to them and after you have done all that, say to them, "In your own government, in the ordering of your own household, in the settlement of your own concerns, you must not entertain the shadow of a hope that you can ever be self-reliant. You must always depend upon somebody else. No! no!" (Cheers.) It was not a man so Radical or Socialist like myself, it was not a Labour man that said that it was wrong; it was God the Creator that said it was wrong when He gave us minds as well as bodies (Loud Cheers.)

Therefore, the great problem that we have got to solve, solve not as independent, self-reliant and self-willed people, away seven thousand miles from here, but the problem that we have got to solve with your co-operation, you sitting at the same

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

table as ourselves, you thinking out the same problems as ourselves, you criticising with us your own proposals; that problem of democracy has got to be solved in co-operation, in good-will, in fellowship, in communion one with another, but can never be solved otherwise (Applause.) That is not political. (Laughter). That is ordinary common human sense. Therefore taking that standpoint I do not require to say anything more on the subject at all.

You were good enough to refer to an incident which happened two years ago when the Labour Party was called upon by H. M. the King to make itself responsible for the Government of the country. I remember those days and more particularly the days that preceded them. There were great mighty ones; it is not only Kandyan Kings who had been great and mighty (Laughter.) If you come to England with me I could produce a score of them. (Laughter.) These are great, mighty, wonderful men, who sincerely believe that nobody except themselves are able to govern and who at any rate have got the conspicuous success of making a bigger mess than any of their contemporaries. But in those days when a dark shadow came from Heaven itself upon the British Empire and it became inevitable that the Labour Party, the Party of the Workers, the Party of men who had worked our railways, the Party of men who had dumped the coal from the bottom of our mines, the Party of men who like peasants had tilled the fields and made nature fruitful for man's use and enjoyment—a terrible calamity, hitherto unthought of undreamt of calamity—that these men, the sons of these men, and the daughters of these men should become responsible for the Government of this British Empire of ours. (Laughter and Cheers.)

In December, 1923, that great calamity overshadowed our land, and every prophet who was not in the line of good prophets, but in the line of false prophets—that is the distinction between the two in the Bible, and I have been a good Presbyterian and found a great deal of wisdom there—these false prophets said that within six weeks of the coming of this terrible calamity grass

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

would grow on the ground, in the streets of London and there will be no buses running from the West End. (Loud Laughter.) They said, after we had fought to make the world safe for democracy, there will be a smash of the great success of our predecessors which has brought peace with a snigger at the end of it. Their good work will be undone and the British Empire will crumble to dust, like the Empire whose ruins I have been examining in Anuradhapura all this time. Said the Leaders of the Tory Party, the day will come as the result of this Labour Government when the Sinhalese shall be re-established in power and authority. A new capital, new wealth and a new Empire will come to the jungle where London is and will establish an Archaeological Survey Department to discern amongst the gorse bushes the ruins of the foundations of the Bank of England and the Stock Exchange. The sad thing about it is that they believed it. (Laughter.) I do not know whether in his heart the Sinhalese peasant, were it said even in fun, would have believed such a story in all seriousness, but our people did.

Well, we came. What we did and we did not do is not in our keeping now. It is in the keeping of the historian. The historian will write of it. Whether he would say it was well or it was ill God alone knows and in God's keeping I am prepared to leave that issue. (Loud Cheers.) One thing we did do; when the British Empire was governed by the Labour Government there was a thrill of delight, of self-respect that passed over the men of the Labour Party from the rising sun to the setting sun. (Applause.) The Colonies responded, the Dominions responded, not in programmes, not on principles but in that subtle, mysterious, human way men feel that in this earth a glorious experiment was being tried, an experiment which if succesful would mean the closing of the old books and the opening of new. By the blessing of God the record to be written in these new books will be better, truer, holier and more blessed than the records in the books that have been closed (Cheers.) We are a party with unblushing ideals. I confess it. I am proud in the confession. To my mind the only practical man in the handling of great

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

human issues, is the man with faith, with belief, the man with the conception that the world is working out through pain and strife and sorrow to a glorious and magnificent end. This is our idealism, the idealism of the Labour Party. (Loud Cheers.) This is threatening to become political (Laughter) and I am also threatening to break my word. Well and good.

To-morrow we began a new life on the rolling deep. We are taking away a great many memories. We are also taking away a good many searching questions. As I stood out there in Anuradhapura as I stood out there in Polonnaruwa; as I stood on the top of that wonderful rock, Sigiriya and saw the traces of the power of those ancient rulers, I wondered why they fell, why did that might vanish, why are they only names, why are they mere shadows that pass over the dial of time? I, who represent a race which was then small, insignificant and almost unknown to the world, stand there representing the power of my people reflecting and brooding upon the fall of others. What does it mean? What is its warning? What is its moral? What is its application? I saw your beautiful temples, your beautiful palaces, the beautiful and simple conceptions of early Sinhalese art at Anuradhapura and the more complicated perhaps in some respects a little more debased art at Polonnaruwa. Well, what was their power? They stood with their four-fold armies and led them to battle. They subdued their enemies and then they threw challenges to the world. No man dare accept the challenge. All we pursue in these days were there, Might, Riches, Wealth, Art and what we have not touched nearly enough, religion and charity, were there. Yet the jungle has grown, where they ruled. The jackal, the leopard, the elephant fill their place. I take that problem away with me. I could offer not even a suggested answer now.

I have seen it and felt it in my heart and that goes back with me to England and Scotland. (Cheers.) It gives me a great conception of Ceylon. No longer when I look at the map of Ceylon will I just say "Aye, that is Ceylon, that little pearl shaped island, small, hot and full of grievances (laughter) to the south of India. No it will be no longer that. Ceylon to me will

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

represent a civilization. (Loud Applause.) I hardly believe even, my friends, of the past, that for the time being any man can say more than that. I will take that with me. I will take the beauties of your island with me.

For the last two days I have motored along roads that show at every turn glimpses of landscapes, when I got through them. As I said I have been far over the world and I have seen such wonderful roads, for instance that which approaches Afghanistan from North India through the Khyber Pass, the wonderful Georgian roads through Tiflis, over the Caucasus and several of our roads of the same kind, but the roads that I have gone over during the last two days are worthy to be placed in the same niche in my memory. Finally I take this with me (showing the garlands round his neck) I will take the odour, I will take the scent, I will take the spirit. Sometimes my friends say that it is a little bit of an awkward custom. Nothing of the kind, the people who show their affection and goodwill through flowers understand the realities of human feeling (Hear, hear.) So I would take the spirit of this with me and I shall remember that. Then I shall take the photograph of that oldest of Labour Unions. I have reached that time of life when I appreciate old men, old women, (laughter) and old organizations, especially when this one has been described as alive and kicking. There is a person in the House of Commons like that. He is very old, but does not belong to our party (laughter.) For months and months and months I used to look at this old gentleman on the other side of the House and I was wondering in my leisurely moments when speeches were being made that were not worth listening to, how long it would take me before I am as old as that pillar of Empire opposite. I went out and looked up his age, when lo! and behold! he was ten years younger than myself (Laughter.) To enable me to recover from my shock that is one of the reasons why I made up my mind to come to Ceylon (Cheers and Laughter.) Old men, old women, and old organizations, are still young, when there is such encouragement to all of us. The old man does not live in Victoria's Reign, but lives in his heart, in his mind, in our present gracious monarch's successor's time. He is

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

twenty years ahead of his time. The old lady who believes all this and who says I may not see it, but I am going to help to bring it about, and who lives a generation ahead of us, these are the people who make the youngest feel assured and the oldest feel hopeful. So I take this photograph of this old young organization, alive and kicking, to encourage me in my own work. And then finally this beautiful address, framed so tastefully will also go with me. It will be hung with several others on my walls. I shall often see it, and when I see it I shall remember my visit here. (Applause.)

It has been a brief visit, it has been a very profitable one to me. I have gained knowledge and I hope I have gained health. I have gained much pleasure, and happiness during the 10 or 11 days I have been here. Now it is all concentrated here (touching his head) as you, as it were have come here this afternoon, to give me my good-byes so that when I go on board ship it will be this meeting that will be the last impression I have had of this beautiful island and its hospitalities. I thank you very much for the welcome you have given me and my daughters this afternoon. We are going away happy and we have come to the determination that whenever it is possible, if time and circumstances permit we are going away with a secret vow in our hearts that if we can we are going to come back (Loud continued Applause.) A representative of the Ceylon Mariners Association then garlanded Mr. MacDonald.

A garden party was then held on the lawn adjoining the Public Hall and Mr. MacDonald and the Misses MacDonald were conducted thither where they were provided with light refreshments. A couple of minutes later Mr. MacDonald and the Misses MacDonald left amidst ringing cheers from the huge assembly.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## CHAPTER VII.

## DECEMBER, 1926—DECEMBER, 1927.

### SECTION I.—*General Sessions, 17th and 18th December, 1926.*

The eighth annual Sessions of the Ceylon National Congress was held at the Mahinda College Hall, Galle. The hall was chastely decorated for the occasion, and along the route from the Railway Station to the College arches of tender coconut leaves waved gaily. The entrance to the College, which stands on a hillock, was spanned by a picturesque pandal of welcome to the Congress Delegates.

Over a hundred delegates travelled by the train leaving Maradana at 7-15 a.m. At each of the stations en route bands of delegates from various Associations affiliated with the Congress joined the Congress train. In the train there was much merriment and discussion, all shades of political opinion in the country being enthusiastically represented. The Socialist Party wore small red flags on the lapels of their coats, and green rosettes with lotus flowers indicated the youthful "Progressive Nationalists." Several other delegates also wore badges to indicate the respective Association which they represented.

After the train had crossed Bentota river, which marks the division of the Western Province from the Southern, there were signs of welcome to the Congress delegates at some of the stations. As the train was steaming into Ambalangoda the strains of Oriental music were heard from a distance. A large number of people were assembled on the platform and the members of the Madampegama Maha Jana Sabha who had gathered round their banner came forward and garlanded Mr. E. W. Perera, the President-Elect, and Mr. Francis de Zoysa the outgoing President. All the Delegates in the train were then treated to king coconuts.



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

More and more Delegates entrained alfter passing Ambalangoda and when the train arrived in Galle at 11-30 a.m. the President of the Galle Maha Jana Sabha, Mr. S. H. Dahanayake, and Mr. C. S. Dissanayake, Secrtary of the Sabha, and Mr. C. W. W. Kannangara, Chairman of the Reception Committee, received Mr. Perera and garlanded him. The members of the Reception Committee and the Members of the Galle Maha Jana Sabha were introduced to Mr. Perera. A procession was then formed outside the station headed by the Galle Maha Jana Sabha banner which contained words of welcome to the Congress Delegates, and a string Band. The procession wended its way to Mahinda College and a few halts were made en route to give an opportunity to various local Associations to greet the Congress Delegates.

The Delegates arrived at the College at 12-30 p.m. and were the guests of the Reception Committee at lunch.

The Congress Sessions opened at 2-15 p.m. with Mr. C. W. W. Kannangara, the Chairman of the Reception Committee, in the chair. The hall was fully crowded with delegates from various Associations from all parts of the Island. Mr. E. W. Perera, the President-elect, sat on the right of Mr. Kannangara and Messrs. S. W. R. Dias Bandaranaike and R. S. S. Gunawardene, Joint Secretaries, on his left.

Mr. Kannangara, in welcoming the delegates, said that he would speak in English because he saw around him not only members of the Sinhalese race but members of other races also. It was his pleasant duty to extend to all of them a very hearty welcome. They had travelled from distant places and at great inconvenience. It gave him very great pleasure to welcome them.

Galle was in olden times an emporium of trade in the East where merchants brought their goods and removed from Galle ivory, elephants and, it was said, even gold. They had now fallen from their high estate due mostly to the construction of a breakwater in Colombo and the removal of their shipping.

It was nothing but right they should have elected as their President Mr. E. W. Perera. (Applause.) There was born hard

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

by the outskirts of that city one cold wintry morning a babe that was destined to be the saviour of his people. When his people were in dire distress and no man was sure of his life, when the terrors of Martial Law were flitting across the land, when anybody could have been shot at sight, there was one true son of Lanka, who risked the perils of the ocean—(applause)—and of the enemy's submarines, who crossed the seas to lay their case at the footsteps of the throne of the King and that brave son of Lanka—who if he (the speaker) was not to speak of his other deeds, for that single deed might be classified with their national heroes, Dutugemunu, Walagambahu and Prakramabahu (applause)—they had elected as the President of this year's Congress. (Loud applause.) They offered him a most cordial welcome. They embraced him with love and affection and hoped that the activities of the Congress this year would not be second to the activities of the past, and that he would be able to bring within its fold all who had strayed a little too far and that he would be able to have a record at the end of the year as good as any record in any previous year. (Applause.)

Continuing, Mr. Kannangara said that perhaps a century later if the archives of the Secretariat would be made to yield up their buried treasures, he was sure, it would be found that the President of this year's Congress was within a reasonable distance of being honoured with at least internment. (Laughter.) One who had performed such a great service for his country and his people, one who had always stood for right and justice it was nothing but right that they should have honoured him with the worthiest honour, the worthiest laurels that could be placed upon the brow of any countryman. (Loud applause.) He considered the Presidentship of Congress higher than any honour they could give and there was no worthier person to receive that honour at their hands. (Applause.)

## UNIVERSITY QUESTION.

Mr. Kannangara next referred to the educational problem and said that although there was no resolution on that on the agenda

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

it was nothing but right that in open Congress they should say that wherever that University was going to be located it should be done at once—(applause)—and that they should have their University. There was nothing dearer to the heart of an Easterner than the subject of education. It was their heritage and it was not right that that subject should have been left in the background.

He understood that the Committee had reported on the question of site but the report had not been published yet. He was referring to the University question because it had a bearing on higher education. Then there was the question of education for everybody in this country. In that connection he said that the country had a very good record and could boast of the fact that every person in this country was literate in ancient times, but to-day half the children in the country was uneducated. It was up to them to make a united demand and in the agitation that had been carried on in the past the officials had not showed much concern to carry out the policy of educating every child in the country. He quoted a Pali stanza to show that education and knowledge were the greatest treasures that man could possess. They had cherished that ideal for so many hundreds of years and it was not out of place for them to demand that every child should be educated and that education should be on national lines. There was a Commission just now sitting to find out possible ways and means of providing vernacular education for every child.

The education now going on in the country did nothing but denationalise every boy to whom that education was imparted. He mentioned the Training College as an institution which needed that every boy who sought admission there should not know his own mother tongue but somebody else's mother tongue. He said that education should be run on national lines by our people not by outsiders and must draw its inspiration from the past. Unless all those elements were imparted there could not be national education. They should demand that every child should receive a proper national education.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

He then went on to make a few remarks about peasant proprietorship on which there was a resolution on the agenda.

The Chairman then referred to the resolutions on the agenda and when he spoke disapprovingly of the Passage allowances one in the audience asked: "What about the Councillors?"

Mr. Kannangara said that he had thought of not touching on that question, but since it had been mooted he wished to say a word on it. Perhaps if people knew of the work of the Councillors they would have sympathy and pity. Councillors were expected to give of their best, their time, energy and money, and as far as he could see, judging from the questions that were being raised, people seemed to think that an allowance should be given to a Councillor for his travelling and batta, and perhaps to help him to get any clerical assistance that he may need.

They were not there to plead their own cause and he assured them that if they were of the opinion that Councillors should not be given a commuted allowance for travelling and batta he would be the first to vote with them.

Finally, he thanked the Galle Maha Jana Sabha for the splendid service it had done in helping him with those arrangements and the prominent residents of Galle for coming to his aid.

The Chairman called upon the President to deliver his address, but before he did so he addressed a few words in Sinhalese.

Mrs. Srimathie Abeyagoonewardene, on behalf of Women's Associations, presented an illuminated address to Mr. E. W. Perera and pinned a gold medal on his breast.

After Mr. C. W. W. Kannangara, Chairman of the Reception Committee had welcomed the Delegates, Mr. E. W. Perera, the President, who was greeted with rounds of applause, delivered the Presidential Address.

Mr. Perera said :—

Brother delegates, Sister delegates, ladies and gentlemen,

My first duty is to thank you all for having conferred on me the highest honour in the gift of the people of this country. On

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

The Hon'ble Mr. E. W. PERERA
(President 1926—1927)

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

more than one occasion I have had the privilege, altogether undeserved, of having abundantly received the confidence of my fellow-countrymen in other spheres, but this opportunity of service is larger as the responsibility is grave, at a critical period of our country's political history having to take the helm from the hands of one whose unflinching courage political sagacity, and high character have wisely steered the ship of Congress through the last year, often threatened with shipwreck, and brought her safely to port in the haven of Galle without throwing overboard any of that precious cargo of political principle and high ideals which the Father of the Congress took on board when the vessel was first launched. It would be work of supererogation to recall all the names of the distinguished patriots who filled this chair during the past 7 years. Most of them are still with us and around us, but there is one whose name cannot be omitted, our first President Sir Ponnambalam Arunachalam who laid the foundations strong and deep and graved the creed of Congress on the broad rock of the unity of political interests, of the equality of political rights and opportunity of public service for the children of the Motherland, irrespective of race and creed and community. In spite of jarring faction, misapprehension and interested reaction sowing dissension, the ideals of the Congress have prevailed and the outworks of the citadel of arbitrary power have been stormed, but the citadel itself has yet to be captured. He that is not with us is against us. We have not to do with compacts, concordats and communities.

We must have all the progressive forces of the country marshalled under one banner, whatever their race, whatever their creed, and I appeal to my countrymen both within this hall and without it not to be beguiled by the siren-song of those who would exploit personal pique and personal aggrandisement and past grievances real or fancied before the common weal. Power is greedy, and those who hold it now, fight under cover. Their methods are more subtle and devious. Where official majorities in the past drowned with Homeric peals of laughter nominated popular representation when it summoned up courage to protest

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

against official wrong, now officialdom at social parties and banquets are seeking to wean away the best and truest of your patriots to discredit the progressive movement by subtle exhalations of poison gas directed against your representatives. Do not be led away by these candid friends. They are no friends of progress.

Attempts of well-meaning idealists to reconcile the irreconcileable can never materialise. I do not blame them. A serious effort was made to give effect to the Congress resolutions of last year to take united action to secure extended constitutional privileges.

The Congress Executive Committee called for suggestions for the further reform of the constitution, from constituent Associations and also appointed a sub-Committee to consider them, to formulate tentative proposals and confidentially invite opinion from Associations outside the Congress. What has been the response? The European Association while promptly and courteously acknowledging receipt wrote that the matter was to be referred to a meeting of their Committee and a further answer will be sent.

The Ceylon Muslim Association acknowledged receipt and stated they had referred the matter to their Committee. The other local communal Associations were even less responsive. The Tamil League and the Jaffna Maha Jana Sabha vouchsafed no answer. The Kandyan National Assembly declared they had nothing to do with the Congress. I understand the Burgher Electorate Association is defunct and the letter to it was returned. This is significant in view of communal protestations of co-operation. Although this appeal by the Congress has been fruitless in eliciting the views of these Associations, yet it has done the inestimable service of preventing the Congress being periodically distracted from its work with a vision of the millenium when the lion of sectional self-interest shall lie down with the lamb of disinterested public service.

It will clearly and cogently demonstrate to thinking men within and without our ranks the futility of leading into the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Congress fold with the crook of compromise disintegrating elements which are not only lukewarm but actively hostile to the ideals and aspirations of the Congress and to the best interests of the country. Everybody is entitled to his political opinion, but to have with us those who are not wholeheartedly with us merely to make a parade of unity where there is no unity but fundamental difference of political opinion, as on the vital question of Constitutional Reform, is not merely to weaken, but to wreck our great cause.

The Ceylon National Congress and its parent the Ceylon National Association in spite of calumny, defection and a powerful oligarchy greedy of power fighting every inch of the ground with every conceivable weapon, have so far succeeded, within a space of fifteen years in the transformation of a Legislative Council, nominated, non-representative and communal, with a Government majority, into an assembly elected mainly on a territorial basis with a preponderant unofficial elected majority, entrusted with a degree of control over finance but without a particle of Executive responsibility and emasculated of all real authority. Progress and Die-hardism cannot kiss each other. Wherever it has been attempted it has failed. But what can be achieved—and the omens are propitious—as for the Congress to rally together all the progressive elements of every race and community which call this Island its home. Many such men are available. They are sick and tired of this talk of splits and the nostrums for healing them. They are anxious that something should be done to help the country, to make this constitution function, for nothing effective can be achieved in our island till there is immediate and drastic change of our Executive Government, till we have an Executive responsible to the Legislature and to the people of this country, and the will of the community registered in solemn resolution by the elect of the people will be carried out by Ministers responsible to the people. The ideal of a common country, of a Ceylonese people, of equal rights and equal opportunity and the fullest political emancipation under the free Flag of England was the message which rang out in

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

clarion tones from this rostrum for two years in succession from the most eloquent and redoubtable President who presided over our Congress deliberations. Though dead he yet speaks. Mr. H. J. C. Pereira's advice is more needed and more to be heeded to-day than even at the time it was first uttered when the viper of sectional jealousy and communal dissension first raised its ugly head in the Congress.

"To educate without reforming is sure to produce revolution. As sunshine without rain is sure to injure the crops, so, to teach people how to criticise institutions and not to enable the institutions to bear the criticism is the maddest of follies," said Archbishop Temple. However skilful and experienced the circus-rider may be, to attempt to pass between his legs 37 horses riding astride with one leg each on two other horses is a dangerous feat which is sure to bring the acrobat to grief in a very short time with at least a broken collar-bone, especially when some of these steeds are racers, not broken to the ring and unaccustomed to the crack of the whip. We should not place our rulers in such jeopardy both for our sake and for their own. "If free institutions are to produce their full healing effect they must be given in the right spirit and at the right time," says Dr. G. P. Gooch in his recent essays on England and the World. It has been well stated by a Liberal Prelate who stood for broad-minded toleration in Church and State "that the aim of the Conservatives is good Government. All forms and all Legislatures are machinery to secure that. That in their eyes is the best Constitution which secures the best Government. The aim of the Liberals is Self-Government. All forms and all Legislatures are machinery to secure that. That is the best Constitution which most entirely makes the people govern themselves. Self-Government is the true aim or otherwise Government is not worth attempting at all."

Do not believe that without supreme effort and continued and persistent endeavour we shall be able to achieve our aim. In England the same old reactionary forces are again ascendant in the Councils of Government—those sundried supermen who will

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

not learn anything nor forget anything. In England after the long War to make the world safe for Democracy the most reactionary Government that has attained to power for many years sits enthroned. What is more to the point, the Colonies are under the control of a Minister whose political past is not such as to reassure us or inspire us with confidence. A brilliant Anglo-Indian, (old style), in his youth, he was the hope of the stern unbending Tories and in middle life he has become the High Priest of Imperialism and Capitalism with the motto *Imperium et Libertas,* Liberty for ourselves and Empire over others. At the time when our country was reeking of the shambles, he was Colonial Under-Secretary and every attempt was made by him in Parliament to deny the grave wrongs done to the people of Ceylon, to white-wash the Ceylon officials and to stand in the way of right and redress being granted when the question was repeatedly raised in the House of Commons. From him we cannot expect much in our fight for Constitutional freedom. But there is a bright spot in this dark die-hard Cabinet. The Colonial Under-Secretary, the Hon. William Ormsby-Gore is a progressive Tory, born in Great Britain and may be trusted to look into our case carefully as he did on the last occasion. Besides, if we read the signs aright the Tory Government though apparently strongly entrenched in power will ere long be swept away and another party which is the true custodian of the Liberal tradition will come into power.

In this connection I cannot help adverting to the visit of the first Labour Prime Minister to these shores, his generous appreciation of our country and her people and the sympathetic attitude he showed to our political aspirations both in his speech on the Congress platform in this country and at the Ceylonese Students' Dinner in England. But nobody can help us if we do not help ourselves. Every country gets the Government it deserves.

I may here pause to consider for a short while what is being done by your representatives in the Legislative Council, what are the problems which call for immediate attention and what is the nature of the solution.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

As I pointed out our Legislative Council is not a perfect instrument, but I think it can, in spite of the limitation of its powers and carping criticism and the cheap sneer even from exalted quarters, lay claim to have achieved something. It has prevented several official jobs being perpetrated, and prevented the passage of laws subversive of the rights and privileges of the people and taken steps to inhibit the sales of large tracts of land to capitalists without the chance of the small proprietor being in a position to bid for it. It has been objected that nothing constructive has been done by the Council. Do not be beguiled by the unreasoning reaction inspired by official restlessness to criticism. As I said before the Council has no power to construct. Even its preventive and destructive powers are limited. But remember that the best work of construction is the work of destruction of lawless laws, tyrannical administration, unwarranted expenditure, and criminal negligence and racial discrimination in the public service.

In the past even if they had the will the Government nominees of the people were powerless and rust had gathered on the machinery of Government and redress of grievances became overdue, so overdue that the machinery of Government would have had a breakdown if these matters had not been taken in hand at once. We were groaning under an accumulation of wrongs. People had grown weary of waiting and gross and irreparable injustice would have followed if attention was not paid to these matters at once. With considerable effort sometimes with the strongest opposition on the part of the Government, Select Committees have been appointed. Why so many, because to so many matters, long overdue, immediate attention was necessary. Why Committees, because under our present Constitution the only method of even getting partial redress was by pressure and argument in Committee where give and take was possible in full, and free discussion behind barred doors, whereas a cut and dried motion in Council for the assertion of a certain principle or a declaration of right would be opposed by Government often on the ground of prestige or ignorance of the Central

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Government based on the self-constituted omniscience of the provincial satraps who would take a view opposed to the popular one and with their myrmidons stick to it and carry the Executive Government with them. Even when such a motion is carried, the Governor in Executive Council would ignore the resolution of the Legislature. A glaring instance was the Panadura liquor licence resolution to which I shall later refer.

Take the case of the Police. There was originally considerable opposition by the Government to the appointment of a Select Committee on the Police because it would affect the prestige of the Police. Ultimately, owing to the pressure of public opinion and the persistence of your representatives in Council that Committee was agreed to. It brought to light abuses which the Police denied to have existed and which some of the higher Executive did not believe could exist. The aim of statesmanship ought to be not so much to remove individual grievances as devising methods which will prevent the recurrence of such wrongs and when they do occur there should be a simple remedy for the disease, of enquiry and redress.

The recommendations of the Police Committee, I venture to think, though nobody would claim absolute immunity bids fair to make a considerable improvement both in the recruitment of the Police and in the protection of the citizen against Police high-handedness and wrong. But to make recommendations is one thing and for an irresponsible Executive to adopt them quite another. I am not certain if all the recommendations of the Select Committee on the Police have been adopted by the Government or how many have been whittled down. But there are two serious matters which came to light in the course of the sittings of the Select Committee on the Police. One was that the powers to authorise the Policy to shoot, to slay our fellow-countrymen when there was a disturbance, real or fancied, was solely vested not in the hands of tried experienced Ceylonese, but of unofficial Europeans generally planters in the country districts, the men of 1915 of whom Sir John Anderson said in a memorable despatch to the Secretary of State for the Colonies.....May 26, 1917, men who

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

construed their instructions "into a Commission to administer lynch law throughout the area prescribed for their patrols and to have considered that their effect was to make him the leader of a posse of vigilantes sent out to deal with desperadoes in the manner depicted in cinema shows and dime novels of the 'Wild West.' " "But," he adds, "it is almost incredible that anyone not schooled by the Germans in Belgium, could have honestly acted on Mr. Sly's interpretation of them." They are the only J.P., U.P.M., Ps., that additional P. stands for Police, Prestige and Powder and Shot. The Ceylonese are only J.P., U.P.M.'s not J.P., U.P.M., P.'s and the roll of the latter is quite a long one.

The excuse given for this differentiation was that it was difficult for a Ceylonese with his local ties to give the order to shoot. I have no doubt it was quite easy for the other variety without a knowledge of the country and local conditions to give the order to shoot at sight as they did in 1915, at the dictation of the Police without the exercise of any discretion. I have not heard that in England they have a special authority given to resident Chinamen to shoot Englishmen in the case of disturbances because Englishmen have local ties. This is a serious menace to our lives and liberty. Considering how this power was prostituted in 1915, I would appeal to you to have the matter brought before public men in England to have the question raised in Parliament if local redress failed.

There is another fact which transpired in the course of the Police inquiry and in answers to questions in Council the Governmental regulation of disqualification for the Police by reason of caste. It is no wonder that a country with a ruling caste— the White Brahmins as they are called in India—will seek to interpose barriers to divide our people, to push down instead of levelling up and support inherited imbecility, which dreads open competition. The reasons given by the Government are senseless and absurd, and we shall have to see to it that character and capacity are the only avenue to office in this country and not caste or creed or community. In this connection in the attempt to uphold caste and to impose sumptuary laws in the twentieth

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

century the Government has unwittingly donned the cap and bells. They humiliate their own officers such as those of the Batgama caste, men of standing who give their time and service free to Government while Government dare not dictate to any member of the same community who is not in the public service what habiliments he is to wear. To answer the argument that Government brings forward if it can be called an argument that this is an Oriental country and ancient custom had to be observed, as a Ceylonese "educated in English but not alienated from the rest of my fellow-countrymen by reason of my English education" I would quote for the benefit of the Government and of such as those that have forgotten their ideals the saying of that great Oriental Sage whose creed for the last 20 centuries has been the inspiration and the solace of the majority of the people of this country.

*Najachcha Vasalo hoti najachcha hoti Brahmano.*
*Kammena Vasalo hoti kammena hoti Brahmano.*

"Birth does not make the Brahmin, birth does not make the Pariah.

(It is) conduct that makes the Brahmin. (It is) conduct that makes the Pariah."

It will not be out of place in this connection also to remind our European officials particularly at this season, of the teaching of another Eastern Prophet whom the West has annexed as its own and whose ideals they claim to follow. But the cynic will say, what boots it to appeal to the Fatherhood of God and the Brotherhood of man in a land where ecclesiastical Christianity preaches in terms of Imperialism and "natives" are sought to be excluded from God's acre on the assumption that dis-coloration is the only passport to Heaven, ignoring the first article of the Christian creed that when Divinity deigned to be incarnate the Ineffable Word took on itself the form not of a European but of an Asiatic.

From Police I pass on to the problem of Excise. That the Government has all along done lip-service to the cause of Temperance is patent by the way the Executive Government over-ruled



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

the decision of the Legislative Council regarding the issue of the Panadure liquor license, the issue of liquor licenses in a "dry" area in violation of the pledges of Government. Action—I see from the Press and according to private advices—is being taken on the matter in Parliament by Members of the House of Commons, to whom I offer my grateful thanks. They will be astounded to learn that the despatch from the Ceylon Government to the Secretary of State contains statements of alleged fact cold, calculated and frigid in their mendacity, designed to mislead the British authorities and to discredit the advocates of Temperance Reform and urges as an argument the monstrous proposition that elected members of the local Legislative Council are less conversant than Government officials intoxicated with prestige and prejudice, with the wishes of the people whose language they cannot speak. This paragraph in the Governor's despatch is a paraphrase of a similar one in that notorious Despatch to Lord Crewe signed by Sir Henry McCallum in which Government sought to deprive the people of this country of the franchise by stating that "the educated Ceylonese are alienated from the rest of their fellow-countrymen by reason of their English education, and that the European Government officials were the real representatives of the people." I thought that heresy was dead and buried. It re-appears naturally in a despatch signed by Sir Hugh Clifford. I will not go into details regarding the Panadure Hotel license because the facts are well-known to you, and it is to be discussed again in the Legislative Council.

I now come to the important question of land policy. It has been well said that all the demonstrative problems of a country are inextricably bound up with the ownership and possession of land. I have no time here to review at length the whole history of land legislation in this country. This I hope to do shortly in another place. But I would set out one or two salient points for consideration and action.

I trust every member of this Congress knows the conditions under which land was held in this Island in the past when every rood maintained its man, when the landless man was unknown

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

and an agricultural population owned and tilled the wild acres which are now covered with jungle or enclosed as vast plantations of the capitalist companies,

"When the stranger came with iron hand
"And from our fathers reft the land."

The acts of spoliation began about 1840, though the policy was earlier, of Crown presumptions and peasant evictions, chena prosecutions and the grant and sale of vast tracts to the capitalists, both European and Ceylonese. The culminating act of spoliation was the Waste Lands Ordinance. It was opposed tooth and nail both here and in England in a long and bitter agitation, but the prestige of that prancing Pro-Consul, Sir West Ridgeway, the promotor of the Ceylon Company of Pearl Fishers and the Director of other Companies further East, would not allow any mitigation in the severity of these harsh Ordinances which violated all the principles of British Law. The utmost that could be secured were Government assurances that the Ordinance will not be worked harshly but Government assurances not incorporated in laws which belie the spirit of those assurances can never be expected to be observed. The only guarantee of an ordered Government is the existence of a sturdy race of small proprietors living on the soil and cultivating their land. This class is fast disappearing if it has not already disappeared and is giving place to a proletariat of wage earners. The settlement by the Settlement Officer has been a source of disintegration of village society and the unsettlement of the countryside. The evils are admitted and I am thankful to say that the earliest declarations of public policy of the new administration have appreciated the urgent and vital nature of this question. H. E. Sir Hugh Clifford, who had seen in other lands the disastrous effects of the exploitation of the land of the people by the capitalist, so far as I can read his utterances, is keen on the creation of a system of small holders and peasant proprietors. But there are difficulties which we have to face, serious difficulties which have confronted statesmen in other lands in grappling with the problem. I am glad to say that the problem is not insoluble. There are two

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

main questions we have to seriously consider. To create a kind of tenure permanently which will prevent the alienation of his allotment by the small holder, once it is settled on him, and next to devise some means to prevent the infinitesimal sub-division among his descendants. I have after careful deliberation and consultation with public men, who are interested, given notice of a question for a comprehensive investigation of the Land Laws and Land Policy of the Government with a view to revision and the formulation of a system which will restore the small proprietor and the yeoman farmer to his rightful place in the social economy. From the answer given to my friend, the Hon. Mr. Jayah, who like a good Congressman, was keen on an early settlement of the land problem, Government would appear to be sympathetic to the terms of my motion and the final elucidation of the problem on a broad and generous basis.

Those who have followed for the last 25 years the bitter struggle that was waged against the Land Laws and the intransigent attitude of the Government as one of your past Presidents, Mr. C. E. Corea, who bore a noble part in the battle, can testify, will appreciate the magnitude of the concession in the Government consenting to have the whole matter discussed. But we are not out of the wood and however well-intentioned the Governor may be, reactionary forces are again ascendant in the counsels of Government and we have to watch events carefully. The sale of large blocks of Crown land on the application of capitalist companies and individual capitalists both European and Ceylonese, virtually by private treaty keeping competition down by the vastness of the areas, have been stayed by the intervention of your representatives in Council and the good sense of the Government, over-riding the opposition of the Provincial satraps, the big ones and the little ones. But in order to counter-act this, a new stunt has been started by which it is broadcasted that the only means to stop a future slump in the rubber industry in Ceylon is the immediate opening up of large extents of land in Ceylon for bud-grafting and that the Government must at once place

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

these areas in the market. Nobody advocates a dog-in-the-manger policy. Wide tracts unsuited for holdings may be surveyed and put up for sale. But the first duty of the State is to make provision for the present and the future comfort and well-being of man. In areas which are healthy and habitable with an increasing population and decreasing employment it is essential that all possible encouragement should be given to the settlement of families on the land and the cultivation of the soil instead of making them swell the vagrant population in the towns. The motion before Council requires a Select Committee to consider the question while the Government in answer to Mr. Jayah speaks of a Select Committee or Commission. I will frankly tell you why I am opposed to the appointment of a Commission. Government in the case of a Commission will be in a position to appoint men who are not responsible to the Council and it may be packed with the advocates of the theory that the land is primarily meant for bud-grafting rubber trees rather than for settling human beings upon. Further, Commissions are not responsible to the Council but to Government and their findings and recommendations will not be submitted to the Council. They will not have behind them the support of members to exert pressure, weak as it is, on the Government to carry out its undertakings. However, Government can always take refuge under the findings of a Commission whose capitalist and official complexion they have previously assured to deprive the peasant of his patrimony, and the appointment of a Commission is a well-known device of Governments to put off the evil day. I trust, however, in the dawning year, with the fullest confidence and co-operation bespoken by the Governor, which ought to exist between the Government and the Unofficial Members of Council that a Select Committee, not a Commission, will be appointed which will solve the question and make recommendations that will simultaneously he adopted by the Government. The materials for such an enquiry are readily available and no unconscionable time ought to be taken in arriving at a decision. But it is most necessary that all views and opinions on the subject should be

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

thoroughly ventilated both in Council and out of it that a correct and lasting decision should be arrived at.

In this connection I wish to emphasise the value of organized public opinion in an autocratic State such as our own. In democratic countries such as England the force of public opinion prevents officialdom from acting in the way they do in Ceylon. The power of public opinion forbids it. Similarly, virile, persistent, articulate public opinion will obtain what is denied to individual appeal. Indifference, sloth and lukewarmness to national insult or wanton wrong through cowardice or mistaken tenderness that it will wound the criminal's feelings does more harm than the wrong itself. You often hear complaints from the high placed aggressors that the racial issue must not be raised, that it embitters feeling. But the point is whether the charge of racial discrimination, arrogance or wrong is true or false. If true, public denunciation with the name of the delinquent official or unofficial is the only remedy to secure redress and prevent repetition. The unclean thing must be removed from among us. We are a civilized people, it goes against our grain to expose such conduct but the scalpel is necessary to be used on occasion though it does not give pleasure to the surgeon using it. One who pursues private wrong is a coward, but one who does not denounce wrong to the whole community is worse than a coward, he is a traitor. The sword of public opinion must be kept sharp. Without it Congress or Council can achieve nothing. I would advise you to emulate the planters, who in their Associations throughout the Island fight strenuously when their interests are assailed. How much more must we when our rights, our liberty, our privileges, our development and our very existence as a people are involved. Let there be virile organizations throughout every town and district and village affiliated to the Congress, alert, active, vigorous, wide-awake and bringing direct to the provincial or Central Government their needs and grievances. Let your facts be accurate and the matter one affecting the public at large and such a volume of public opinion will accumulate that its very momentum will ultimately make the Government yield.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

The question of cleaning of elas is a case in point where local Associations have educated public opinion and through your representatives wrested from Government in the teeth of the opposition of interested Departments funds for carrying on a work which has been seriously neglected by the provincial officials since the abolition of the paddy tax with the consequent silting up of fields and the diminution of the areas of cultivation. The question of agriculture is closely related to land. Ceylon is an agricultural country and the greatest obstacle to the agricultural progress of the masses is the official Agricultural Department. Sooner that Department was scrapped the better, with its army of experts and its devouring mania for expenditure on officials and buildings. Sir P. Ramanathan in Finance Committee once gave a graphic description of what it cost him in hard cash without results in following the advice of the expert of the Agricultural Department in the cultivation of certain fields in the North. How he had to undo the work with loss of time and money, and obtain cultivators from India for the cultivation. He pleaded hard to get a vote to obtain practical agriculturists from India. But the breed of practical cultivators has not yet died out in Ceylon. These facts were not denied by the Head of the Department. These young men in breeches who are rarely to be found when wanted cannot and do not teach the villager improved methods of cultivation. It was elicited from the Head of the Department how much useless expenditure was lavished in the Agricultural School at Peradeniya and how dis-proportionate was the result to the amount expended. In a land of White Elephants perhaps the biggest is the Agricultural Department. With the discussion of the question of land must also be settled the question of the mending or the ending of the Agricultural Department.

The problem of Health is one which must have the earnest attention of the country. Heath and immunity from disease is the greatest privilege that a nation can enjoy. But it is sad to contemplate that malaria, parangi and anchylostomiasis have decimated the fair face of our land. They still take their heavy

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

toll and sap the manhood and vitality of the Island, while the toll of infantile mortality is such as no national Government would tolerate the continuance for a day. Since the Council with elected representatives came in the question of infantile mortality and national health has been persistently kept before Government. Large sums of money have been voted in a Council which is usually meticulous in its scrutiny of Government Finance. Re-organization, malaria experts, anchylostomiasis and parangi campaigns have been inaugurated but a great deal more has to be effected. So far as effective cure, much less prevention, is concerned, only the fringe of the subject has been touched. The Department is soulless, I will not say callous, and unless and until the quickening touch of a control which sympathises with the people is introduced the Ceylon Government Medical Department cannot and will not justify its existence. Our national chronicle records that in the days of the Physician King Buddhadasa in the 6th century there were hospitals and physicians in every village and town. But the one thing the Medical Department will not do even where the appointments are allowed and the funds allotted is the appointment of medical men. When Mr. Cecil Clementi (as he then was) officiated as Colonial Secretary, the acting Head of the Department came for votes for acting medical men for officers going on leave and some of them were to be from the ranks of apothecaries, who were disqualified by law from practising as medical men. This course of continuing acting practitioners for absentee officers had been going on upon a system of perversity and false economy. The admission was extorted by the Legislative Councillors that there was a number of qualified young medical men on the waiting list and Sir Cecil Clementi insisted immediately on their appointment.

But the Colonial Secretary and the Unofficial Members reckoned without their host. While in the case of the imported officers and the expert from abroad there is gnawing anxiety to get the office created and an indecent hurry to have the place filled; in the case of the addition to the medical staff to be filled locally there is delay and obstruction from the very Heads of the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Department, who ought to be most anxious to have relief for an over-burdened staff and an under-staffed Department. A considerable time afterwards Members of the Finance Committee casually discovered that a number of the appointments sanctioned had not been filled and the excuse was that there were no adequate buildings in those stations to house the young medicos of a profession whose greatest claim to public esteem is its unselfishness, its devotion to duty and its infinite capacity to rough it in the cause of suffering humanity. More surprises were to follow, that none of these young men were offered the places and asked if they were willing to accept making their own arrangements about housing and accommodation till such time as the palaces, shall soar aloft, in regions reeking with disease, where Death is busy. The climax was reached when it was confidently asserted that the new appointment of a medical man to Kalutara was not made as there was no suitable house accommodation in the town of Kalutara! The same tale can be told about other activities, of the Department such as the training and housing of Ceylonese nurses, of the indifference and contempt in associating trained and qualified Ayurvedic physicians in the task where the harvest is great and the labourers are few, and the denial or undue restriction of necessary drugs for the specifics is another sign of their prejudice and irresponsibility.

But at the risk of wearying you, however, there is one other subject to which I wish to invite your attention as the policy has far-reaching consequences. The Department with the benediction of the Executive Government has been most anxious to appoint and continue the Civil Servant, now temporarily engaged as a permanent Administering Angel. Owing to lurid pictures of the chaos that was prevailing and absolute necessity for the speedy evolution of order the Legislative Council though opposed to the appointment sanctioned the temporary employment of a Civilian to set the Medical House in order. Of course, the appointment was given to a young European Civil Servant. It was stated there was not racial discrimination intended, that

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Ceylonese Civil Servants were equally eligible but it was sedulously broadcasted that "certain 'natives' did not trust other natives," generally in the administration of the Medical Department and especially in the case of the making of transfers and appointments. I would take leave to tell the Government that the distrust is not confined to "natives" dispensing of patronage in the Medical Department. *L'appetit vient en mangeant* and the Medical Department having tasted blood insisted on the temporary Civil Servant being made permanent, and the Executive Government vigorously supported the Director of Medical and Sanitary Services, re-inforcing its artillery with a special message from H.E. the Governor. After a careful and reasoned report a Sub-Committee had recommended to the Finance Committee that no such appointment was necessary and that a senior officer of the Clerical Service was quite competent to do the work performed by the superman. The matter has not been finally decided but I trust it will be decided in the only way it ought to be. This is not the only instance. In the Educational Department too there was the odd superman dovetailed into the establishment. Sir Cecil Clementi, Colonial Secretary, explained to the Members of Council in a moment of imperial confidence when he came to the Finance Committee for the vote that the intention of Government was to make this experiment in order to extend the scheme of having liason officiers drawn from the Civil Service in every Government Department, technical or special, so that they may acquire the knowledge of the working of the Departments which will help them in more exalted administrative spheres. He explained what had been previously whispered that a despatch had been received from the Secretary of State for the Colonies to that effect and it was not difficult to guess whence came the inspiration for that despatch. All through Sir Cecil Clementi's administrative acts one Imperial purpose ran which did not diminish with the passage of the suns. The policy of the expansion of the "steel-frame" is not yet dead. It would appear that the new administration too is its ardent advocate, judging from the facts I have recited. The fact is we have more

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Civil Servants than we know what to do with and Government is anxious to add to their number. The cadre of the Civil Service must be diminished. Proportionately there are more highly-paid officers to supervise than those to be supervised. The Civilian is a very bad master of the public. The brown bureaucrat bids fair to acquire all the strength and weakness of his British brother, both in the case of higher emoluments and as upholders of prestige. To both sections of the same service I would offer a tribute for high endeavour and devoted and brilliant service. Nobody is anxious to impair the strength and efficiency of the Government or pay an inadequate wage to officers doing responsible work. But when by reason of piling up of establishments and over-running the country with officials the Island has to pay over 40 per cent. of its revenue on salaries and establishments the time has come for us to call a halt and set our house in order. The Government has redeemed its pledge in appointing a Committee on the salaries of Public Servants. I do hope that this thorny subject will be finally and satisfactorily settled by the Select Committee of the Legislative Council now sitting on it. General Seely, then Under-Secretary of State for the Colonies, declared in Parliament that given the same qualifications a Ceylonese should be preferred for appointment in Ceylon to an Englishman. In answer to a supplementary question by a Conservative for the reason why, he replied, because "they were on the spot before we were." That is the promise but what has been the fulfilment by the Ceylon Government. It was detected about fifteen years ago that the then Head of the P.W.D., Mr. Cooper, had given instructions to the Crown Agents not to engage Ceylonese in London for the Department though British qualified and possessing the necessary training. This was exposed and those Ceylonese who had as the result received appointments in London are now making good in the Public Service. That is how the door was originally forced.

But I regret that information has reached me which shows that other Heads of Departments are even to-day adopting the same methods not in the case of Ceylonese equally qualified as

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

the British applicants applying for the same posts, but far better qualified. We shall watch and see. The P.W.D., Surveyor-General's Department, the Forest Department have in the past been closed Departments to Ceylonese talent although through stubborn and insistent agitation both in the Press, and on the platform and in Parliament the racial barriers have in a great measure been destroyed; still there is no adequate and proper scheme by which Ceylonese youth can be adequately trained and equipped for careers in those and the other technical Departments. Since 1921, the Elected Members of the Legislative Council whenever votes for these Departments have come up have insisted on the formulation of comprehensive schemes for the end in view, and after much delay I understand something is being attempted by Government on the lines advocated by them. There are connected grievances. The traditional policy of the Customs of recruitment by the backstairs instead of by the front door of competence and competition. The present Government has promised to withdraw the reproach of not allowing the best and brightest Ceylonese of the Civil Service being appointed as Assistant Agents and Government Agents, because they were born in this country though Ceylonese both in the Service and out of it have been found suitable to fill the highest judicial posts including the Chief Justiceship of the Island. We can be safely entrusted with powers and authority over the life and liberty of His Majesty's subjects, but not to hold revenue appointments. I am afraid I have taxed your patience too long but there are one or two important questions on which I should wish to touch briefly before I close, such as Education, local Self-Government, etc.

In the case of National Education the most appalling fact we have to face is that there are 400,000 children of school-going age in this Island going about the country without the means or facilities of elementary education. They are growing up to swell the vagrant and criminal population of the country. Large sums are voted for elementary education. It is not for lack of funds so far as I can understand that this situation is due. Large sums

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

have been obtained from Government for education during the last 5 years than ever before. When larger votes are asked by Unofficial Members for primary and secondary education, the reply of the Education Department is that more money cannot actually be expended by it during the course of the year than the sums voted and it would not do to allow the votes to lapse. The real trouble would appear to be that the Education Department insists on the erection of elaborate edifices before they would allow a school to be opened and the dearth of qualified teachers. No doubt clean and sanitary buildings are necessary for school-rooms but one cannot go too far in this matter. During the rule of the Dutch, every parish had its school, clean thatched, wattle and daub, whitewashed buildings. The principal aim ought not to be so much the fine school hall, but the removal of the reproach of illiteracy from our people as soon as possible. To say that because a University is sanctioned and expenditure is incurred on it that therefore Primary and Secondary education is neglected is, as I have endeavoured to show to use an argument as fallacious as it is mischievous. I endorse all that has been said by my predecessor on this question about the need for higher education in this country. You will remember it is the Father of the Congress himself who magnificently fought, at times almost by himself and received at long last from Government the boon of a University for his countrymen. His name will for ever be associated with the foundation of the Congress and the beginnings of the University. Enemies of the people masquerading as friends are seeking to raise opposition to the foundation of a University. A reactionary Governor and his satellites a few years ago sought to suppress higher education in this Island because enlightenment meant a demand for greater rights and privileges and capture of higher posts hitherto only filled by Europeans. A more generous policy has since been adopted and I am very grateful to the Government for sanctioning the University. In this connection one ought to remember the names of Sir Wm. Manning and Sir Cecil Clementi, who were very keen in establishing a University worthy of the Island. It is now

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

only the rich man's son who has the privilege of acquiring this knowledge. This University will break this monopoly and open the doors wide to the children of the people so that they may be trained and taught and equipped in an atmosphere of culture for responsibility and duties which hitherto were confined to those few who had the means of going abroad. In short those with moderate means will have the opportunity of receiving higher education when they have left school, a privilege hitherto denied to them. A scheme of free Scholarships judiciously given will extend the hope of the University and enhance its usefulness. Above all the University is intended *par excellence* to be a seat of Oriental culture in keeping with her ancient fame and once again we shall see scholars from distant lands fore-gather in our schools as they did in the days of our cultured sovereigns to drink deep of the fountain of Buddhist learning and culture. The question of site has been referred to the Legislative Council for their decision and at its request the Governor has submitted the subject to an able Committee presided over by a brilliant Ceylonese, Mr. M. T. Akbar, the Solicitor-General. This report is awaited with interest. To come to a phase of education which has long been overdue, I would urge on the Government the necessity of immediately bringing into effect the Pension Scheme for teachers though the delay in introducing it cannot altogether be laid at the door of the Government. With the education of the country goes hand in hand the question of self-Government by the people. The principle of self-Government has long been known in Eastern lands and in our own country for centuries the "Gansabas" (village communes) have functioned. They have been revived in modern times and other local bodies elected or semi-elected have been in operation for a considerable period under British rule. The present practical problem is to simplify and co-ordinate all these institutions into one single scheme of local self-Government from the Village Committee upwards. A Select Committee of the Legislative Council is very carefully and thoroughly going into the question with the sympathy and concurrence of the Government. I trust that their proposals will

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

place on a broad and rational basis the whole fabric of rural and provincial administration. Valuable rights have been conceded to the people by the last revision of the Village Communities Ordinance, and I am very grateful to the organisers of the Village Communities Conference for the work it is doing in educating the villages in the art of self-Government and to its President, the Hon. Mr. W. A. de Silva for the valuable contribution he has made to the subject.

In a somewhat different category stands the Reform of our Municipal Councils on a popular basis especially that of Colombo. Vested interest and reactionary forces have opposed the extension of popular rights to a body which is only a Municipal Council in name. Its original powers were lopped away by statute under different pretexts, and when drastic Reform could no longer be delayed the Government put off the inevitable by various dilatory pleas, the last being that nothing could be done till the arrival of the new Governor. The Governor has been here for about a year and when at length the Government has been induced to go into the question, the old enemies of progress under the guise of candid friends are banded together against a Reform that will grant a real and effective control to the Elected Members. The superman is moving heaven and earth to assume the god although it be a tin-god, in the new Town Hall. There has been enough delay and masterly inactivity. The matter calls for urgent attention. The administration of our great Harbour is as important as the proper administration of our Capital city. The Colombo Port Trust is an anachronism ring-fenced with vested interest and class monopoly. It is a national asset belonging as much to the people of this country as other effects on land. The Harbour was built with the taxpayers' money. The Reform suggested by interested parties is to create by statute a new Port Trust which will hand our Harbour to a body independent of the Government on the plea that they will manage things better. We have only to look across the water how such a statutory transfer has affected the rights of the people of the country. Such a course will be suicidal. The Government must maintain control

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

and must be responsible to the representatives of the people but the farcical representation of Ceylonese interests on that Board must be drastically altered. While dealing with the Harbour of Colombo I must not omit the ancient and classical Port of Galle in the neighbourhood of which we are assembled. The Harbours of Trincomalie, Colombo and Galle, are famous in all lands but to none does Galle yield pride of place. Considering the rôle she played in the ancient past and her position in the recent past before the breakwater of Colombo was built, it will be well worth the consideration of Government whether measures could not be taken to restore to this ancient port once the mart of the East and the Far East something of her former trade and prosperity. There are other matters of moment which I have not time to touch on. Labour may rest assured that its interests are being carefully watched and safeguarded both by this Congress and by Congressmen in Council. I am glad to note that the movement to secure a 20% increase has succeeded and I wish to say that while all his colleagues representing black-coated labour assisted, one of your past Presidents whom I am glad to see here to-day specially exerted himself to bring about the desired result.

A Congress address will not be complete without a reference to Buddhist Temporalities. These pious benefactions of ancient Kings granted till the sun and moon shall last for the maintenance of religion and the spread of learning have become the prey of the spoilers and of their official guardians. *Quis custodiet, ipsos custodes?* It is the duty of the Government to introduce legislation at an early date to put an end to this scandalous spoliation. The Buddhist Sinhalese have been granted their franchise by the Government and their accredited representatives will assist and guide the Government in the passing of the necessary laws in spite of the bluff and antics of a few humorous Kandyan gentlemen who derive their rank and authority to speak on behalf of the people from the offices and Headmanships they hold under the British Government. Under a democratic form of Government there would be a Minister of Pious Foundations to

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

look after these Temporalities. This brings me back again to the subject with which I started. Cato used to end every discourse with the words *Senseo Carthaginem delendam esse.* It is my opinion that Carthage ought be destroyed. Similarly I would impress on you that the arbitrary powers of the bureaucracy must be destroyed if we are to achieve anything in the political sphere, and substitute an Executive responsible to the people in a Council for the reconstruction of which it is primarily it was disreputable to be associated with it. No Member of the Legislative Council would come near it, the exception being Sir Ramanathan. To-day Congressmen professing the faith of the Congress are sitting as elected representatives of the people in a Council for the reconstruction of which it is primarily and solely responsible. One of your representatives presides over this Congress to-day and a past President presides over the Legislative Assembly. I feel sure that while breathing a serener air he has not forgotten the ideals of an earlier day and that he still cherishes the political faith that he cherished a few years ago when with his mellowed wisdom and political sagacity he routed the forces of reaction and wrested the power of the purse from an unwilling bureaucracy bloated with power.

I trust he is still the custodian of our cherished rights and privileges and above all of the right of free speech in spite of the blandishments of officialdom and the ribald laughter of cowardly Communalism and respectable Racialism. Autocratic power is ever dumb and every wile will be employed to stifle free discussion which is the life-blood of a popular Assembly and to enthrone patience. Nobody will object to order being maintained and the amenities of debate being preserved otherwise public business cannot be carried on either in the Legislative Council or in this Congress. No Government can afford to sit on the safety valve; it will only send discontent underground. The greatest triumphs of the free expression of opinion are or were to be seen in England while the disastrous effects of the contrary policy is to be seen in our great neighbour across the water.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

I wish to address one word to you before I close. We are met here to-day to address the Government on our needs and political demands. Once a year the delegates, the representatives of Associations and political bodies throughout the Island which reflect the Congress creed and the views of the country as a whole meet together to speak with a chosen spokesman in a language understanded of the Government. I wish to make this point clear we are of many tongues here but we speak in the official tongue so that we may bring home to the Government our vital needs and grievances, although in our local Associations we discuss matters in the vernaculars. While conducting the main discussion in English every effort will be made that delegates who do not speak English should follow the proceedings. These are some of our needs and grievances, however inadequately and imperfectly I have laid them before you, and the speakers on the resolutions which are submitted to you will further explain matters. But one thing will stand out clear that whatever we attempt nothing tangible can be achieved till there is a radical Reform in the Executive and that right early. Soon or late there is bound to be a clash between the views of your elected representatives solemnly expressed in Council and the irresponsible disposing authority which is the Executive of this country; meantime the cup is filling. I am an old fashioned Liberal not of that variety that is tinged with Imperialism which is the negation of Liberalism. Perhaps black-coated Labour more accurately represents the old Liberal faith. Evolution rather than revolution is the creed of the Congress and a violent whirlwind agitation which will sweep like a tornado through the country inflaming passion and feeling against the Government is the last thing the Congress would welcome.

If all other remedies fail we shall as in the past have to seize the weapon of Constitutional agitation and organized reasoned public opinion will by wooden antideluvian form of its very momentum sweep away this Government and make the people masters in their own house. We have one hope left in this encircling gloom of reactionary darkness.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

H. E. the Governor alone has the power and from what I have heard the will to end this political impasse. I would from this platform appeal to him to take up the question, with all the emphasis at my command to take up the question at once, for let me assure him the matter is very grave and urgent. H. E. Sir Hugh Clifford when he has his responsible Ministers around him enjoying the confidence of the people will then have no occasion to complain of masterly inactivity. As a constitutional ruler he will have plenty of scope in dealing first hand with problems of administration of health, of Education, of finance which will give him a new zest for life and an outlet for his restless energy and accumulated experience. The utmost confidence should exist between the unofficial Members and the Government, were I to believe the words he once used. This is the only way to bring it about. When this is done that dream will be realized which Sir Alexander Johnston with far-seeing vision favoured that Ceylon is the best place to plant the seed of free institutions which will spread. Sir Hugh Clifford with great Imperial work will be crowned in a manner which has never been given to any British President and he will be enshrined in the hearts of a grateful people.

The world's great age begins anew,
The golden years return.
The earth doth like a snake renew,
Her winter weeds outworn.
Heaven smiles, and faiths and Empires gleam,
Like wrecks of a dissolving dream.
Another "Lanka" shall arise,
And to remoter time
Bequeath, like sunset to the skies,
The splendour of its prime.

After the President's address Congress adjourned for half-an-hour for tea, and when it re-assembled Mr. C. E. Victor Corea asked the President for permission to ask a question unconnected with the agenda. He rose to sound a discordant note, but felt

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

constrained to do so because the matter affected the people's confidence not only in the Executive Committee of Congress but also the honour of the whole nation.

The President said he did not like to prevent Mr. Corea speaking, but he thought Mr. Corea was only going to ask a question.

Mr. Corea replied that his question must be preceded by an explanation. He was going to ask why a certain resolution has been omitted.

The President replied that all those matters had been submitted to the Executive Committee of Congress composed of Associations representing the whole Island and under those circumstances no further explanation was necessary. Representations in regard to the matter ought to have been submitted to the Executive Committee before the agenda was drawn up.

Mr. Corea said he appealed to Mr. Franics de Zoysa last year and he promised that the first thing to be discussed this year would be the question of what was called the Sinhalese-Tamil Pact.

Mr. Francis de Zoysa said that was not what he said.

Mr. Corea: I understood him to say that the matter will be brought forward at a special session of Congress.

Mr. Francis de Zoysa: This is not a special session.

Mr. Corea: That makes it much worse.

The President put it to Mr. Corea that there was no use of his making one statement and Mr. De Zoysa making another. They had to proceed with the agenda and if he had anything to speak Mr. Corea would have the opportunity later on. He did not think it was competent for any body to speak outside the agenda which was submitted by the Executive Committee.

Mr. P. Givendrasinghe said the Tamil-Sinhalese Pact was a thing of the past and could not be brought up to-day. (Cries of "order," "order.")

Mr. Corea said he asked that question merely in the interests of Congress, because the Tamil people had an idea that Congress leaders were not to be trusted—(Cries of "No," "No,")—and that the words of the Sinhalese leaders cannot be accepted.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

The President said his advice to Mr. Corea was that the matter might be discussed in Committee this evening and if there was any proposal he could bring it forward at the Executive Committee and his hands were perfectly free in the matter. He would ask Mr. Corea to stop that discussion because it would not forward the movement he had at heart and because they did not want to sound a dissentient note without any good coming out of it.

Mr. Corea thanked the President for the advice and said he hoped he would give him an opportunity to explain to the Tamil brethern as to how that matter was dropped.

## THE FIRST RESOLUTION.

Mr. Francis de Zoysa in moving the first resolution wanted to offer a word of explanation. But Mr. V. S. Perera rose to a point of order and said that if Mr. Corea was not allowed to speak, Mr. De Zoysa should also not be allowed, Mr. De Zoysa said he was prepared to say nothing if that was their wish but he thought a word of explanation was due to Mr. Corea and thought he would have the permission of the President.

Mr. Corea did not object but welcomed the explanation.

Mr. De Zoysa said Mr. Corea's question suggested that the honour of the Sinhalese in general and his in particular was involved. It was true there was a resolution that was postponed at the last sessions on the understanding that it would be considered at a special session. There was no understanding to bring it at that sessions. Mr. Corea knew that the matter was discussed in Committee and on the motion of Mr. George E. de Silva and several others who were the God-Fathers of the Pact it was suggested that they should not take up that question until they ascertained the wishes of all the Communal Associations in the country which are not represented in Congress. They were written to for their views and they had not been able to get their views yet. When their views were obtained whether that resolution would be brought up or not was a different matter. When the agenda was drafted in Committee and adopted not a word

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

was said by anybody about it. He had done nothing dishonourable. The honour of the Sinhalese people rested in the eyes of the world on very much sounder foundations than the Tamil Pact.

Mr. Francis de Zoysa then moved the resolution: "That this Congress is of opinion (a) that full responsible Self-Government should be granted to this country at the next revision of its constitution and (b) that pending such revision the constitution of the Executive should be immediately revised to bring it into harmony with the Legislature."

In recommending the motion Mr. De Zoysa said, with regard to the first part the resolution, if one stood up 10 years ago and moved a resolution of that kind half the people of the country would not ordinarily have understood it and the other half would have dubbed the mover. a Bolshevist. But the position was different now. He did not anticipate any serious opposition. Many hoary heresies with which those who worked for full responsible Government for Ceylon used to be met were now dead or dying. When the plea for full rsponsible Government for Ceylon was put forward the argument used to be advanced against it that Ceylon was unfit for such democratic institutions and that Western democratic institutions were not suited to Oriential countries. They had done with that heresy. Democratic institutions had been in Ceylon in the past and had been worked with success. The only point in which there seems to be doubt was whether it was time for them to ask for such responsible Government. Congress work had made everybody in Ceylon who took interest in public affairs to understand what was meant by responsible Self-Government. Some people did not want them to copy European models but wanted them to copy the model known as Dyarchy which had proved a dismal failure in India, where it has been worked. People used to say that Ceylon was not fit for Self-Government because there were men of various castes and creeds. He questioned which country in the world was of one caste, one race, one religion and complexion.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

By the general electorate conceded in the 1923 Reforms all castes, creeds and races had been linked up together and that had worked with success. Was there anyone bold enough to say that was a failure? He had never been able to understand the statement that larger communities must make sacrifices for smaller communities. "We are not working for Self-Government for the good of any single community but for the people of this country and what we need work for is to see that everyman is treated equally whatever his caste, creed, religion or race may be

Another argument urged, with great vehemence by some, and in a half-hearted way by others against the grant of full responsible Government was that among us there were no fit men to discharge the duties of Ministers. Referring to the interview which Sir Marcus Fernando gave to "The Daily News," while in England, in which he stated that such Ministers should be nominated by the Governor for the reason that in Ceylon there were not enough men to be ministers, he said that the argument was a libel on the people of the country and on those returned to the Legislative Council by the electors.

Mr. Zoysa challenged the belief that Ministers had to have technical knowledge of the work of the Departments they were placed to administer. Such Ministers had only to guide the policy of the Departments.

With regard to the second part of the resolution Mr. Zoysa pointed out the need there was for harmony between the Legislature and the Executive.

Mr. M. A. Arulanandan seconded the resolution and pointed to the fact that when the Congress Constitution was drafted in 1919 the first article required that they should work for responsible Government and the status of a self-governing member of the British Empire. The corner stone was then laid and he little thought that within a few years he should have the pleasure of addressing a sympathetic audience on a subject of that kind with practically no opposition. Time was when there were amongst them persons who refused to look at 't even as a distant goal. He complimented the Legislative Council as being a model deliberative assembly.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Speaking of the Tamil attitude, the speaker said, that they would find the Tamils a most progressive people working side by side with them.

Mr. W. A. de Silva supported the resolution and spoke in Sinhalese.

Dr. S. Muttiah also supported the resolution.

Mr. C. E. C. Bulatsinhala said the motion did not go far enough.

Mr. Francis de Zoysa offered a few remarks in reply and the motion was carried.

The other resolutions discussed were :—

2. That for a period, Government do suspend recruitment from abroad and select qualified Ceylonese to fiill future vacancies in all branches of the Ceylon Civil Service.

Proposed by Mr. M. T. de S. Amarasekere.

Seconded by Mr. J. Vincent Mendis.

Supported by Messrs :—F. A. Obeyesekere, Valentine S. Perera, G. K. W. Perera, D. S. Senanayake, F. P. Seneratne, A. P. Thambyah and Charles S. Amarasinghe.

The resolution was put to the house and carried unanimously.

3. This Congress is of opinion (a) that all Local Boards as well as Sanitary Boards be abolished and the areas covered by such Boards be brought under the operation of the Local Government Ordinance or the Village Communities' Ordinance. (b) That the Village Communities' Ordinance be so amended as to transfer powers now vested in the Government Agents to Provincial Boards consisting of elected representatives.

Proposed by Mr. W. A. de Silva.

Seconded by Mr. D. H. S. Nanayakkara.

Supported by Messrs. D. B. Jayatilaka, P. H. A. Silva, R. T. G. Kuruwita Gunasekere, R. R. H. de Mel, Roland E. W. Perera, Francis de Zoysa, J. L. Somapala and C. W. W. Kannangara.

The resolution was unanimously carried.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

4. This Congress is strongly of opinion that Government should formulate a definite scheme for the disposal of Crown lands and for the establishment of the landless on small holdings.

Proposed by Mr. G. K. W. Perera.

Seconded by Mr. P. Givendrasinghe.

Mr. G. C. S. Corea moved the following amendment, "That a sub-Committee of the Congress be appointed to formulate a definite scheme of dealing with land held by Government in trust for the people and for providing small holdings for landless people."

Mr. H. W. Amarasuriya seconded the amendment.

Mr. G. K. W. Perera in accepting the amendment suggested that the following words be added to the original resolution, "and that a sub-Committee of the Congress Committee do submit definite proposals for dealing with this matter and that the following do form the Committee: Messrs. F. A. Obeyesekere, Francis de Zoysa, G. C. S. Corea, M. A. Arulanandan, S. R. Wijemanne, and G. K. W. Perera."

This was agreed to by the proposer and the seconder of the amendment.

Messrs. V. S. de S. Wickremanayake, H. Don. Clement, and D. A. A. Gunatillake supported the resolution as amended and it was adopted.

5. That this Congress disapproves of the receipt by Legislative Councillors of any remuneration either as commuted allowance or salary.

Proposed by Mr. A. A. de Silva.

Seconded by Mr. H. W. D. S. Kulatilake.

Mr. M. A. Arul Anandan proposed the following amendment. That Congress disapproves of the Government scheme regarding payment to Councillors.

Revd. A. W. Jayatunga seconded it.

Mr. D. S. Senanayake supported the amendment.

The proposer of the resolution accepted the amendment and a spirited debate followed in which Messrs. Chas. Samarasinghe

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

W. H. Abeysundere, Geo. E. de Silva, John Perera, D. N. W. de Silva, S. D. Silva, P. A. Somapala, D. H. S. Nanayakkara, R. H. Sadris de Silva, G. K. W. Perera, Francis de Zoysa, A. E. Morren, C. W. W. Kannangara, P. Givendrasinghe, and F. A. Obeyesekere took part.

The amendment was put to the house and it was defeated by a large majority.

6. That this Congress disapproves of the granting of Free Passages to Government Servants.

Proposed by Mr. C. E. C. Bulathsinhala.

Seconded by Mr. D. N. W. de Silva. Carried.

7. That it is the opinion of this Congress that in making Government appointments an applicant's caste should under no circumstance be inquired into and that no distinction should be made as regards the dress of a public servant of any grade on grounds of caste.

Proposed by Mr. S. W. R. D. Bandaranaike.

Seconded by Mr. G. C. S. Corea.

Supported by Mrs. A. P. Thomas, Messrs. N. H. Keerthiratne, D. A. A. Gunatilake, W. J. Athurusinghe, Samarasinghe Maddume Peruma, C. A. Moran, C. E. C. Bulathsinhala, and D. A. P. Kahawita.

Carried unanimously.

8. That in the opinion of this Congress Government should take no further action in the matter of the construction of the new causeway at Jaffna until the question has been fully investigated by an independent commission.

Proposed by Mr. A. P. Thambyah.

Seconded by Mr. Roland E. W. Perera.

Supported by Messrs. V. S. de S. Wikremanayake, G. K. W. Perera, and C. W. W. Kannangara.

Carried unanimously.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

9. That it is the opinion of this Congress that the Extension of the Railway to Hambantota should be taken in hand immediately.

Proposed by Mr. C. S. Dissanayake.

Seconded by Mr. W. C. Obeyesinghe.

Supported by Mr. V. S. de S. Wikremanayake.

Carried.

The following were elected members of the Executive Committee for the year :—

Hon. Mr. D. S. Senanayake,
,, E. J. Samerawickreme,
,, Geo. E. de Silva,
Hon. ,, F. A. Obeyesekere,
,, ,, C. W. W. Kannangara,
,, ,, T. B. Jayah,
Dr. E. V. Ratnam,
,, Mr. A. F. Molamure,
,, ,, W. A. de Silva,
,, ,, K. Natesa Aiyer,
,, M. A. Arulanandan,
,, ,, Victor S. Corea,
,, ,, C. H. Z. Fernando,
,, Arthur V. Dias,
,, L. W. A. de Soysa,
,, M. T. de S. Amarasekere.

---

| | Name of Association. | Executive Committee Members. |
|---|---|---|
| 1. | Lanka Maha Jana Sabha. | Mr. D. C. Senanayake. |
| | | ,, D. W. Wickramaratchi. |
| 2. | Progressive Nationalist Party. | Mr. C. Ponnambalam. |
| | | ,, Valentine S. Perera. |
| 3. | Telwatta Maha Jana Sabha. | Mr. A. A. de Silva. |
| 4. | Moratumulla Union. | Mr. S. Oliver Stembo. |
| 5. | Dehiwala-Mt. Lavinia Maha Jana Sabha. | Mr. J. Vincent Mendis. |

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

| | Name of Association. | Executive Committee Members. |
|---|---|---|
| 6. | Otara Palata Mahajana Sabha. | Mr. S. James Silva.<br>,, L. C. Pathiratne. |
| 7. | Yatacalan Pattu Mahajana Sabha. | Mr. W. Alfred Fernando.<br>,, T. P. M. F. Gunawardana. |
| 8. | Kaikawela Mahajana Sabha. | Mr. G. L. S. de Silva. |
| 9. | Sri Jayawardanepura (Pitte Kotte) Mahajana Sabha. | Mr. W. J. de Alwis.<br>Mr. V. D. S. Rajakaruna. |
| 10. | Rambukkana Mahajana Sabha. | Mr. E. A. P. Wijeratne.<br>,, P. H. A. Silva. |
| 11. | Colombo Vehicle Men's Union. | Mr. P. Givendrasinghe.<br>,, D. M. Manoratne. |
| 12. | Kalutara Mahajana Sabha. | Mr. S. R. Wijemanne.<br>,, D. J. K. Goonetilleka. |
| 13. | Ceylon Labour Union. | Mr. A. E. Goonesinha.<br>,, Mohamed M. Reyal. |
| 14. | Young Lanka League. | Mr. A. C. Chella Rajah.<br>,, C. M. David. |
| 15. | Ambatalenpahala Mahajana Sabha. | Mr. D. F. J. Perera.<br>,, J. S. P. Jayawardane. |
| 16. | Colombo News Paper Sellers' Union. | Mr. D. C. Seneviratne,<br>,, P. K. P. Siriwardane. |
| 17. | North Ceylon Workmen's Union. | Mr. A. P. Thambyah. |
| 18. | The Printers' Union of Ceylon. | Mr. B. A. Karunaratna,<br>,, K. Satiyawagiswara Aiyer. |
| 19. | Mahadampagama Mahajana Sabha. | Mr. S. W. Wickramasooriya.<br>,, H. A. Mendis. |
| 20. | Kadugannawa Association. | Mr. F. P. Senaratne. |
| 21. | Kotagoda Mahajana Sabha. | Mr. Chas. C. W. Jayasekera.<br>,, S. Abeywickrema. |
| 22. | Mallika Kulungana Samitiya. | Mrs. Asline P. Thomas. |

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

| | Name of Association. | Executive Committee Members. |
|---|---|---|
| 23. | Moratuwa Mahajana Sabha. | Mr. Alfred V. Fernando.<br>,, Roland E. W. Perera. |
| 24. | Galle Ayurvedic Association. | Mr. H. D. Abeyawardane. |
| 25. | Sri Lanka Sinhala Jatika Sangamaya. | Mr. H. Sunderasekera.<br>,, N. H. Kirthiratne. |
| 26. | Kendangamua Mahajana Sabha. | Mr. B. S. Ramachandra.<br>,, N. L. Abraham. |
| 27. | Galle Muslim Association. | Mr. M. Cassim Ismail.<br>,, M. Thaha Cassim. |
| 28. | Negombo Mahajana Sabha. | Mr. H. K. P. de Zylva.<br>,, D. J. Jayawardane. |
| 29. | Katana Association. | Mr. S. Joachim Silva. |
| 30. | Dodanduwa Mahajana Sabha. | Mr. Sam E. Wijesuriya. |
| 31. | Ceylon Workers' Federation. | Mr. Martinus C. Perera.<br>,, L. S. Niglie. |
| 32. | Matara Mahajana Sabha. | Mr. E. G. D. Abeygunawardane.<br>,, J. R. P. Ranasooriya. |
| 33. | Ceylon National Association. | Mr. G.K. W. Perera.<br>,, R. A. de Mel. |
| 34. | Panadura Mahajana Sabha. | Dr. C. W. Dias.<br>Mr. M. H. Jayatilaka. |
| 35. | Sinhalese National Association. | Mr. D. H. S. Nanayakkara.<br>Mr. M. P. Zoysa. |
| 36. | Matale Association. | |
| 37. | Thebuwana Mahajana Sabha. | Mr. K. D. Lewis Appuhamy. |
| 38. | Wadduwa Mahajana Sabha. | |
| 39. | Minuwangoda Mahajana Sabha. | |

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

| | Name of Association. | Executive Committee Members. |
|---|---|---|
| 40. | Kegalle Baharatha Velpa Sangam. | |
| 41. | Gandhi Sangam. | Mr. J. P. Christian,<br>,, J. P. John. |
| 42. | Galle Mahajana Sabha. | Mr. C. S. Dissanayake,<br>,, S. H. Dahanayake. |
| 43. | Ceylon Muslim Association. | |
| 44. | Maddyama Lanka Mahajana Sangamaya. | Mr. G. Karunadasa.<br>,, L.P. Premaratne. |
| 45. | Chilaw Association. | Mr. E. C. S. Storer,<br>,, P. Chelvanathan. |
| 46. | Sabaragamuwa Association. | |
| 47. | Negombo Association. | Mr. Bertram de Zylva. |
| 48. | Matara Association. , | |
| 49. | Kandy Mahajana Sabha. | Mr. S. A. Wijetilleke,<br>Mr. D. M. de S. Abeynayake. |
| 50. | Colombo Vehicle Mens' Union (Slave Island.) | Mr. A. L. Don Albert.<br>Mr. C. E. C. Bulathsinhala. |
| 51. | Ceylon Labour Union, (Galle Branch.) | Mr. R. H. Sadris Silva.<br>,, A. B. Seneviratne. |
| 52. | Raigam Korale Mahajana Sabha. | Mr. A. P. Jayasuriya. |
| 53. | Hatton District Congress Association. | Mr. J. A. Aiyadurai,<br>,, D. J. Kumarage. |
| 54. | Halpanwila Mahajana Sabha. | Mr. G. C. S. Corea.<br>,, T. Nilayaratne. |
| 55. | Fort-Mount Bus Owners' Association. | Mr. C. Abeywardane. |
| 56. | Anuradhapura Mahajana Sabha. | Mr. S. D. Krishtnaratne. |

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

| | Name of Association. | Executive Committee Members. |
|---|---|---|
| 57. | Hambantota District Mahajana Sabha. | Mr. V. S. de S. Wikramanayake.<br>,, C. A. Wickremasuriya. |
| 58. | Ambalangoda Association. | Mr. P. de S. Kularatne. |

NOTE:—The following extract from the minutes of Executive Committee meetings refers to the election of officers for the year:—

"The following were nominated for the Presidency:—Hon'ble Messrs. E. W. Perera, T. B. Jayah, F. A. Obeyesekere and Mr. George E. de Silva. Messrs. Obeyesekere and Jayah withdrew.

The names of Messrs. E. W. Perera and George E. de Silva were balloted for, and Mr. E. W. Perera was declared elected.

Hon'ble Mr. D. B. Jayatilaka proposed and Mr. Francis de Zoysa seconded that Dr. S. Muttiah be elected Vice-President, there being no other names, Dr. Muttiah was declared elected. Mr. P. Givendrasinghe proposed and Mr. D. H. S. Nanayakkara seconded that Messrs. R. S. S. Gunawardene and S. W. R. D. Bandaranaike be elected Hony. Secretaries.

There being no other names they were declared elected.

Mr. S. W. R. D. Banadaranaike was elected Hony. Treasurer.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

SECTION II.—*Addresses.*

## ADDRESS DELIVERED BY MR. FRANCIS DE ZOYSA AT THE PUBLIC HALL, COLOMBO, ON 24TH SEPTEMBER, 1927.

Mr. E. W. Perera, President of the Congress, presided, and in briefly introducing Mr. De Zoysa, which he said was "a work of supererogation," said that Mr. De Zoysa had been before the public eye for the last twenty years. In every political matter which concerned the interests of the country he had been one of their foremost advocates. He had been a President of the Congress and had never deviated a hair's breadth from the straight path of political principle, being always a leader of vision and courage. Such men were greatly wanted at the present crisis and he thought that the Executive Committee could not have done better in opening their first meeting to expound the views of the Congress than to have asked Mr. Francis De Zoysa to give a lecture from that platform.

### THE LECTURE.

Mr. Francis De Zoysa said that although he felt highly complimented by the request of the Congress Committee that he should address the first of the series of public meetings, organised by them, he was conscious of his own limitations. He had, however, acceded to that request in the conviction that any defects or deficiencies in his address would be supplied by the abler and worthier exponents of the Congress views who would address subsequent meetings. It had been generally recognised that the present is a most momentous and critical period in the history of their political development. Ceylon had the distinction of being called the premier Crown Colony and whatever their order of distinction might be they were still under Crown Colony Government—Government by officials responsible to the Crown. That was despotism pure and simple though sometimes called a benevolent despotism. The people of Ceylon had been striving for half a century, from the days of the Ceylon League, to get out of that form of despotic rule, but it was only in 1910 that the first advance towards emancipation was made when the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

elective principle was conceded. In 1923, as a result of the strenuous efforts of the Congress in the face of tremendous opposition and appalling difficulties they made a really substantial advance when they got a representative legislature—a legislature with an elected majority.

That was the highest form of constitutional development possible under Crown Colony Government and the only possible step forward was to responsible Government. They were now not only within sight but, in fact, on the very borders of the Promised Land. (Applause). They might or might not find that land flowing with milk and honey but it was their birthright and it had been promised them. Whether they would enter it or not depended on how they acted at the present juncture. Some of them might feel faint-hearted at the propect of the great change. Some might wish to hug the chains a little longer. But he assured them that the slightest weakening or wavering on their part would mean disaster. One false or hesitating step and the cause was lost. Some of their political strategists might suggest what they would call flanking movements—(laughter)—but what was needed was a direct and determined frontal attack. (Cheers).

He was one of those, who from the outset had welcomed the appointment of the Special Commission on Reforms. He did so for more than one reason. In the first place they had nothing to fear from an open independent and impartial inquiry. In the second place, a revision of the Constitution was due in 1929, and they would have had to place their case before the Secretary of State, and for that purpose probably to send a deputation to England. Here the Secretary of State was sending out a Commission to ascertain everything and report to him, and why should they not welcome the opportunity? He could appreciate the misgivings of those who remembered but Commissions like the Wood Renton-Fernando Commission. The manner in which this Commission came to be appointed also made one feel uneasy. But, all things considered, he felt that they could face the Commission with confidence, if they would but stand firmly together. The personnel of the Commission, from the information to hand, was by no means unsatisfactory. It was true that the terms of the reference were rather vague and ambiguous. But it was



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

conceded on all hands that there was to be no question of going back on the progress they had already made. Sir Hugh Clifford, who was responsible for the Commission, repeated the statement on several occasions in the most emphatic language, that such a thing as going back was unthinkable. Even those who were actually suggesting retrograde steps tried to disguise them as progressive measures. There was one thing, however, that was absolutely essential to the success of the Commission.

Their sittings must be held in public. The inquiry should be in the open and above board. Everybody must know what everybody else was saying to the Commission. There should be no whisperings in the ear and no opportunities for stabbing in the dark or in the back. It was said that some men did not like to speak the truth in public. Such men and their opinions deserved nothing but contempt. They were not dealing with private and personal matters. He could understand one's unwillingness to discuss such matters in public or even privately. But where was the need for secrecy in public matters. It was not the man who wanted to speak the truth, but he who wanted to misrepresent, mislead, tell lies that feared the light of day and loved darkness. He would give them an illustration of the kind of things that certain people could whisper into the ears of unsuspecting new-comers to the Island. When Colonel Wedgwood visited them in 1920, on landing he was taken direct to the Queen's House to lunch with the Governor. The following day, in the course of conversation, he asked them if it was true that inter-caste bitterness amongst the Sinhalese was so great that no two men of different castes would sit at the same table. At the moment, he was lunching with Sir James Peiris, Mr. Samarawickreme and the speaker. (Laughter). When they told him that the three of them belonged to three different castes, his surprise was as great as his disgust at the deliberate misrepresentation. It was to whisper lies of that kind that certain people were making strenuous efforts to induce the Commission to hold its sittings within closed doors. Every attempt was being made to present a full, open and fair inquiry. The forces of reaction though not numerous were powerful. They had powerful friends in high places, both in Ceylon and in England, and their tactics were baffling. They were not afraid of meeting the enemy in

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

the open. There was talk of the formation of an anti-Congress Party. (Laughter).

They would heartily welcome the formation of such a party —not a mock party formed to promote juvenile and senile ambition—(laughter)—to secure Council seats and ministerial portfolios, not a party like the Union Place Party—but a party of those who were really and honestly opposed to the Congress principles and Congress policy, who were opposed to the grant of responsible Self-Government to Ceylon. Let such a party come into the open and they would be prepared to measure their strength with them in any fair and open fight. They were, of course, not used to secret intrigue and submarine tactics. (Laughter).

What was the attitude of the Congress in regard to the coming revision of the Constitution? What were their demands? Whatever else might be done at that revision they said with all the emphasis at their command, that there should be no going back in the slightest measure in any respect, on the Constitutional progress they had already made—no taking away of any of the powers already given to the people. That, of course, was conceded, at least in theory on all hands. Powers once given to a people cannot and will not be taken away unless those powers have been abused. That there had been any such abuse, no one would dare suggest. Let them be definite as to what they meant when they said that there should be no going back. In the first place, they said that there should be no taking away of any of the powers the Legislature enjoys at present. Their Legislative Council at present had full control over the legislation, administration and finances of the country. That control it had enjoyed from the very outset. It was true that till 1923, the Council enjoyed those powers only in name. So long as the Governor was not only the King's representative, but was also his own Prime Minister, with an official majority bound to do his bidding in Council, had the privilege of nominating his own Opposition, was also the Speaker of the House with the additional power to take part in the debates—so long as that state of things existed, the Legislative Council was a mere tool in his hands. In 1923, however, with the introduction of an elected majority into the Council its powers of control became more real than nominal.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

What was more, and what was perhaps not generally recognized, was that the Reforms of 1923, invested the Council with very important additional powers and changed its entire character. It became what was known as a Representative Legislature, which had full power to legislate regarding its own constitution, its powers and procedure. It could, as the Legislature of Cape Colony did in 1872, pass into fully representative and responsible Government, all these powers of the Legislature. They said that those powers should remain absolutely unimpaired.

As for the actual composition of the Legislature—how many members it was to have—how the various territorial constituencies were to be divided, whether the country is to be divided into three parts like old Gaul or ancient Ceylon or whether the existing modern divisions were to be recognized and those were matters of detail, regarding which they no doubt had their own views, but over which they need not quarrel with anyone. There were, however, certain fundamental principles on which the composition of the Council was based from which there should be no departure. The most important of those principles was that there should be one general electorate composed of all British subjects regardless of race, caste, colour or creed, divided into a number of constituencies on territorial lines, and that the representation in Council should mainly, if not solely be through that electorate. (Applause).

Next, there should be no extension of the communal principle. There were certain communities which at present enjoyed the privilege of special representation, in addition to representation through the general electorate. Whether that special representation was to be continued or discontinued, or reduced was a matter to be settled between those communities and the authorities. (Applause). There should, however, be no further extension of that vicious principle. Communalism was running riot just now in the country. They heard of claims on behalf of all manner of communities, sub-communities and sub-sub-communities —(laughter)—for special representation. At the rate they were going on they would end by asking for individual representation. (Laughter). After all no two individuals could have exactly identical interests and no man could truly represent another. He

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

had no fear that these fantastic claims would be seriously considered. On the contrary they would, at least, they ought to, convince the authorities of the danger of continuing that principle in any form. What he did fear was that the Commission might be led or rather misled into the belief that the few people who raised those absurd cries really represented the people of this country and that they were therefore unfit to be given any measure of responsibility. There was always the possibility, they were told, of a few grass-hoppers who filled the air with their shrill notes attracting more attention than hundreds of stately cattle that might be gracefully and silently browsing in the field. Those shrill notes of a few individuals who were merely trying to create pocket-boroughs for themselves, might be mistaken for the voice of the communities in whose name and in whose interest they pretended to speak. Let them take for instance, the caste cry that had been raised. Who had raised it and why had it been raised? They all knew. There are certain people who could never secure a seat. There were certain people amongst them whose ambition knew no bounds. They must secure for themselves every honour that was going, every post that was available, from a J. P.ship to a Knighthood, from an Aratchiship to the office of a Cabinet Minister. They remembered the scramble for Council seats when the first reforms came, by men who never raised a little finger to secure the reforms.

There were portfolios in prospect now and like the babe in the Pear's Soap advertisement, they would not be happy until they got it. But they could not hope to enter the legislature, except through nomination or through some narrow communal door. However great their intellectual attainments and academic distinctions might be they had never shown and never possessed an atom of public spirit. They had signally failed the country even in the great grave crisis of 1915. (Cries of shame). How could they expect the suffrage of the people. But enter Council they must and for that purpose exploit every prejudice, every passion. Any one who thought of his caste before his country should be looked upon as a political out-caste. (Applause). He had no right to talk of politics. He had no right to enter an assembly whose primary, indeed sole, concern was the welfare of the country as a whole. But what were they to say of those who

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

would exploit communalism merely to gain their selfish ends. They were traitors to the progress of the country, curiously enough the caste cry was started on behalf of a caste which claimed to be the most powerful, the most intellectual and the wealthiest caste in the country not on behalf of a neglected, backward and down-trodden caste. He had often asked the advocates of communalism, what special interests different castes or communities had that required special protection in Council. The more honest and candid men among them always gave the answer that it was not a question of interest but a question of prestige and patronage. (Laughter). He pitied the community whose prestige had to be propped up by a member of Council and sad would be the day when they had a legislature composed of men whose primary duty was to preserve the prestige or even the parochial interests of his community. A member of any representative assembly should be prepared to sacrifice even the prestige and interests of his own community if they ever came into conflict with the general welfare of the country as a whole. As for patronage, if any one thought that his business in Council was to secure Government jobs for his kinsmen, then, such a man should not be tolerated within sight of a legislative assembly. (Laughter).

If they gave each of the twenty odd castes among the Sinhalese and perhaps a similar number among the Tamils so many members according to their numerical strength or importance, there would be the demand in a short time for the separate representation of the various sub-divisions of the several castes. Distinctions and differences which were now forgotten would be revived. With even the caste representation however there was no certainty that the persons who were most anxious to get in would be returned and they would not be satisfied if every member of this community got in and also got a port-folio, unless they got there. Therefore, every possible avenue should be specially represented and the Low-country Products' Association seat, which was by the common consent of all abandoned as useless should be restored. The restoration of that seat would be a most retrograde step and should be resisted. In what way had the Low-country Products Association or capital suffered by the abandonment of that seat. Were there no capitalists, no members of the Low-country Products Association in

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Council now. If capital was to be specially represented, why not labour, why not the peasantry, why not the professions. (Laughter). Why not a separate member for the Plumbago Merchants' Union, the Fruit Growers' Association, etc. The British Medical Association might ask for separate representation on the ground that their interests were being sacrificed by the encouragement proposed to be given to Ayurvedic Medical Science. The Ayurvedic Medical Association on the other hand might urge that their interests had been so long neglected because they had no special representation. Why in the name of common sense could not these people see that they were making themselves ridiculous? What was more cannot they see the mischief they were doing to the cause of reform by these absurd demands. That was not all. There must be religious representation, it was said. Could one offer any religion a greater insult than to say that it would suffer unless it was bolstered up by a Legislative Councillor. The deathblow to that senseless and mischievous cry was given by the patriotic, statesman-like and noble utterances the other day in "The Catholic Messenger." (Loud applause). But they still heard the cry. What does Christian representation really mean? Did it mean a separate representation of Catholics, Anglicans, Wesleyans, Baptists, etc., of the several racial varieties. Five years ago when the reform question was being discussed in the Legislative Council there was no greater opponent of the communal principle than Sir Marcus Fernando. In the course of a speech denouncing this principle in the most emphatic manner, he said that all their communal differences in politics was the legacy of three-quarter of a century's communal representation in Council. That was so and who would dare deny that whatever political unity they have recently achieved was mainly due to the creation of the general electorate in which men of all castes, creeds, and races joined in electing their representatives and whatever communal differences they still had in politics were mainly due to the continuance of that vicious principle of communal representation. It could not certainly be permitted to be extended. Then, there was the principle of nomination which should undoubtedly go. A preliminary and essential step towards responsible Government was making the Legislature fully

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

representative. He had so far dealt with what they considered retrograde steps which had to be resisted.

What were the reforms they advocated? We must for this purpose have a clear appreciation of what was wrong with their present constitution. What were its defects and difficulties? Those were patent to every one. They had all the defects, difficulties, disadvantages and dangers, incidental to a constitution in which the power and responsibility were divorced from each other, in which the executive was out of harmony with the Legislature. Such a constitution was liable to break down at any moment. That it had not broken down, that there had been no dead-lock so far, might be due to the good sense, moderation and statesmanship of the elected members or to lack of cohesion amongst themselves, or to both. But that state of things could not go on for ever. Sir Hugh Clifford saw it, and he for one could not blame him for suggesting an immediate revision. The numerous Committees that were now sitting were entirely due to that defect in the constitution. The Government being in a minority would not propose an important measure or enumerate a new policy. The elected members not having the power of initiation could not do so. So, that every question which required discussion, on which there was likely to be any difference of opinion was referred to a sub-Committee. If they had a responsible ministry with a majority in the Legislature behind them they would have decided on the policy to be pursued and the measures to be passed, and the important questions which were now being held up would have been satisfactorily settled. Picnics to Laxapana, Katugastota and other places by the whole body of Councillors would have been unnecessary and there would have been no need for every member to make a speech on every conceivable occasion. Those were some of the drawbacks of the present Constitution, and since it was agreed on all hands that there was no going back to the old state of things, the only possible alternative was responsible Government.

The task before the Commission would be to consider whether full responsible Government should be conferred at once or a satisfactory half-way house could be found and in either case to work out the necessary details. So far as they were concerned, they thought that nothing short of full responsible Government

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

was practical, desirable or would be acceptable. (Loud Applause). They were definitely of opinion that no satisfactory half-way house could be found between responsibility and irresponsibility. The only half-way house that the best political wisdom had so far been able to devise and experiment upon was what was known as dyarchy. It had been a failure in India. They had consistently set their faces against its introduction here and its introduction to Ceylon now would be a retrograde step and was, therefore, out of the question. Their Legislature to-day had full control over all subjects and to divide them into reserved and transferred subjects would be to take away what would really be the more important subjects out of the control of the Legislature. There was only one other possible half-way house, viz., a joint Ministry consisting partly of elected members responsible to the people and partly of officials responsible to the Crown. That would be both unsatisfactory and unworkable. It was really dyarchy in a new guise. There was no need to experiment with doubtful and dangerous expedients. The form of responsible government which was being worked with such smoothness and satisfaction in all civilized and democratic countries was what they were asking for and what they were entitled to.

Now, who were opposing that and why were they doing so? They knew that the European residents, both officials and unofficials, were opposed to the grant of self-government to Ceylon and their attitude was quite intelligible. Rightly or wrongly and whatever they might say to the contrary they believed that Ceylon was conquered by the English and that it must be administered primarily in their interests. They were the ruling race and they must rule while the natives must remain subjects and consent to be ruled by them. Special privileges they had enjoyed, the preferential treatment they had received must not be interfered with. The idea of natives having a hand in the Government of the country was repugnant to them. The British Empire would go to pieces. They had strenuously opposed all reform at every stage. He did not say that there had not been and there were not even to-day, liberal-minded Englishmen amongst them who were in sympathy with the political aspirations of the people. They were but the exceptions. There were also some who

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

seemed to realise that resistance was useless and they should accept the situation with sullen resignation. But as a body the community was arming themselves to the teeth to fight against the grant of political freedom to the people. They had their paid agents in Ceylon and in England and every effort was being made to mislead the Commission and for that purpose they were using also the reactionary element among them. He did not blame them for making a last stand to retain the privileged position they had so long held. But he did blame them for attempting as many of them did, to disguise their own selfish motives under the hypocritical cloak of concern for the people. They would ask them to believe that they were merely trying to save them from themselves. That the moment Self-Government was given, they would cut each other's throats and that the whole country would go to wreck and ruin. He would most earnestly appeal to all that was best and noblest in British character not to retard the progress of a people among whom they lived, who were after all their fellow-subjects owing allegiance to the same King. He would ask them to take the lead in their fight for freedom and they would never have cause to regret it. Let them at least realize the futility of trying to keep them in subjection for ever. They might delay their getting their due. But they could never prevent it.

Among the Ceylonese themselves there were certain people who opposed the grant of Self-Government, because they feared that the greatest share of power would fall into the hands of the Sinhalese. They said, they distrusted the Sinhalese, they feared that the Sinhalese, the moment they got the power into their hands, would swallow up all other communities. That was not true. They feared nothing of the kind. It was not distrust but downright jealousy ant selfishness that prompted them to take up that attitude. They knew that they had nothing to fear from the Sinhalese even if they had all the power. Two thousand five hundred years' record of the Sinhalese people showed that one of their most prominent characteristics was their generosity and toleration towards men of other races and their readiness to recognize merit whenever it was found. The most autocratic as well as the most patriotic and nationalist of their Kings never hesitated to promote foreigners of merit to the highest offices of State, both civil and military. Did the attitude of the present

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

day Sinhalese towards men of other communities justify those fears? The Sinhalese unfortunately happened to form the bulk of the population of this country the largest share of power would fall into their hands, just as the largest share of the burden would fall on their shoulders. Those people who talked of maintaining a certain proportion of the advantages, would never talk of taking upon themselves the same proportion of the responsibilities. He would ask those people whether they were really going to oppose the grant of responsible Government to Ceylon, until the Sinhalese became a minority in the country or until they were declared a minority by statute? By such senseless opposition they might embitter the Sinhalese, but would never prevent them getting their freedom. They had faith in British justice. There were also those who oppose Self-Government through natural timidity and dislike of any kind of change. They liked to move always in the same groove. They did not like to give up even their chains. With them they could but sympathize. Such men there were in every country and no Reform of any kind was ever effected without opposition. But the greatest enemies of Reform were those who tried to exploit every situation for their own personal aggrandizement, to whom Constitutional Reform meant Council seats or portfolios for themselves, who were prepared to sacrifice the whole country for personal ambition. Those people in their mad efforts to play for their own hand were merely playing into the hands of the enemy.

Now what were the grounds on which the grant of responsible Self-Government was opposed. It was said that only four per cent. of the population of Ceylon enjoyed the franchise and therefore responsible Government could not be granted. He read some time ago in the editorial columns of a certain newspaper, that there could be no responsible Government without "universal franchise." Did those people know what they were talking about? Did they mean that every man, woman and child, including babes in arms, must be given the vote, before the grant of responsible Government. England got even manhood suffrage only in recent times. The principle of female suffrage was extended only the other day and the question of extending the franchise to women between the ages of 25 and 21 is still being considered. Yet there was responsible Government in England

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

even in the days of Rotten Boroughs and Pocket Boroughs. The population was five millions. Of the five millions about half were women, a good portion of the rest were infants, illiterates, paupers and vagrants. (Laughter.) If the lists were carefully prepared, they would have double the number on the roll. But even these 200,000 represented every family in the Island and those who were not on the roll were their wives and children, their brothers and sisters.

But if "universal suffrage" was necessary as a preliminary to responsible Government then why not grant it. Any class of people in his country would exercise the right with as much discrimination as the corresponding class in any other country.

Then it was said that the Ceylonese were not a homogeneous people. If by this it was meant that there were several races living in this country, that there are social distinctions of caste and class among them, they were right and as there was little chance of any of these races being wiped off the face of the earth, and social distinctions disappearing, the argument could be always advanced and no self-government could ever be granted to Ceylon. Was there any country in the world, especially one situated as Ceylon, was, that had a homogeneous community? Is homogeneity amongst us to be promoted by keeping them for ever in a number of air-tight compartments? If, however, those people meant that the several races living in this country were continually at war with each other, and unable to collesce for political purposes they were saying what was entirely false. The Sinhalese and the Tamils formed the bulk of the population, and it was impossible to conceive of two races, so similar in their customs and manners, in their modes of living and modes of thought and in their aspirations. They as well as the other smaller communities were living in perfect amity, petty jealousies of individuals notwithstanding. Even assuming that differences existed among them, what was there better than treating them all in the same way, giving everybody equal rights, regardless of colour, race or creed, to remove those differences? When Canada was given self-government, the French and English colonists there were literally at each others' throats and the first few elections were fought on religious and racial grounds. The

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Boer and the Briton had scarcely laid down their arms, when self-government was given to South Africa. Cabinet Government existed in England when religious animosities were rampant in that country, before Catholic disabilities and Jewish disabilities were removed, when the United Kingdom was anything but united, with the Irishmen practically in revolt. Yet in Ceylon there can be no self-government until the millenium dawns!

They were again told—and this was an argument that some of their own people sometimes advanced—that they had not got the men fit to hold ministerial appointments. There were Ceylonese fit to hold the highest judicial appointments. There were men who adorned the legal and medical professions, men of learning and culture, holding with credit posts as Principals of great Colleges. Ceylonese had never been found wanting whenever an opportunity was given to them to control large Government departments. Yet they could not find, it was said, in this country, half a dozen men fit to be Ministers of the Crown! It was not high literary attainments or academic distinctions that were necessary to make successful Ministers. Ordinary intelligence, practical common sense, above all an intimate knowledge of the country and its needs, sympathy with the people and their aspirations that were necessary. Experience of official routine was not essential. There was the steel-frame of the Civil Service and the brazen wheels of the Clerical Service to move the machinery smoothly. The Minister was to control the Policy and represent the department in the Legislature. Was it not a notorious fact that many a department was really run by the Chief Clerk? When the Labour Government came into power the Diehards in England prophesied that grass would grow on the streets of London. Similar disaster was prophesied in Ceylon when the Legislature was enlarged and an elected majority was given. But to-day everybody was unanimous in acknowledging the good sense, sobriety and moderation of our representatives. He (the speaker) did not wish to say anything hard about the officials. But he felt sure that under Ceylonese Ministers the Government departments could not be worse managed than they were to-day. (Hear, hear.)

It was stated the other day that one of the chief objections the Europeans have to the grant of self-government was that

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

the lands alienated by the Crown to the European planters might be confiscated by a Ceylonese Ministry. But for the fact that this statement was made in public and in all seriousness by a responsible person, no notice need be taken. It was true that there was a good deal of dissatisfaction as regards the manner in which Crown lands were alienated in the past and were being alienated even now to capitalists. It was also true that extravagant statements have been sometimes made in reference to this matter. But did anyone really and honestly believe that such a thing as confiscation of lands sold by the Crown was possible or desirable at this time of day? One might as well be alarmed at the statement that all the Low-country Sinhalese should be unceremoniously expelled from the Kandyan Provinces!

Again it was stated that European capital might be driven out of this country by heavy taxation. The contemplated income tax, it was said, would tell heavily on European capital and European industry. He (the speaker) did not know if the income tax was going to materialize or not. Personally, he expressed no opinion as to its desirability or otherwise. But if such a tax came it was not only the European capitalist that will be affected, but the Ceylonese capitalist as well as the Ceylonese professional men—lawyers and medical men who made large incomes will find the tax particularly troublesome. What was really behind these objections was the fear that the European planter and the European merchant might lose the preferential treatment that they now received from British officials. It was said that although they were all British subjects entitled to equal rights, the claims by the Europeans stood on "a higher moral plane." If that meant anything, it meant that equality might be conceded in theory but in actual practice the European must get preferential treatment! He (the speaker) preferred that kind of condition to the hypocrisy of those who mouthed soft platitudes about their concern for the "native." (Laughter).

It was also urged—and this was an argument persistently advanced by the party carrying on a secret propaganda in their own personal interests—that the power might go into the hands of undesirable and unscrupulous men. He (the speaker) would much rather that this country was governed by the most wicked

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

of men so long as they were elected by the people, were accountable to them and removable by them, than by angels from heaven with the best of intentions, who were not the chosen of the people and were not responsible to them. They had it on high authority that good intentions went to pave that well-beaten path which led to a certain unmentionable place. It was now said that there must be a Second Chamber if responsible Government was to be given. They were told that wherever responsible Government existed there was a Second Chamber. That was not true. There were several self-governing colonies with only one Chamber, and the tendency in recent times was to have unicameral constitutions. The Governor's veto was a sufficient safeguard against any hasty legislation, and any Second Chamber which would curtail the powers of the elected representatives of the people must be resisted. They did not want to introduce into this country the evils which England itself had had to suffer from a Second Chamber. But to a Second Chamber merely to gratify the vanity of some people—a gilded Chamber, where all the Mudaliyars and Mohandirams and Maniagars, and even Knights might sit in State, singing each other's praises and above all upholding the prestige of their respective castes, but not meddling with the serious affairs of State, he personally would have no objection. (Laughter).

They were asked what right the Congress has to speak for the country. They were being called names. They used to be called Bolsheviks some time ago. (Laughter). To-day they were called Doctrinaires. He thought they could survive those compliments. They had no right, it was said to call themselves "National." Those critics forgot that they were the only political organization in the country which was open to men of all communities, and which stood for the promotion of national interests, national unity and national aspirations. The Congress stood for no parochial or sectional interest. It challenged any one to point to a single instance in which its activities were directed through any narrow, sectional or racial lines. Its exertions had benefited every section of the community, and the fact that Ceylonese could hold up their heads to-day was entirely due to the Congress. (Applause). The leaders of this and that community were not in the Congress, it was said. Yes, they had no sectional leaders

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

in the Congress. They were leaders of all the common people, the commonality of the country. The leaders were engaged as one of their late Presidents once remarked in burning incense at gubernatorial altars and singing paeans at vice-regal assemblies, and incidentally misleading or trying to mislead the powers that be for purposes of self-glorification and self-aggrandizement. The National Congress was not a durbar of tribal chieftains, but an assembly of the people. They were told that he Congress did not represent the wealth of the country. It represented the poor of the country. The rich could take care of themselves. It was the poor, the voiceless and the down-trodden that needed protection and the Congress existed for that purpose. The Congress had achieved much during the few years of its existence. But the greatest and noblest task was before it now. He earnestly appealed to all Congressmen to close up their ranks, forget petty disputes and differences on unimportant details stand together and fight. Concerted action and not independent action was necessary. He appealed to the progressive element in every community —and this was not the monopoly of any single community any more than the reactionary element—to unite as one solid party independently if need be of any of the existing associations, and march forward to certain victory. What this country had been fighting for so many years was now at its feet. If they kicked it away they would earn the contempt and execration of future generations. But if they acted wisely and did not throw away the great opportunity before them, the present generation would be gratefully remembered in ages to come. (Loud applause).

At the conclusion of the lecture the Chairman said that they were all grateful to Mr. De Zoysa for his eloquent, thought-provoking and heartening address. It was a speech which was packed with sense and thought as an egg was full of meat. He only wished to add that, although there were 200,000 in the electoral roll of the country, the men who ought to be registered were far more and many of them had not come forward for fear of a land tax. He might say that the authorities also had not exerted themselves to have more on the roll. He wished to call their attention to a significant fact. They had to-day as their Governor one who had been closely associated with that great

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

statesman who declared that self-government was better than good government—that statesman who took courage in both his hands and would not listen to the Balfours and other men who would use the same arguments as were used by their political foes against self-government at present and made the Boer a friend by granting him self-government practically soon after the most bitter animosities of the war in South Africa. He wished to repeat his personal obligations to Mr. De Zoysa for his magnificent and eloquent address. He had no doubt that everybody who had heard him and everybody who would read him would come to the conclusion that they should all unite and work together for that great achievement of self-realisation which hundred years of British rule had made it possible that they could again be a free people under the British Crown. (Applause).

Mr. D. S. Senanayake seconded the vote of thanks and it was carried with acclamation.

---

## ADDRESS DELIVERED BY MR. M. A. ARUL ANANDAN AT THE PUBLIC HALL, GALLE, ON 22ND OCTOBER, 1927.

Under the auspices of the Ceylon National Congress, Mr. M. A. Arul Anandan delivered an address on "The Present Political Situation" in the Galle Public Hall. There was a large gathering present.

Mr. E. W. Perera, the President of the Congress, who occupied the Chair, said that Mr. Arul Anandan was one of the great stalwarts and founders of the Congress. So far back as 1907 Mr. Arul Anandan had been the Secretary of the Jaffna Association which had formulated a Reform Scheme emphasising the need for territorial representation. He (Mr. Arul Anandan) with their late lamented friend, Mr. E. T. de Silva, had been a joint Secretary of the Congress at its inauguration and had since then remained one of its strongest and staunchest pillars. It was very fortunate that they were able to have a discourse on the present political situation from so keen a student of politics. (Applause.)

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Mr. Arul Anandan, after a few introductory remarks, said that the time had come when the people of this country had to decide what form of Government they should have. It was a moment of vital importance to the well-being of the people and they had to muster all their forces to assert their rights. At no time had the Congress ignored the claims of the minorities. The very first resolution they moved at the first sessions of the Congress demanded a four-fifth elected majority in the Legislative Council—one-fifth of the Members to consist of minorities and Officials. They appreciated the fact that all vested interests could not be got rid of all of a sudden, and the statesmen who led the Congress recognized the claims of the minorities.

Mr. Arul Anandan next referred to the Order in Council of December, 1920, which he said did not satisfy the popular demand. Those were days when Non-co-operation in India was taking a formidable shape, and they in Ceylon tried to follow in the wake of India in a modified degree. They decided to get all qualified voters to register themselves and to support Congress candidates who, after election, were to non-co-operate in Council. The Congress set up a Ceylon-wide organization. Everybody embraced Congress ideals and Sir William Manning began to feel the strength of the Congress. A compromise was arrived at, Government admitting that the Reforms granted were inadequate and promising that a further revision would be made in a year. At the general elections that followed all the Congress candidates were returned, thereby showing those in authority that the whole country was out to uphold the Congress principles. In a motion which Sir (then Mr.) James Peiris brought up in Council the Congress ideals assumed definite shape. The grand principle embodied in that resolution by Mr. James Peiris was territorial representation, which was now a settled fact. The foundation of that grand principle of territorial representation had been well and truly laid and it was the duty of everybody who had the well-being of the country at heart to see that that principle was not departed from. They all knew that

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

the Reform Movement began with the avowed goal of Responsible Government for this country. Why should not their Legislative Council decide the issue? The Legislative Council was within its rights to do so, and he was glad to see that one of their Members had given notice of a resolution to that effect.

The speaker then discussed the conditions in Australia when Responsible Government was conceded to that country, and read extracts from a booklet by the Rt. Hon. Sirinivasa Sastri who had characterized Australia in 1854 as being no more than a large gaol. He (the speaker) would ask, "are we worse off than Australia in 1854?" They had been told that the foundation of self-Government was local Government. What had been conceded to them in the nature of local Government had been worked with marked ability. The country was taking a great deal of interest in the working of Village Committees. Their Urban District Councils had worked with good results, and the manner in which the affairs of the Municipalities of Colombo, Kandy and Galle were being conducted proved that those Municipalities compared well with similar bodies in any part of the world. (Cries of "Not in Galle!" "Not in Galle!")

Mr. Arul Anandan: I am sorry to hear that it is not so in Galle. Well, the remedy is in your hands.

Continuing, Mr. Arul Anandan said the cry for special Christian representation, as raised by disgruntled politicians and the heroes of lost battles, was doing the greatest damage to Christians themselves. Was there anybody so foolish as to entertain the ludicrous idea that a certain number of Legislative Councillors who happened to belong to one particular caste would pass a resolution that no "Salagama" man should be a Legislative Councillor or that no "Karawa" should hold office under Government. Mr. Arul Anandan then referred to the racial and religious differences that existed in lower and upper Canada and how those differences did not stand in the way of self-Government for Canada.

Another reason trotted out by the enemies of Reform was that only a small proportion of the people had been enfranchised

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

and that therefore Responsible Government in Ceylon would mean an oligarchy, and that a few people would jockey the electorate. In India where there was partial Responsible Government the percentage of those enfranchised was two-and-half per cent. In Sweden only one per cent. of the population enjoyed the vote in 1880. In Italy it was only two-and-half per cent. Did those countries fear an oligarchy? Canada, which had its Legislative Council in 1792, and New South Wales in 1843 now enjoyed self-Government. We had our first Legislative Council in 1833, and should we be denied self-Government even in 1927? The speaker next referred to the suggestion put forward by some to be satisfied with a half-way house. He (the speaker) condemned half-measures and appealed to the country to be prepared to be participators of the bloodless revolution that they were to face shortly. Continuing Mr. Arul Ananadan said that his countrymen of the North had been sulking in their camps, but were again rising to a sense of responsibility. Mr. Duraisamy in his address at the recent Tamil Conference had expressed views similar to those embodied in the Congress Memorandum.

The Kandyans were asking for a Kingdom of their own and they were not going to laugh at those aspirations. So long as they accepted the principle of territorial representation Congress was prepared to co-operate with them. The Congress had clearly declared that they were not against the continuation of the present scheme of communal representation so long as the different communities affected wished those conditions to continue. What the Congress had said was that those sectional elements in their present Constitution should not be made a barrier in the way of progress towards self-Government.

Mr. Arul Anandan appealed to all communities to rally round the Congress and present a united demand before the Royal Commission, and concluded by reciting the well-known Home Rule call of Allan Octavian Hume, the Father of the Indian National Congress. (Loud applause.)

Mr. J. E. Ludowyke proposed a vote of thanks to the lecturer, which was carried with applause.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

SECTION III.—*The Special Commission on the Constitution.*

## MEMORANDUM SUBMITTED TO THE SPECIAL COMMISSION. September, 1927.

Ceylon National Congress,
11, Norris Canal Road,
Colombo, Ceylon.
September 12, 1927.

To
THE SECRETARY of
THE COMMISSION ON THE
CONSTITUTION

Sir,

We are directed by the Executive Committee of the Ceylon National Congress to submit for the consideration of the Special Commission appointed by His Majesty's Government to consider and report on the working of the present constitution of Ceylon and the questions ancillary thereto, the following memorandum on the subject. We may say, at the outset, that we have thought it expedient to make this document as self-contained as possible.

2. It is a circumstance too conspicuous to escape the notice of the student of political history that of all the possessions of Great Britain administered by the Colonial Office none can boast of a longer history or of an older civilisation than the premier Crown Colony of Ceylon. And, if Sir Emerson Tennent was the earliest, Sir George V. Fiddes, G.C.M.G., K.C.B., is the latest British official to bear eloquent testimony to this remarkable claim of the Island. The views of the former in this connection are well known. The same, however, cannot be said of those of the late permanent Under Secretary of State for the Colonies. We therefore take the liberty to quote *in extenso* the material passage relating to Ceylon in his work entitled "The Dominions and Colonial Offices":—

"In Ceylon we come across the records of a civilisation compared to which ours is a thing of yesterday. Nearly 2,500 years ago the aborigines (whose descendants are still to be found, represented by a few Veddhas) felt the first onset of the invaders when the Sinhalese broke in upon them from the valley of the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Ganges, and founded a civilisation and a dynasty which lasted, though decaying, for more than 20 centuries. The system of Village Communities which they brought with them is still an important factor in the social organisation of the Island; and the British administration has put out long, laborious and costly effort to restore the vast irrigation works which they constructed. A king of Ceylon sent an embassy to Rome in the time of the elder Pliny." (page 102).

3. We have more than one object in referring to the past civilisation of the Island. In the first place, we think that such a civilisation must necessarily connote a highly developed and progressive system of administration. Judged even by the standards of modern democracy, this system ill-deserves the name of despotism. In a long line of sovereigns extending over twenty-five centuries a Commodus was occasionally bound to appear to undo the work of a succession of Marci Aurelii; but such instances are few and far between. The observance of law and order was so deeply ingrained in the people that a palace intrigue, which dethroned one king and elevated another, seldom found its repercussion outside the capital. If we pause for a moment to inquire what it was that contributed to the continuity of this even tenor of civic life we shall not fail to be impressed with the fact that the people had long been accustomed to govern themselves. In the course of five centuries the primitive custom of an agricultural community gradually evolved into institutions which recognised the elective principle as absolutely necessary for their preservation. It was perhaps in the well-known Gansabawa, the ancient village community, that we find the full development of this principle. Every village—the administrative unit of ancient Ceylon—had its Gansabawa, which made it a self-governing republic for all practical purposes, its external connection with the capital being maintained by an yearly contribution to the general revenue. This position we find, eloquently described by a former Government Agent as follows:—

"Considerable interest has been excited among students of political economy and comparative jurisprudence by the recent discovery of the very ancient origin and vast areal extension of the system of communal self-government. It has been ascertained that the Mark and Tything of the Gothic races, the Sclavonian

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Commune, and the Indian Village present points of resemblance too numerous and too well-defined to be the result of mere accident. It may be assumed then that a thousand years ago social relations and duties in the English village and in the Kandyan village were regulated, if not by the same system, yet by principles having a common origin and very similar development; and that while in England the system with the lapse of centuries became profoundly modified, it retained, as the Gansabes, most of its original features in the Kandyan country to the date when the British Government replaced the last native king."

4. It was natural that a society developed on these lines should discourage race as well as religious prejudices. The Tamil invaders, once peace was proclaimed, were permitted to enjoy the full rights of citizenship of the permanent population, and their descendants in the second or third generation prided themselves in claiming Ceylon as their motherland. Nor was freedom of worship interfered with. The liberality with which this policy was pursued we find reflected in the introduction of the more popular Gods of the Hindu pantheon to the temples of Buddhism. Towards Christianity, too, this attitude was remarkably generous. In the reign of Justinian a community of Nestorian Christians flourished in the capital of the Island; while during the persecutions of the Dutch period the Roman Catholics under Father Vaz found a ready asylum in the Kandyan Kingdom. It may be noted that members of all races, such as Tamils and Muslims, once settled in the Island under the ancient system of Government of the Kings of Ceylon, enjoyed all civic rights and privileges, and lived in harmony as common citizens of a single state.

5. Lastly, we think we are justified in emphasizing the quickness with which the people assimilated new ideas. To give only a single instance, it would appear that when the Portuguese first arrived in the Island the Sinhalese were surprised at weapons the manipulation of which produced "a sound like thunder." But within half a century the local gunsmiths began to turn out firearms surpassing in excellence those manufactured in Europe.

6. It is one of the tragedies of history that a people of such culture, progressive ideas and adaptability should have been denied full opportunity of developing their peculiar institutions

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

during the last century; and this tragedy becomes the greater when we remember that this was the most peaceful period in the modern history of Ceylon. No one has realised it more fully than Sir Alexander Johnstone, who was Chief Justice of the Island at the beginning of the last century. It was therefore not surprising that he should have recommended to the Home Government the wisdom of establishing a Legislative Council the constitution of which happened to be far more liberal than any devised subsequently. It was not, however, till 1833 that the suggestion materialised; but the Council that came into being in that year differs from the one recommended by the Chief Justice as the shadow from the substance. In the meantime the system of "one man" Government that obtained was responsible for the stagnation of the country. Education, which had hitherto been organised under the simple and inexpensive system of village temples, was neglected by the state, and the people were suffered to lapse into illiteracy. Uniform with this policy was the disinclination of the authorities to give the members of the permanent population a fair share in the administration.

7. The Legislative Council inaugurated in 1833 had only 6 Unofficial Members, all nominated by the Governor. This Council seems worthy of remembrance, not for any constructive work that remains to its credit, but for the high eulogium passed on it by John Bright in the House of Commons on 1st August, 1859, when he was pleading for the establishment of a similar institution in India.

"I am not about to set up the Council of Ceylon as a model institution.....it is far from that; but I will tell you what it is, and you will see that it would not be a difficult thing to make the change I propose.....it was composed of 16 members, of whom 6 were non-official and independent, and the Governor had always a majority..... (they) are able to discuss questions of public interest in the eye and the ear of the public and to tell what the independent population wants, and so to form a representation of public opinion in the Council which, I will undertake to say though so inefficient, is yet of high importance in the satisfactory government of that island. Why is it that we can have nothing like this in the Councils of Madras and Bombay? It would be an easy thing to do, and I believe that an Act of Parliament which

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

would do it would lay the foundation of the greatest reform that has yet taken place in India."

8. Between 1833 and 1910 the Legislative Council underwent no substantial change, either in its composition or in its constitution. In the latter year it was reformed to admit of the introduction, for the first time, of the elective principle in respect of constituencies created for Europeans, Burghers and educated Ceylonese. Within 10 years the Council was further reconstituted by the recognition of the principle of territorial electorates. The composition of this reformed Council was as follows:—

14 Official members
6 Nominated Unofficial members
11 Elected on a territorial basis
6 Elected on a communal and special basis
Total 37

One of the peculiarities of this Council was that the principle of election was withheld from Muslims and the inhabitants of those districts which comprised what is known as the former Kandyan Kingdom.

9. The Council of 1921 was dissolved in three years, and the one that succeeded it at the end of 1924 is still functioning. In point of numbers, the extension of the elective principle and the increase of the unofficial majority it constitutes a distinct advance on its predecessor. This will be seen from its composition which is as follows:—

13 Official members (including the Governor as President).
37 Unofficial members, viz:—
3 Nominated by the Governor
23 Elected on a territorial basis
11 Elected on a communal basis
Total 50

10. It will be seen that these changes in the Legislative Council, saw no corresponding change in the Executive Council, if we exclude the addition of three unofficial members by nomination to that Council during the last five years. It may be stated that the earliest agitation for the reform of that body was during the regime of Sir West Ridgeway (1896-1903) who appreciated the justice of the demand that unofficials should be admitted

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

to that Council. But the proposal was vetoed by the then Secretary of State for the Colonies, the Right Hon. Joseph Chamberlain, on the ground that as long as the Legislative Council consisted of nominated members, it was against constitutional principle to admit unofficial members to the Executive.

11. With regard to the powers of the Legislative Council, we are prepared to concede that so long as that Council had an official majority it would have been futile to invest it with greater powers than those of criticism and interrogation: the official majority could always be depended upon to secure the passage of any bill which the Government was anxious to pass, or the acceptance of any policy requiring the sanction of the Legislature. In these circumstances the most that could be expected of the unofficials was to keep Government informed of the strength of public opinion for or against a Government measure. There was then no possibility of a Government proposal being rejected when submitted to the Legislative Council. But when the official majority became converted into a minority, as in the present and the previous Council the position of the Government, it must be admitted, has tended to become at times exceedingly embarrassing, for, with a judicious and skilful manipulation of their resources, the unofficials can, if they feel so disposed, defeat any Government measure. If such occasions have been rare during the last six years, that circumstance affords a clear index to the patience, forbearance and sense of responsibility characteristic of the unofficials.

12. The anomaly referred to in the last paragraph was too patent to escape the attention of the Secretary of State for the Colonies. It was therefore not surprising that in his Despatch which sanctioned the present constitution he should express himself in unmistakeable terms that it ought to be regarded as a provisional measure designed for a stage of transition in our political advancement. We are justified in assuming that the decision of His Majesty's Government to order a progressive change in the constitution is the logical corollary of the attitude of the Secretary of State expressed in his Despatch.

13. The position is that the present constitution has run its course, and it should therefore be recast. In applying ourselves to the task of showing on what lines this should proceed we have

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

the sanction of the Ceylon National Congress for the proposals we venture to advance.

14. We take it to be a fundamental principle in administration that a Legislative Council with an unofficial majority, if it is to perform any useful function, must possess the power to enforce its decisions subject, of course, to the controlling influence of a revising body, either in the shape of an Upper House or the power of veto, with which the Governor is invested. But, as matters stand at present, the Executive Government is under no constitutional obligation to carry out a decision of the Legislature, even when it happens to be unanimously agreed to by the latter. In our opinion this is the cardinal defect in the present constitution on which attention should be focussed. We are further of opinion that it can be remedied only by making the Executive subordinate to the Legislature. In other words, those who are responsible for the administration of the Island should form the Executive Council, and should be answerable for their acts to the Legislature, with the liability of removal when demanded by the latter. It follows therefore that all the Departmental Heads would be subject to this liability. It is a principle that admits of no exception. We are therefore strongly opposed to half-way houses and systems akin to diarchy which permit officials and unofficials to compose the Executive Council rendering only the latter amenable to the Legislative Council. Confusion in our opinion can be avoided only by bringing all the members of the Executive Council under the disciplinary jurisdiction of the Legislature. This becomes possible only when all the members of the Executive Council are members of the Legislative Council.

15. The next question we have to consider is whether it is practicable to appoint these members of the Executive Council from outside the Legislative Council as at present. We do not think that many arguments are necessary to show that the range of selection of these members should be confined to the Legislature. We shall show later that an Upper House is unnecessary. The Legislature is therefore the only place where a member of the Executive Council can defend himself in respect of his administrative acts. But without being a member of the Legislative Council he will have no *locus standi* therein. It therefore follows that

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

every member of the Executive Council should also be a member of the Legislative Council.

16. With regard to the mode of appointment of the members of the Executive Council, we cannot do better than suggest the adoption of the practice obtaining in other countries with necessary modifications. The Governor should possess the power to select the Chief Minister or Premier who, in his turn, would select his colleagues. Their particular designations and how the departments of the Public Service should be distributed among them are matters of detail. Yet, in order to give a sense of completeness to our scheme, we have the honour to suggest the following tentative arrangements :—

(1) Minister of Justice to be in charge of (*a*) The Attorney-General's Department, (*b*) The Police Department (*c*) The subordinate Judiciary.

(2) Minister of Finance (*a*) Department of the Controller of Revenue, (*b*) Treasury, (*c*) Colonial Auditor's Department.

(3) Minister of Public Works (*a*) Public Works Department, (*b*) Hydro-Electric Department, (*c*) Railway Department, (*d*) Provincial and District Road Committees.

(4) Minister of Local Government (*a*) Municipal Councils, (*b*) Urban District Councils and Rural Councils, including Village Committees.

(5) Minister of Agriculture (*a*) Agricultural Department, (*b*) Forest Department, (*c*) Irrigation Department.

(6) Minister of Education and Public Health (*a*) Education Department, (*b*) Medical and Sanitary Departments.

(7) Minister of Industries.

It will appear from the foregoing that this scheme aims at the complete subordination of the permanent members of the Public Service to the control of these seven Ministers, thus bringing the administration of the Island into line with that of every progressive country. The Executive Council, consisting of the above Ministers with the Premier as President, should form a cabinet subject to the usual constitutional practice.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

17. The exclusion of the military from the purview of the above scheme is natural. The defence of the Island is a matter of Imperial concern, and should remain in the hands of the Governor and the Secretary of State for the Colonies. We have also omitted to deal with the higher judiciary for an equally cogent reason. The principle that superior Judges should be independent of the Executive ought to be maintained in every constitution.

18. With regard to the position of the Governor, he should have the power of veto in all matters capable of deliberation by the Legislative Council. We do not doubt that the Governor will exercise this power only on rare occasions. At the same time we suggest that whenever this power is exercised the Premier should have the right of appeal against the Governor's decision to the Secretary of State for the Colonies, whose order will be final. These mutual checks are necessary to prevent on the one hand the Governor exercising this power arbitarily and on the other the adoption of a policy or the passing of a measure by the Legislative Council which is patently opposed to the principles of justice or of good government.

19. We do not particularly press for the enlargement of the Legislative Council. But the selection of seven members for the Executive Council would require a wider range than 40 odd members. We therefore think that the numerical strength of this Council may with advantage be raised to 60 members. With respect to the composition of the Council and the distribution of seats, we do not deem it necessary to detail a scheme. We would however desire to draw the attention of the Commission to the fact that under the present constitution the right of deciding these questions is vested in the Legislative Council.

20. The question of an Upper House has been carefully considered by us, and, after weighing the pros and cons of the question, we have decided to register our disapproval of such a chamber. Our opinion is that the disadvantages of such an institution far outweigh its advantages. Further, according to the scheme we have formulated the functions of such a chamber can be performed with satisfaction by the Governor in the exercise of his power of veto.

21. We advisedly refrain from making any suggestion on the question of the franchise or on the mode of allocating and

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

distributing the seats in the Legislative Council. We are concerned not so much with the details, as with the principles of the constitution we desire to see remodelled. Further a Commission, entrusted with matters of high policy, would not concern itself with subjects which could more appropriately be dealt with by a body with first hand knowledge of local conditions.

22. Our enquiry so far has left out of consideration one question, and that is the weight that should be attached to the claims for special treatment under a reformed constitution of those who have hitherto returned members to the Legislative Council on a communal basis. This omission is not fortuitous, but deliberate. We fail to see what such a question has to do with the revision of the constitution on the pivotal point of subordinating the Executive to the Legislature. In our opinion all other matters are of subsidiary importance. It should be noted at this stage that the claims for special representation of communities and interests ought not to be permitted to retard the establishment of responsible self-government in this Country.

23. We have indicated in outline the constitution which the people of this country are entitled to claim. We may emphasize the fact that the present constitution devised for a transitional stage can be freed of its defects and anomalies only when the subject is dealt with in the manner indicated in this inquiry. We cannot close more appropriately than by referring to a unique circumstance. Ceylon is one of the few British possessions in which the demand for political reform has never passed from constitutional agitation to hostile demonstration. Our appeal has always been to reason and justice.

By order of the Executive Committee.

R. S. S. GUNAWARDENE,

S. W. R. D. BANDARANAIKE,

*Hony. Secretaries, Ceylon National Congress.*

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

# EVIDENCE GIVEN BY THE REPRESENTATIVES OF THE CEYLON NATIONAL CONGRESS BEFORE THE SPECIAL COMMISSION AT THE TOWN HALL, COLOMBO ON 22ND AND 23RD NOVEMBER, 1927.

---

The President and some members of the Ceylon National Congress gave evidence before the Special Commission on Constitutional Reforms at the Town Hall. The meeting began at 9 a.m. in the presence of a small gathering which included a few ladies.

The Earl of Donoughmore, the Chairman of the Commission, presided, and with him were the other members: Sir Mathew Nathan, Sir Geoffrey Butler, and Dr. Drummond Shiels; and Mr. P. A. Clutterbuck, the Secretary.

Mr. E. W. Perera, the President of the Congress, made a statement. With him were Mr. W. A. de Silva, the President-elect, Messrs. Francis de Zoysa, Geo. E. de Silva, S. R. Wijemanne, Dr. S. Muttiah, Messrs. M. A. Arul Anandan, S. W. R. Dias Bandaranaike and R. S. S. Gunawardene.

The Earl of Donoughmore: Mr. Perera, you have been kind enough to come here. You are President of the Congress and also a member of the Legislative Council. You have a number of your colleagues to give evidence.

Mr. Perera introduced the members of Congress present by name, title and profession.

The Earl of Donoughmore: Mr. Perera, you were kind enough to communicate to me yesterday that you will give a preface of what you propose to say and put forward a statement of the historical details.

Mr. Perera then read the following statement and amplified some of the points dealt with as he proceeded.

I would put in evidence the Congress memorandum and with your leave amplify our case in historical retrospect in greater detail to enable me to trace the constitutional development of the Island. Such a course will enable the Special Commissioners to gain a clear idea of the problems confronting us and the different claims put forward by sections who do not belong to our party. It will help to describe and define our own proposals. When the maritime provinces of Ceylon surrendered to the British in 1796, the Dutch who were in possession took care that the rights and privileges of the people of the country should be preserved and guaranteed by the Treaty of Casio on 15th February, 1796. The



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Portuguese themselves when they surrendered Colombo to the arms of Holland took that precaution in 1556.

When our last King in 1597 willed away the whole Island to Philip II of Spain and Portugal the people of the Low-country said they were not going to be transferred like so many cattle and insisted on having a Convention to which Deputies from every Korale were sent and at which Phillip II's agent, the Viceroy, bound himself by a solemn treaty to safeguard all rights, privileges and institutions of the people of Ceylon. Thus the legal tenure in which Britain holds this country goes back in earlier time and in the following words Britain guaranteed our fullest civic rights at the capitulation of Colombo. "The citizens and the inhabitants of Ceylon shall enjoy all the liberties and privileges of the subjects of His Britannic Majesty." Similarly when the whole Island fell under the sway of Britain in 1815 by the Kandyan Convention the rights, privileges and laws of the people were guaranteed by Britain. So, that we are heirs of the promise to the fullest extent.

I will revert to the Kandyan Convention. About 1797 Ceylon was annexed to the Government of Madras. For 20 centuries we had worked out our political salvation along our own lines although having affinities of blood and culture with our great neighbour. The withdrawal of our ancient system of Government through the Chiefs and Headmen, and the exactions of the Madras tax collectors lashed the people into revolt. In 1798 the annexation was withdrawn and Ceylon was created a Crown Colony with the Hon. Frederick North as Governor. He governed with the advice of a Council whom he was at liberty to consult but by whose advice he was not bound. Barbarous punishments, torture and breaking on the wheel were also withdrawn. About 1805 Sir Alexander Johnstone, the Chief Justice, was appointed Commissioner to report on a Constitution for Ceylon. He recommended a representative assembly modelled on the British House of Commons. The scheme was approved by the then Governor and did not pass into law because of the change of the Minister

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

who favoured the scheme. The Minister who succeeded him thought it wise only to grant the first instalment which included trial by Jury, leaving the rest for a more reasonable opportunity.

After the loss of the low lying provinces the Sinhalese monarchs maintained their independence in the mountain districts and continually sought to recover their lost provinces. The Kings of Kandy were *de facto* monarchs of the hill country and *de jure* monarchs of Ceylon—a claim which they always asserted. By the Kandyan Convention of 1815 the Kandyan provinces were however surrendered to Britain with full guarantees of laws, customs, institutions and rights and we lost our independence which had continued without an appreciable break for 20 centuries; and the sceptre of our ancient land passed into the keeping of Great Britain. There was a rising of the Kandyans in 1817 on the ground that a part of the treaty was broken. The rising which blazed into a war of national independence, was relentlessly put down.

In 1829 a Royal Commission was appointed to investigate into the administration of Ceylon and they reported about 1832.

Their finding included :—

(1) The consolidation of the whole Island, including the Kandyan Provinces, into a single administrative unit;

(2) The creation of Executive and Legislative Councils with nominated unofficial Ceylonese members.

Continuing, Mr. Perera said that up to the time of the cession of the Low-country, so far as the bulk of the people, the Sinhalese, were concerned they were treated as one, not separate from Kandyans. The Roman Dutch law which was introduced by the Dutch was the law of the settlement on the coasts. Curiously enough under the guarantee in the Treaty, that the laws of this country would be preserved, Britain imposed the Roman Dutch law on the whole of the people of the maritime country. This had an interesting bearing on the Kandyan Convention. In 1833 when an un-official Sinhalese member was nominated, that member represented the Kandyans too, in the Legislative Council



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Constitution according to the findings of the Royal Commission. That Constitution which was a great advance at that time was not an advance really considering the report of Sir Alexander Johnstone in 1805 which recommended full responsible Government. It was an advance on what they had previously, because there were certain English Merchants nominated as unofficial members, (it was then only an Advisory Council to the Governor), although at first they refused to sit on the ground that they should be given precedence over the Ceylonese members. Fortunately with the arrival of the next Governor things were straightened out and the new Constitution worked very smoothly.

In 1860 when Sir Hercules Robinson was Governor, it was felt that the military contribution was too heavy on the country and the unofficial members (nominated) some of the most brilliant men that Ceylon produced, along with the unofficial representatives of the British community protested and claimed control over the finances. Sinhalese and Tamil land owners, a Burgher lawyer and a British merchant led by a British merchant of great ability and public spirit, Mr. Geo. Wall carried the matter to the House of Commons. The Secretary of State at the time was adamant and the protest did not meet with immediate success. Some little time afterwards investigations were carried out in respect of local self-government and Municipal institutions were granted in 1865, which was traceable to the Ceylon League who interested themselves in England in the affairs of Ceylon.

On the question of local self-government, it was interesting to note that the earliest Municipal Councils Ordinance of 1865 was a measure broadbased on popular election and popular rights. There was a Bench of Magistrates at that time. But gradually Ordinance succeeded Ordinance attenuating and weakening the powers of the Municipal Councils Bill. They got a Municipal Councils Ordinance, which he must say with great respect, was a travesty of a popular institution. It would be interesting to tell why the changes took place, why the vast powers of the Municipal institutions were abruptly taken away resulting in the present truncated Ordinance of to-day. He would take one instance

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

that occurred in the earlier stages of British rule in this country, which led to the reversal of conditions perhaps. It was a typical instance. In Kandy it was, the Bench of Magistrates was composed of Municipal members, who were lawyers. A Civil Servant Police Magistrate turned a recalcitrant member of the Bar, who was also a member of the Municipal Council, out of Court, and got his attendants to lift him bodily out and carry and plant him down on the Esplanade, because he would not sit down when asked in Court. The result was the Magistrate was brought up before the Bench of Magistrates and charged with assault and the Police Magistrate was fined. Certain things like that contributed to the withdrawing of those Municipal privileges and powers.

Mr. Perera next dealt with the origin known of General District Committees and the history of the latter which he traced to the earliest times and which had been destroyed owing to the impact of the disintegrating forces in the years the Portuguese and Dutch were in the country. In 1870 the first Village Communities Ordinance was enacted by Sir Hercules Robinson, but it did not catch up the spirit of the ancient institutions of Ceylon. A new Ordinance was promulgated in 1924 in the Sinhalese and Tamil provinces and the laws dealt with the country as a whole. It was enacted posthaste in 1920 at a time when there was a strong agitation for far-reaching reforms in the character and powers of the Legislative Council. The Ceylon Government at the time felt the basis of local self-government must be broadened before changing the Central Government, to give it a larger and wider scope. This Ordinance was rushed through Council in which there was only one single Ceylonese member to represent the whole community. Broadly it fell under three heads. It was a great advance in certain directions. It gave powers of election, control of Urban and Rural Districts, and elected Chairmen and that there should be Urban, Rural and General Councils. There were vital changes.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Sir Mathew Nathan; May I know what a General District Council is apart from a Rural District Council or Urban District Council.

Mr. Perera: The Urban District Council is confined to towns, smaller towns, which cannot be dignified as Municipalities as are Colombo, Kandy and Galle.

Sir Mathew Nathan: I want to know for the moment in what way a General District Council differs from an Urban or Rural District Council.

Mr. Perera explained that in an Urban District Council, there must be no more than 12 and no less than six members, two-thirds of whom shall be elected, the Government Agent or the Assistant Government Agent being member ex-officio. A Rural District Council must consist of no less than 4 and no more than 8 members who are nominated by the Governor, the essential point being nomination and not election. The General District Councils were to be in rural areas that are developed. One dealt with developed areas, the other with undeveloped areas. In the case of one there were members nominated by the Governor. In the case of the other the franchise was given to the rural areas. There was also a provision in the Ordinance for the whole island to be parcelled out. The question was discussed in the Legislative Council and a resolution was brought forward, that the Ordinance should operate throughout the whole island. This was opposed by some as immediate demarcation was not thought desirable without taking the sense of different areas in connection therewith, which should be left to the people. At the same time he must say that in the case of certain U.D.Cs. although the people themselves asked for it, the central authorities had turned it down in one or two notable cases. Of course there were reasons, one was the disinclination on the part of the Agents of Government to see power passing away from their hands to a U.D.C. and the fear that the work of administration might not be as efficient as when they conduct it themselves. It might be there was a good deal of human nature even among Government

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Agents who held supreme power and authority, and who did not want a devolution of that power to a popular assembly. The popular idea was that local self-government should prevail throughout the whole island, but it must be done properly so that there may be no mistakes made in carrying out the provisions of the Ordinance. The Ordinance was found to be too elaborate and complicated and a Select Committee of the Legislative Council was appointed to go thoroughly into it. Himself, and Mr. De Silva were members of that Committee presided over by the Attorney-General.

The whole question of the working of the Ordinance was thrashed out and something like a system was evolved. Coming to the next phase in the development of the Constitution, between 1907 and 1908, Mr. Perera said that there was a strong movement in the country.

Lord Donoughmore: You are returning to the Central Government now.

Mr. Perera: Yes.

Continuing, Mr. Perera said that several public bodies, Ceylonese bodies made representations both through the Local Government and the Imperial Government for a reform of the constitution. But unfortunately the local Government was very strongly opposed to any reform. He would invite the attention of the Commissioners to the Despatch of Sir Henry McCallum dated May 26, 1909. A certain measure of reform was granted but not commensurate with the scheme put forward or they were entitled to. The educated Ceylonese seat (elected) was given for the first time and elected unofficial members for the European community. In 1915 representations were made again as it was felt that reforms were overdue.

But the Order-in-Council promulgated in 1920 was felt to be so retrograde and reactionary and entirely out of keeping with any progress that they found it impossible to participate in those reforms. However the Governor, Sir William Manning, by a bold stroke of statesmanship saved the constitution. A deputation of Congress members met the Governor at Queen's House.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

He (the speaker) was one of the deputation and having been the mover of a vote of non-confidence in the Government was not quite the acceptable peace envoy. However a compromise was effected and certain objectionable features were withdrawn, for instance, the power of veto of the Governor, and the fifteen minute rule for speeches. It was agreed to work the new Constitution for a year or so and an undertaking was given that the Constitution would be revised. It was also promised that the new proposals would be laid before His Majesty's Government and these tentative proposals before being formulated into an Order-in-Council would be placed before the Legislative Council for further discussion. The Commission would remember that one of the greatest grievances was that the Order-in-Council was enacted without giving the people of this country the opportunity of discussing the proposals. Feeling was also embittered by the fact that certain secret memorials by certain minorities had been despatched through the local Government to the Secretary of State. Judgement went against them without being heard. The minorities and communal interests were so arranged that the views of the country as a whole were not reflected in the Council. Further there was a technical majority he believed of one unofficial over the officials in the Council of 1920. That majority was made by the inclusion of two or three nominated members who, according to experience in the past, would always vote with Government. It was a curious matter that Government always succeeded in that Council except on one occasion, in the case of the Village Communities Ordinance when the Government was defeated after a period of sixty years by one vote. Sir James Peiris, who led the Congress Party in the House at the time, put forward the lines on which the new reforms should be inaugurated.

Mr. Perera next dwelt on the functions of the Finance Committee and referred to the crisis which arose in connection with the appointment of the Salaries Commission. It was agreed that the time was not opportune for revising the salaries of the public service and they ought to wait for a more seasonable

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

opportunity after the slump had passed. However the Government pushed the proposals through and when they came up before the Finance Committee a one-third cut in the salaries was proposed. The matter next came up before th whole House. It was felt that the Government so far as this matter was concerned was guilty of a breach of faith and their powers over finance had really been withdrawn and they could be of no further service. Sir James Peiris made a protest against the unconstitutional procedure and the members of the Congress party left the House in a body. They were returned to the Council by the country unanimously. It was at this time that some partisans had promulgated in the British Press that they would not go into Council as they did not want to take the oaths. That was absolutely untrue. Why they did not want to go into Council was that if matters were not improved it was no use to plough the sands. In the old position the unofficials were in a majority in the Finance Committee but not in the Council. But under the new proposals which were laid before the Council, they were in a majority both in Finance Committee and in the Legislative Council. Therefore, their rights on that point were safeguarded and vindicated.

But there were other objections. They felt that the proposals so far as emphasis on communal members, was concerned and so far as elections to seats was concerned, were so ingeniously arranged that the majority of the people of the country were always in a perpetual minority and the minority with the officials was in a dominant and predominant majority. That position was challenged in a series of proposals which were brought before the House. Representations were made to the Secretary of State for the Colonies and finally the Duke of Devonshire's Despatch of January 11, 1923, came. The proposals therein were strongly objected to. They objected to have communal representation, and racial representation as the basis of constitutional reform and the allocation of seats... The debate on the Despatch took place in March, 1923, when a motion protesting emphatically against the declaration of the Secretary of State was brought up

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

in Council. There was also another motion by the member for the Low-Country Products' Association, Mr. H. L. De Mel, deprecating the allotment of a reserved seat for Tamils in the City of Colombo. It was found to be so attenuated owing to the number of electors that it had to be extended to the whole Western Province. Even then this seat could not be justified.

There was also a motion on the question of the reform of the Executive Council. From the earliest days, practically from the days the Hon. Frederick North the Council was an Advisory Council. Mr. H. L. De Mel moved that three territorially elected members be appointed to the Executive Council. A further motion by Mr. O. C. Tillekeratne, member for the Southern Province, asked for one more seat for the Western, Central and Southern Provinces and it was also urged that the number of seats allowed for the Northen and Eastern Provinces was entirely out of proportion to the population of those areas. He would rather put it the other way. There was no objection in principle because these provinces being progressive should have ordinarily more seats allotted to them. Although it was against his (the speaker's) principle, it was felt that certain populated areas such as the Western, Southern and Central Provinces, were under-represented. In respect of the Central Province the Secretary of State declared that although the population basis urged was generally correct,there was a flaw in the argument, because the majority of the people that were included in the population were Tamil coolies from abroad who could not be regarded as belonging to the permanent population. Therefore, two seats were sufficient, for the Central Province, Urban and Rural. There was a resolution in respect of the question of finance by Mr. Tambimuttu, member for the Eastern Province, in which he moved the inclusion of a provision in the proposed Order-in-Council that in respect of any law, vote or a resolution imposing any new tax, the votes of the official and nominated members shall not be recorded. And that no less than twenty elected members shall have voted for or against such vote, law or resolution to be effective.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Then the Mohammedan member, Mr. Abdul Cader, moved a resolution that the three seats reserved for Mohammedans in Ceylon must be by election. The principle of election was approved by the Congress Party. There was also a Despatch in connection with the Executive Council. There was also a promise of the revision of the Constitution in five years' time. It was in these conditions that they were fortunate in presenting their case before the Commission.

Coming to the last phase Mr. Perera apologized again for the time taken in the recital. He said that at the outset they were embarrassed by the non-publication of Sir Hugh Clifford's Despatch to the Secretary of State on which His Majesty's Government had appointed the Commission.

The Earl of Donoughmore: Was not this Commission promised years ago?

Mr. Perera: Yes. Since we got intimation, I, as President of the National Congress, made representation—of course this is a matter between the Government and ourselves, I am merely stating these facts because they are relative to the case,—and the Colonial Secretary replied to me and placed certain extracts from that Despatch, before us. In answer to my representation and to questions and representations through Government in Council and through public bodies for the publication of the Despatch, no adequate reply was given.

Judging from the extracts, it would appear that Sir Hugh Clifford has placed before the Secretary of State certain defects and deficiencies in the working of the present Constitution. While paying generous tribute to what has been done, we would rather have the whole of that document. We like to have the criticism so that we may be in a position to meet any criticism that has been made by that experienced administrator and that we may answer them. I take the opportunity of bringing this matter to the attention of the Commission, because it has caused great uneasiness and anxiety throughout the country. It may be as in the past that we have certain statements made about the defects

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

of the Constitution and perhaps of ourselves which would injuriously affect us without our having the opportunity of replying before the Commission deals with vital matters affecting our future rights.

The most serious difficulty in the present Constitution is that there is no devolution of responsibility. The Executive Council is still advisory. A sub-step has been taken during the administration of Sir Hugh Clifford in associating territorially elected members with the Executive Government. Originally when this Council was constituted we expected the proposals to be laid before us to discuss. As was the case with the proposals for the reform of the Legislative Council a Despatch was forwarded effecting the change. The change that was proposed was that two members who were elected should be chosen by His Excellency the Governor to sit in the Executive Council, and such elected members automatically surrender their seats by the fact of their being transferred to the Executive Councils. They would have their seats in the Legislative Council as nominated members, and their places would be filled by two others who would have to be elected at a bye-election. Mr. Balasingham and Mr. Wijeyekoon have lost their seats and Mr. Sabaratnam and Mr. W. A. de Silva have taken their places. There were three nominated seats still in the Council, in the gift of the Governor, of these two were filled by those members who occupied seats in the Executive Council and one by a Burgher nominated member. That was considered very unsatisfactory and we were contemplating representation and political action. But we felt that as an undertaking was given that at the next revision of the Council in 1929 the matter was to be gone into we did not take further action. But it shows that, if there was a similar step at that time commensurate with the advance in the Constitution, this sharp difference and this incongruous working of a fairly advanced democratic legislative assembly with a stereotyped Advisory Executive Council without responsibility would not occur. Some of the members were nominated from those who were not members of the assembly, some from members who had lost the confidence of the electors by forfeiting their seats by being nominated to the Executive Council."

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Continuing, Mr. Perera said that during the absence of Mr. Wijeyekoon in England with the permission of the Secretary of State, because it was a change in their contitutional law, a territorial member, Mr. Senanayake, representing Negombo, was nominated to the Executive Council, while retaining his seat in the Legislative Council.

"Congress stands for full responsible Government," said Mr. Perera, "for the reason that we do not believe in a half-way House. No half-way house is possible without dyarchy and that would mean the withdrawal of the present powers of the Legislative Council, particularly in the region of finance. We have got absolute power in regard to all departments. Any scheme of dyarchy will connote Reserved and Transferred subjects. Now the Budget is dealt with as a whole and we could bring sufficient legitimate pressure to bear on Government in respect of all demands. But once you divide the Cabinet into Reserved and Transferred subjects, there is no possible way to retain the rights for which we have been fighting for so many years."

With regard to the capacity of the people for responsibility, he said that they had ancient traditions of local self-government going back to 25 centuries. Apart from that he said that in 1865 when the Municipalities were given, they had been used to working the way towards self-government and if they were asked what had been the result of the working of the U.D.Cs. he would say that they were all successful. Men of standing in the community gave of their time, money and energy for the sake of helping the public cause and had taken up duties as executive officers, which were by no means sinecures. He would particularly call attention to Kalutara and Panadura, two towns in his own constituency, which were working very efficiently.

On the important matter of the question of communal representation he would say that it might be properly divided into certain aspects.—the question of perpetuation of communal representation, the extension of communal representation, in the sense of giving more seats to those communities who have at

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

present communal representation; and the addition of communal representation such as the claim of Christian representation.

"The Congress stands for territorial representation," added Mr. Perera. "We are opposed to the principle of communal representation. But in the case of communities already having the privilege of such special representation it may be permitted to continue if the Commission is satisfied that it is a temporary necessity and also provided such representation is not permitted to retard the establishment of self-government in this country."

That was why, he said, he did not deal with that point in the Memorandum and they felt that it was owing to the Commission and to the Congress that their Memorandum should be placed before the Commission and the members of Congress should state their case.

The Earl of Donoughmore: I am very glad to hear that.

Mr. Perera, continuing, said that the racial representation in this country was what may be called the barbaric survival of the original Council of 1833 which gave unofficial members on the racial basis. It was only a temporary measure really but to enable certain communities with historical traditions to have their voices heard in the Legislative Council and for the sake of having proportionate representation, it was not thought wise to take them away altogther. There was no essential necessity for it.

"We did not want to do anything that would rankle in the minds of those really small minorities as the Burghers, Europeans and Mohammedans," said Mr. Perera. "We are used to this. Any abrupt departure might mar the feelings that they have with the bulk of the community. We say strenuously that there can be no question of proportionate increase, because whatever the principle on which territorial electorates are divided, they must be on some recognized principle of democracy, in proportion to population, literacy, property or whatever it may be. But it must be on some principle. When the country is divided into electorates on that basis, merely because the bulk of the country is inhabited by one or two races, it does not follow that these minorities should

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

have their seats proportionately increased. Further in order to make fellow-feeling and good feeling accentuated, Sir James Peiris while pressing strenuously for territorial representation gained the plural vote for those minorities which they never had before and which they possessed to-day. On behalf of Congress they opposed the granting of the Western Province Tamil seat. It was against the whole of their tradition and there was justification for it. The Secretary of State felt that the seat ought to have been withdrawn at the time, but considering certain undertakings of the local Government, given to certain local leaders at the time it was not possible to do so. Another point was the Commercial seat which was held by a European but had been abolished.

Lord Donoughmore: Do you mean the Chamber of Commerce seat?

Mr. Perera: Yes, Sir, They divided the electorate into European Urban and European Rural and said there was no justification why 7,000 colonists should have on that basis of population three seats. When that seat was abolished there was strong feeling and a demand for it was made and ultimately Sir William Manning gave the Commercial seat, a seat which had no justification. The Low-Country Products' Association, a Ceylonese local Association which had special representation, voluntarily surrendered that seat, on the ground of principle, very generously acting for the welfare of the whole country as they felt there was no justification for the continuance of this lopsided arrangement.

Mr. Perera said that they had decided that the franchise should remain as it is namely Rs. 50 income a month.

The Earl of Donoughmore: You don't press for a change in the franchise.

Mr. Perera said that he did not wish to although it might be considered that the Congress wanted an oligarchy of small capitalists without extending the franchise. Their position was that Rs. 50 represented practically the competent adult population

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

who were fitted for the franchise. The sum was very low now considering that the country was booming in rubber. Wages had gone up considerably and so far as the Indian immigrant labour population was concerned, there would be a number of them who would have the vote. If they went to a grade lower than Rs. 50 they might get a class of men, of whom a great proportion would not use responsibility in the exercise of the vote. He was sorry to say that the votes of many men might even be purchased. They did not want to wreck what had been achieved by them, by any precipitate and unnecessary reduction. Five years ago a man purchased far more than he could now. The list prepared by the Director of Statistics give the actual number of voters, but the present number of voters in the register was no index of the number of voters competent to vote, because the reports were compiled at a rush election and there was also the aversion of the village land owner to disclose his property value. A far larger number of people than those who registered had the vote under the franchise.

With regard to female franchise Mr. Perera said that the Congress had always stood for it. In a country where for twenty centuries equal rights were held by women and where no purdah system existed, they were prepared to give the franchise to women. They decided to restrict the franchise to women over twenty-five years or who could stand the literary test such as the school-leaving certificate examination or the teachers examination, and those who had property in their right worth Rs. 10,000 irrespective of the literary test.

The Earl of Donoughmore said they were very much indebted to Mr. Perera for the very full explanation of the points brought before them. He had intended to ask some questions on points in the memorandum, but Mr. Perera had gone into it so fully and dealt with most of the points.

The Earl of Donoughmore (continuing): There is one thing I should like to clear out of the way, Mr. Perera: Will you tell us something of the Constitution of the Congress itself? Let us

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

begin from the beginning. How does somebody, a newcomer, join the Congress?

Mr. Perera said that a hand book was in course of preparation, which was in the Press. He expected to get a copy in advance and it would be placed before the Commission.

Lord Donoughmore: You will let us see it before we go.

Mr. Perera: I will answer that question. There are local Associations all over the country. These Associations which have got a certain standing and accept the principles of Congress, are affiliated to Congress. They must have a certain amount of membership. They must have their rules in accord with the principles of Congress and they must accept the Congress creed. The aim of Congress, according to the Articles, was to secure for the people of Ceylon responsible Government, with status as a self-governing member of the British Empire and this was to be done by constitutional methods.

Lord Donoughmore: I think I have seen those articles some where Mr. Perera. I am most anxious to get up to date in these matters. Could you tell me roughly how many members you have got?

Mr. Perera: The Congress is a congerie of Associations and about seventy Associations are affiliated to it throughout the country. The number of members in each Association varies, the minimum being a hundred.

Lord Donoughmore: You don't recognize Associations unless they have a hundred members or more?

Mr. S. W. R. D. Bandaranaike (Joint Hony. Secretary of Congress): We do; but usually there are over a hundred members. The Labour Union, for instance, has thousands.

Lord Donoughmore: Then you make no distinction as to who joins provided he accepts the principles and objects of the Congress?

Mr. Perera: Yes. There is no race, caste, creed, or any discrimination except a political principle.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Lord Donoughmore: I realize that you are an active body. You are a political body to the extent that you support candidates for elections, etc.

Mr. Perera: We felt that it would be injudicious at this early stage to run candidates at elections. A Congress man will support a Congress man, but there are times when Congressmen might have been opposed to each other at an election. At the last election we did not do it, as we did not feel justified.

Lord Donoughmore: There is evidently not a Congress party in the Legislative Assembly?

Mr. Perera: Not as such, but we usually act together. We know our own minds about our principles. All members of Congress usually vote together. On the broad basis of principle we all act together on the Congress principle.

Sir Mathew Nathan: With regard to the main object of the Congress, which is responsible government in the sense proposed in your memorandum, with no half-way house, will any member holding the view that responsible government should be given by degrees be any longer a member in the direct terms of the Ceylon National Congress?

Mr. Perera: Even 20 years ago this was our aim and object. In 1919, as a result of the summoning of a conference of leaders throughout the Island and representatives of the Ceylon National Association the Congress was launched by Sir Ponnambalam Arunachalam and from that day our first creed has been to get full responsible government. That does not mean that half a loaf is not better than no bread. Last year and the year before we decided that the period of transition had passed and we voted in every respect for responsible government and maintain that it was long overdue.

Sir Mathew Nathan: Therefore any member who believes in a half-way house ceases to be a member of the Congress?

Mr. Perera: That is so.

Lord Donoughmore: Mr. Perera—you are speaking in the presence of Commissioners who have had experience of some

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

kind. We had very long Commissions which sat entirely in secret. It seems to me that there is some anxiety in your mind that in our minds there may be some arguments already placed without the knowledge of all parties which might influence us." He would say primarily that if they heard anything, any argument from anybody about somebody else, they tried to let that somebody else answer it, if they did not have the opportunity of answering it before.

Mr. Perera said that they were greatly relieved and were very grateful to the Commission for that expression of opinion. "We shall always according to our lights and as dispassionately as possible state what we can on a future occasion if need be."

Lord Donoughmore: That I am sure we may count on.

Sir Geoffrey Butler congratulated Mr. Perera on the very clear exposition of the case and the clear elucidation of the several points. There were one or two points in which he would like further elucidation points partly from the memorandum and partly from the statement made. In the memorandum there appeared a paragraph about "complete subordination of the permanent members of the public service under the control of seven Ministers, and the Executive Council to consist of the above Ministers with the Premier as President to form a Cabinet subject to the usual constitutional practice." By usual constitutional practice, he understood it meant British constitutional practice. Of course British practice as given in hand-books and text-books depended upon local conditions. It was also obvious that it was very difficult to have a constitutional Cabinet system unless they had the two Party Government. It was possible because in the last century an attempt was made to introduce the British Constitution into France and other countries. But what struck him, looking at it from the point of view of experience was that in introducing the British constitutional practice here, they had to find something which they did not expect, the same background as in England. The commonplace experience in French politics, was that Ministers increased the power of the bureaucracy by the introduction of

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

British constitutional practice. He was not saying that because it happened in France that it would happen here. But he thought there were genuine difficulties.

Mr. Perera said that they always felt that the natural divisions in the country was really the foundation of party Government in all countries; such as Conservative and Liberal. They always had to contend against what was usually called the reactionary or Conservative outlook, when they were pressing for constitutional reform. (Laughter.)

Sir Geoffrey Butler laughingly objected to the association of the word "reactionary" with the word "Conservative."

Mr. Perera, continuing, said that as President of the Congress he was speaking as the Progressive Party in Ceylon. Why there had been no Two Party system in this country was the fact that the Government was that Conservative Party. They were still at that stage when they were trying to wrest from Government popular rights and democratic privileges, while the other party organised themselves to oppose progress. One phenomenon which had arisen in the last few months was a new party known as the "Unionist Party." He called it the "Dis-unionist Party," Ceylonese who wanted the old order of things and said that they were not fit for responsible government and that the people were going too fast. Previously there was no practical politics in action. They were just emerging into that sphere. Labour was coming along with new ideals. What they were seeking was for the foundation of responsible government.

The next question was in regard to the Finance Committee and its functions whether there was great congestion of work in the Legislative Council, at the present time, as was mentioned by the Colonial Secretary the day before. Did he consider there was undue congestion.

Mr. Perera replied that the only possible measure of easing the Government at the present time under the present Constitution was the Finance Committee. It is most unsatisfactory and the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

congestion would at once be removed by the grant of responsible government.

With regard to the sub-Committees, he thought there was some misapprehension in regard to the nomenclature. In the Select Committee of the House only members sat. There were Commissions to which Government appointed Members of Council and also outsiders.

Dr. Drummond Shiels thanked Mr. Perera and his friends for the clear explanation given and said that the Commission had great sympathy with the aspirations which had been expressed. "I have special sympathy," he said, "because I am member of a similar body in Scotland which is trying to get responsible Government for Scotland and the power over finance." (Laughter). He hoped the members of the Congress present would realize that there were certain obvious difficulties against carrying out the scheme the Congress had put before them. The Commission had to justify their decision not only with the people of Ceylon, and Congress as such, but also with the Government and the people in England and of the people in other parts of the Empire. So that although they might criticise the proposals that did not mean that the Commissioners were unsympathetic. About the franchise he was disappointed that more importance was not attached to that point in the memorandum. It was of fundamental importance in altering the present constitution. He would like to ask whether Congress did not think it a relevant fact to consider in connection with the granting of responsible Government that only 4 per cent. of the people had the vote and whether a 4 per cent. voting population was a good argument for responsible Government and how Congress would justify its demand.

Mr. Perera explained that it was a matter which required further discussion and that was why the question of franchise was but lightly touched upon in the memorandum. The number of people on the register was not quite correct. There were many unregistered.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Dr. Shiels asked how much would be the estimated increase of voters if all were registered.

Dr. W. A. de Silva replied that it would be about seven per cent. Owing to a rumour set afloat at the time the registers were made, that a census of properties owned by villagers was being taken in anticipation of the imposition of an income tax, many landowners did not register. When the next register came to be made the increase would be nearly fifty per cent.

Mr. Perera said that the franchise for the Municipal voters was much lower.

Dr. S. Muttiah: Anybody who pays Rs. 15 monthly rent was entitled to vote; or one who owned property producing that amount in rent. At the last conference with His Excellency the Governor on the Reform of the Municipal Council there was strong opinion to further reduce the franchise for Municipal voters.

Dr. Shiels said that if they did not lower the franchise it would affect the poor working class population. The suggestion that the franchise was to bring up the standard of life was a very excellent one. It was perhaps the lack of representation of that class that had been responsible for the want of social service legislation.

Mr. Perera added that the poll-tax of Rs. 2 per head which was levied on all adults used to be a qualification to vote, but that tax had been abolished. Those who paid that tax belong to all classes, the educated as well as the uneducated and there was no sharp distinction.

Dr. Shiels asked whether Congress ultimately stood for adult franchise as the ideal.

Mr. Perera: Yes, that is so.

Dr. Shiels: What is the Congress attitude on education?

Mr. Perera: We believe in absolute popular free education, compulsory education up to a certain standard.

The sittings were at this stage 12 noon, adjourned till 2-30 p.m.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

When the Commission met after the luncheon interval, Dr. Drummond Shiels raised the question of the apparent lack of enthusiasm in the matter of local Self-Government. Yesterday he had asked the Colonial Secretary and he had said that no applications had been refused by the Government so that the whole responsibility must remain with the community. They had suggested in their evidence that in some cases the Government had been against the idea of these Councils being formed. Even yesterday the Colonial Secretary had said that the Government was not in opposition. They had also said that some local residents especially wealthy people had succeeded in raising some stunts in opposition to applications. They had said that there were certain difficulties in the Bill, but they had not expressed very clearly what these difficulties were Would they admit that there was a considerable lack of enthusiasm for local Government?

Mr. E. W. Perera made a general reply and called upon Mr. W. A. de Silva, who had been a member of the Local Government Board to reply in regard to details.

Mr. De Silva replied pointing out the deficiencies in the Local Government Bill. He attributed the failure of Local Government to the fact that as in the Indian Bill, the Village Committees, which in Oriental countries were the foundation of Local Government had been ignored.

Mr. E. W. Perera said that since the Village Communities Ordinance had been reformed in 1924, great enthusiasm prevailed in the Sinhalese and Tamil districts. In the old days the Mudaliyar had acted as a blight, but conditions were now changing. In regard to the remarks made in respect of certain stunts by capitalists he would say that these would be more effective in small towns than in large areas. He would also say that people were very apprehensive as regards provision in the Ordinance for the appointment of Commissioners who were given more autocratic powers than even Government Agents. The people did not want these Commissioners on their backs.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Dr. Drummond Shiels said that he was very thankful for what had been said. He thought that explained the want of progress. He did not want to stress it too much. They were aware that in Municipal matters it was difficult to get as much enthusiasm as in national matters. He thought they would allow him to say that it was almost a universal experience that local Government trained the electors in the easiest and quickest way to understand what representative institutions were, because it dealt with things they were familiar with. Besides, members of local bodies were trained for further service. He might say that most of the members of the House of Commons had their training on local bodies.

The Earl of Donoughmore: Members of the House of Lords also.

Dr. Drummond Shiels, continuing said, that in regard to the ultimate abolition of communal representation, which they said was the ideal before them, they had consented at least to continue that form of representation even as a temporary measure. Has the Congress ever considered proportional representation, he asked. He might say that the English Universities, the Scottish Universities and other Scottish bodies had such representation. It provided representation of minorities but on a democratic basis. He wanted to know whether the Congress had thought about it.

Mr. E. W. Pereara replied that that proposal was foreshadowed by Colonel Seely to one of the Reform Deputations. Lord Courteney who was very friendly to them and who introduced the deputation to the Secretary of State was also very enthusiastic about it. But he thought that latterly there was in England a set-back to the idea of proportional representation. They themselves had so many larger questions of principle agitating them that they had not been able to go into the question at all. He thought that it was a most excellent proposal, and speaking for himself, he might say that they ought to give it very careful consideration.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Dr. Drummond Shiels replied that perhaps they might consider it and give their views. Of course they would require some time, and perhaps they would have to get some literature on the subject. He thought that there was a set-back in England in regard to the ordinary elections. In communities where there was no party system and had different interests, he thought that proportional representation offered many advantages. He was, however, making no suggestions in the matter but he was of opinion that it provided minorities a mode of representation but at the same time giving them a very democratic basis of representation in the Government.

Mr. E. W. Perera: I am very grateful for that; we shall certainly consider it.

Dr. Drummond Shiels continued that if they abolished communal representation, and had territorial representation, there were a number of interests which feared they would not get representation. Of course, the Tamil community was much higher than other minorities on a territorial basis, but there were other scattered communities all over the country. "I would like to ask," he continued, "what is the general attitude of the Congress to the European community. Do you consider that they have been and are a great factor of progress, and do you think their interests will be safeguarded if they were not represented in the Council?"

Mr. E. W. Perera: I think European interests will be perfectly safe. I am taking the situation as it is now where the bulk of the Government is English.

Dr. Drummond Shiels: I am not speaking in regard to the Government. Supposing the Council was elected on a territorial basis; supposing the Sinhalese were in a large majority and controlled the Council, do you still think that European interests will be safe?

Mr. E. W. Perera: I certainly think so, I feel that very strongly. The attitude of the people of this country towards the Europeans, and even to a retired Government Agent, has been

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

exemplified in a territorial constituency, the North-Central Province, where Mr. Freeman was returned unopposed.

Dr. Drummond Shiels: I agree it is very significant.

Mr. E. W. Perera, continuing said that he might further say that with regard to the apprehensions of some people—he was not speaking only for himself but also for many others—what was unknown was always apprehended as a danger till they came to know them and came in direct contact with them. There was a time when the Congress agitators were thought of as people harbouring certain ideas against property and capital. He would assure them that they were not against capital, nor would they confiscate property. He may state that these apprehensions and suspicions were based on what had happened in the past to a certain extent. The Official hierarchy was ruling and the only powerful body which could oppose it were the European merchants and the planters. The Government threw a sop at them and these two bodies subconsciously supported the Government. That was the root of the antagonism, the origin of the trouble, but that attitude was fast dissipating.

Dr. Drummond Shiels: You say that there is no anti-European bias in the Congress or in your community. Supposing you had Self-government you do not think that the tendency would be rather the reverse?

Mr. Perera: It is entirely so; I can testify to that very vigorously.

Dr. Drummond Shiels: May I ask what is it that the other communities fear to establish all the electorates on a territorial basis? It cannot be religious intolerance, because Ceylon traditionally is free from that. I ask you is it the fear of patronage of the Public Service by the majority?

Mr. Perera: That is so. If I may say so, I think that the merging of the Europeans in the general electorate has been very much to the good. The old idea was that if anybody vigorously criticised the measures of Government—I may say that I am one

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

of these—the English planters who ordinarily did not take an interest in the affairs of the Government considered that these men were seditious and anti-English. That spirit, I may say, is now disappearing. I have been a very vigorous critic of Government, but I must say that the planters in the last elections supported me because they came to know me. Everyone of us, territorially elected members are now elected ex-officio honorary members of the Planters'. Associations, and their Chairmen are now in touch with us and we do all we can to help the progress of communications and agriculture which is of great importance to this country. I can testify to that because I am a member of Council for a big rubber area.

Dr. Drummond Shiels: I am satisfied with that. In regard to other communities apart from the European, you say that the suspicion that any territorially elected Council would see a strong Sinhalese majority arises from the fear that the patronage of public appointments would be unfairly used. Is that apt to be the case?

Mr. Perera: No.

Dr. Drummond Shiels: At the same time you will agree that by proportional representation or otherwise it is desirable that various communities should be represented to make their voice heard by other units and in order that the voice of all communities might be heard?

Mr. Perera: That was definitely my view, and I said so in the Reform Debate of 1923.

Dr. Drummond Shiels: You said that you are against diarchy because it would withdraw your power of financial control. Beside that have you any other objections?

Mr. Perera: I think it is really unworkable in this country with a single unit of Government and further Mr. De Silva tells me that it has been a failure and that wherever it has been used, it had been a source of disagreement.

Dr. Drummond Shiels: That is of course a controversial point. In regard to the full measure of what you ask, I suppose

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

your Congress consists of a great many other communities and you support their representation in Council?

Mr. Perera: That was passed in open Congress.

Dr. Drummond Shiels: Have you any Kandyans in the Congress?

Mr. Perera: We have a large number.

Dr. Drummond Shiels: Tamils, Malays?

Mr. Perera: Moors and Malays we have.

Dr. Drummond Shiels: Tamils?

Mr. Perera: Just now we have Dr. Muttiah here. He is one of our Vice-Presidents. We have also here Mr. Arul Anandan. He was Secretary.

Dr. Drummond Shiels: Burghers?

Mr. Perera: We had Mr. Wille for many years. They are apprehensive of the extinction of their communal seats and after he was elected he left us. (Laughter.)

Dr. Drummond Shiels: I have read the history of the Legislative Council. Do you agree that the Government is really anxious to govern in the interests of the Ceylonese people?

Mr. Perera: Certainly. Some Governors have been very broadminded and others intransigent, but on the whole none of us will say that they have not done their best, according to their lights, in the interests of community.

Dr. Drummond Shiels: Has the Government been trying to develope a policy of giving the Ceylonese a training in Self-Government?

Mr. Perera: I must say that the spirit is entirely changed for the better since 1921. They are getting more sympathetic.

Dr. Drummond Shiels: You wish to have as Heads of Departments representatives of the people. You say that the time is ripe for full responsible Government. May I say that I like to reinforce what the Chairman has already said, that we are in sympathy with you. At the same time there are certain difficulties, but the decisions we arrive at will be on the evidence before us and

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

not on any memorandum or on any previous impressions. I should like you to realise that we are not going to be guided by anything but the evidence before us.

Mr. E. W. Perera: I am very grateful for that. May I add that in certain Sinhalese areas Tamils and Burghers have been elected Chairmen in the U. D. Cs. I think certain difficulties might be avoided by the adoption of a patronage board.

The Chairman: I appreciate what you have said. What is your convenience to-morrow?

After some discussion it was agreed to examine the Congress Deputation again the following day at 11-15 a.m.

Mr. Perera asked for an indication as to the points on which the deputation would be questioned to-day.

Sir Mathew Nathan: Is there any means of bringing into the new situation the genius of the people of Ceylon to which you have made reference. Is there any means of bringing in old institutions which you held long ago?

Mr. E. W. Perera: I am very grateful for that.

Sir Mathew Nathan desired information on the following points:—(1) As regards the proposed abolition of the Western Province Tamil seat, did they propose an alteration of the territorial divisions; (2) the views of the Congress on an Upper House; (3) the Governor's veto; and (4) how the Congress proposed to appoint Judges.

Shortly after 11 o'clock on the 23rd Mr. E. W. Perera President of the Congress and his colleagues came in to give information on the following points which was asked by Sir Mathew Nathan the previous day.

Sir Mathew Nathan desired information on the following points:—(1) As regards the proposed abolition of the Western Province Tamil seat, did they propose an alteration of the territorial divisions; (2) the views of the Congress on an Upper House; (3) the Governor's veto; and (4) how the Congress proposed to appoint Judges.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Sir Mathew Nathan pointed out that in the Congress memorandum there was a reference to "the full development of the elective principle in the old Gan Sabawa." He asked if the Congress representatives had any evidence of that, and also he wished to know if the elective principle had been extended beyond the Gan Sabawa and whether it had any effect on the Central Government.

Mr. Perera quoted from several authorities as to the manner in which the Gan Sabawa operated.

Sir Mathew Nathan interposed by remarking that the authorities quoted were Europeans and perhaps the best evidence would be found in old books, such as the "Mahawansa."

Ultimately, it was arranged that Mr. Perera should supply Sir Mathew with a list of books, in which there are references to the Gan Sabawa.

In reply to a question, Mr. Perera said he did not think it would be possible to revive a form of electoral representation through the Gan Sabawa, but he admitted that there were potentialities in the question which were worth consideration.

Sir Mathew Nathan referred to paragraph 6 of the Congress memorandum, which states: "One-man Government is responsible for the stagnation of the country. He asked to what particular period this applied.

Mr. Perera said that from after the forties there was stagnation.

Sir Mathew Nathan stated that in 1834 the population of the Island was 1,100,000. Now it was five times that. The number of children educated had increased thirty-three times. Trade had increased one hundred and twenty times, and shipping one hundred and twenty times. They could hardly say that from 1834 till now had been a period of stagnation.

Mr. Perera said that what Congress maintained was that very little was done for the people. No proper figures were available in 1834, regarding the population. Certain districts were wiped out and crops destroyed and the slump in the population may have been due to some of these causes. Till 1856 there was

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

not a single school in the Kandyan Provinces. Although there had been a great bound in education there would have been much more education if there had been association with the people in the earlier years and expenditure of money. The great point was that the small land-holder was not encouraged. A great deal of the wealth of the Island was no doubt gained at the expense of wiping out the village peasant proprietor.

Sir Mathew Nathan next enquired the Congress' objections to a Second Chamber.

Mr. Francis de Zoysa said there would be some difficulty in creating a Second Chamber in Ceylon, if there were to be an elective body. If the members of the Chamber were nominated they might not enjoy the confidence of the people and stand in the way of the elected representatives. They thought a Second Chamber was unnecessary in view of the fact that there would be communal representation in the Lower House.

Sir Mathew Nathan said the question of the power of veto was particularly important. He had been thinking whether it would be possible if a new system were introduced to give a large number of subjects on which it would be recognised the Governor had the right to exercise the power of veto. In the early days of representative Government in certain Colonies, the Governor considered with his Executive Council among other things, perhaps capital punishment. It was recognized that he need not follow the advice of his ministers in exercising his powers.

Another point raised by Sir Mathew Nathan was the question of the higher judiciary. He desired to know why they desired to have this retained as a matter of Imperial concern.

Mr. Perera said the higher judiciary were at present appointed by H. M. the King, and it was their intention to leave the appointment of the higher judiciary in the hands of the King.

Sir Matthew asked if any of the representatives could tell him anything about the work of the Public Works Committee.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

M. Perera said that after they had had some experience of P. W. D. work being delayed and estimates being heavy compared with work done by private contractors, it was decided by the Legislative Council to have a Committee of members associated with the Director of the P. W. D. In certain ways there had been a great improvement, but he did not think a real remedy had been found for the trouble they had had. On the whole, however, the Committe worked well, within its limitations.

Sir Mathew Nathan: Have you ever thought what would be the practical effect of giving that Committee Executive powers?

Mr. Perera said he did not think that would be a big step forward. The only way to work the Department satisfactorily and ensure the confidence of the Council and the country was to have a minister in charge of it.

---

NOTE.—For extracts from the Minutes of Executive Committee Meetings referring to the Special Commission vide Section IV (D) infra.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## SECTION IV.—*Extracts from Minutes of Executive Committee Meetings.*

### (A) LABOUR.

Regarding the following motion of which notice has been given by Mr. C. Ponnambalam, 'In view of the fact that there is practically no legislation for the benefit of Ceylonese labour in this island which has naturally resulted in frequent strikes in recent times the Committee of the Ceylon National Congress requests the Government to give immediate effect to the seventh resolution passed at its first Sessions, and to the terms of the various international labour conventions, ratified by Great Britain especially as regards (a) fixing of a minimum wage by boards constituted for the purpose in each district, (b) the fixing of maximum working hours, (c) compensation for workmen injured in course of their employment, (d) relief against unemployment by means of insurance or other schemes, (e) the recognition of the right of workmen to form trade unions or other similar organizations to protect their interests and promote their welfare.

In view of the urgency of the question it was resolved to write to Government to enquire (a) whether Government is appointing a Commission to inquire into labour conditions in Ceylon, (b) If so the terms of reference and when it proposes to appoint the Commission.

A sub-Committee consisting of Dr. S. Muttiah (Chairman), Messrs. C. H. Z. Fernando, A. E. Goonesinha, G. K. W. Perera, M. A. Arul Anandan, C. Ponnambalam, S. W. R. D. Bandaranaike, and R. S. S. Gunewardene was appointed to draft a memorandum on the lines of the resolution."

(26 2 27)

"Mr. C. Ponnambalam moved the following resolution :—

'To avoid disputes in future between employers and workmen and to remove the discontent prevalent among the working classes in this island the Executive Committee of the Ceylon National Congress is of opinion that the terms of reference of the Commission appointed recently to enquire about the desirability of

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

the state control of wages should be widened so as to include the following:—(a) fixing a maximum hours of work, (b) compensation for workmen injured in course of employment, (c) insurance or other means of relief against unemployment.' It was seconded by Mr. A. E. Goonesinha. The following also offered remarks. Messrs. P. Givendrasinghe, C. D. A. Gunawardhana, S. H. Dahanayake, Martinus C. Perera, and Geo. E. de Silva. Mr. C. D. A. Gunawardhana desired to move an amendment to the effect that the education of the children of the Ceylonese labourers on estates be provided for; but on Mr. C. W. W. Kannangara's undertaking to see to the matter, the amendment was withdrawn. The original motion was put to the house and carried unanimously." (25 6 27)

## (B.) THE SUB-COMMITTEE ON THE REFORM OF THE CONSTITUTION.

"The Hony. Secretaries submitted a report of the work done by the reform sub-Committee. It was resolved that the tentative scheme drafted by the sub-Committee should be submitted for discussion and approval for the next meeting of the Committee. It was also resolved to write to the European Association of Ceylon* to enquire what date would suit them for the Conference agreed to by them." (26 2 27)

"The adoption of the draft constitution prepared by the reform sub-Committee was put off until after the Easter vacation, and it was decided that in the meantime the sub-Committee should confer with the European Association." (26 3 27)

"A letter was read from the European Association that as the Governor has announced the appointment of a Special Commission on the constitution they did not think any suitable purpose would be served by having, a conference with the delegates of the Congress." (28 5 27)

"The report on reforms further consideration of which had been postponed was considered, and it was decided to refer the whole report afresh to the sub-Committee appointed to prepare the Congress case to be placed before the Special Commission."

(27. 8. 27.)

---

* For the correspondence with the various Associations, vide sec. V. infra.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## (C). THE UNIVERSITY QUESTION.

"Mr. C. Ponnambalam moved the following resolution:— 'That the Executive Committee of the Ceylon National Congress is of opinion that the Akbar Committee report on the University Site should not be adopted by the Legislative Council, and that the proposed University should be located in or near Colombo, as a University at the cost of the public revenue should be of benefit to as many citizens as possible.'

It was seconded by Mr. A. C. Chella Rajah. There also spoke in favour of the motion Messrs. S. W. R. D. Bandaranaike, J. P. John, S. H. Dahanayake and C. D. A. Gunawardhana.

Against the motion Messrs. C. E. C. Bulathsinhala and R. H. Sadiris de Silva.

The motion was put to the house and there voted for the motion 15, against the motion 2. The motion was therefore carried by a majority of 13." (25. 6. 27.)

## (D.) THE SPECIAL COMMISSION ON THE CONSTITUTION.

'The question of what steps are to be taken in preparation for the Special Commission was next discussed. Letters from Messrs. E. J. Samerawickreme and D. B. Jayatilake concerning what measures should be taken were read.

Mr. Geo. E. de Silva moved the following resolution:— 'That it is the opinion of this Committee that the Special Commission should hold its sittings in public, and that the terms of reference of the Commission be published; and also that the Government be requested to make a declaration without delay on these questions, and in the event of the Government's reply being unsatisfactory that a Session of the Congress be convened to consider the situation.'

This was seconded by Mr. C. W. W. Kannangara and was carried." (30. 7. 27.)

"The reply of the Colonial Secretary to a letter forwarding the resolution of Mr. Geo. E. de Silva adopted at the previous meeting was read. It was to the effect that (a) the question whether the sittings of the Commission should be in public or in



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

private was a matter within the sole discretion of the Commission, (b) that the terms of reference had already been published in a Press communique on August 1st.

Mr. Geo. E. de Silva withdrew his motion to summon a Special Sessions and moved the following resolution:—'That the Executive Committee of the Ceylon National Congress is strongly of opinion that the sittings of the Special Commission on constitutional reforms should be open to the public.'

It was seconded by Mr. Valentine S. Perera and carried. It was decided to send copies of the resolution to the Secretary of State for the Colonies and Chairman of the Special Commission by cable.

A sub-Committee consisting of the President, Vice-President, the Hon. Messrs. D. B. Jayatillake, T. B. Jayah, Francis Molamure, Messrs. E. J. Samerawickreme, Francis de Zoysa, M. A. Arul Anandan, S. R. Wijemanne, Geo. E. de Silva, G. C. S. Corea and the Hony. Secretaries was appointed to prepare the Congress Case and take all necessary steps to present it to the Special Commission.

The sub-Committee was also authorized to explore all avenues in order to get into touch with representative persons and Associations outside the Congress with a view to presenting as united a demand as possible." (27. 8. 27.)

"The memorandum sent to the Special Commission was tabled. Mr. S. W. R. D. Bandaranaike moved the following resolution:—'That the memorandum sent to the Special Commission be approved and accepted by the Executive Committee of the Congress.' It was seconded by Mr. Francis de Zoysa and carried unanimously." (24. 9. 27.)

"Mr. Geo. E. de Silva moved the following resolutions:—(1) 'That the Executive Committee of the Ceylon National Congress has read with profound dissatisfaction the reply given by the Hon'ble the Colonial Secretary to the questions asked at the Ceylon Legislative Council by the Hon. Mr. Duraiswamy requiring the immediate publication of the Despatch in which the Ceylon Government moved that the Rt. Hon'ble the Secretary of State for the Colonies do appoint a Commission to inquire into

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

the working of the Constitution introduced in 1923. This Committee considers the reply to be both inadequate and unsatisfactory and presses for the publication of the Despatch in question so that the public of this island and particularly the Legislative Council may know the case the Ceylon Government has made out against the Legislative Council.

(2) That this Committee requests the President, the Hon'ble Messrs. C. W. W. Kannangara and T. B. Jayah to take all steps necessary for the introduction of a motion at the next meeting of the Legislative Council demanding the immediate publication of the Despatch of Sir Hugh Clifford asking for a Special Commission on reforms.

(3) That a telegram be despatched to the Right Hon'ble the Secretary of State for the Colonies expressing the profound dissatisfaction felt by the Ceylon National Congress, specially, and the country generally on the refusal of the Ceylon Government to give publication to the above mentioned Despatch and requesting him to withdraw any embargo which he might have placed upon the publication.'

'The motions were carried.'' (29. 10. 27.)

''The proposals of the sub-Committee appointed to prepare the Congress Case to be placed before the Special Commission were considered. In regard to the Communal question the following resolution was adopted:—

'That the Executive Committee is of opinion that the Congress is bound by the resolutions adopted at the various Sessions of Congress on the question of present minority representation.'

It was decided to oppose the introduction of a Second Chamber.

On the question of Franchise the proposals of the sub-Committee that the present male franchise should remain as it is was discussed.

Mr. P. Givendrasinghe moved and Mr. Geo. E. de Silva seconded an amendment that 'the franchise be reduced to those having a monthly income of Rs. 25/-.'

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

The amendment was put to the house and lost.

Mr. A. E. Goonesinha moved an amendment that there should be manhood suffrage.

Mr. A. C. Chella Rajah seconded.

This amendment was also put to the house and lost. The original proposals of the sub-Committee were thereupon adopted.

The suggestion of the sub-Committee regarding limited female franchise was adopted." (5. 11. 27.)

"A letter from the Secretary of the Special Commission stating that it was decided that the Commission would hear the evidence of the Congress on the 22nd November at 9 a.m. was read.

It was decided that the President, Vice-President, President elect, the Vice-President elect, Messrs. Francis de Zoysa, M. A. Arul Anandan, S. R. Wijemanne and the Hony. Secretaries should form the deputation to give evidence before the Commission." (19. 11. 27.)

## (E) THE SUMMARY OF THE WORK DONE BY THE EXECUTIVE COMMITTEE IN 1927.

There were altogther 11 meetings of the Executive Committee held during the course of the year.

A great deal of work was done particularly towards the latter portion of the year in connection with the Special Commission on Reforms.

Altogether six sub-Committees were appointed during the year, to deal with the following subjects:—

1. Peasant Proprietorship.
2. Grievances of Clerks in the third class of the Survey Department.
3. Labour conditions.
4. Constitution of Congress.
5. Preparation of the Congress Case to be placed before the Royal Commission. This sub-Committee was also authorized to explore all the avenues in order to get into touch with representative persons and Associations outside the Congress with a view to presenting as united a demand as possible.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

The report on reforms of the sub-Committee appointed in 1926 was also referred to this sub-Committee for their consideration.

It was decided to publish a Congress Hand-book and the work was taken in hand by Mr. Bandaranaike who was assisted in the task by the other officers.

A portrait of the late Sir P. Arunachalam presented by Mr. Geo. E. de Silva was unveiled at the Public Hall. Speeches were made by Sir James Peiris, Mr. Francis de Zoysa and the President, on the occasion.

A public reception was held at the Public Hall in honour of Mahatma Gandhi.

In connection with the visit of the Special Commission two public meetings were organised in Colombo and Galle. Mr. Francis de Zoysa speaking at the former and Mr. M. A. Arul Anandan at the latter.

Resolutions were passed by the Committee protesting against the non-publication of Sir Hugh Clifford's Despatch and any attempt on the part of the Special Commissioners to take evidence in Camera.

In pursuance of these resolutions a letter of protest was sent to the Colonial Secretary and cablegrams despatched to the Secretary of State and the Chairman of the Special Commission.

A memorandum was drawn up by Messrs. S. R. Wijemanne, Francis de Soysa, and the Officers summarising the Congress Case for self-government, copies of which were sent to the Special Commissioners in England.

A deputation consisting of the following were appointed to give evidence before the Special Commission :—

Mr. E. W. Perera, Dr. S. Muttiah, Messrs. W. A. de Silva, Geo. E. de Silva, Francis de Zoysa, M. A. Arulanandan, S. R. Wijemanne and the Hony. Secretaries.

Evidence was given on 22nd and 23rd November, 1927.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

SECTION V.—*Correspondence referring to proposed Conferences with other Associations.**

## CEYLON NATIONAL CONGRESS.

Telegrams :—"CONGRESS"

Congress Hall,
11, Norris Canal Road,
Colombo, 14th September, 1926.

THE HONY. SECRETARY,

. . . . . .

Dear Sir,

We have the honour to invite your attention to the following resolution unanimously passed at the last Annual Sessions of the Congress held at Kandy on the 18th and 19th December, 1925.

Resolution :—"The Congress should take early steps so as to ensure a full measure of Self-Government at the next revision of Constitution."

In pursuance of this resolution, the Executive Committee of the Congress has appointed a sub-committee to consider in what way a united demand for the next reform of the Constitution due in 1929 can be made in consultation with such associations as are not affiliated to the Congress.

This sub-committee has drawn up a tentative scheme, a copy of which we herewith forward for your information.†

Will you be so good as to let the sub-committee have your considered views and suggestions?

The members of the sub-committee will be glad to meet the representatives of your association to further discuss the question at any place and date convenient to you.

In view of the approaching Sessions of the Congress fixed for the 17th and 18th December, we shall be obliged if you will kindly give this matter your immediate attention.

Yours faithfully,
(Signed) S. MUTTIAH,
,, R. S. S. GUNAWARDANE,
*Hony. Secretaries, C.N.C.*

* Vide Section IV. (b) Supra.
† Vide p. 726.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

This letter was sent to the following Associations :—

European Association, Tamil Maha Jana Sabhai, Burgher Electoral Association, Kandyan National Assembly, Malay Political Association, Ceylon Tamil League and Jaffna Association.

It was not possible to confer with the representatives of any one of these Associations : the correspondence with those that chose to reply to the above letter is published below.

---

## THE EUROPEAN ASSOCIATION OF CEYLON.

Telegraphic Address :
"EUROPEAN," COLOMBO.

13, Baillie Street,
Colombo, September 18th, 1926.

Dear Sirs,

I have the honour to acknowledge with thanks the receipt of your letter of the 14th inst. enclosing a copy of a tentative scheme for the next reform of the Constitution. I have submitted it to my President, and it will be the subject of discussion at my next Council Meeting.

Meanwhile certain points suggest themselves on which fuller information would be welcomed.

a. Would the Governor have no advisory body except the seven Ministers who are to be responsible to the Legislature?

b. Is it proposed that the Governor should retain his power of veto?

c. Is the Secretary of State's assent required before or after legislation passed by the Legislative Council?

d. How would being "in charge of" a Department be defined?

e. What power, if any, would a Minister have over permanent Executive Officials?

f. If the "Chief Minister's" policy were negatived in Legislative Council what would be the result to the Ministry?

g. How would Ministers vacating Office through resignation or other causes be replaced?

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Any answers you would care to give to these questions would help my Council in their consideration of your proposals.

Yours faithfully,

(Signed) R. TREFUSIS,

*Secretary.*

---

CEYLON NATIONAL CONGRESS.

Telegrams :—"CONGRESS"

Congress Hall,
11, Norris Canal Road,
Colombo, 24th September, 1926.

The Hony. Secretary,
European Association of Ceylon,
13, Baillie Street,
Colombo.

Dear Sir,

We are in receipt of your letter of the 18th September for which we thank you.

With reference to the points you raise, we are directed to give you the following information :—

(*a*) The majority of the sub-committee are at present of opinion that such an Advisory body would not be needed. However the Committee is quite open to discussion on this point.

(*b*) It is not proposed to deprive the Governor of his power of veto, which he would naturally exercise as the King's representative.

(*c*) It is not proposed that the consent of the Secretary of States would be necessary prior to the introduction of any Bill before the Council nor is it contemplated that such consent would be necessary even after the passing of a Bill as long as that Bill deals with matters of a purely domestic nature. Before any Bill becomes law, the Governor's assent of course would be necessary.

(*d*) & (*e*) A Minister would be in charge of a Department just as a Cabinet minister is in England, exercising the same powers over the permanent officials of his Department.

(*f*) In this matter British Parliamentary procedure would be followed.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(g) Such vacancies would no doubt be filled by the Governor on the recommendation of the Chief Minister.

The sub-committee is prepared to discuss further with your Council these or any other points you consider necessary.

Yours faithfully,
*Hony. Secretaries, C.N.C.*

---

THE EUROPEAN ASSOCIATION OF CEYLON.

"EUROPEAN" COLOMBO. 52, Baillie Street,
Colombo, 6th November, 1926.

The Hony. Secretaries,
Ceylon National Congress,
11, Norris Canal Road,
Colombo.

Dear Sirs,

In connection with previous correspondence I have to inform you that your letter of September 14th was discussed by my Council at their meeting on the 4th instant, and it was decided that your invitation to a conference on the subject of the Reform of the Constitution should be accepted, and a sub-committee was appointed to examine your tentative proposals in detail.

It was felt, however, that it would be better to postpone the meeting until after your forthcoming elections, when I shall be glad to arrange a suitable date with you.

Yours faithfully,
(Signed) R. TREFUSIS,
*Secretary.*

---

CEYLON NATIONAL CONGRESS.

The Secretary, 1st March, 1927.
The European Association of Ceylon,
52, Baillie Street,
Colombo.

Dear Sir,

In continuation of my letter of the 8th November, 1926, I have the honour to inform you that our Annual elections have

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

taken place and we shall be glad to hear further from you with regard to the proposed conference between delegates of your Association and ourselves.

As the sub-committee has been requested to submit their report to be considered by the Executive Committe before the Easter vacation, we shall be obliged if you would fix an early date.

Yours faithfully,

*Joint Hony. Secretaries, C.N.C.*

---

## CEYLON NATIONAL CONGRESS.

Telegraphic Address :
"EUROPEAN" COLOMBO.

52, Baillie Street,
Colombo, 10th March, 1927.

The Joint Hony. Secretaries,
Ceylon National Congress,
11, Norris Canal Road,
Colombo.

Dear Sirs,

I have to thank you for your letter of 1st instant and to apologise for the delay in replying thereto. I have been, and still am, out of Colombo, and have had to conduct correspondence at some disadvantage in consequence. Your letter under reply has been referred to our new President and I am now instructed to say that the Sub-Committee appointed by my Council will be pleased to meet your delegates on some date convenient to them in April but preferably not before the latter part of that month. If, however, it is altogether inconvenient for your delegates to fix a date later than the 19th, I think I could arrange for our representatives to meet yours say between the 10th and 14th of April. Our Sub-Committee has already met, and another meeting is fixed for the end of this month, and we would wish to

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

complete our consideration of your Committee's proposals before the joint meeting in April. Will you now very kindly fix a definite suggested date and let me know?

Yours faithfully,
A. N. CLARK,
*Actg. Secretary.*

---

CEYLON NATIONAL CONGRESS.

The Secretary, 15th March, 1927.
The European Association of Ceylon,
52, Baillie Street,
Colombo.

Dear Sir,

We thank you for your letter of the 10th instant, and note that you would prefer to confer with our representatives towards the end of April.

A date early in April would be inconvenient for our delegates too. The most suitable date being after the 9th May, 1927.

Any date convenient to you after that would suit us.

If you will kindly write to us towards the end of April as to what precise date or dates would suit you, we can definitely agree upon the date then.

Yours faithfully,
*Hony. Secretaries, C.N.C.*

---

THE EUROPEAN ASSOCIATION OF CEYLON.

The Hony. Secretaries,
The European Association of Ceylon,
52, Baillie Street,
Colombo. Colombo, 13th April, 1927.

Dear Sirs,

With reference to previous correspondence between us ending with your letter of the 15th March, I am directed by my Council to inform you that, in view of His Excellency the Governor's

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

recent announcement of the visit of a Royal Commission on the question of the Constitution, it does not now appear that any useful purpose will be served by the proposed meeting between your delegates and the representatives of this Association to discuss the question of reform.

Yours faithfully,
A. N. CLARK,
*Actg. Secretary.*

---

THE MALAY POLITICAL ASSOCIATION,

75, Wekande, Colombo,
29th September, 1926.

The Hony. Secretaries,
Ceylon National Congress,
Colombo.

Dear Sirs,

I am directed to acknowledge receipt of your letter dated 20-9-26 enclosing a copy of the suggestions regarding the Revised Constitution marked "Confidential" which is receiving our immediate attention.

I am, Dear Sirs,
Yours faithfully,
(Signed) C. H. MANTARA,
*Honorary Secretary.*

---

THE CEYLON TAMIL LEAGUE.

Sorna Villa,
Dam Street,
Colombo, 19th October, 1926.

The Honorary Secretaries,
Ceylon National Congress,
Colombo.

Dear Sirs,

I have to acknowledge with thanks receipt of your letter of the 14th September last and the copy of the tentative scheme of reforms drawn up by your Committee and to inform you that the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

matter was considered at a meeting of the Committee held on the 18 instant and the same was deferred for further consideration in view of the importance of the subject.

It is proposed to favour you with the views of the Committee at an early date.

Yours faithfully,
(Signed) H. T. RAMACHANDRA;
*Hony. Secretary.*

---

THE CEYLON TAMIL LEAGUE.

Sorna Villa,
Dam Street,

The Honorary Secretaries,
Ceylon National Congress,
Colombo.

Dear Sirs,

In continuation of my letter to you regarding the memorandum submitted by your Committee, I am directed by the President of this League to write to you be good enough to furnish me with the names of the members of your Committee to enable him to arrange for a conference, should the Commitee be of opinion that a conference would be more satisfactory to arrive at a settlement.

I shall also thank you to furnish me with a list of associations affiliated to the Congress with the name of the delegates of such associations to the forthcoming Congress.

Yours faithfully,
(Signed) H. T. RAMACHANDRA,
*Hony. Secretary.*

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

SECTION VI.—*Reception to Mahatma Gandhi, at the Public Hall, Colombo, on 22nd November, 1927.*

---

Mr. E. W. Perera presided over the proceedings, and, in welcoming Mahatma Gandhi, said that it was his pleasure and the privilege of his life to do so on behalf of the Ceylon National Congress. They of the Congress had no distinctions of rank, religion or race, and their ambition and their aim had been to expand the bounds of freedom in this ancient land which the Mahatma had so happily described as the pearl of the islands of the world. Twenty centuries ago they left the shores of India, coasted down Gujerat touching at Surat, and came carrying the torch of Hindu culture and planted their home among a wilder people and planted a civilisation the memorials of which still existed, the wonder and admiration of mankind. They had had their vicissitudes. Sages and seers from India, from Sri Ramachandra downwards, Mahinda, Sanghamitta, Buddhaghosa and Kalidasa had visited them and had taught them. Ceylon was the eldest daughter of India and the story of Lanka was intertwined with the story of the oldest epics of ancient India—fitting to be visited by one who was the incarnation of the spirit of ancient India of her ideal and her inspiration. He welcomed Mahatma Gandhi with deep gratitude on behalf of the Ceylon National Congress. He would not essay and it would not be possible to essay his worth and work even if he spoke with the tongues of men and angels. He would not interpose longer between Mahatma Gandhi and the audience. (Applause.)

## MAHATMA GANDHI'S ADDRESS.

Mahatma Gandhi said: Mr. Chairman and friends,—I thank you for the words that you have spoken about myself and I thank you also for the pleasant reminder that you have given me of the ancient times when the connection between India and Ceylon was established. I do not propose, however, to take up your time by giving my own views upon what that connection means to India and to you and, shall I say also, to the world but I will say

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

this one thing that in my opinion the teaching of Gautama Buddha was not non-Hindu. In so far as I have been able to study those lofty teachings I have come to this conclusion, and that conclusion I arrived at long before now, that Gautama Buddha was one of the greatest among Hindu reformers and that he laid upon his times and upon future generations an indelible impress through that reformation; but, it would be wrong on my part to take up your time and take up my time, limited as it is, by a consideration of that very fascinating subject. I, therefore, come to more mundane matters relating to the Congress. The Congress is a word in India to conjure with. It is an Association with an unbroken record of over 40 years and it enjoys to-day in India a reputation which no other political Association in India enjoys and that in spite of many ups and downs which the Congress in common with all worldly institutions and associations had gone through. I, therefore, take it for granted that in adopting that name you are also as far as is necessary following the traditions of the parent body, if I may call the National Congress of India by that name, and on that assumption I venture this afternoon to place before you my views of what the Congress should be here. The National Congress in India has been able to build up its reputation. I know that, after all, my connection with the Congress in India does not stretch over a period longer than ten years or you may now say more definitely speaking twelve years, but as you are aware that twelve years' association is so close and I have been so much identified with the Congress, that perhaps what I say might be taken with some degree of authority but in one way my association with the parent body is nearly 40 years old or 30 years to be more accurate because in South Africa in the year 1893 when I went there I went about the Congress. I knew something about its activities though I had never attended a single session of that great institution.

And just like you as a youngster I took my proper share in founding an association called the Natal Indian Congress after the fashion of the Indian National Congress making such changes as were necessary owing to local conditions. I, therefore, can give you the results of the experience of public life in connection with such institutions dating back from 1893. One thing is that I found so early as 1894 that any such association

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

to be really serviceable and to deserve the name of being called national required a fair measure—I was going to say a great measure—of self-sacrifice on the part of the principal workers. I have no hesitation in confessing to you that that ideal I found to be very difficult to put in practice even in that little community—because we were after all a very small body of men and women in Natal. Natal is the smallest province in the Union of South Africa and it had at that time a population of nearly 60,000 inhabitants of whom the vast majority had no vote in the deliberations of the Congress. However, it was a representative institution fully representative of those interests also because it constituted itself trustee for the welfare of its men. But I must not linger over the history of that institution. I was telling you that even in that very small body we found bickerings and we found a desire more for power than for service, more for self-seeking than for self-effacement and I found the same thing during my twelve years' association with the parent body that there is a continuous desire for self-seeking and self-aggrandisement. And, for you as for us who are still trying to find our feet, who have still to make good our claims to self-expression and self-government this self-sacrifice and self-effacement and self-suppression are really absolutely necessary and indispensable for our existence and for our progress. I do not profess to have studied your politics during the brief stay that I have been here. I do not know the internal working of this organisation. I do not know how strong it is, how popular it is. I only hope that it is strong, that it is popular and I also hope that it is free from the blemishes that I have described to you.

It is I know a pleasant pastime and I have indulged in it specially as you know to strike against the powers that be and to wrestle with the Government of the day, especially when that Government happens to be a foreign Government and a Government under which we rightly feel we have not that scope which we should have and which we desire for expansion and fuller self-expression; but I have also come to the conclusion that self-expression and self-government are not things which could be either taken from us by somebody or which could be given to us by anybody. It is quite true that if those who happen to hold our destinies or seem to hold our destinies in their hands are

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

favourably disposed, are sympathetic and understand our aspirations no doubt it is then easier for us to expand; but after all self-government depends entirely upon our own internal strength upon our ability to fight against the heaviest odds. Indeed self-government which does not require that continuous striving after to sustain it is not worth the name. I have therefore endeavoured to show both in word and in deed that self-Government or rather political self-Government that is self-Government for a large mass of men and women is no better than individual self-Government and that therefore it is to be attained by precisely the same means that are required for individual self-Government or self-rule.

And so as you know also I have been striving in India to place this ideal before the people in season and out of season very often much to the disgust of those who were politically minded merely. I belong to that body of political thought which was dominated by Gokhale. I have called him my political guru not that everything that he said I accept or I understood but I have called him my political guru for just one thing which was the moving spirit of his life as I who came in closest touch with him, came to understand; and that was his intense desire to spiritualise politics. This was his own expression in the preamble of his prospectus to the Servants of India Society of which he was the Founder and the first President. He made this deliberate statement that he founded that Society in order to introduce spirituality into politics. He had studied politics not only around him in his own country but had been a close and careful student of history. He had studied the politics of all the countries in the world and having been keenly disappointed to see a complete divorce between politics and spirituality he endeavoured to the best of his ability and not without some success—I was almost going to say not without considerable success—to introduce that element into politics. Hence it was that he adopted the name of Servants of India for his society which has now served India in a variety of way.

Continuing Mahatma Gandhi said that he did not know whether what he was saying commended itself to them but if he was to show any gratitude for the kindness that had been showered upon him during his brief visit he could only tell them what he felt and not what would please or tickle them. They had in the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Congress creed the demand for Swaraj by legitimate and non-violent methods and they would find that he had never been tired of insisting upon truth and non-violence at any cost. Given those two conditions, in his humble opinion, they could hurl defiance at the mightest Power on earth and still come out scathless and leave their so-called adversary also uninjured and unhurt. For the time being they might misunderstand the non-violent blows that they dealt. The adversary might misrepresent them also but they did not need to consult his feelings or his opinions so long as they were fulfilling those two absolute conditions. They could march forward with the greatest speed. The way might appear to be longer but if they would take his experience of 30 years he could give his evidence that it was the shortest cut to success and he had known no shorter road. He knew that it required immense patience but if that one thing was fixed in their minds that there was no other way open to a politician, if he was to serve not himself and not his group but the whole nation then they got patience because they knew that there was no better or surer road.

He was afraid that as in India they were cut up into groups and communities. It was only yesterday that he was reading something in praise of communalism. In India too they had that blight and even those who believed in it said frankly that it was a necessary evil to be got rid off at the earliest opportunity. In India they had to deal with 300 millions of people but in Ceylon a small mass of men and women and it pained and surprised him to find an energetic defence of that communalism. He knew that it was totally opposed to nationalism and if they wanted Swaraj which was the birth-right of all mankind, of the royal savage as of the most civilised man, how much more then was Swaraj precious to a people which had a culture second to none in the world, a people who had got all that nature could give. They had resources in men, in money and in natural gifts. Ceylon had everything that should go to make her a powerful nation and yet at the present moment they seemed to be far away from it. He was almost going to say that they would not have self-government unless they spoke with the voice of one nation and not as the voice of Christians, Mussulmans, Buddhists, Hindus, or Europeans, Sinhalese, Tamils and Malays. If as the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Chairman said that they represented all religions and all races he congratulated them upon that and if they were in a position to prove that and to vindicate that, all honour to them and they deserved to be copied by India. He was ashamed to confess to them that in India they were still for from it. It was much easier for Ceylon than for India but the condition indispensable for that purpose was that some of them at least would have to give their whole time to that and not only their whole time but also their whole selves. As Gokhale had said politics were a kind of thing that had degenerated in to a kind of game for leisure whereas he contended that at least for some, politics should be a whole time occupation which should engross the whole attention of some of the ablest in the country and in real politics spirituality which was truth and non-violence should predominate. He hoped that in their Congress they had such a body of men and women—because unless women played their part side by side with men, one limb would be paralysed.

If they had that they would then be worthy of what nature had so profusely showered on them. Wherever he had gone in this island he had been intoxicated with the beauties of nature. As he was travelling from Kandy to Badulla he asked himself the question: "What was the Congress doing in order to save Ceylon which had all these powerful natural intoxicants from the deadly intoxicant of drink?" The Congress dare not set aside that fundamental social question.

Mahatma Gandhi next referred to the curse of drink and asked the Congress to seriously take up that problem and save the labourers and their friends from being ruined. He next referred to the curse of untouchability which he said he was unprepared to discover in Ceylon. It was high time for the Congress to tackle that question of the Rodiyas and make them their own and enrol them as their volunteers and their patriots.

If they wanted democracy they would have to touch the lives of every little man even the pariahs and their dhobies and their labourers and treat them as their own brothers and sisters. Let them go out and see how they were. It was up to the Congress to look after that part of humanity. It was possible for them to make or mar their lives. The parent body, the Indian National Congress, was tackling those social questions of Hindu-Moslem

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

unity, the drink problem, employment through khadi, etc., and he urged them in order that they might make their Congress truly national and truly representative of the poorest and the meanest people of Ceylon to add those things to their programme if they had not already added them and introduce a full measure of spirituality into their politics and everything else would follow and self-government which was their birth-right would drop into their hands as a full ripe fruit from a laden tree. He hoped that that little message of his would produce its due effect and penetrate their hearts.

Mr. E. W. Perera then thanked the Mahatma for his excellent address and said that the Congress creed was the Mahatma's own creed because they believed that the lamp of liberty could only be kept bright by the oil of "ahimsa" which was their faith. He also added that the Congress would contribute its mite to the Khadi Fund.

The vote of thanks was carried with acclamation.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## CHAPTER VIII.

## DECEMBER, 1927—DECEMBER, 1928.

### SECTION I.—*General Sessions held at the Tower Hall, Colombo, December 16th and 17th 1927.*

With the President were accommodated on the platform :—Messrs. E. W. Perera, D. B. Jayatilaka, Francis de Zoysa, D. S. Senanayake, Geo. E. de Silva, S. R. Wijemanne, L. W. A. de Soysa, G. K. W. Perera, C. W. W. Kannangara, V. S. de S. Wikramanayake, F. A. Obeyesekere, C. H. Z. Fernando, Dr. C. A. Hewavitarne, Mr. St. Nihal Singh, Dr. S. Muttiah, Messrs. M. A. Arul Anandan, M. T. de S. Amerasekera, A. E. Goonesinha, C. E. Victor S. Corea, T. B. Jayah, P. de S. Kularatne, Arthur V. Dias, B. C. Perera, and S. W. R. D. Bandaranaike and R. S. S. Gunawardene, Hony. Secretaries.

Immediately proceedings opened Mr. C. E. C. Bulathsinhala, the Swarajist leader, emerged from the wings of the platform and garlanded the President and Mr. D. S. Senanayaka, the Chairman of the Reception Committee.

In welcoming the delegates, Mr. Senanayake said that it was a pleasure to him to see so many of them come there to take part in the deliberations of Congress. He believed it was his duty, at least it was expected of him, to give an account of what had been done during the past year, but he did not intend to take much time in doing that for the simple reason that he felt they had all taken an interest in Congress and were aware of its activities. They had done nothing which they wished to keep out of the knowledge of the public. They had done nothing in secret.

They were no doubt aware of the evidence given by their spokesmen before the Special Commission and what people had said of Congress. He knew that one quarter had called them



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

grass-hoppers, but they had not troubled to tell them who the cattle were. In that connection he wished to emphasise the fact that Congress was open to anyone who accepted the creed of Congress which was to secure the status of self-government within the British Empire.

According to the Congress creed, they did not define when they were to attain that goal. If there were people who disagreed with the views they held, there was nothing to prevent those people from joining them and if they had the support of the country for putting forward their views as Congress views. So long as the country was behind them they could carry the Congress with them. And the very fact of those bodies not coming there showed that although they might hold certain views which were convenient to them, they were trying to libel the Congress. He wished that the people outside Congress and those present there should consider the amount of good work done by the Congress and the good work that could be done in the future.

He wanted them to realise the time the Congress was started. It had been started at a time when they felt that neither life nor limb nor property was safe, not because of any injustice done to them by the officials, but because of the ignorance and want of touch of the officials with the people of the country. It was then necessary for them to consider ways and means for carrying on the Government in the best interests of the country. With that aim in view they had formed the Congress and had invited all sections of the population to join them and to work for the one aim. That aim was the good of the country, and not the good of any section, class, caste or creed.

Continuing, Mr. Senanayake said that while they were working towards that goal it might be that some of their friends left them and others were reluctant to join them. "It is not our fault, but their sectional interests which have kept them away and made them leave us," Mr. Senanayake added. He could well understand the reason why the Europeon Association were not willing to join them at all, although they had invited them

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

to join them. They (the European Association) were busy people who had come here to make money and to get the best out of Ceylon. They were not going to be here for a very long time and they were not much concerned with taking part in politics so long as their interests were safe. (Criess of "Shame!") Whenever they required anything to be done they found the people to do them, the officials who knew their wants and were in touch with them. The officials enunciated policy and carried on the Government and naturally there was no reason for the Europeans to be dissatisfied or to think it necessary to interfere in the affairs of the Government. The officials were in the majority. But after the Reforms the Europeans had realised that they did not sometimes have the advantages they used to have over the people of the country. The country had developed for the good of all communities and it might be they would get a share in the benefits of Government and not the full benefits. But as time went on he (the speaker) thought the Europeans would begin to think more of Ceylon than of their own interests. The Europeans should consider the Ceylonese as members of the British Empire who were anxious and desirous of being citizens of the British Empire with equal rights, and he hoped they would sympathise with the people of the country in their effort to secure full-pledged British citizenship.

Mr. Senanayake, continuing, said he wished to refer to the claims made by the Tamil community. He did not think that anyone of them would like the Tamil community to be away from Congress for any reasonable length of time, and he hoped that the time would come when they realised that the interests of all communities and all the people were of as much importance as their own. As far as Congress was concerned they liked to see all communities as one and the same. There were distinctions whether of race, caste or creed and there were different interests. It was no good trying to magnify those interests and to accentuate those differences. They should work for the common good and benefit of Ceylon, whether they were Tamils, Moors or Burghers. He spoke of the Tamils for the reason that he had

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

read in the papers that they claimed that the Sinhalese had entered into some pact with them. He believed the first pact the Tamils spoke, of was a scheme put forward for some seats. He believed that some of the members had approached two prominent gentlemen who were willing to support the scheme put forward at that time. They had definitely stated then that they did not draw up any agreement on behalf of a particular race. They merely thought that they would be able to support that scheme if it was put forward by Congress. Their Tamil friends did not consider it necessary to put forward that scheme. Speaking of the "Sravasti" pact, Mr. Senanayake said that when the Tamils left Congress there was naturally an anxiety to get them back. They wanted all communities to work together and not to separate and though there had been that desire the Tamils had disagreed on certain points and no agreement was reached. Even in that instance some three or four gentlemen who were interested in showing a united front had taken steps. It was absurd to say that the Tamils and the Sinhalese had signed a pact merely because some gentlemen had taken those steps.

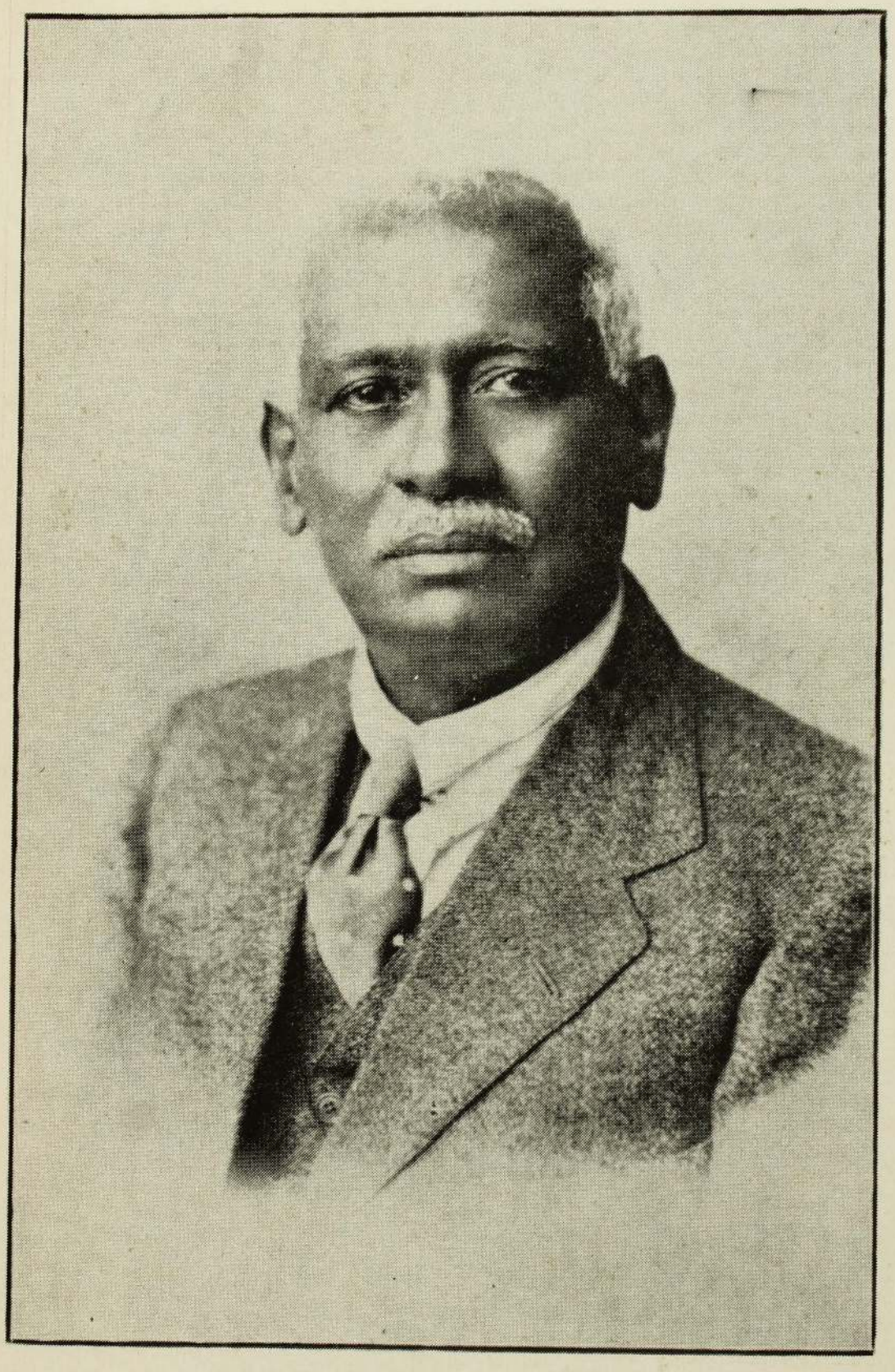
Although the Congress was mainly composed of Sinhalese, they did not consider that Congress Sinhalese. The Congress stood for all communities and was one which considered things in the light of all communities and not of one.

Speaking of the proportionate representation of 2 to 1 advanced by the Tamils, Mr. Senanayake expressed surprise that even those who had disagreed with each other in their own community, in giving evidence had been unanimous in this demand. In this connection he was surprised to hear Mr. Sandrasagra tell the Commission in his evidence that there were a lot of people who could not be trusted at all. He (Mr. Sandrasagra) had claimed a seat for the Christians because he could not rely on their own kith and kin, the Hindus. He also expressed surprise that Mr. Sandrasagra had attributed his defeat to the Hindus combining against him.

In this connection Mr. Senanayake referred to an interview which Mr. Sandrasagra had given a morning paper soon after

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org



The Hon'ble Mr. W. A. de SILVA

(President 1927—1928)

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

his defeat in the course of which he distinctly said that it was not due to the treachery of the Hindus, but to the Mannar block vote.

Proceeding, Mr. Senanayake said that they should not think in terms of Council seats and personal interests in working for the good of the country.

In conclusion, Mr. Senanayake said that they must remember that the Sinhalese had lived here for centuries and he felt sorry to find people of other communities libelling the community to which he belonged. They had seen witness after witness go before the Commissioners and say that the Sinhalese were a people who could not be trusted. However, when better judgment prevailed he thought that those people would be sorry for their utterances and realise that the Sinhalese were not such a bad set of people. In this connection Mr. Senanayake quoted Mr. Macan Marikar's reference to the generosity of a Sinhalese King in giving land in Mannar to the Moors for building a mosque. It was in that spirit they wished others to join them and work with them. He had no quarrel if those people tried to safeguard their interests feeling that safeguard was necessary but they should have on the other hand considered whether there was any cause to suspect the Sinhalese.

Mr. Senanayake then welcomed the delegates cordially and invited Mr. W. A. de Silva to take the chair to deliver his Presidential Address.

## THE PRESIDENTIAL ADDRESS.

Ladies and Gentlemen,

I thank you sincerely for the confidence you have placed in me in electing me to be your President this year. I have accepted the responsibility with the knowledge that I can count on your ready co-operation in the discharge of the duties entrusted to me by you. From the very inception of the present political movement I have been associated with you and I can look back to that uninterrupted association with a feeling that our work has made that progress which all movements guided by unselfish devotion and self-sacrificing labour are bound to achieve.

SPECIAL COLLECTION
JAFFNA PUBLIC LIBRARY
Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

The idea of a co-operative movement for expressing our aspirations for service for the advancement of our country was originated by that patriot, the late Sir Ponnambalam Arunachalam. I am aware as the Secretary of the Reform League started through his inspiration, of the singleness of purpose and the untiring zeal and ceaseless energy he displayed in promoting the object he had set his heart on and the sacrifices he made in its cause. All those who love our country should honour and cherish the memory of this great son of our land.

The National Congress arose out of the Reform League which was started in May, 1917. At the instance of the League a Conference of Political Associations was first held in December, 1917, when over a hundred delegates from Associations representing all the Districts of the Island met in Colombo. The Conference was repeated the following year. As the result of these Conferences, the Ceylon National Congress was permanently organized and it has held its sessions since the year 1919. To-day we hold the 9th sessions of the Congress. The Congress has taken a permanent place in our public life as an exponent of opinion in this Island. Our creed is well known, our work has borne ample fruit, our vigour has increased from year to year. We do not stifle discussion, we leave the widest possible scope for the expression of opinion. Our endeavour has been to educate public opinion and to make people think on their own lines and come to conclusions after careful deliberation.

The Congress has no individual members. Our members are associations and each association elects one or two delegates to the Executive Committee and in addition 15 other members by the votes of all associations assembled at the annual sessions. To-day we have 69 Associations as members of this Congress. These Associations cover a very large area and practically represent every district of the Island. A detailed list of the Associations is published in our Year Book.

An analysis of the composition of these Associations shows the following distribution, viz:—Whole Island 6, Labour 8, Women's Associations 1, Western Province 16, Southern Province 15, Central Province 10, North Western Province 6, Sabaragamuwa 3, Northern Province 2, North Central Province 1, and Eastern Province 1.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Associations are accepted to membership on their written application and have to furnish the Congress Committee a statement showing their membership, a copy of their rules and regulations and their acceptance by resolution of the "Creed of the Congress" which is as follows :—

"The aim of the Ceylon National Congress is to secure for the people of Ceylon responsible Government and the status of a self-governing member of the British Empire. This end is to be achieved by constitutional methods by a Reform of the existing system of administration by a vigorous development of self-governing institutions and by organizing and fostering the intellectual, moral and economic resources of the country." When an application with all these particulars is received it is verified and reported on by a member or members of the Congress Committee and on their recommendation the application is considered by the Executive Committee of the Congress. Our resolutions are based on the results of deliberations and even when they are brought up before the annual sessions of the Congress they are discussed from all points of view and it is entirely left to the members to oppose any such resolution.

During last year your Executive Committee held 12 meetings. Your President and other office-bearers and the members you have placed on the Committee deserve your thanks for the very useful work they have done.

Many questions in which the Congress has taken a deep interest during the last eight years are being investigated by Committees appointed by Government. The question of the separation of Judicial and Revenue duties of the public services of this Island and the improvement in the administration of justice have been considered and a report has been published. The recommendations of this Committee require the careful attention of the Congress. There are at the present time a number of Government Committees engaged in the consideration of the following among other questions :—The revision of Excise Rules with a view to the control of liquor traffic and the expression of local option in regard to the sale and distribution of liquor; The question of Passage Allowances and Salaries of Public Servants; Revision of incidence of taxation; The policy in regard to the sale and alienation of land; The revision of the Scheme of local

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

self-Government; The reorganization of the system of Education; The supply of Electric Power; The fixing of minimum wages for labour and the establishment of State Banks. The questions regarding Pensions to Teachers in Aided Schools and the remuneration of village Headmen have been satisfactorily settled during the year.

Sir Hugh Clifford who was Governor of Ceylon left us to take up the post of Governor and High Commissioner of Singapore and Malay States. Sir Hugh Clifford during the short period he was with us entered thoroughly into the new spirit in the country. He adhered to the constitution and encouraged our aspirations for shaping the policy of the Government of the Island. His Memorandum on Land Policy was conceived in a very broad and generous spirit on which we could found a system of land tenure in this Island, so that landless villagers may be restored to the position of peasant proprietors. His pronouncements regarding the working of the present Constitution and the necessity for devolving responsibility on the elected members of Council are a recognition of the work done by this Congress.

I extend a welcome to Sir Herbert Stanley the new Governor on your behalf and express the wish that his stay in this Island will be a happy and a pleasant one and that during his administration the country will achieve the goal of our ambition, that is responsible self-Government within the Commonwealth of the British Empire.

I also extend on your behalf a hearty welcome to the Special Commissioners who have come here at great personal inconvenience to help us in formulating a scheme for our future Government as a responsible and self-respecting unit of the British Empire. It is our duty to place before them all information they desire to have, to enable them to come to just decisions in regard to this question. The Country has already given them a cordial reception. They have gained the confidence of the people of this Island and when they leave us they will carry with them our kindest wishes personally for themselves and our hopes and aspirations that their labours will bear ample fruit in promoting the welfare and prosperity of this Island.

The progress and well-being of a country depend not only on wise Government but in harnessing the genius of the people in

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

the formation of such a Government. No people can grow and express their individuality or contribute anything of value to the rest of the world, unless the impetus for growth comes from within themselves. Where experience and initiative is subdued, the growth is retarded and the minds of the people become so dependent that they decline into a state of infantile existence.

I do not propose to go into a detailed or historical account of the origin and growth of the governments of this Island. The past no doubt helps us in reminding us of our capacity for growth and acts as a stimulant which enables us to solve problems that confront us to-day. However it is important in any survey of our present conditions to study the changes that have occurred in our system of Government and the manner in which these changes have affected our outlook and our well-being.

Governments after all are a means of restricting individual liberty for the good of the community at large. The restrictions take the form of fetters by an endless chain. The chain is slackened to a certain extent, so that under a given system of Government, the community has a degree of freedom to the extent of the length of the slackened chain, as they grow and gain confidence, the community through their own free will, slackens the chain and lengthens it to embrace wider and wider circles,. Where the chains are fixed by the free will of the community itself people bear it with equanimity even when it is stretched to a breaking point; where it is fixed by an outside agency the stress of the chain chafes their minds and leads them to inaction, despair and despondency. Whatever it may be, the results of a Government should be judged after taking its scope into due consideration. Where its powers and opportunities are circumscribed and the length of the chain is short, it will be a mistake to judge of the work done or the men entrusted with such work by comparing them with similar work done with chains that are fairly long and slack.

The systems of Government from the time of British occupation can be for general consideration classed under three periods. First the period when the country was governed by Charter, i.e., from 1815 to 1833. Second the period of a deliberative Legislative Council latterly with a partly representative Council and third the present period from 1924 with a majority of representative

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

members. The scope of freedom has been extended during each of these periods. During the first period that from 1815 to 1833 the Crown had the entire control of legislation while the administration was carried on by public officers under the control of the home Government.

The powers of the Government and of the governed were entirely restricted during this period and within this restriction useful work was done, though naturally it did not help the development of the people or the country to any appreciable extent. Those entrusted with the Government were powerless to do anything more and those who were governed had no chance whatever of influencing the policy of Government. Under these restrictions the local officers of Government did their best as individuals. To quote from an English writer William Digby, C.I.E., in "Calcutta Review" 1877, who has reviewed the progress of the country during this period "Slavery disappeared soon after the British took possession of the Island; perfect personal liberty was secured to all without distinction of religion, race or colour and the improved system of judicature provided an honest judge" but the writer continues, "Considering that according to theory, the affairs of Ceylon are administered by the British for Ceylonese, one cannot repress an exclamation of surprise at the few measures in the statute book which directly concern the Sinhalese, Tamils, Moormen and Malays..... Give freedom to a people who have soundness at bottom, remove disabilities from their path, and not only does labour on their behalf cease, but they go on to do similar work for others." The end of the tether came to this period of administration. In 1829 so unsatisfactory was the state of affairs in Ceylon that a Commission consisting of Lieutenant Colonel Colebrooke and Mr. C. H. Cameron was appointed by the British authorities to report on the affairs of the Island. Full and exhaustive reports were made by the Commissioners and the outcome of their inquiry was the establishment of a Legislative Council. "The said Legislative Council (in the words in the Despatch of the then Secretary of State for the Colonies) shall always consist of fifteen persons (exclusive of the Governor) of whom nine shall be at all times persons holding offices within the said Island under our pleasure and the remaining shall at all times be persons not holding such offices." Thus in

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

833 the second stage in the administrative progress of the Island was inaugurated. The same writer referred to above continues, "There was much in the infant institution to excite ridicule, in some things it commanded respect. From the first the meetings were open to the public. The officers of Government felt this time that in addition to the restrictions imposed on them by the home authorities they had to face public criticism at the hands of unofficials. They for a time considered that their work was made difficult and that they were held very often to public ridicule and that made their work irksome and they resented the interference as lowering them in the estimation of the public and of their own self-respect. However this phase of resentment gradually disappeared and the public service once again accommodated itself admirably to the changed circumstances." After the establishment of this Council, the people began to take an interest in public affairs, the local requirements which were hitherto relegated to the back ground assumed a more prominent place, the new Council displayed a zeal for the promotion of education, conflicting religious interests were settled after long and stormy fights until a system of grants-in-aid for purely secular results allayed the storm and settled the religious difficulty. Village Councils were established, Rajakariya or Compulsory Labour disappeared. Pecuniary and Scientific assistance were granted to restore ruined tanks, hospitals were erected for the succour of the sick and the Registration of titles of lands were established." These were all accomplished during the early years of this nominated Council.

As time went on pressure of public opinion and the necessity for further expansion in the progress of the country again became so evident the new system of administration became pressed and so clogged as to reach a breaking point. A little mending here and there of the Council did not give much relief to this strain, things could progress no further and the clamour for a more progressive policy became insistent. The old machinery could not meet the new demands. In 1912 and 1921 attempts were made to remedy this and in 1924 the new Council with an elected representative majority came into existence. The Constitution under which thr Island is now governed can be summarized as follows :—

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

"There are 21 territorially elected members elected by all duly qualified persons in the Constituency irrespective of race or religion. The Council is completed by one member elected by the Tamils of the Western Province, three elected Europeans and two elected Burgher members; three members representing the Mahommedans and two representing the Indians to be elected ultimately; three nominated members and twelve Officials. It was also agreed that the Governor should normally not exercise his right to preside in the Council and the Council was authorized to elect a Vice-President normally to preside over its deliberations. Papers bearing on the subject state: "that a proposal to associate ministers with the conduct of business was held to be too imperfectly presented to receive favourable consideration; the Council in fact was unwilling to attempt any division of subjects preferring that the administration should remain indivisible until full control over it could be conceded and that the Constitution was to be revised in five years."

From the foregoing it is clear that the next step contemplated was the giving of full control to the Council over the conduct of business. The present form of Government was a temporary one, it gave power to an elected Legislative Council without the responsibility of the conduct of business.

The Council so far has exercised its powers wisely. It has been able to stimulate the Government and influence it in many directions towards the development of a policy conducive to the general welfare of the community. People whose aspirations for betterment have been checked through various ways became more insistent, and pressure was brought to bear upon their representatives to supply the needs of the country on a more rapid scale than it was hitherto attempted. The number of associations political and otherwise have fast multiplied all over the Island. Individuals on their own behalf and associations in their co-operate capacity have persistently placed their views before the public and have almost become impatient that the activities of the Council and the Government have not kept pace with their desires. If the questions that have been brought up in the Legislative Council during the last three years are analysed it will be seen that they dealt largely with matters connected with the general welfare of the masses of the country. The existing

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

constitution has been strained again to its utmost extent. The representatives of the people having no power to act, are compelled to put pressure on the officials through questions and criticism. The officials have done their best, but the pressure of work connected with the supply of information and the answering of criticisms have naturally in some cases strained their nerves. The device of Committees and Commissions have been brought into action to relieve this strain to a certain extent with the result that public criticism has turned on the representatives themselves and they too have begun to feel the strain. It speaks volumes for the patience and mutual goodwill of both the representatives and the officials that they have been able to pull together under such trying conditions. Like the first two stages of the Government of this Island, i.e., the stage when it was governed by officials under the direction of the Secretary of State for the Colonies and the stage when it was governed with the addition of a Council with a limited number of unofficial members, the third stage of representative Government without responsibility has fulfilled its object and is likely to burst its chains unless it is relieved immediately.

There are some in our midst who have had no time or occasion to study the progress of the Government of this Country or the history and progress of Governments in other countries. They express their alarm at any change calculated to alter the present state of affairs. Like children they seem to be frightened both of darkness and a bright light. The slightest movement of a curtain or the sound of a falling trinket make them sweat and tremble. They see three bogies :—1. A demoralization of the public service, 2. Destruction of Society, 3. The advent of incompetency.

Ceylon has been very fortunate in its public service from the very inception of British rule in the Island, the public service has preserved and maintained the best traditions of Great Britain and these traditions include the adaptability to changed circumstances. So far back as 1833, when Unofficials first started their criticism it is on record that the public service considered that their work



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

was made difficult and that they were held to ridicule and that made their work irksome and they resented interference as lowering them in the estimation of the public &c., &c. In the present year of 1927, the repetition of the same statement is to say the least a libel on the members of that service. We must remember that anyone who wields power and executive authority whether he is an Official or an Unofficial under a Government or a public association has to face criticism of his actions or proposed actions if he live among people with a fair amount of intelligence. The man of courage and competence faces such criticisms with equanimity and gains the respect and admiration of his critics. The public service in Ceylon has done this before and is doing it to-day.

The fears of destruction of the foundation of Society on a change in a form of Government is a familiar cry all the world over. Pamphlets and books and newspaper articles written in England during the last hundred years are full of such forebodings; however Great Britain and the Empire still continue to flourish.

There are times when the least of us believe that all the rest of the world are incompetent and that we monopolize all efficiency and superiority. This superman complexity comes in the wake of a desire to retain one's advantages and privileges and the reluctance to enter into a healthy competition with the rest of the world.

We have now to consider our future form of Government. We have at present representative Government. Responsible Government is the next step. The question at once arises whether responsibility can ever be d'vided. The world has so far seen only two forms of efficient Government; one is autocracy where a single individual by hereditary rights or by election governs a people so long as the people are ready to follow him; the other is, responsible Government through a cabinet of representatives elected by the people and responsible to the people. Wherever the collective responsibility of the elected representatives has been interfered with, the results have been unsatisfactory and progress

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

has become a matter of great difficulty. The governing of a country is a business. At a given time its guidance should be in the hands of a single unit. The steering wheel cannot be shared by more than one at a time without grave risk of either the machinery getting out of order, or running erratically. Where the employer finds that the man at the wheel is not going in the direction in which he desires him to go he has the right to change him and he exercises that right. If for instance we start a dual system in Ceylon as some suggest, we shall find ourselves in the same unsatisfactory position as the man who entrusts his steering wheel to two persons. There has been suggestions in some quarters, that the responsibility of Government should be shared by a Cabinet composed partly of permanent Officials and partly of Elected Representatives. Such an unholy combination may be able to arrange a semblance of united action temporarily till they come across some problem on which the country is divided. The essential character of responsible Government is that the policy of the Cabinet should be so directed as to represent the wishes of the majority of the people who are governed. Where the Cabinet directs its policy in such a manner as not to be in keeping with the wishes of the people, the people have the right to defeat the Government through the votes of their representatives and to place in power a Cabinet that will act in accordance with their wishes. If then the Cabinet is composed partly of permanent officials, there is no possibility of dismissing them. A permanent official cannot and will not undertake the possibility of risk of giving up his career. If they are to remain in office in spite of disagreement with the electors, it will not be a responsible Government but will be an arrogant usurper infinitely worse than any form of Government one can imagine. There will ensue considerable bickerings, controversies, bad feeling and a deadlock in the carrying out of the business of the country. It has to be borne in mind that in any form of responsible Government an essential feature is periodical change. One set of opinions is pitched against another set, a party who has opposite views on a policy of Government takes a keen interest in the work as they expect that they shall be able to displace the Government in power

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

and assume responsibility themselves and conduct affairs in accordance with what they consider to be in the best interests of the country. It is this constant watchfulness that tends to real progress and if this watchfulness is suppressed, the incentive to ordered progress will disappear.

There are doubts and fears in the minds of a certain section of the people whether responsible Government may not eventually act prejudicially to the interests of at least some of them and the minorities in particular. Let us analyze these sentiments to their fundamental realities :—

(a) There is a fear that in appointments in the public service the majority may so act as to injure the interests of the minorities ;

(b) There is also the fear that members of the public service may not feel secure as regards their offices ;

(c) And again the fear that class legislation may be introduced to the prejudice of the agricultural, commercial and industrial enterprise of the minorities.

However ill-founded these fears may be we must recognize their existence. They should be faced frankly and should be met in the best possible manner. The Constitution should provide tangible safe-guards to restore the confidence of those who honestly hold these views.

The avowed policy of the British Government is that in the eyes of Government there is no distinction made on account of race, colour, creed or caste of any individual. The Government has adhered to this policy for the last hundred years or more. Occasionally some ill-advised head of a Department has fallen into the error of covertly setting aside this declared and well established policy. Imaginary difficulties are sometimes created in regard to minor appointments, instead of firmly adhering to the declared policy of Government. Where firmness was required unfortunately weakness has been displayed. A Sanitary Inspector or a Police Officer carries his authority in view of his office, his caste, creed or colour cannot interfere with his duties. A recent innovation in inquiring into the caste of those who seek to join

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

these services and the rejection of some of the candidates has created more unrest and suspicion and a feeling of injustice than anything that has been done by a Government before. A Government if it is to exercise authority should be firm in carrying out its own policy. This legacy of suspicion is now to be thrown on the heads of the people themselves and some of the minorities who have suffered loss and humiliation on this account naturally consider that the change of vision on the part of the Government may be due to the representation in the Legislative Council and they naturally fear that if the Council gets responsibility the injustice done to them may be perpetuated in an intensified form. These fears can be allayed by confirming the settled policy of Government, in the Constitution itself and by setting up a board or commission for the selection and appointment of all classes of public servants by considering their physical, moral and intellectual fitness. Where a large number of candidates offer themselves, competitive examinations similar to those that are now held for the Civil Service and Clerical and other services of the Government should be held for their selection.

As regards the members of the public service it will be well to place their case beyond a doubt by providing that all those who are now in the service are to be governed by the terms and agreements under which they entered the service.

As regards class legislation under the present regulations no class legislation can become law and this should be affirmed in any future constitution. The Governor should decide whether any proposed legislation comes under this category.

I shall not go into the question of details in regard to the distribution of constituencies in any future Council. This has been carefully dealt with by the Executive Committee of the Congress. As a general rule the number of Constituencies should be determined as far as possible on the basis of population and area. A minimum area should be entitled to representation irrespective of the numerical strength of its population; no revenue district of the Island should be shut out for want of a sufficient quota of population in that district. The general rule should be that there should be at least one member for each 100,000 of the population.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

The question of franchise is one beset with some difficulties as we had so far only one election under the new regulations. At this first election registration of voters was naturally very defective. People had not realized sufficiently the new order of things; registration officers had no time or opportunity to explain the rules regarding registration or to appoint officers in sufficient numbers to enable them to compile complete registers. Though the numbers registered on this first occasion were comparatively small, they will be more than doubled in a new register. The condition of the country is rapidly changing. Wages and earnings calculated on money value have increased and the value of land and property, particularly small holdings, have increased by nearly a hundred per cent. or more. This factor will enable a new set of voters to come in increasing the voting register by another hundred per cent. The country has moreover rapidly learned the use of the vote. People all over the country, during the last five years have exercised local option in regard to liquor taverns. Local options are held on manhood suffrage and on the basis that of those not coming to the poll are reckoned as actually voting against the application. A successful local option poll has to bring in to the polls over sixty to seventy per cent. of the total voting strength. During the current year successful local option polls have been held in over 70 places and during the last five years local option polling has been held in about a thousand areas.

The other educative factor is the election of members of Village Committees. During the last year over three hundred Village Committee elections have been held in various parts of the country where the electors took a keen interest.

The Congress has accepted the principle of giving women the franchise. When this is granted a further increase in voters can easily be expected.

The position of local self-Government in Ceylon is one that requires careful study. The desire for legislation to attain a given object is one that is prevalent in all countries, but only a few realize that the framing of legislation is beset with many difficulties and requires careful consideration before such legislation can be effective. Hasty legislation has always failed to gain

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

any desired object. It has been stated in more than one quarter that people in Ceylon have shown an ineptitude for working local Government Institutions. I have already adduced proofs that where the people have before them a clear field they rapidly take advantage of rights of local determination in the best interests of the community. The polling in local option for liquor taverns is one of these instances. The right was given to each locality to exercise the votes of the people in those localities and each year over tens of thousands of people have come to the polls and this has gone on for nearly eight years. The Village Committees functioned from very early times and it was in 1924 that a definite scheme of polling was introduced and during last year when over three hundred of Village Committees went out of office, people have had polls for the election of members of all these Councils where vacancies occurred and took a keen interest in the elections.

It has been said that the Buddhist Temporalities Ordinance has not been worked properly. I have an experience of the working of this Ordinance for quite a long period extending for nearly thirty years and I have sat in two Commissions appointed by Government to report on the working of this Ordinance. The first Commission met in 1900 and its report was accepted by Government, but for some reason the amending Ordinance did not deal with the legal difficulties which were pointed out as vital for its proper working. Another Commission sat in 1920 and after prolonged sittings and very careful investigations it made a report and the Government drafted an amending Ordinance embodying the recommendations of the Commission. This Ordinance has not been introduced in the Legislative Council. In the meantime the work of properly administering the Temporalities has become impossible.

Much is said about the Local Government Ordinance of 1920, which enacted the formation of three types of Councils, viz:— Urban District Councils, Rural District Councils and General District Councils. Urban Councils have been established in eight towns and they are worked admirably well. It must be remembered that there are only 14 towns besides the Municipalities that have a population of over 5,000. Of these 8 are already Urban District Councils and in regard to the other six,

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

applications have been made by a large majority of inhabitants from time to time, and the Government has seen fit not to include them, as there had been a certain amount of opposition to the new Councils.

The Rural District Councils and General District Councils which were to include large areas extending almost to district boundaries contemplated by the Ordinance are unworkable and I think the Government rightly decided not to constitute any of these Councils. The idea of Rural and General Councils was obtained from an Indian Ordinance passed in 1883 which was found so defective that they altered its scope and passed a special amending Ordinance in 1919. Our 1920 Ordinance made the District and not the Village the unit of self-Government. Under the Ordinance the Village Committees which should be the living units of any satisfactory local government were left on sufferance and an attempt had been made to create an artificial edifice to be worked by people who could never be in touch with the large areas contemplated.

Lord Ronaldsay, one time Governor of Bengal, referring to Indian Local Government Boards states in his book "A Bird's Eye View of India" "this was to begin local self-government at the wrong end with the result that smaller bodies were left dependent on the charity of the district board and with no clearly defined position in the general scheme." It was quite lucky that no attempt was made here to enforce these District Boards, if it had been done we will have been in the same disadvantageous position as India was when the time came for setting things to right. Lord Ronaldsay continues, "that the steps which have been taken in various parts of India in recent years to establish village self-governing bodies have been handicapped by prior existence of District Boards. Instead of being the foundation of the whole edifice, they have had to be tacked on to the already existing institutions and difficulty has consequently been experienced in fitting them into the general scheme."

A Select Committee of the Legislative Council is now considering the whole question of local self-government and have recorded a large volume of very useful evidence. This report when made ought to enable the Government to bring in a measure of local self-government of a practical and workable nature

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

based on the genius of the people. The simplest plan is to make all towns over 5,000 inhabitants Urban District Councils worked under the present laws, and Villages and areas under 5,000 population formed into Village Committees in terms of the present Village Committee Ordinance with necessary modifications, District Councils should be formed with delegates elected by such Village Committees.

The development and progress of a country depends on three important factors, viz:—Health, Education and Industry; and the primary duty of a Government is to promote these to the best advantage possible. The ability of a Government to promote these objects is limited in accordance with its Constitution. When there is no representation of the people in its Councils, the administration could only touch the fringe as the opportunity to take it further is denied to them. Where a Government is advised by representatives of the people these activities penetrate a further circle. It is only through a Government where the direct voice of the people is the guiding factor that any progress can take a comprehensive form. The needs of a country always have no limits, a Government have to select for themselves what they consider to be the most urgent, a proper perspective of such needs can never be obtained unless the people as a whole are interested in the Government and have a controlling voice in electing the Government.

The establishment of hospitals and medical aid had been recognized from early times of British rule, but up to now there has not been a systematic effort to cover the whole Island and its population in a regular system of medical aid. A hospital is built in some locality and a dispensary is planted in another locality. The highest form of efficiency is sought for, the best of buildings and the best of medical science and the best of nursing. A country that has to wait patiently for the best of everything has to wait long and sometimes to wait in vain. The other point of view that a moderate form of relief to the largest number is better than no relief at all is hardly considered. Had the people themselves had a say in these questions, temporary dispensaries, temporary hospitals and travelling dispensaries would have come to the fore to cover up the whole country, while permanent and efficient institutions would have come as they can be provided.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Many Committees are now sitting and many schemes are under consideration for the improvement of education, but a striking factor appears to be utterly ignored. There are in Ceylon 336,931 pupils attending schools, of these about 85 per cent. i.e., 296,580 attend Vernacular schools, only 15 per cent. attend English schools. Teaching in a school is primarily intended as a means for equipping the children for gaining knowledge. The 85 per cent. of children who are receiving education have hardly any means whatever of gaining further knowledge or making use of the instruction they receive in schools, for it is a strange and a striking fact that the only literature and books accesible to them are the old literature and there are hardly any translations of books giving them the opportunity of acquiring modern knowledge. For nearly a hundred years there have been state schools and state aided schools but no books or translations have been produced to enable the children to acquire knowledge.

The language question is one of paramount importance in any educational scheme. Only a small percentage of children attending schools have the chance of learning English as a language. English has been considered a vocation in itself and this erroneous conception tacitly encouraged in the education curriculum is doing considerable harm to the progress of the people of this country. The language question is everywhere considered to be of paramount importance in political progress. In this Island there are three principal languages, English, Sinhalese and Tamil. In any well ordered system of education, it should be the aim to give every child an elementary knowledge in reading and writing of all the three languages. This should begin at the primary stage and during the first three years of a child's education, later he can specialize in one or more of the languages according to his desire. Most of the communal differences begin to disappear when the inhabitants living in a country are enabled to talk with one another and understand each other. This may be considered a novel or impractical suggestion. But it is being successfully done elsewhere. In Sweden all children attending primary schools are taught three languages, Danish, Norse and Swedish. The system there has not only worked well, but has borne very good results.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

We have in Ceylon high grade Medical and Law Colleges where very efficient work is being done. These Colleges came into existence as the class that was able to make its voice heard and so influence the Government, were interested in these professions. But in a country whose main industry is agriculture, we have never had a College of the status of the Medical or Law College for teaching agriculture. The voice of those interested in the general development of indigenous agriculture was up to recent times seldom heard in the Councils. A similar tale can be recorded in regard to engineering. There is no Engineering College in Ceylon. The class of men who had the ears of Government and with whom the Government generally came in contact in the earlier stages of development, were those who sought gentle occupations such as medicine and law. Naturally they were not particularly interested in engineering.

The primary industry in this Island is agriculture. There are here three types of agriculture. First, the planting industry where such products as tea and rubber are produced, second, the coconut and rice industry, and last we have the unsystematic growth of fruits and vegetables and of chena crops. The promotion of agricultural industries has to come from bottom upwards, but we have hitherto devoted a considerable amount of our resources in the development of estate products and have almost perfected our knowledge in their production, preparation and marketing. Most of those who are concerned with these products have very little time or inclination either to study or help the growth of other agricultural industries, there is no experience or knowledge that can penetrate from the top to bottom. I would venture to state that ninety per cent. of those engaged in producing tea and rubber in a very efficient manner will if asked to grow vegetables, fruits or rice be more ignorant of the production, preparation and marketing of such produce than the most backward villager. The isolation of the planting agriculturist is almost complete in this respect. As an instance in 1918 during the war an attempt was made by Government to make the Estate Agriculturist to take to the growth of food products. Lease of land was offered and as you are aware two companies with large capital were formed to work food products. These were supervised and managed by European planters of experience. Both these enterprises came to a premature end after

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

spending considerable sums of money without producing any food stuffs at all. A similar enterprise practically on the same lines and under the same conditions undertaken by an individual who had studied the conditions of his own country has succeeded in showing that with proper knowledge and care the growth of food products on an extensive scale was possible. It must also be remembered that only about 800,000 acres of land is under tea and rubber; of this at least 200,000 belong to the indigenous population, and the planting industry represents about 600,000 acres of exclusive agriculture of two products, mostly managed as commercial concerns. The country has about a million acres of coconuts, 900,000 acres of rice, 400,000 vegetables, fruits and minor produce The total extent of cultivated land is about three million of acres and roughly 80 per cent. of cultivated land is in the hands of the indigenous population and 20 per cent. in the hands of others. The improvement in the way of production, preparation or marketing of products other than tea and rubber has never been seriously or successfully undertaken on any extensive scale. People talk of research, but research is only the crowning point of an agricultural enterprise, and before we attempt to reach it there should be concentrated attention on systematizing the ordinary practice. We have had experts who mostly devoted their time to the study of advanced problems in the science of agriculture.

Botanical and agricultural departments have existed for close on a hundred years, but it is a significant fact that there is not to-day in Ceylon any data or tables showing the standards to which any of our vegetables, fruits or grain should conform. In other countries every product has been classified and the normal standard of each is given as a guide to the grower of such products. It forms the basis on which any improvement in production, distribution and marketing is effected. Again there is no agricultural literature in Sinhalese or Tamil the only languages understood by over 95 per cent. of the population.

I shall now consider the much vexed question of the general prosperity of the Island. This prosperity is apparent in a certain section of the community. Agriculture and trade has helped them to a very great extent. But the prosperity is only a superficial one. Out of a total population of four and a half millions, there are not more than thirty per cent. who have an income of

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

fifty rupees per month or over. I have calculated the thirty per cent. by taking the electorate. A man is entitled to a vote if he possess an income of Rs. 50 a month. The present electorate has four per cent. of such men. There is the probability of an increase in the electorate by a hundred per cent. if all those who are qualified are registered making eight per cent. of the total population. When a family is calculated at the average number of four the total comes to about 32 per cent. This is a very generous calculation and it shows at least that over two-thirds of the people of this country are extremely poor and their earning capacity is so low that they are either very poor or are on the border line of poverty. Our boasted prosperity is merely a myth as far as the whole country is concerned. Among the poor there are three classes. One those whose health and physique do not permit of their being able to engage in any remunerative employment even if they wish to do so, hook worm, parangi and chronic, malaria are their lot.

There is the poor rural population who earn a precarious existence by working on their own bits of land or working on the land of others and the third class is the town dweller who lives through the earnings of his daily labour. The problem of poverty has never received the attention it ought to, those in a position to attempt to ameliorate the condition of the poor are too busy and are too thoughtless to get interested in the question. But to us this problem is a grave one, and as a Congress we should pay our immediate attention to understand and realize its gravity. We cannot allow our country to become a whitened sepulchre. The surface is polished and ornamented, but over two-thrids of the people of the country are whelmed in misery, despair and suffering. A country's strength lies in the proper distribution of its wealth and resources and when we consider this our weakness ought to shame us. Governments have come and Governments have changed in character, but the most important problem lies hidden in a mirage. With the awakening of our consciousness and with the powers we seek to shape our own destinies, I need hardly say that this is the first problem that awaits us.

The rural population depends on their land; during the last fifty years, most of them have gradually lost their land, the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

increase of population in the first place has reduced the holdings of this class. The selling of large extensive tracts of land by large land holders who at one time had tens of thousands of tenants have made these tenants lose their resources. The selling of land by the small owners themselves in many instances tempted by the lure of cash has made another large section go landless. The Waste Land Ordinance introduced with the object of preserving and demarcating village lands made villagers who were doubtful of their titles to land which they had enjoyed as communal tracts and as traditional owners to sell their claims of thousands of acres for whatever they could get from them. And in most instances they parted with the land for 25 cents to a rupee per acre to those who were influential and were able to get the settlements in their own favour. Sir Hugh Clifford in his Memorandum on Land Policy has clearly realized these factors. He says in a covering letter he attached to his Memorandum, "the fact with which we are confronted is that no matter what its cause may be—the population of Ceylon has undergone in the past seventy years a phenomenal increase to its numbers. This being the case and supposing that that increase were to continue with similar rapidity for another fifty years, the Government of this country will then find itself confronted with the serious problem of great congestion among an agricultural population. Unless therefore we can work out, in good time, an adequate scheme for the creating of peasant proprietorship of land in the fertile regions of the Wet Zone and thus make provision for agricultural expansion by the peasants of Ceylon upon a large scale, those responsible for the Government of this Island some decades hence will have very good grounds for reproaching us for lack of foresight and for failure to take action now of a kind that may greatly relieve the difficulties with which they will then be called upon to deal." To quote another passage from his Memorandum, "It is the most urgent duty of the Government of Ceylon to provide in good time against this threatened congestion and finally that this can only be effected by rendering the still available Crown Land in the neighbourhood of the most thickly populated areas of the Wet Zone available for the occupation and expansion of the rural population." These are the observations made by one of the most experienced and far seeing Governors of the Colonial Service to-day. How much more should we

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

realize not only the threatened peril of the future but the present state of affairs we see about us. Some among us have the hardihood to expose our selfish nature by thinking of our own profits and attribute motives of hate to those who are trying to solve this pressing problem.

The inhabitants who now live in the Dry Zone, (practically two-thirds of the area of Ceylon) the ancient Raja Rata where kings lived and cities flourished are a very unfortunate lot. Words can hardly describe their abject poverty and their misery and suffering. It will be well if some of us will read that admirable book by L. S. Wolfe at one time a member of the Ceylon Civil Service, "A village in the jungle." I shall quote you just one passage, "But even in a good year the grain from the chenas was scarcely sufficient for the villagers, and just as in the jungle, fear and hunger for ever, crouch, slink and peer with every beast, so hunger and the fear of hunger always lay upon the village. It was only for a few months each year after the crop was reaped that the villagers knew the daily comfort of a full belly, and the grain sown in chenas is an evil food, heating the blood and bringing fever and the foulest of diseases parangi. There are few in the village without the filthy sores of parangi, their legs eaten out to the bone with the yellow sweating ulcers, upon which the flies settle in swarms. The naked children soon after their birth crawled about with immense pale yellow bellies swollen with fever, their faces puffed with dropsy, their arms and legs thin twisted little sticks." I shall quote another passage from "Wild Ceylon" by Dr. R. L. Spittel, "I remember once travelling through a Province where a progressive, but misguided policy—as applied to these parts—prevailed. Chena licenses had been withheld that year with a view to enforcing paddy cultivation. . . The result was disastrous. It was heart-rending to see the starved emaciated villagers digging out wild unsavoury yams from baked ground. They would have given their lives for a little kurakkan or moize which were nowhere to be had." This is sad but true and does it not call us to action if we love our land.

Next I come to the question of the labourer who lives in the towns. His condition is getting from bad to worse. The wages are hardly sufficient for bare necessities; go round in the town of Colombo and visit what is known as the slum area, see the thousands of people living crowded in small rooms and the emaciated

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

under-fed and unnourished children. Every employer in a town must be compelled to house his labourer in a decent manner. We have brought in legislation to compel the planter to provide proper dwellings for the immigrant labourer on estates. The need of the town labourer is even a graver one. In a town the cost of land is very high, rents are higher still. To obtain the minimum of accommodation similar to the limited houses now provided on an estate, a labourer will have to spend more than half his wages; food costs more, firewood costs more, clothing in a town costs more. The efficiency of the town labourer is diminishing on account of the conditions under which he is compelled to live. On all grounds of humanity his condition requires immediate attention, and even on economic grounds an employer cannot expect to get efficient help from men who are thus situated. Some employers may say that they cannot afford to spend more on their labourers, their profits will not allow any further increase in expenditure. This of course is the usual cry, with inefficient labour they cannot expect efficiency. In this connection it is worth while for employers to carefully study a very interesting contribution recently made by an employer of a large force of labour. He points out that employers have failed to avail themselves of the resources that are before them. Their machinery is out of date, their methods are antiquated, their cost of production has increased not on account of the wages they pay but on account of faulty organization. At present employers have no incentive for putting their own houses in order, for with cheap labour due to the utter helplessness of the labourer who has to face competition among themselves, the problem of efficiency does not confront the employer. We must remember that we are only separated from a vast continent with millions of people sunk in poverty by a narrow strip of water and who at an expenditure of two or three rupees can come over here and offer their services for whatever they can get. The employer finds a ready market for exploitation. We are very humane and hospitable and our sense of fair play does not permit us to demand that our poor fellow-men should be denied the hospitality of our shores. It is no reason why advantage should be taken of that sentiment to exploit the helpless. In all civilized countries measures are devised to help the labourer to get a minimum of comfort from the work he does. In Ceylon we have not

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

given the question any serious thought. The time has arrived for this question to receive public attention and public action. The Congress should make it a point to seriously and carefully study this problem. The cry of racial antagonism is a false alarm that is interposed to deter people from doing their duty. A section of employers incompetent or unwilling to face an urgent problem themselves realize its hollowness. Labour legislation is urgently needed here. In a country where wealth is accumulating in a small group of the population and where the revenues of the Government have surplus balances, which naturally they are bent on spectacular expenditure, public opinion should be concentrated on the fundamental problems that face us. No country should allow its men, women and children to starve for want of bare sustenance, nor to suffer distress where that distress is preventible. I would place before you the following for your consideration, so that a sufficient force of public opinion can be created to compel the state to effectually intervene in the matter :—

(a) The state should organize a workhouse system where any unfortunate person who is on the verge of starvation can get relief.

(b) The State and Municipal authorities should provide creches and clinics where children can get proper attention.

(c) There should be public milk depots for supplying milk to children and invalids at a reasonable cost.

(d) All employers should be compelled to provide housing accommodation for their labourers at a charge commensurate with their earning powers.

(e) The hours of labour should be definitely fixed.

(f) Wages boards should be established to fix minimum wages for various industries.

(g) Workmen's compensation for sickness and injury should be brought into operation.

I have placed before you a review of some of the problems confronting us to-day. I should not weary you by going further into these matters, but what I have already stated brings before us the necessity for perseverance and courage in the pursuit of the objects we have set before us. One encouraging feature is that public opinion in Ceylon is expressing itself to-day as it

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

never did before; there is life and a throbbing consciousness of responsibility. The country has begun to think and express itself, various view points are finding expression. If some of these are opposed to our views it does not matter, for it is only through a clash of ideas and stern criticism that the life of a community can flow in the right direction. Each party tries to maintain its position and support its policy with arguments; some of these arguments may appear to us to be fantastic, others reactionary, some others narrow-minded and a few deliberate misrepresentations; but we should realize that it is their view point and should endeavour to respect it however much we may disagree with them.

There has been a quickening of activities due to the Special Commission now sitting in Ceylon. It reminds one of a "gold rush" in Africa or Australia. The day for the rush has been fixed and a great many people desire to peg their claims. The race is being run in earnest, each with his own thoughts to be first in the field and naturally in the hustle there is some friction and some confusion, there is a good deal of jostling. Once the race is run and finished some of the inexperienced new-comers will be out of breath and too tired to do anything more than go to sleep, others will think that they made fools of themselves and will repent at leisure, some others will determine never more to engage in such an enterprise. A few who have reached the goal will forget their rivalry and join forces to do a spell of useful work.

The Congress has experience behind it and the strenght of a unity of purpose. Our goal is clear and our strength should be maintained by unselfish service. We should under all circumstances be prepared to be free and frank and face truth unflinchingly avoiding the temptation to sacrifice the straight path of duty for any temporary advantage. Ours is a mission of peace and goodwill. If any misunderstand our objects belittle our efforts and attribute motives to us or even preach the gospel of hate, we should be determined to bear it cheerfully and not to fall into the weakness of resentment; on the other hand if we are praised for our work we should beware of a greater danger of pride which can make us giddy and arrogant. Ladies and gentlemen, let us make a determination to suppress the idea of

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

a narrow vision, and see the light with that co-operative impersonal vision which alone will show its glory. Our land is worth living for and worth working for, so that not the few but all should be free of care and suffering. To-day seventy per cent. of our brothers and sisters are living in poverty, for want of opportunity to raise themselves from the depths of despair. This should stir us to persevere to use our strength and our energy in their uplift. The impetus for the growth of a people should come from themselves and that impetus we can create through our will purified by deep religious feeling and by consecrating ourselves to service.

THE RESOLUTIONS DISCUSSED WERE AS FOLLOWS :—

"This Congress reaffirms its demand for full responsible government at the next revision of the constitution and while registering its emphatic protest against the dimunition of any powers already possessed by it deprecates any attempt to provide a system involving a Half-way house, Diarchical or otherwise."

Proposed by Mr. Francis de Zoysa.

Seconded by Mr. S. W. R. D. Bandaranaike.

Supported by Messrs. J. E. Gunasekere, C. D. A. Gunawardane, R. R. H. de Mel, J. N. Jinendradasa, C. W. W. Kannangara and A. J. M. de Silva.

It was put to the vote and carried unanimously.

The second resolution was :—

"This Congress while reasserting the terms of resolution No. 7, of 1919,* is of opinion (a) That a minimum wage should be fixed by boards constituted for that purpose in each district, (b) that maximum hours of work should be fixed, (c) that legislation be introduced providing for compensation to workmen injured in the course of their employment. (d) and that relief be provided against unemployment by insurance or other means."

Proposed by Dr. S. Muttiah.

Seconded by Mr. A. E. Goonesinha.

Supported by Messrs. G. K. W. Perera, A. S. Perera, P. Givendrasinghe, Marshall Perera, and Martinus C. Perera.

Carried unanimously.

---

* Vide p. 212.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

The third resolution was :—

'That this Congress deprecates any attempt to appoint members of the Civil Service to the Supreme Court Bench as being against recognised principle, established practice, and the best interests of the country. It further emphasises the urgent necessity of separating the Judiciary from the Executive and expresses its disapprobation of the present practice of combining revenue and judicial posts in the same officers."

Proposed by Mr. S. R. Wijemanne.
Seconded by Mr. M. A. Arulanandan.
Opposed by Mr. R. H. Sadiris de Silva.
Supported by Mr. Arthur V. Dias.

It was put to the house and carried; only one voting against it.

The fourth resolution was :—

"It is the opinion of this Congress that all appointments to the Public Service shall be made through a Patronage Board and a Public Service Commission."

Proposed by Mr. J. Vincent Mendis.
Seconded by Mr. K. Satiyawagiswara Aiyar.
Carried unanimously.

The fifth resolution was :—

"That this Congress is of opinion that legislation should be passed at an early date for the revision of the statutes dealing with Village Committees, Local Self-Government and Municipalities with a view to rendering them more workable and effective."

Proposed by Mr. Geo. E. de Silva.
Seconded by Mr. M. H. Jayatillake.
Mr. B. Amaratunga also spoke.

The resolution was put to the vote and carried unanimously

The sixth resolution was :—

"That this Congress is of opinion that the Franchise should be widened by the reduction of the income and property qualifications."

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Proposed by Mr. F. A. Obeyesekere.

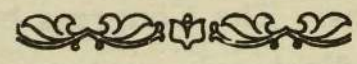
Seconded by Mr. R. S. S. Gunewardene.

Mr. J. N. Jinendradasa then moved the following amendment that "this Congress is of opinion that the franchise should be widened by the reduction of the income and property qualifications of the indigenous population and by the admission of females under the same conditions as males but with a slightly higher age limit."

Amendment seconded by Mr. P. Givendrasinghe.

Messrs. Geo. E. de Silva and A. E. Goonesinha spoke against the amendment.

It was put to the vote and lost. The substantive motion being carried by a large majority.



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

SECTION II.—*Special Sessions held at the Ananda College on 10th September, 1928 to Consider the report of the Donoughmore Commission.*

## THE PRESIDENTIAL ADDRESS.

Mr. W. A. de Silva the President, said :—

We meet to-day in special sessions to consider and express our views on very important proposals for the future Government of this country, presented, by the Special Commission appointed by the Secretary of State for the Colonies. The Commission was appointed on two main grounds :—First, to redeem an undertaking given by the Secretary of State to consider the revision of the Constitution after five years, and second, to inquire into certain representations made by Sir Hugh Clifford, Governor of Ceylon, of difficulties of administration which he stated had arisen under the new Constitution.

The Commission which we cordially welcomed has presented a very interesting report. The Commissioners have conscientiously given of their best in their endeavour to formulate a scheme for the future Government of this Island, and their recommendations deserve our serious consideration.

I may at the outset remind you of the very unfortunate position in which we are placed. The soundest principle on which a form of Government should be devised is the one where the people themselves should frame a constitution in accordance with their needs and aspirations. The Congress has always stood for this principle and will unflinchingly continue to do so. We had definitely asked for Self-Government and self-determination. We have no doubts whatever as to our fitness or capacity and our ability to conduct our own affairs for the progress and betterment of our country. We should not rest satisfied till we reach the goal which we have set up for ourselves.

There is a feature in the Commissioners' report which endorses our aspirations. The Commissioners state that the giving of responsibility as well as power to us is the course which the British people will prefer and which the Commissioners are glad to be able to recommend.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

There is a distinct advance from the present Constitution in the proposals made by the Commission. The abolition of communal representation, the granting of manhood franchise, and women's franchise and the devolution of responsibility for the administration of the various departments of Government on elected members are forward steps that should be appreciated and welcomed.

Some of the recommendations are no doubt novel in so far as the usual practice of Government in other countries is concerned. We are not wedded to precedents, our genius should enable us to work even a novel proposal with success, so long as its practical application is not beset with unnecessary restrictions.

It has to be realized that in any sphere of affairs successful accomplishment depends on freedom of action associated with frankness, and trust, imposed on those who are entrusted with responsibility. Some modern methods in the expression of the individuality of a people are marked by two characteristics. In the West it often manifests itself in violent outbursts of feeling ranging from indignation to revolution. In the history of the progress of the British constitution these characteristics are prominently apparent, every extension of freedom has been wrested by the people there through threats or revolutions. In the East it has sometimes manifested itself in the opposite direction, non-co-operation, suffering, and inaction.

We, in Ceylon do not subscribe to either of these policies. We stand on the justice of our own cause, our activities are constructive; we do not use violence neither do we sulk and become inactive and try to suffer, either to invoke pity or to ask for charity at the hands of others. It is in this spirit, that we should consider the proposals laid before us.

There appears to be among us two schools of thought in regard to the proposals for Committee Government in place of Party Government. One school thinks that instead of our becoming the field for a new experiment in responsible Government

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

by means of Committees we should follow the Party system that is practised by governments in most of the other countries.

On the other hand there is the view, that the whole scheme of reforms recommended by the Special Commission hinges on Committee Government and if we reject Committees it will be tantamount to the rejection of the whole scheme, and also that certain distinct advantages are indicated in the Committee system.

In connection with Committee Government, Bernard Shaw in his latest book "Guide to Socialism and Capitalism" makes some statements which are worth quoting. "The two Houses of Parliament are as much out of date as instruments for carrying on the public business of a modern Community as a pair of horses for drawing an omnibus. In 1920 the famous socialist professors of political science, Sidney and Beatrice Webb, published a Constitution for the Socialist Commonwealth of Great Britain. In that constitution, the notion of going on with our ancient political machinery at Westminster is discarded as impracticable, and its present condition described as one of creeping paralysis." Further he says, "It is conceivable that the King might some day find himself confronted by a House of Commons in which neither party had a majority, the effective decision resting with members belonging to no party. This situation has occurred several times of late in France, where it has been brought about by the existence in the French Chamber of so many parties that none of them is in a majority, so that a leader can form a party only by inducing several of these parties to combine. But this is not always easy and even when it is accomplished it is so hard to keep the Block together, that nobody expects it to last five years, as our party governments do, its lifetime is anything from a week to six months.....You will therefore be justified if you ask me rather anxiously whether Parliament cannot be worked on some other than the Party System. As a matter of fact in this country we have besides the House of Commons, Parliaments all over the place. We have the great City Corporations, the County Councils, the Borough Councils, the District Councils and so on, down to the Parish meeting in the village. There is no Government in the House of Commons sense of the word though the City

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

or County is nevertheless governed and often governed with an efficiency which puts the House of Commons to shame. The way the work is done is simple enough. The Council is elected for three years. Its business is conducted by Committees. These Committees meet separately and set forth their conclusions as to what the Council ought to do in their Departments in series of resolutions. When the whole Council meets, these strings of resolutions are brought up as the reports of the Committees and are confirmed or rejected or amended by the general vote."

The Special Commissioners in their report have built up an edifice with care, but I must confess that the furnishing of the edifice apparently has not received the same consideration from them as their main recommendations. It may be that once they have given the edifice, they have heaped up the furniture, with perhaps the consciousness that those who are to occupy the edifice be best given the opportunity to arrange the furniture.

The Governor of the Island is to have a permanent place in the management of affairs, if so, in all fairness, his initiative should not be subjected to limitations through instructions and conditions laid down beforehand for his guidance. His guidance should be his ability to gauge the feelings of the community over which he presides and to act with discretion and responsibility. It is neither fair to the Governor nor to the people of this country to subject them to artificial disabilities. We do not admire timidity, nor can we tolerate the suspicion and distrust implied by instructions. The Commissioners should have during their stay among us realized that the people of this country are not likely to subject themselves to the humiliation of being considered suspects. The Governor can have full and unfettered powers of vetoing any measures of the State Council on his own responsibility and discretion, but he should have no power to impose legislation at his own will or on the instructions of the Secretary of State; nor should he be tied down by a series of instructions as to how he should act under various imaginary conditions. We do not want our country cursed either by interfering limitations imposed on the Governor or on the Council of State.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Another set of suspicious obstructions have been prominently placed in our way in regard to the Public Service. It is quite a fair thing to give the Public Servants the right to retire on pensions and compensation within a definite period if they wish or if they consider that the changes in the form of Government are likely to affect their prospects or their status. Beyond this, we cannot conceive the necessity or the advantage of an implied arrangement, whereby a Minister responsible for the administration of Government Departments should not have full responsibility for maintaining the efficiency of such Departments.

The recommendations made by the Special Commission for the appointment of a Commission to regulate the proportion of Ceylonese and Europeans employed in the Service and for fixing their salaries and emoluments are matters on which the people of this country should strongly protest. We have already had enough trouble and suspicions created by the reservation of posts in the Public Service. The people of this country do not propose to sacrifice the efficiency of the Public Service. We expected that with the extension of a democratic form of Government, even a suspicion of a discrimination in appointments to the Public Service should entirely cease. The only and the one criterion for such appointments should be that of fitness and efficiency and the selection of the best available man, whether he be a European or a Ceylonese. If this spirit is to be curbed in a constitution that is to be one of an advanced freedom, it will do the greatest possible harm to the future well-being and harmony that should prevail in this country.

The ultimate character of a government and its capacity for promoting the interests of the State depends on the franchise granted to the people of a country. The general tendency of the individual when left to himself is to bring into prominence his desire for the exaltation of self. He desires power, fame and influence. This he can gain through means sometimes innocent and at other times at the expense of those whose opportunities are unfavourable. Governments are devised primarily to promote

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

co-operation in promoting the common interests of the community. The success of a system of government has to be measured in the proportion in which its machinery can gain this desired end. Reforms in systems of governments are urged, so that power can be distributed as widely as possible to minimize the possibilities of individuals or groups of individuals gaining ascendency over other individuals or groups of individuals. The extension of the franchise is one method of effecting this object and hence, if in the extension of the franchise, hopes of personal or group gain is held out as has been implied in certain statements in the Special Commissioner's report it may tend to cloud the minds of some of the recipients of the franchise and make them forget that the individual and the group should gain privileges only in so far as they work for the general welfare of the State. A man should not be made to believe that he gets a vote in order to secure "three acres and a cow" or to get special benefits. There are certain principles that should underlie the privilege of becoming a citizen. The first of these is that one should be able to exercise his rights freely and without fear or favour. If, for instance a person has to live in an area to which no one has a right of free access his vote becomes a danger rather than a help to the Community. Before such a person gets his rights the restricted conditions under which he lives should be removed. In this connection we have the case of the immigrant labourer employed on Ceylon plantations. Under present conditions he lives in lines or rooms situated within an Estate and any person who comes to visit him is legally an intruder and can be prosecuted and punished. This is not a hypothetical case as the records of our Law Courts show that such prosecutions are quite common and the restrictions are rigidly enforced. Next comes the case of a man who is unable to read, such a person will have to vote openly at least in the presence of the polling Officer this is objectionable as whatever it may be the voter feels when he has to give the name of the Candidate, that he is limited by promises and by threats. This should be avoided by arranging some device through which a person can record his vote in strict secrecy.

Digitized by Noolāham Foundation.
noolaham.org | aavanaham.org

A third principle that should be considered is that of the person who through physical or other means such as the ignorance of one of the common languages spoken in the Island, is unable to associate or commune with his neighbours. Such a person cannot be expected to contribute his choice or his influence correctly. Finally, there is the case of the person who has no permanent interest in the country, or who does not expressly intend to make his home here. A person who desires to exercise his vote should be domiciled in the country and if he is not domiciled he should be required to fulfil the conditions laid down in our present constitution.

Briefly the right to vote should be given under reasonable conditions which will allow the exercise of such rights for promoting the general interests of the country. The conditions will be fairly fulfilled if manhood and womanhood suffrage is conceded only to those who can claim a domicile in the Island, who can speak one of the languages, English, Sinhalese or Tamil and to others who have interests with property or income qualification of permanent value to the development of the country.

I have stated some of the lines on which we should discuss the reform proposals. We should to-day indicate definitely our wishes in this matter.

---

## THE RESOLUTIONS DISCUSSED AT THE SPECIAL SESSION WERE AS FOLLOWS:—

The first resolution was:—

"That this Congress while expressing its grave disappointment that the Special Commission has not found it possible to recommend a scheme of full responsible government, and while reaffirming its demand for the same, is prepared to accept for the present the recommendations of the Donoughmore Commission subject to such modifications as may be adopted in the subsequent resolutions."

Proposed by Mr. Francis de Zoysa.

Seconded by Mr. S. W. R. D. Bandaranaike.

Supported by Mr. J. E. Gunesekere.

The resolution was put to the house and carried unanimously.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

The second resolution was :—

"This Congress accepts the form of Government by Committees suggested by the Commission subject to the following amendments :—

(a) That the Officers of State like the other Ministers be associated with Committees chosen from the members of the Council of State.

(b) That provision should be made to enable Ministers to get into personal touch with the Heads of Departments under their charge whenever they wish to do so independently of the Official Secretaries to the Ministers."

Proposed by Mr. G. K. W. Perera.

Seconded by Mr. M. H. Jayatillake.

Dr. C. A. Hewavitarne proposed the following amendment," "That this Congress is of opinion that those departments, which the Commissioners recommend should be entrusted to Committees and Ministers, should be placed in charge of Ministers alone to be chosen from amongst its members by the State Council and unassociated with Committees."

Amendment seconded by Mr. Tudor Ranasinghe.

,, supported by Messrs. D. W. Wickremaratchi; N. L. Abraham, D. E. Weerasuriya, H. Don Clement, W. Dahanayake, Piyadasa Sirisena and D. S. Senanayake.

,, opposed by Messrs. Sadiris de Silva, J. N.

,, Jinendradasa, Valentine S. Perera, E. Y. D. Abeygunewardene and A. E. Goonesinha.

The amendment was put to the vote and carried, 193 voting for and 96 against.

The third resolution was :—

"This Congress is of opinion that the powers reserved to the Governor are too wide and comprehensive and inconsistent with the grant of any measure of responsible government and strongly disapproves of (a) The provision the Governor shall not assent to any particular class of legislation as provided at present

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

by Article XIII of the Royal Instructions of 1920 and the proposed amendments thereto, (b) Any provision vesting the Governor with power to enact laws independently of the Legislature as provided at present by Article LIV of the Order-in-Council of 1923 and the proposed amendments thereto."

Proposed by the Hon. Mr. E. W. Perera.

Seconded by Mr. D. J. K. Goonetillake.

Carried unanimously.

The fourth resolution was :—

"(1) This Congress strongly disapproves of the suggested provision in the new Order-in-Council of an Article providing that the final decision in all matters affecting the pay and allowances, pensions, prospects, and conditions of service of public officers should be vested in the Secretary of State.

(2) This Congress while accepting the rights reserved to public servants of retiring on proportionate pension and the principles for its application suggested, namely (a) that the right should be unqualified, (b) that it should be extended to all officers whether European or Ceylonese who are now in the Service of the Ceylon Government or who may have been recruited for such service before the publication of the Commissioners' Report and whose appointments are subject to the approval of the Secretary of State, disapproves of the third principle mentioned, *i.e.*, that it should be a continuous option, and is of opinion that such option should be limited to three years.

(3) This Congress is of opinion that the discipline and control of each department should be in the hands of the Minister in charge of such Department."

Proposed by the Hon. Mr. C. W. W. Kananngara.

Seconded by Mr. P. de S. Kularatne.

Carried unanimously.

The fifth resolution was :—

"This Congress considers that the appointment of another Salaries Commission is unnecessary at present and if the appointment of such a Commission is needed at a future date such

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

appointment shall be made on the recommendation of the State Council and the proposals of such Commission should be subject to the approval of the State Council.

Proposed by the Hon. Mr. V. S. de S. Wickremanayake.

Seconded by Dr. S. Muttiah.

Carried unanimously.

The sixth resolution was :—

"This Congress while generally accepting the recommendations regarding the franchise, is of opinion :—

(a) That the franchise for women should be extended to those over 21 years of age. (b) That the secrecy of the ballot should be secured in the case of illiterate voters by some such device as the adoption of different colours to denote the different candidates.

(c) That no residence qualification within the areas they represent be required of members of either the State Council or of local bodies."

Proposed by Mr. R. S. S. Gunewardene.

Seconded by Mr. Marshall Perera.

Mr. A. William Wijeratne then moved as an amendment that the following be added to the motion :—"That in the case of non-Ceylonese the franchise should be continued in the case of men, and extended to women under the existing qualifications." "That this Congress recommends that the Government should be responsible for and carry out the preparation of the register of voters."

Amendment seconded by Mr. J. E. Gunesekera.

,, Supported by Messrs. P. Givendrasinghe, E. A. P. Wijeratne, C. E. C. Bulathsinhala and W. Sathasivam.

,, Opposed by Messrs. K. Satiyawagiswara Aiyar, D. Saranathan, A. E. Goonesinha and J. P. John.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

The amendment was put to the meeting and carried by a large majority.

NOTE:—The following extract from the minutes of Executive Committee meetings refers to the election of officers for the year :—

"The election of officers was held. The Hon'ble Messrs. D. B. Jayatilaka and E. W. Perera, who had been nominated for the Presidency, withdrew their names. The candidates balloted for were the Hon'ble Mr. W. A. de Silva and Mr. George E. de Silva.

The Hon'ble Mr. W. A. de Silva was elected President.

Dr. S. Muttiah proposed and Mr. S. W. R. D. Bandaranaike seconded that Mr. George E. de Silva be elected Vice-President Mr. Francis de Zoysa proposed and Mr.Bertram de Zilva seconded that Mr. S. R. Wijemanne be elected.

A ballot was taken and Mr. George E. de Silva was declared elect.

Messrs. R. S. S. Gunawardene and S. W. R. D. Bandaranaike were re-elected Hony. Secretaries, and Mr. S. W. R. D. Bandaranaike Hony. Treasurer—unopposed. (3—12—27.)

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

APPENDIX A.

(See Page 69.)

# CEYLON.

## Ordinance enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof.

## No. 13 of 1910.

*An Ordinance to regulate the Election of Members to represent certain Electorates in the Legislative Council.*

HENRY MCCALLUM.

Preamble.

WHEREAS His Majesty the King is about to issue instructions for the admission of certain elected members to seats in the Legislative Council, and it is therefore expedient to make provision for the election of fit members to fill these seats: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows.

---

### PART I.

*Preliminary.*

Short title and division into parts.

1 (1) This Ordinance may be cited as "The Legislative Council Ordinance, 1910."

(2) It is divided into parts as follows:

Part I.—Preliminary.

Part II.—Qualifications and Disqualifications of Voters and Candidates.

Part III.—Elections.

Part IV.—Penal Provisions.

Part V.—General.

Interpretation.

2 In this Ordinance, unless the contrary intention appears:



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

"British subject" includes persons who have been naturalized under any Imperial Statute or under any enactment of a British Possession, as well as the natural-born subjects of His Majesty.

"Register of voters" or "register" means the register prepared in accordance with this Ordinance of the persons entitled to vote at the election of a member to represent any of the electorates specified in section 3.

"Member" means a member of the Legislative Council.

---

## PART II.

### *Qualifications and Disqualifications of Voters and Candidates.*

Representation of different electorates.

**3** A member shall be elected in accordance with the provisions of this Ordinance to represent each of the following electorates in the Legislative Council, namely :

(*a*) The European electorate (urban).
(*b*) The European electorate (rural).
(*c*) The Ceylonese electorate.
(*d*) The Burgher electorate.

Electoral districts and registering officers.

**4** (1) For the purpose of electing members to represent the electorates named in sub-heads (*b*), (*c*), and (*d*) of the last preceding section, each revenue district in the Island shall be an electoral district, and, subject to the exception contained in section 5 with regard to the Burgher electorate, the Government Agent or the Assistant Government Agent, as the case may be, of such revenue district shall be the registering officer of such electoral district.

(2) For the purpose of electing a member to represent the European (urban) electorate, the areas within the Municipal limits of the towns of Colombo, Kandy,

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

and Galle shall respectively be electoral districts, and the Government Agents of the Western, Central, and Southern Provinces shall respectively be registering officers for such electoral districts.

Special registering officer with advisory boards for Burgher electorate.

**5** (1) For the Burgher electorate the Governor shall from time to time appoint a registering officer (styled the registering officer for the Burgher electorate), who shall be resident at Colombo, and shall perform the duties of a registering officer for the Burgher electorate with respect to all the electoral districts in the Island.

(2) The registering officer for the Burgher electorate shall be assisted by a board of not more than three persons nominated from time to time by the Governor, and holding office during the Governor's pleasure.

(3) It shall be the duty of such board to advise and assist the registering officer in preparing and revising the register of voters. The duties of the board shall be advisory, and in the event of any difference between the registering officer and the board, the opinion of the registering officer shall prevail.

Registers of voters

**6** For every electoral district separate registers of the persons entitled to vote for the election of members to represent the several electorates specified in section 3 shall be prepared, published, and revised in the manner prescribed by the rules contained in schedule I.

Appointment of returning officers and revising officers

**7** The Governor may from time to time appoint a returning officer for the purposes of this Ordinance, and one or more persons having judicial experience, in this Ordinance called "revising officers," to perform the duties of revising officers under the rules contained in schedule I. Where more than one revising officer is appointed, the Governor shall assign to each such officer the electoral districts for which he shall be a revising officer.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Registers of voters to be conclusive evidence of right to vote.

8 The register of voters for the time being in operation shall be conclusive evidence for the purpose of determining whether a person is or is not entitled to vote in any electoral district for the election of a member to represent the electorate to which such register relates.

General disqualification of voters.

9 (1) No person shall be entitled to have his name entered on any register of voters if such person—

(*a*) Is not a British subject;

(*b*) Is a female; or

(*c*) Is not of the age of twenty-one years; or

(*d*) Has been adjudged by a competent court to be of unsound mind.

(2) No person who is in the permanent employment of Government or who is serving the Government for a term of years shall be entitled to have his name on any register of voters relating to the European (urban) or the European (rural) electorate.

(3) For the purposes of this section and of section 16, the following persons shall not be deemed to be in the employment of Government, namely :

(*a*) Persons in the employment of Municipal Councils, Local Boards, the Board of Health and Improvement of Nuwara Eliya, Sanitary Boards and Boards of Health, Provincial and District Road Committees, and Village Committees.

(*b*) Crown proctors;

(*c*) Crown advocates not being Crown counsel.

Voters to be registered only once for same electorate, and for only one electorate.

10 (1) No person shall be entitled to be registered as a voter more than once in the registers relating to any electorate, or to vote in more than one electoral district.

(2) No person shall be entitled to be registered as a voter or to vote for more than one electorate.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Persons qualified to vote for both Burgher and Ceylonese electorates.

**11** Where any person, being qualified to be registered as a voter for the Burgher electorate under section 14 (*b*) and also for the Ceylonese electorate, has applied to have his name entered on the register relating to one of such electorates, and his application has been allowed, or has suffered his name to be entered in such register without objection, he shall be deemed to have made his choice in favour of such electorate, and shall thereafter be debarred from being registered as a voter for the other electorate.

Qualifications of voters for European (urban) electorate.

**12** Any person of European descent, not otherwise disqualified, shall be qualified to have his name entered on the register of voters for the European (urban) electorate, if he—

(*a*) Is resident within the Municipal limits of Colombo, Kandy, or Galle; and

(*b*) Has on the first day of January of the year in which the register of voters for the time being in operation is published been resident in Ceylon for a period of three years, or for periods amounting in the aggregate to three years; and

(*c*) Possesses an annual income, or receives an annual salary, of not less than one thousand five hundred rupees.

Qualifications of voters for European (rural) electorate.

**13** Any person of European descent, not otherwise disqualified, shall be qualified to have his name entered in the register of voters for the European (rural) electorate if he—

(*a*) Resides in Ceylon outside the Municipal limits of Colombo, Kandy, or Galle; and

(*b*) Possesses the qualifications mentioned in sub-heads (*b*) and (*c*) of the last preceding section.

Qualifications of voters for Burgher electorate.

**14** All persons, not otherwise disqualified, shall be qualified to have their names entered on the register of voters for the election of a member for the Burgher electorate if they

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(*a*) Are the descendants in the male line of Europeans who, on or before the fifteenth day of February, 1796, were in the service or under the rule of the Dutch East India Company in Ceylon, or if they are descended from any such descendant in the female line by marriage with a European; or

(*b*) Are of legitimate birth, and are descended in the female line from any such descendant as aforesaid, and are able to read, write, and speak the English language.

Qualifications of voters for Ceylonese electorate.

**15** Any person, not otherwise disqualified, shall be qualified to have his name inserted on the register of voters for the Ceylonese electorate if he—

(i.) Was born in Ceylon, or if either of his parents was born in Ceylon; and

(ii.) Is not qualified to be registered as a voter for either of the European electorates or for the Burgher electorate under section 14 (*a*); and if he also possesses any of the following qualifications; namely, if he—

(*a*) Is a barrister or advocate; or

(*b*) Is a proctor of the Supreme or District Courts; or

(*c*) Is a notary authorized by warrant to practise in the English language; or

(*d*) Is a registered medical practitioner; or

(*e*) Is a licensed surveyor; or

(*f*) Is an engineer who has been employed as such in the public service of the Island, or is a member of the English or Irish Institutions of Civil Engineers, or is an Associate Member of the English Institution of Civil Engineers, or holds any qualification which is accepted by the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Institution of Civil Engineers in lieu of examination for Associate Membership, or holds a diploma in civil engineering issued by any English, Irish, Scotch, or Indian university, or has served under Articles of Indenture, and for a period of not less than three years, a Member or Associate Member of the Institution of Civil Engineers, England or Ireland; or

(*g*) Is or has been a member of a Municipal Council or Local Board in Ceylon; or

(*h*) Is a commissioned officer on the active or retired list of any Ceylon Volunteer Corps; or

(*i*) Is a Government pensioner who at the time of his retirement was in receipt of an annual salary of not less than one thousand five hundred rupees; or

(*j*) Is or has been on the list of persons who are liable to serve as special jurors, and possesses the qualifications in virtue of which a person is liable to be placed on such list; or

(*k*) Is a graduate or undergraduate of any British, Indian, or Colonial university; or

(*l*) Has passed the Senior or Junior Cambridge Local Examination or any other examination which the Governor, by notification in the *Government Gazette*, may declare shall, for the purposes of this Ordinance, be accepted as an equivalent for either of such examinations.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

General disqualifications of candidate.

**16** (1) Subject to the disqualifications mentioned in sub-section (2) of this section, any person who is qualified to be registered and is registered as a voter for any electorate shall be eligible for election for that electorate.

(2) A person shall be disqualified for election as a member to represent any electorate if such person—

(*a*) Is under twenty-five years of age; or

(*b*) Is an uncertificated bankrupt or an undischarged insolvent; or

(*c*) Has been dismissed from Government service; or

(*d*) Has been sentenced by a criminal court to imprisonment for an offence punishable with rigorous imprisonment for a term exceeding three months, such sentence or order not having been subsequently reversed or remitted or the offender pardoned; or

(*e*) Has been debarred from practising as a legal or medical practitioner by order of any competent authority; or

(*f*) Is in the permanent employment of Government.

Provided that in cases (*c*), (*d*), and (*e*) the disqualification may be removed by an order of the Governor in Executive Council on that behalf.

---

## PART III.

### *Elections.*

Notifications of election.

**17** When the first registers of voters have been completed in accordance with the rules contained in schedule I., the Governor shall, by notification in the *Government Gazette*, appoint a convenient date, being not less than fourteen days after the publication of the notification, and a place in Colombo for the election of members for the electorates specified in section 3.

Election procedure.

**18** Such elections shall be by ballot, and shall be held in accordance with the procedure prescribed by the rules contained in schedule II.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Elections to fill vacancies.

**19** Whenever, after the first elections have been held under this Ordinance, a vacancy occurs with regard to any electorate, the Governor shall in manner provided by section 17 appoint a date and place for the election of a member to fill such vacancy, and such election shall be held in the manner prescribed by the last preceding section.

Where no candidate nominated.

**20** Whenever the Governor has appointed a date for the election of a member for any electorate, and no candidate therefor has been nominated in accordance with the rules contained in schedule II., the Governor may in his discretion nominate any person who is eligible for election by such electorate to be the member for that electorate.

Resignation of member.

**21** Any person who has been elected a member for any electorate may, by writing under his hand, resign his seat; and thereupon the Governor shall direct an election to be held to fill the seat which has become vacant by such resignation.

Absence of member.

**22** Where any elected member for any electorate leaves the Island without resigning his seat, the Governor may nominate any properly qualified person who would be eligible for election by that electorate to act as a member for such electorate during the absence of the elected member. Provided that if any elected member is absent from the Island for a period of twelve months, the Governor shall declare his seat to be vacant, and shall direct an election to be held to fill the vacancy.

---

## PART IV.

### *Penal Provisions.*

Offences in respect of nomination papers, ballot papers, and ballot boxes.

**23** Every person who—

(1) Forges or fraudulently defaces or fraudulently destroys any nomination paper, or delivers to the returning officer any nomination paper, knowing the same to be forged; or

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(2) Forges or counterfeits or fraudulently defaces or fraudulently destroys any ballot paper or the official mark on any ballot paper; or

(3) Without due authority supplies any ballot paper to any person; or

(4) Fraudulently puts into any ballot box any paper other than the ballot paper which he is authorized by law to put in; or

(5) Fraudulently takes out of the polling station any ballot paper; or

(6) Without due authority destroys, takes, opens, or otherwise interferes with any ballot box or packet of ballot papers then in use for the purposes of the election;

shall be guilty of an offence, and be liable to simple or rigorous imprisonment for any term not exceeding six months.

Any attempt to commit any offence specified in this section shall be punishable in the manner in which the offence itself is punishable.

In any indictment or other prosecution for an offence in relation to the nomination papers, ballot boxes, ballot papers, and marking instruments at an election, the property in such papers, boxes, and instruments may be stated to be in the returning officer at such election, as well as the property in the counterfoils.

Infringement of secrecy.

**24** Every officer, clerk, and agent in attendance at a polling station shall maintain, and aid in maintaining, the secrecy of the voting in such station, and shall not communicate, except for some purpose authorized by law, before the poll is closed, to any person any information as to the name or number on the register of voters of any elector who has or has not applied for a ballot paper or voted at that station, or as to

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

the official mark; and no such officer, clerk or agent, and no person whosoever, shall interfere with or attempt to interfere with a voter when marking his vote, or otherwise attempt to obtain in the polling station information as to the candidate for whom any voter in such station is about to vote or has voted, or communicate at any time to any person any information obtained in a polling station as to the candidate for whom any voter in such station is about to vote or has voted, or as to the number on the back of the ballot paper given to any voter at such station. Every officer, clerk, and agent in attendance at the counting of the votes shall maintain, and aid in maintaining, the secrecy of the voting, and shall not attempt to ascertain at such counting the number on the back of any ballot paper, or communicate any information obtained at such counting as to the candidate for whom any vote is given in any particular ballot paper. No person shall directly or indirectly induce any voter to display his ballot paper after he shall have marked the same, so as to make known to any person the name of the candidate for or against whom he has so marked his vote. Every person who acts in contravention of the provisions of this section shall be liable, on summary conviction, to imprisonment of either description for any term not exceeding six months.

Punishment for personation.

**25.** Any person who at an election held under this Ordinance applies for a ballot paper in the name of some other person, whether that name be that of a person living or dead or of a fictitious person or who, having voted once at any such election, applies at the same election for a ballot paper in his own name, shall be guilty of the offence of personation, and on conviction thereof shall be liable to imprisonment of either description which may extend to six months.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Penalty for treating.

**26.** (1) Any person who corruptly by himself or by any other person, either before, during, or after an election, directly or indirectly gives or provides, or pays wholly or in part the expense of givng or providing, any meat, drink, entertainment, or provision to or for any person, for the purpose of corruptly influencing that person or any other person to give or refrain from giving his vote at the election, or on account of such person or any other person having voted or refrained from voting, or being about to vote or refrain from voting, at such election, shall be guilty of treating and shall be liable on conviction to a fine which may extend to five hundred rupees, and shall for seven years from the date of his conviction be disqualified from voting at any election under this Ordinance and from being elected a member.

(2) Every voter who corruptly accepts or takes any such meat, drink, entertainment, or provision shall also be guilty of treating, and shall be liable on conviction to the penalty specified in the preceding subsection, and shall be disqualified as therein provided.

Penalty for undue influence

**27.** Every person who directly or indirectly, by himself or by any other person on his behalf, makes use of or threatens to make use of any force, violence, or restraint, or inflicts or threatens to inflict, by himself or by any other person, any temporal or spiritual injury, damage, harm, or loss upon or against any person in order to induce or compel such person to vote or refrain from voting, or on account of such person having voted or refrained from voting at any election, or who by abduction, duress, or any fraudulent device or contrivance impedes or prevents the free exercise of the franchise of any voter, or thereby compels, induces, or prevails upon any voter either to give or to refrain from giving his vote at any election, shall be guilty of undue influence, and shall be liable on conviction to the penalty specified in section 26, and shall be disqualified as therein provided.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Penalty for bribery.

**28.** (1) The following persons shall be deemed guilty of bribery, and shall be liable on conviction to the penalty specified in section 26, and shall be disqualified as therein provided:

(*a*) Every person who directly or indirectly, by himself or by any other person on his behalf, gives, lends, or agrees to give or lend, or offers, promises, or promises to procure or to endeavour to procure, any money or valuable consideration to or for any voter, or to or for any person on behalf of any voter, or to or for any other person, in order to induce any voter to vote or refrain from voting, or corruptly does any such act as aforesaid on account of such voter having voted or refrained from voting at any election under this Ordinance.

(*b*) Every person who directly or indirectly, by himself or by any other person on his behalf, gives or procures, or agrees to give or procure, or offers, promises, or promises to procure or to endeavour to procure, any office, place, or employment to or for any voter, or to or for any person on behalf of any voter, or to or for any other person, in order to induce such voter to vote or refrain from voting, or corruptly does any such act as aforesaid on account of any voter having voted or refrained from voting at any election under this Ordinance.

(*c*) Every person who directly or indirectly, by himself or by any other person on his behalf, makes any such gift, loan, offer, promise, procurement, or agreement as aforesaid to or for any person in order to induce such person to procure or endeavour to procure the return of any person as a member of the Legislative Council, or the vote of any voter at any election under this Ordinance.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(*d*) Every person who upon or in consequence of any such gift, loan, offer, promise, procurement, or agreement procures, or engages, promises, or endeavours to procure, the return of any person as a member of the Legislative Council, or the vote of any voter at any election under this Ordinance.

(*e*) Every person who advances or pays or causes to be paid any money to or to the uses of any other person, with the intent that such money or any part thereof shall be expended in bribery at any election under this Ordinance, or who shall knowingly pay or cause to be paid any money to any person in discharge or repayment of any money wholly or in part expended in bribery at any such election.

Provided always that the aforesaid enactment shall not extend or be construed to extend to any money paid or agreed to be paid for or on account of any legal expenses *bona fide* incurred at or concerning any election.

(2) The following persons shall also be deemed guilty of bribery, and shall be liable, on conviction to the penalty specified in section 26, and shall be disqualified as therein provided:

(*a*) Every voter who, before or during any election under this Ordinance, directly or indirectly, by himself or by any other person on his behalf, receives, agrees, or contracts for any money, gift, loan, or valuable consideration, office, place, or employment, for himself or for any other person, for voting or agreeing to vote or for refraining or agreeing to refrain from voting at any such election.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(*b*) Every person who, after any election under this Ordinance, directly or indirectly, by himself or by any other person on his behalf, receives any money or valuable consideration on account of any person having voted or refrained from voting, or having induced any other person to vote or to refrain from voting at any such election.

---

## PART V.

### *General.*

Corrupt practice.

**29** (1) No election shall be valid if any corrupt practice is committed in connection therewith by the candidate elected.

(2) The expression "corrupt practice" as used in this Ordinance means any of the following offences, namely, treating, undue influence, bribery, and personation.

(3) A corrupt practice shall be deemed to be committed by a candidate if it is committed with his knowledge and consent, or by a person who is acting under the general or special authority of such candidate with reference to the election.

Non-compliance with rules.

**30** No election shall be invalid by reason of a non-compliance with the rules contained in schedule II. if it appears that the election was conducted in accordance with the principles laid down in such rules, and that such non-compliance did not affect the result of the election.

Disputes as to validity of elections.

**31** (1) If the validity of an election is brought in question by any person qualified either to be elected or to vote at such election, on the ground of the improper rejection or reception of a nomination or of a vote, or of any corrupt practice in connection with such election, or for any other cause, such person may, at any time within fifteen days of the publication of the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

result of such election in the *Government Gazette*, apply to the Governor in Executive Council to set aside such election.

(2) The Governor in Executive Council shall, after such inquiry, if any, as he may consider necessary, declare by notification whether the candidate whose election is questioned or any or what other person is duly elected, or whether the election is void.

(3) If the election is declared void, the Governor shall by notification in manner provided by section 17 appoint another date for the election of a member for the electorate concerned.

(4) The Governor in Executive Council may appoint any person having judicial experience to be a Commissioner to inquire into and report on the grounds on which the validity of any election is brought in question as aforesaid; and every such Commissioner shall have all the powers of a Commissioner appointed under Ordinance No. 9 of 1872 intituled "An Ordinance to empower Commissioners, appointed by the Governor to inquire into any matter referred to them for inquiry, to hear evidence thereon."

(5) The Governor in Executive Council may from time to time make rules for regulating the practice and procedure to be observed on inquiries under this section.

Power to supplement rules in schedules.

**32** (1) The Governor in Executive Council may from time to time make rules to supplement the rules contained in schedules I. and II., or to rescind, vary, or amend any of such rules.

(2) All rules so made shall be published in the *Government Gazette*, and shall thereupon, subject to the provisions of the next following sub-section, be as legal, valid, effectual, and binding as if they had been enacted in this Ordinance.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(3) All rules made in pursuance of this section shall be laid as soon as conveniently may be before the Legislative Council; and if a resolution is passed within forty days of their being so laid before the Legislative Council praying that any such rule shall be annulled, such rule shall thenceforth be void, but without prejudice to anything done thereunder.

Power of Governor to decide questions arising under Ordinance.

**33** The decision of the Governor in Executive Council on any question which may arise as to the intention, construction, or application of this Ordinance and of the rules thereunder shall be final.

---

## SCHEDULE I.

### Rules for the Preparation of Register of Voters.

(Section 6.)

*Preparation of First Registers.*

Notice inviting claims of voters.

1. (*a*) As soon as conveniently may be after the commencement of this Ordinance, a notification shall be published in the *Government Gazette* calling upon all persons desirous of having their names inserted in the register of voters for any electorate to forward their claims within three months from the publication of the notification. Claims relating to the Burgher electorate shall be forwarded to the registering officer for the Burgher electorate, and claims relating to any other electorate to the registering officer of the electoral district within which the claimant resides.

(*b*) Every claim may be in the form A appended to these rules; it shall be signed by the claimant, and shall contain the following particulars, namely:

(i.) The electorate in respect of which the claim is made.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(ii.) The name in full of the claimant.
(iii.) The claimant's address and occupation.
(iv.) The claimant's age at his last birthday.
(v.) The qualification in virtue of which a vote is claimed.

Preparation of register of voters.

2. Upon the expiration of the period limited by the preceding rule, it shall be the duty of the registering officers of the several electoral districts to prepare a separate register of voters for each of the electorates mentioned in section 3.

Duty of registering officers as regards inclusion of names on register.

3. In preparing such registers, the registering officers shall after inquiry, as may be necessary, include in the register the names of all persons who they consider are duly qualified to be registered as voters, whether such persons have or have not forwarded claims as provided by rule 1.

Register for Burgher electorate.

4. The registering officer for the Burgher electorate, with the assistance of the board referred to in section 5, shall prepare separate registers for each of the electoral districts in the Island.

Notice of completion of registers.

5. On the completion of the registers, copies thereof shall be published in the *Government Gazette,* and notice shall be given in the principal newspapers circulating in the Island in the English language that copies of the register have been published as aforesaid, and that the registers, or copies thereof, are open for inspection at all reasonable hours of the day at the Kachcheries of the several electoral districts and at such other places, if any, as shall be specified in the notice.

Claims and objections.

6. (*a*) Every person qualified to have his name entered on the register for any electorate whose name is omitted from such register, and who claims to have it inserted therein (in these rules called the "claimant"), may apply to the registering officer to have his name inserted therein.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(*b*) Every person whose name appears in the register for any electorate, and who objects to the name of any other person or his own name appearing therein (in these rules called an "objector"), may apply to the registering officer to have such name expunged from the register.

(*c*) Every such application shall be made in writing within four weeks from the date of the publication of the register in the *Government Gazette*, and shall set out the grounds of the application, and shall give an address for the receipt of notices.

(*d*) The registering officer shall hear all claims and objections which have been duly made in open court or office, giving ten clear days' notice of the holding of the inquiry by written notice to each claimant, objector, and to each person objected to, and shall also fix such notice in some conspicuous place of his court or office.

(*e*) The registering officer shall insert in the register the name of every person who has duly claimed to have his name inserted therein, and whose claim is proved to the registering officer's satisfaction.

(*f*) The registering officer shall retain in the register the name of every person objected to, unless the objector appears by himself or by some person duly authorized by him in this behalf in support of the objection. Where the objector so appears the registering officer shall require proof of the qualification of the person objected to, and, if within such reasonable time as the registering officer fixes in this behalf, or on the subsequent day, if any, to which the hearing is adjourned, such person's qualification is not proved to the registering officer's satisfaction, he shall expunge his name from the register.

(*g*) In the case of claims with regard to the Burgher electorate, the Burgher registering officer, assisted by the board mentioned in section 5 (2), may dispense with the attendance of the claimant if the claim is in his judgment supported by sufficient documentary evidence.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Appeals from decision of registering officer.

7. If any claimant or objector is dissatisfied with the decision of the registering officer, he may within ten days from the date thereof appeal to the revising officer.

Every such appeal shall be in writing, and shall state shortly the ground of appeal.

The revising officer shall hear such appeals in manner provided by rules 6 (*d*), 6 (*e*), and 6 (*f*), and his determination thereon shall be final and conclusive.

When the revising officer has determined all the appeals which have been lodged with respect to any register, he shall forward to the registering officer a statement under his hand of the names which he has decided shall be inserted in or expunged from the register, and the registering officer shall amend the register accordingly.

Certification of register.

8. The registering officer then shall certify the register amended as aforesaid, and the certified register shall be the register in operation until a revised register has been prepared and certified in accordance with these rules.

*Annual Revision of Registers.*

Notice inviting claims.

9. On or before the first day of June, 1912, and thereafter on or before the first day of June in every succeeding year, a notification shall be published in the *Government Gazette* calling upon all persons desirous of having their names inserted in any register of voters to forward their claims to the proper registering officer before the first day of the succeeding month of September. Every claim shall contain the particulars specified in rule 1 (*b*), and shall be signed as therein required.

Preparation of revised registers.

10. (*a*) The registering officer shall on or before the first day of the succeeding month of October prepare revised registers of voters, and copies of such revised registers shall be published, and notice of such publication shall be given in manner provided by rule 5.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(*b*) In preparing such revised registers the registering officers shall include the names of all persons appearing entitled to have their names inserted therein, and shall expunge from the registers the name of any person who is dead or has become disqualified or has left the electoral district. The registering officer shall also correct any mistake or supply any omission which appears to have been made in the register.

Claims and objections with regard to revised register

11. (*a*) Claims and objections may be made with regard to the revised registers in the manner provided by rule 6 and within the time therein prescribed. Such claims shall be heard and determined by the registering officer in the manner provided by the said rule.

(*b*) Appeals may be made to the revising officer from the decision of the registering officer in the manner provided by rule 7, and the registering officer and the revising officer shall respectively proceed as therein provided.

(*c*) The registering officer shall certify the revised registers in manner provided by rule 8, and the registers so certified shall come into operation on the first day of January following the publication of the register under rule 10 (*a*), and shall continue in operation until superseded by other revised registers.

(*d*) If any revised register is not prepared in due time, the register in operation immediately before the time at which the new register ought to have been prepared shall continue in operation until the new register is prepared.

---

Form A (Rule 1).

To the Registering Officer of the Electoral District of

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

I claim to have my name inserted in the list of persons entitled to vote for the election of a member to represent the *———— Electorate.

The following are the particulars of my qualification :

Name in full :————.

Address and occupation :————.

Age last birthday :————.

Qualifications : † ————.

Dated the ———— day of ————, 191—.

(*Signed*) *A. B.*,
Claimant.

* State whether European (Urban), European (Rural), Ceylonese, or Burgher.

† In the case of claims in respect of the Burgher electorate, it should be stated whether the claim is in virtue of a qualification under section 14 (*a*) or section 14 (*b*) :

14 (*a*) Are the descendants in the male line of Europeans who, on or before the fifteenth day of February, 1796, were in the service or under the rule of the Dutch East India Company in Ceylon, or if they are descended from any such descendant in the female line by marriage with a European ; or

(*b*) Are of legitimate birth, and are descended in the female line from any such descendant as aforesaid, and are able to read, write, and speak the English language.

---

## *SCHEUDLE II.*

### Rules for the Election of Members.

Qualification for nomination.

1. Any person not ineligible for election under this Ordinance may be nominated as a candidate for election.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Proposer and seconder.

2. Each candidate shall be nominated by means of a separate nomination paper signed by two persons, whose names are on the register of voters for the electorate for which the candidate seeks election, as proposer and seconder.

Attestation of signatures of proposer and seconder.

3. The signatures of the proposer and seconder shall be attested by a Justice of the Peace or by a notary public.

Form of nomination paper.

4. Every nomination paper shall be in the form B annexed to these rules.

Supply of forms of nomination paper.

5. The returning officer shall, at any time between the date of the notification published under section 17 and one o'clock in the afternoon of the day of election, supply a form of nomination paper to any registered voter requiring the same; but nothing in these rules shall render obligatory the use of a nomination paper supplied by the returning officer, so, however, that the paper be substantially in the form prescribed by these rules.

Delivery of nomination papers.

6. Every nomination paper subscribed and attested as aforesaid must be delivered to the returning officer by the candidate or by his proposer or seconder on the day and at the place appointed for the election before one o'clock in the afternoon; and nomination papers which are not duly delivered before that hour shall be rejected.

Persons entitled to attend election proceedings.

7. On the date appointed for the election of a member for any electorate, every candidate and his proposer and seconder and one other person selected by the candidate, and no person other than the aforesaid, shall, except for the purpose of assisting the returning officer, be entitled to attend the proceedings during the time appointed for the election.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Examination of nomination papers.

8. The returning officer shall permit the candidates and their proposers and seconders and the person, if any, selected by the candidate as aforesaid to examine the nomination papers of candidates which have been received for their electorate.

Description of candidates in nomination papers.

9. Each candidate shall be described in the nomination paper in such manner as in the opinion of the returning officer is calculated to sufficiently identify such candidate. No objection to a nomination paper on the ground of the description of the candidate therein being insufficient or not being in accordance with these rules shall be allowed or deemed valid, unless such objection is made by the returning officer or by some other person at or immediately after the time of delivery of the nomination paper. The decision of the returning officer as to the sufficiency of any nomination paper shall be final.

Where one candidate only is nominated.

10. If at one o'clock in the afternoon of the day appointed for the election for any electorate one candidate only is duly nominated, the returning officer shall forthwith declare such candidate to be elected, and shall report such election to the Colonial Secretary, who shall cause the election to be published in the *Government Gazette*.

Withdrawal of candidate.

11. A candidate may before one o'clock on the day appointed for the election, but not afterwards, withdraw from the candidature by giving a notice to that effect signed by him to the returning officer.

Where more candidates than one are nominated.

12. If more candidates than one are duly nominated for any electorate, the returning officer shall adjourn the election for the purpose of taking a poll, and shall report to the Colonial Secretary the names of the candidates as described in their respective nomination papers.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Notice that poll will be taken.

13. Upon receipt of such report the Governor shall cause to be published in the *Government Gazette*, and also in such local newspapers as the Governor shall think fit, a notice specifying—

(*a*) The electorate for which a poll will be taken.

(*b*) The date on which the poll will be taken, which shall not be less than fourteen days later than the date of publication of the notice in the *Government Gazette*.

(*c*) The names of the candidates as described in their respective nomination papers and the names of their proposers and seconders.

(*d*) The places at which a poll will be taken, and the districts allotted to each, polling station.

Death of candidate before poll taken.

14. If after an election has been adjourned for the purpose of taking a poll, one of the candidates nominated shall die before the poll has commenced, the Governor shall, upon being satisfied of the fact of such death, countermand the notice for the poll, and shall appoint in manner prescribed by section 17 a fresh date for the election. In such case all proceedings with reference to the election shall be commenced afresh, provided that no fresh nomination shall be necessary in the case of a candidate who stood nominated at the time of the countermand of the poll.

Presiding officers.

15. The Governor shall appoint a person, in these rules called a "presiding officer," to preside at each polling station. Such presiding officer shall be supplied with a copy of the register of voters containing the voters residing in the district assigned to his polling station.

Restriction of voting to proper polling stations.

16. No person shall be admitted to vote at any polling station except the one allotted to him.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Time for opening and closing poll

17. Unless the Governor by notification in the *Government Gazette* appoints any other hour, the poll shall open at nine o'clock in the forenoon and shall close at five o'clock in the afternoon of the same day.

Duty of Presiding officers.

18. The presiding officer shall keep order in his station, and shall regulate the number of electors to be admitted at a time, and shall exclude all other persons, except the clerks, the agents of the candidates, and the constables on duty.

Form of ballot papers.

19. Every ballot paper shall contain a list of the candidates described as in their respective nomination papers, and shall be in the form C annexed to these rules, or as near thereto as circumstances permit, and shall be capable of being folded up. Each ballot paper shall have a number printed on the back, and shall have attached a counterfoil with the same number printed on the face.

Ballot boxes.

20. Every ballot box shall be so constructed that the ballot papers can be introduced therein, but cannot be withdrawn therefrom, without the box being unlocked.

Closing of ballot box.

The presiding officer immediately before the commencement of the poll shall show the ballot box empty to such persons, if any, as may be present in the polling station, so that they may see that it is empty, and shall then lock it up and place his seal upon it in such a manner as to prevent it being opened without breaking the seal ,and shall place it in his view for the receipt of ballot papers, and keep it so locked and sealed.

Delivering of ballot papers to voters.

21. Immediately before a ballot paper is delivered to a voter it shall be marked on both sides with an official mark, either stamped or perforated; and the number, name, and description of the voter, as stated

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

in the copy of the register of voters, shall be called out and the number of such elector shall be marked on the counterfoil and a mark shall be placed in the register against the number of the elector to denote that he has received a ballot paper, but without showing the particular ballot paper which he has received.

Manner of voting.

22. The elector on receiving the ballot paper shall forthwith proceed to a place screened from observation, which shall be provided by the presiding officer, and there mark his paper by placing the mark X opposite the name of the candidate whom he prefers, and fold it up so as to conceal his vote, and shall then put his ballot paper, so folded up, into the ballot box; he shall vote without undue delay, and shall quit the polling place as soon as he has put his paper into the ballot box.

Spoilt ballot papers.

23. A voter who has inadvertently dealt with his ballot paper in such manner that it cannot be conveniently used as a ballot paper may, on delivering to the presiding officer the ballot paper so inadvertently dealt with, and proving the fact of the inadvertence to the satisfaction of the presiding officer, obtain another ballot paper in the place of the ballot paper so delivered up (in these rules called a "spoilt ballot paper"), and the spoilt ballot papers shall be immediately cancelled.

Application for voting paper in name of person who has already voted.

24. If a person representing himself to be a particular voter named on the register applies for a ballot paper after another person has voted as such elector, the applicant shall, upon making and subscribing a declaration in the form hereafter provided, be entitled to mark a ballot paper in the same manner as any other voter, but the ballot paper (in this Ordinance called "a tendered ballot paper") shall be of a colour different from the other ballot papers; and instead of

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

presiding officer and indorsed by him with the name of the voter and his number in the register of voters, and set aside in a separate packet, and shall not be counted by the returning officer, and the name of the voter and his number on the register shall be entered on a list in these rules called the "tendered votes list."

*Form of Declaration.*

I, *A. B.*, of ————, solemnly and sincerely declare that I am the same person whose name appears as *A. B.*, No. ————, in the register in force for the ———— Electorate in the Electoral District of ————.

Witness: *C. D.*, (*Signed*) *A. B.*

Presiding Officer.

Despatch of Ballot boxes, &c., to returning officer.

25. The presiding officer of each polling station, as soon as practicable after the close of the poll, shall in the presence of the agents of the candidates make up into separate packets, sealed with his own seal and the seals of the agents of the candidates who desire to affix their seals—

(*a*) The ballot box, unopened, but with the key attached; and

(*b*) The unused and spoilt ballot papers placed together; and

(*c*) The marked copies of the register of voters and the counterfoils of the ballot papers; and

(*d*) The packet containing the tendered ballot papers and the tendered votes list—

and shall despatch such packets in safe custody to the returning officer.

*Counting Votes.*

Notice of time for counting votes.

26. The returning officer shall make arrangements for counting the votes in the presence of the agents of the candidates as soon as practicable after he has

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

received all the ballot boxes relating to any electorate, and for that purpose shall give notice in writing to the agents of the candidates of the time and place at which he will begin to count the votes.

Rejection of ballot papers.

27. Any ballot paper which has not on its back an official mark, or on which votes are given to more than one candidate, or on which anything except the number on its back is written or marked by which the vote can be identified, shall be void, and shall not be counted.

Marking rejected ballot papers.

28. The returning officer shall endorse "rejected" on any ballot paper which he may reject as invalid.

Tendered ballot papers

29. The returning officer shall not open the sealed packet of tendered ballot papers, but shall retain the same, unless it is required for the purposes of an inquiry under section 27.

Finality of decision of returning officer.

30. The decision of the returning officer as to any question arising in respect of any ballot paper shall be final.

Declaration of poll.

31. When the counting of the votes has been completed, the returning officer shall forthwith declare the candidate to whom the greatest number of votes is given to be elected. Provided that upon the application of any candidate or his agent a recount shall be made before the returning officer makes the declaration.

Equality of votes.

32. When an equality of votes is found to exist between any candidates, and the addition of a vote would entitle any of the candidates to be declared elected, the determination of the candidate to whom such one additional vote shall be deemed to have been given shall be made by lot in the presence of the returning officer in such manner as he shall determine.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Disposal of ballot papers after election.

33. Upon the completion of the counting, and after the result has been declared by him, the returning officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed, unless otherwise directed by order of the Governor.

Publication of election.

34. The returning officer shall without delay report the result of the election to the Colonial Secretary, who shall cause the name of the member elected to be published in the *Government Gazette*.

---

Form B (Rule 4).

Nomination Paper for ————* Electorate.

1. Name in full of candidate :————.
2. Address :————.
3. Occupation :————.
4. Name of Proposer :————.
5. Name of Seconder :————.

Signed by the above-named ———— (Proposer) in my presence this ———— day of ————, 191—.

*A. B.* (a Justice of the Peace or a Notary Public).

Signed by the above-named ———— (Seconder) in my presence this ———— day of ————, 191—.

*C. D.* (a Justice of the Peace or a Notary Public).

* Here insert description of Electorate.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Form C.

Form of Ballot Paper.

(*Front.*)

Counterfoil.

No. ——.

*Note.—The counterfoil is to have a number to correspond with that on the back of the ballot paper.*

1. *A. B.*, of ————.
2. *C. D.*, of ————.
3. *E. F.*, of ————.
4. *G. H.*, of ————.

(*Back.*)

No. ——.

Election for ———— Electorate, 191—.

———

*Note.—The number is to correspond with that on the counterfoil.*

Passed in Council the Twenty-eighth day of September, One thousand Nine hundred and Ten.

A. G. CLAYTON,
Clerk to the Council.

Assented to by His Excellency the Governor the Fifth day of October, One thousand Nine hundred and Ten.

H. L. CRAWFORD,
Acting Colonial Secretary.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

*APPENDIX B.*

See page 244

# THE CEYLON (LEGISLATIVE COUNCIL) ORDER IN COUNCIL, 1920.

## AT THE COURT AT BUCKINGHAM PALACE, THE 13TH DAY OF AUGUST, 1920.

*Present*:

THE KING'S MOST EXCELLENT MAJESTY.

LORD PRESIDENT. | SIR MAURICE DE BUNSEN.
LORD COLEBROOKE. | SIR HAMAR GREENWOOD.
SIR GEORGE GRAHAME.

Whereas by certain Letters Patent under the Great Seal of the United Kingdom of Great Britain and Ireland, bearing date at Westminster, the 24th day of November, 1910, and constituting the office of Governor and Commander-in-Chief of the Island of Ceylon and its Dependencies, His Majesty was pleased to make provision for the constitution of a Legislative Council in and for the Island of Ceylon, with the territories and dependencies thereof (which said Island, territories, and dependencies are hereinafter referred to as the Island):

And whereas it is expedient to alter the constitution of the Legislative Council of the Island with a view to conferring upon the Unofficial Members thereof increased powers and responsibility in, over, and in respect of the proceedings of the Council:

And whereas His Majesty has power, by and with the advice of His Privy Council, to pass laws in and for the Island:

Now, therefore, it is hereby ordered by His Majesty, by and with the advice of His Privy Council, as follows:—

### SHORT TITLE, PUBLICATION, AND COMMENCEMENT.

1. This Order may be cited as "The Ceylon (Legislative Council) Order in Council, 1920." It shall be published in the *Government Gazette*, and shall commence and come into operation on the date of such publication.



289012
Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## LEGISLATIVE COUNCIL ESTABLISHED.

2. From and after a date to be fixed by the Governor in Executive Council by Proclamation in the *Government Gazette* the present Legislative Council shall cease to exist, and in place thereof there shall be constituted a Legislative Council in and for the Island as in this Order provided.

## COMPOSITION OF COUNCIL.

3. The Council shall consist of fourteen Official Members and twenty-three Unofficial Members.

## OFFICIAL MEMBERS.

4. The Official Members of the Council shall be :—

(I). The following persons (herein referred to as *ex-officio* Members) :—

(1) The Senior Military Officer for the time being in command of His Majesty's regular troops in the Island if not below the rank of Captain in His Majesty's Army and

(2) The persons for the time being lawfully exercising the functions of the respective offices of—

(*a*) Colonial Secretary;

(*b*) Attorney-General;

(*c*) Controller of Revenue;

(*d*) Treasurer.

(II). Such other persons holding public office under the Crown in the Island not exceeding nine in number (herein referred to as Nominated Official Members) as may be appointed in the manner hereinafter provided.

## UNOFFICIAL MEMBERS.

5. The Unofficial Members of the Council shall be—

(1) Such persons, not holding public office under the Crown in the Island, and not exceeding three in number (herein referred to as Nominated Unofficial Members), as may be appointed in the manner hereinafter provided;



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(2) One person, who shall belong to the Mohammedan faith (herein referred to as the Mohammedan Member), and shall, until such time as the Governor in Executive Council under the provisions of this Order shall direct that he shall be elected, be appointed in the manner hereinafter provided to represent the Mohammedan community in the Island;

(3) Two persons, who shall be Kandyans (herein referred to as the Kandyan Members), and one person, who shall be an Indian (herein referred to as the Indian Member), and shall, until such time as the Governor in Executive Council under the provisions of this Order shall direct that they be elected, be appointed in the manner hereinafter provided to represent the Kandyan inhabitants of the Island and the Indian inhabitants of the Island, respectively;

(4) Sixteen persons to be elected as hereinafter provided (herein referred to as Elected Members).

## APPOINTMENT OF NOMINATED MEMBERS.

6. The Nominated Members of the Council shall be appointed according to the Instructions of His Majesty or by warrant or warrants under His Sign Manual and Signet or, provisionally, by the Governor in pursuance of the power hereby vested in him.

## PRECEDENCE OF MEMBERS.

7. (1) The *ex-officio* Members of the Council shall take precedence of the other Members, and shall rank among themselves in the order in which they are hereinbefore named (except that the Senior Military Officer, if he be below the rank of Lieutenant-Colonel in His Majesty's Army, shall take precedence in the said Council next after the person lawfully discharging the functions of Attorney-General in the Island).

2. The other Members shall rank amongst themselves in the order of date of their appointment or election, and two or more Members appointed or elected on the same day shall rank in the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

alphabetical order of their names. Provided always that every such Member reappointed or re-elected immediately on the termination of his term of office shall take precedence according to the date from which he has been continuously a Member of the Council.

## TENURE OF SEATS OF NOMINATED MEMBERS.

8. The Nominated Members of the Council shall hold their seats until the next dissolution of the Council after their appointment, unless previously removed by virtue of Instructions or warrant or warrants under His Majesty's Sign Manual and Signet, or suspended by the Governor under the power for that purpose hereby vested in him, but may be reappointed.

## PROVISIONAL APPOINTMENT OF NOMINATED MEMBERS.

9. (1) Whenever the number of Nominated Official Members shall be less than nine, or the number of Nominated Unofficial Members shall be less than three, or the number of Kandyan Members shall be less than two, or there shall be a vacancy in the office of Mohammedan Member or of Indian Member, the Governor may, by an Instrument under the Public Seal of the Island, appoint provisionally a Nominated Official Member or Members, or a Nominated Unofficial Member or Members, or a Kandyan Member or Members, or a Mohammedan or Indian Member, as the case may be, to be a Member or Members of the Council, provided that the number of Nominated Official Members, or of Nominated Unofficial Members, or of Kandyan Members, shall not exceed the number hereinbefore provided, and provided also that there shall not be more than one Mohammedan Member or more than one Indian Member, and provided further, that the power conferred by this clause upon the Governor shall cease as regards the appointment of Kandyan Members or of a Mohammedan or Indian Member as from the time when provision is made under this Order for the election of Kandyan Members or of a Mohammedan or Indian Member.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(2) Every such appointment may be disallowed or confirmed by His Majesty through one of His Principal Secretaries of State, and, until so confirmed, may be revoked by the Governor by an Instrument under the said Seal.

## PUBLIC OFFICERS BOUND TO ACT AS MEMBERS.

10. Any person holding a public office in the Island under the Crown may be required to serve as a Nominated Official Member of the Council, and if any such person having been appointed by His Majesty or by the Governor a Member shall decline to act in that capacity he shall *ipso facto* vacate his office.

## SUSPENSION OF NOMINATED MEMBERS.

11. (1) The Governor may, by an Instrument under the Public Seal of the Island, suspend any Nominated Member from the exercise of his functions as a Member of the Council.

(2) Every such suspension shall be forthwith reported by the Governor to one of His Majesty's Principal Secretaries of State, and shall remain in force unless and until either it shall be removed by the Governor by an Instrument under the said Seal, or it shall be disallowed by His Majesty through one of His Principal Secretaries of State, and such disallowance shall be published in the *Government Gazette*.

## GOVERNOR MAY APPOINT PROVISIONALLY TO TEMPORARY VACANCIES.

12. (1) Whenever any Nominated Member shall die or be suspended from the exercise of his functions as a Member of the Council, or if he shall, with the permission of the Governor, resign his seat by writing under his hand or be declared by the Governor by an Instrument in writing under the Public Seal of the Island to be incapable of exercising his functions as a Member of the Council, or be temporarily absent from the Island, or either permanently or temporarily become an *ex-officio* Member of the Council, the Governor may, by an Instrument under the Public Seal of the Island, appoint in his place some fit person to be provisionally a Member of the Council.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(2) The Governor shall without delay report to His Majesty for His confirmation or disallowance, through one of His Principal Secretaries of State, every such provisional appointment.

(3) Every such provisional appointment may be disallowed by His Majesty through one of His Principal Secretaries of State, or may be revoked by the Governor by any such Instrument as aforesaid.

(4) Every person so provisionally appointed shall be to all intents and purposes a Member of the Council until his appointment shall be disallowed, or revoked, or superseded by the permanent appointment of a Nominated Member of the Council, or until the person in whose place he has been appointed shall be relieved from suspension, or declared by the Governor by an Instrument under the Public Seal of the Island to be capable of exercising the functions of a Member of the Council, or shall return to the Island, or shall cease to be an *ex-officio* Member, as the case may be.

## QUALIFICATIONS OF ELECTED MEMBERS OF COUNCIL.

13. (I.) No person shall be capable of being elected a Member of Council, or, having been elected, shall sit or vote in the Council, who :—

(1) is the holder of any public office under the Crown in the Island; or

(2) is under 25 years of age; or

(3) is not a British subject; or

(4) is unable to speak, read, and write the English language; or

(5) is not qualified to be registered, and is not actually registered as a voter for some constituency; or

(6) has not been ordinarily resident within the area covered by the constituency in respect of which he is seeking election for a period of three years immediately preceding the date of his nomination as a candidate for election; or

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(7) is an uncertificated bankrupt or an undischarged insolvent; or

(8) has been dismissed from the Government service; or

(9) has been debarred from practising as a legal or medical practitioner by order of any competent authority; or

(10) does not possess one of the following qualifications, viz. :—

(*a*) A clear annual income of not less than 1,500 Rupees;

(*b*) The ownership of immovable property, either in his own right or in right of his wife (but not as lessee or usufructuary mortgagee), the value of which (after allowing for any mortgage debts thereon) is not less than 6,000 Rupees;

(*c*) The occupation as owner or tenant for the period of one year prior to the date of his nomination as a candidate for election of any house, warehouse, counting-house, shop, or other building (in this section referred to as qualifying property) of the annual value of not less than—

(i.) 500 Rupees if situated within the limits of any Municipal, Local Board, or Sanitary Board town, or of any Urban District Council; and

(ii.) 400 Rupees if situated elsewhere.

(II.) (*a*) The qualifying property need not be, throughout the year constituting the period of qualification, the same property, if the annual value is in no case less than 500 Rupees or 400 Rupees, as the case may be.

(*b*) The terms "house, warehouse, counting-house, shop, or other building" include any part of a building when that part is separately occupied for the purposes of any trade, business, or profession; and any such part may, for the purpose of describing the qualification, be described as office, chambers, studio, or by any like term applicable to the case.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(*c*) Where an occupier is entitled to the sole and exclusive use of any part of a building, that part shall not be deemed to be occupied otherwise than separately by reason only that the occupier is entitled to the joint use of some other part.

(III.) No person registered as a voter for the European Electorate (Urban), or for the European Electorate (Rural), or for the Burgher Electorate, or, if and when provision is made under this Order with respect to the election of Kandyan Members or of a Mohammedan or Indian Member, for the Kandyan, Mohammedan, or Indian Electorate, shall be capable of being elected a member for any of the constituencies mentioned in sub-heads (*f*) to (*p*), both inclusive, of clause 17 (1) of this Order, or having been elected shall sit or vote in the Council.

## PENALTY FOR UNQUALIFIED PERSON SITTING OR VOTING.

14. Every person who, having been returned as an Elected Member of the Council, but not having been at the time of his election qualified to be an Elected Member for the constituency for which he has been returned, shall sit or vote in the Council, shall for every day on which he sits or votes, and every person who shall sit or vote in the Council after his seat has become vacant shall, for every day on which he sits or votes after his seat has become vacant, be liable to a penalty of 500 Rupees, to be recovered by action in the District Court having jurisdiction where such person who has been returned as an Elected Member as aforesaid resides by any person who shall sue for the same.

## SEAT OF ELECTED MEMBER, HOW VACATED.

15. (1) If any Elected Member of the Council, shall, by writing under his hand, addressed to the Governor, resign his seat in the Council, or shall, without the leave of the Governor previously obtained, fail during a whole session of the Council to attend the Council, or shall make any declaration or acknowledgment of allegiance to any Foreign State or Power, or shall become a citizen or subject of any Foreign State or Power, or shall be adjudicated a bankrupt or insolvent, or shall be sentenced

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

in any part of His Majesty's Dominions to death or penal servitude, or to imprisonment for an offence punishable with hard labour or rigorous imprisonment for a term exceeding three months, or shall for the period of one month remain a party to any contract with the Government of the Island, or shall accept any public office under the Crown in the Island, his seat in the Council shall thereupon become vacant.

(2) Whenever it shall be shown to the satisfaction of the Governor in Executive Council that the seat of an Elected Member has become vacant, the Governor in Executive Council, shall, in manner hereinafter provided, appoint a date and place for the election of a Member to fill such vacancy.

OATH OF ALLEGIANCE TO BE TAKEN BY MEMBERS.

16. (1) No Member of the Council shall sit or vote therein until he shall have taken and subscribed the following oath before the Council :—

"I, *A. B.*, do swear that I will be faithful and bear true allegiance to His Majesty King George, His Heirs and Successors according to law.

"So help me God."

(2) Provided that every person authorized by law to make an affirmation or declaration instead of taking an oath may make such affirmation or declaration instead of the said oath.

CONSTITUENCIES.

17. (1) For the purpose of the election of Members to serve in the Council, the following constituencies shall be and are hereby created, viz. :—

(*a*) The European Electorate (Urban);
(*b*) The European Electorate (Rural);
(*c*) The Commercial Electorate;
(*d*) The Burgher Electorate;
(*e*) The Low-country Products Association Electorate;
(*f*) The Western Province (Division A);
(*g*) The Western Province (Division B);
(*h*) The Town of Colombo;

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(*i*) The Central Province;
(*j*) The Northern Province;
(*k*) The Southern Province;
(*l*) The Eastern Province;
(*m*) The North-Western Province;
(*n*) The North-Central Province;
(*o*) The Province of Uva;
(*p*) The Province of Sabaragamuwa.

(2) The Western Province (Division A) and the Western Province (Division B) shall include such portions of the Western Province (excluding the town of Colombo) as may be declared by the Governor in Executive Council by Proclamation in the *Government Gazette* to be included in such divisions respectively.

(3) One Member shall be elected for each constituency.

## ELECTORAL DISTRICTS AND REGISTERING OFFICERS.

18. (1) For the purpose of electing a Member to represent the European Electorate (Urban), the areas from time to time within the Municipal limits of the towns of Colombo, Kandy, and Galle shall respectively be electoral districts, and the Government Agents of the Western, Central and Southern Provinces shall respectively be registering officers for such electoral districts.

(2) For the purpose of electing Members to represent the European Electorate (Rural), the Burgher Electorate, and the several constituencies named in sub-heads (*f*) to (*p*), both inclusive, in sub-section (1) of the last preceding clause, each revenue district in the Island shall be an electoral district, and, subject to the exception contained in clause 20 of this Order with regard to the Burgher Electorate, the Government Agent, or Assistant, Government Agent, as the case may be, of such revenue district shall be the registering officer of such electoral district.

(3) For the purpose of electing a Member to represent the town of Colombo, each division into which such town is from time to time divided under the provisions of "The Municipal Councils Ordinance, 1910," or any Ordinance amending the same,

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

shall be an electoral district, and the Chairman of the Municipality thereof shall be the registering officer for every such electoral district.

(4) For the purpose of electing a Member to represent the Commercial Electorate and the Low-country Products Association Electorate, respectively, the Island shall be deemed to constitute a single electoral district in respect of each such electorate, and the Secretary of the Chamber of Commerce of Ceylon and the Secretary of the Low-country Products Association shall respectively be deemed to be registering officers in respect of each such electorate.

## ELECTION OF KANDYAN MEMBERS OR MOHAMMEDAN OR INDIAN MEMBER.

19. If and when the Governor decides that the Kandyan Members or the Mohammedan Member or the Indian Member shall be elected and shall cease to be nominated, the Governor in Executive Council may, by Proclamation in the *Government Gazette,* make such orders and give such directions, not inconsistent with the provisions of this Order, as are required for the purpose of the election of two Members to represent the Kandyans residing in the Kandyan Provinces as defined in such Proclamation, or of a Mohammedan Member to represent the Mohammedan community in the Island, or of an Indian Member to represent the Indians residing in the Island.

## SPECIAL REGISTERING OFFICER AND ADVISORY BOARD FOR BURGHER ELECTORATE.

20. (1) For the Burgher Electorate the Governor shall from time to time appoint a registering officer (styled the registering officer for the Burgher Electorate), who shall be resident at Colombo, and shall perform the duties of a registering officer for the Burgher Electorate with respect to all the electoral districts in the Island.

(2) The registering officer for the Burgher Electorate shall be assisted by a Board of not more than three persons nominated from time to time by the Governor, and holding office during the Governor's pleasure.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(3) It shall be the duty of such Board to advise and assist the registering officer in preparing the register of voters. The duties of the Board shall be advisory, and in the event of any difference between the registering officer and the Board, the opinion of the registering officer shall prevail.

## REGISTERS OF VOTERS.

21. For every electoral district separate registers of the persons entitled to vote for the election of members to represent the several constituencies hereinbefore specified shall be prepared and revised in the manner prescribed by the rules contained in Schedule I. to this Order.

## APPOINTMENT OF REVISING OFFICERS.

22. (1) The Governor may from time to time appoint such persons as he may think fit to perform the duties of revising officers under the rules contained in Schedule I. to this Order.

(2) The Governor shall assign to each officer the electoral district or districts for which he shall be the revising officer.

## REGISTERS OF VOTERS TO BE CONCLUSIVE EVIDENCE OF RIGHT TO VOTE.

23. The registers of voters for the time being in operation shall be conclusive evidence for the purpose of determining whether a person is or is not entitled to vote in an electoral district for the election of a member to represent the constituency to which such register relates.

## GENERAL DISQUALIFICATIONS OF VOTERS.

24. No person shall be qualified to have his name entered on any register of voters in any year if such person—

(*a*) is not a British subject; or

(*b*) is a female; or

(*c*) is not of the age of 21 years; or

(*d*) is unable to read and write English, Sinhalese, or Tamil; or

(*e*) has not resided in the electoral district to which the register relates for a period of one year prior to the thirty-first day of July in such year; or

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(*f*) has been sentenced in any part of His Majesty's Dominions to death or penal servitude, or to imprisonment for an offence punishable with hard labour or rigorous imprisonment for a term exceeding three months; or

(*g*) has been adjudged by a competent court to be of unsound mind; or

(*h*) does not possess one of the following qualifications,

(i.) A clear annual income of not less than Rs. 600;

(ii.) The ownership of immovable property, either in his own right, or in right of his wife (but not as lessee or usufructuary mortgagee), situate within the electoral district to which the register relates, for a period of one year prior to the thirty-first day of July in such year, the value of which, after allowing for any mortgage debts thereon, is not less than Rs. 1,500;

(iii.) The occupation as owner or tenant for the period of one year prior to the thirty-first day of July in such year of any house, warehouse, counting-house, shop, or other building (hereinafter referred to as qualifying property), situate within the electoral district to which the register relates, of the annual value of not less than—

(*a*) Rs. 400 if situated within the limits of any Municipal, Local Board, or Sanitary Board town, or of any Urban District Council;

(*b*) Rs. 200 if situated elsewhere;

Provided that the qualifying property need not be throughout the period of qualification the same property if the annual value is in no case less than Rs. 400 or Rs. 200, as the case may be, and if such property is in all cases situate within such area as aforesaid;

(iv.) The terms "house, warehouse, counting-house, or other building "include any part of a building when that part

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

is separately occupied for the purposes of any trade, business, or profession; and any such part may, for the purpose of describing the qualification, be described as office, chambers, studio, or by any like term applicable to the case; and

(v.) Where an occupier is entitled to the sole and exclusive use of any part of a building, that part shall not be deemed to be occupied otherwise than separately by reason only that the occupier is entitled to the joint use of some other part.

## QUALIFICATION OF JOINT OWNERS.

25. In the case of qualifying property possessed or occupied jointly by two or more persons, each such person not being a usufructuary mortgagee shall be qualified to have his name entered on the register of voters, provided the number of persons does not exceed the number obtained by dividing the annual value of such property by four hundred if it is situated within the limits of any Municipal, Local Board, or Sanitary Board town, or of any Urban District Council, and by two hundred if situated elsewhere.

## QUALIFICATION OF EUROPEAN (URBAN) VOTERS.

26. Any person of European descent, not otherwise disqualified, shall be qualified to have his name entered on the register of voters for the European (Urban) Electorate if he is resident within the Municipal limits of Colombo, Kandy, or Galle.

## QUALIFICATION OF EUROPEAN (RURAL) VOTERS

27. Any person of European descent, not otherwise disqualified shall be qualified to have his name entered on the register of voters for the European (Rural) Electorate if he is resident in Ceylon Outside the Municipal limits of Colombo, Kandy, or Galle.

## QUALIFICATION OF VOTERS FOR COMMERCIAL CONSTITUENCY.

28. Every member of the Ceylon Chamber of Commerce, not otherwise disqualified, shall be qualified to have his name entered on the register for the Commercial Electorate.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## QUALIFICATION OF BURGHER VOTERS.

29. Any person not otherwise disqualified, shall be qualified to have his name entered on the register of voters for the Burgher Electorate, if he—

(*a*) is the descendant in the male line of a European who on or before the Fifteenth day of February, 1796, was in the service or under the rule of the Dutch East India Company in Ceylon or is descended from any such descendant in the female line by marriage with a European; or

(*b*) is of legitimate birth, and is descended in the female line from any such descendant as aforesaid, and is able to speak, read, and write the English language.

## QUALIFICATION OF VOTERS FOR LOW-COUNTRY PRODUCTS ASSOCIATION ELECTORATE.

30. Every member of the Low-country Products Association, not otherwise disqualified, shall be qualified to have his name entered on the register for the Low-country Products Association Electorate.

## QUALIFICATIONS OF VOTERS FOR PROVINCIAL AND COLOMBO CONSTITUENCIES.

31. Any person, not otherwise disqualified, shall be qualified to have his name entered on the register of voters for any constituency mentioned in sub-heads (*f*) to (*p*) (both inclusive) of clause 17 (1) of this Order, unless he is registered as a voter under clauses 26 to 30 (both inclusive) of this Order.

Provided always that, notwithstanding anything in this clause contained, no Kandyan or Mohammedan or Indian shall be qualified to be registered as a voter so long as a Kandyan or a Mohammedan or an Indian Member is appointed under the provisions of this Order.

## RETURNING OFFICERS.

32. (1) The Governor shall from time to time appoint a fit and proper person to be the returning officer of each constituency and may at any time cancel any such appointment.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(2) If any returning officer shall, by sickness or other cause, be prevented or disabled from acting, or shall refuse or neglect to act at any election, the Governor may at any time appoint some fit and proper person to act in the place of such returning officer at such election.

(3) Every appointment of a returning officer shall be valid until his death, or until such appointment shall be cancelled by the Governor.

(4) Every appointment or cancellation of appointment of a returning officer shall be notified in the *Government Gazette*.

## NOTIFICATIONS OF ELECTION.

33. (1) For the purpose of every general election of Members of the Council, and for the purpose of the election of Members to supply vacancies caused by death, resignation, or otherwise, the Governor shall, by notification in the *Government Gazette*, appoint a convenient date, being not less than fourteen days after the publication of the notification.

(2) Every such notification shall specify the place or places of election.

## PROCEDURE AT ELECTIONS.

34. Such elections shall be by ballot, and shall be held in accordance with the procedure prescribed by the rules contained in Schedule II. to this Order.

## ELECTION PETITION.

35. (1) A petition complaining of an undue return or undue election of a Member of the Council, in this Order called an election petition, may at any time, within fifteen days of the publication of the result of such election in the *Government Gazette*, be presented to the Governor in Executive Council by any one or more of the following persons, that is to say :—

(i.) Some person who voted or had a right to vote at the election to which the petition relates;

(ii.) Some person claiming to have had a right to be returned or elected at such election;

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(iii.) Some person alleging himself to have been a candidate at such election.

(2) The Governor in Executive Council may appoint any person having judical experience to be a Commissioner to inquire into and report on the grounds on which the validity of any election is brought in question as aforesaid; and every such Commissioner shall have all the powers of a Commissioner appointed under Ordinance No. 9 of 1872.

(3) The Governor in Executive Council shall, after such inquiry, if any, as he may consider necessary, declare, by notification in the *Government Gazette,* whether the candidate whose election is questioned, or any or what other person is duly elected, or whether the election is void.

(4) If the election is declared void, the Governor shall by notification, in manner hereinbefore provided, appoint another date for the election of a Member for the constituency concerned.

(5) The Governor in Executive Council may from time to time make, alter, amend, or revoke rules for regulating the practice and procedure to be observed on election petitions.

## CORRUPT PRACTICE.

36. (1) No election shall be valid if any corrupt practice is committed in connection therewith by the candidate elected.

(2) The expression "corrupt practice" as used in this Order means any of the following offences, namely, treating, undue influence, bribery, and personation, as hereinafter set forth.

(3) A corrupt practice shall be deemed to be committed by a candidate if it is committed with his knowledge and consent, or by a person who is acting under the general or special authority of such candidate with reference to the election.

## NON-COMPLIANCE WITH RULES IN SCHEDULE II.

37. No election shall be invalid by reason of a non-compliance with the rules contained in Schedule II. to this Order if it appears that the election was conducted in accordance with the principles laid down in such rules, or that such non-compliance did not affect the result of the election.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

OFFENCES IN RESPECT OF NOMINATION PAPERS, &c.

38. (1) Every person who—

(*a*) forges or fraudulently defaces or fraudulently destroys any nomination paper, or delivers to the returning officer any nomination paper knowing the same to be forged; or

(*b*) forges or counterfeits or fraudulently defaces or fraudulently destroys any ballot paper or the official mark on any ballot paper ; or

(*c*) without due authority supplies any ballot paper to any person; or

(*d*) fraudulently puts into any ballot box any paper other than the ballot paper which he is authorized by law to put in; or

(*e*) fraudulently takes out of the polling station any ballot paper; or

(*f*) without due authority destroys, takes, opens, or otherwise interferes with any ballot box or packet of ballot

(2) Any attempt to commit an offence specified in this section shall be punishable in the manner in which the offence itself is punishable of either description for any term not exceeding six months.

(3) In any prosecution for an offence in relation to the nomination papers, ballot boxes, ballot papers, and marking instruments at an election, the property in such papers, boxes, and instruments may be stated to be in the returning officer at such election, as well as the property in the counterfoils.

INFRINGEMENT OF SECRECY.

39. (1) Every officer, clerk, and agent in attendance at a polling station shall maintain, and aid in maintaining, the secrecy of the voting in such station, and shall not communicate, except for some purpose authorized by law, before the poll is closed, to any person any information as to the name or number on the register of voters of any elector who has or has not applied for a ballot paper or voted at that station, or as to the official mark.

(2) No such officer, clerk, or agent and no person whosoever,

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

shall interfere with or attempt to interfere with a voter when marking his vote, or otherwise attempt to obtain in the polling station information as to the candidate for whom any voter in such station is about to vote or has voted, or communicate at any time to any person any information obtained in a polling station as to the candidate for whom any voter in such station is about to vote or has voted, or as to the number on the back of the ballot paper given to any voter at such station.

(3) Every officer, clerk, and agent in attendance at the counting of the votes shall maintain, and aid in maintaining the secrecy of the voting, and shall not attempt to ascertain at such counting the number on the back of any ballot paper, or communicate any information obtained at such counting as to the candidate for whom any vote is given in any particular ballot paper.

(4) No person shall directly or indirectly induce any voter to display his ballot paper after he shall have marked the same, so as to make known to any person the name of the candidate for or against whom he has so marked his vote.

(5) Every person who acts in contravention of the provisions of this section shall be liable, on summary conviction, to imprisonment of either description for any term not exceeding six months.

## PERSONATION.

40. Any person who at an election held under this Order applies for a ballot paper in the name of some other person, whether that name be that of a person living or dead or of a fictitious person, or who, having voted once at any such election, applies at the same election for a ballot paper in his own name, shall be guilty of the offence of personation, and shall be liable, on summary conviction, to imprisonment of either description for any term not exceedng six months.

## TREATING.

41. (1) Any person who corruptly by himself or by any other person, either before, during, or after an election, directly or indirectly gives or provides, or pays wholly or in part the expense

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

of giving or providing any meat, drink, entertainment, or provision to or for any person, for the purpose of corruptly influencing that person or any other person to give or refrain from giving his vote at the election, or on account of such person or any other person having voted or refrained from voting, or being about to vote or refrain from voting at such election, shall be guilty of the offence of treating, and shall be liable, on summary conviction, to a fine not exceeding five hundred rupees, and shall for seven years from the date of his conviction be disqualified from voting at any election under this Order and from being elected a Member.

(2) Every voter who corruptly accepts or takes any such meat, drink, entertainment, or provision shall also be guilty of the offence of treating, and shall be liable, on summary conviction, to the penalty hereinbefore in this clause specified, and shall be disqualified as therein provided.

## UNDUE INFLUENCE.

42. Every person who directly or indirectly, by himself or by any other person on his behalf, makes use of or threatens to make use of any force, violence or restraint, or inflicts or threatens to inflict, by himself or by any other person, any temporal or spiritual injury, damage, harm, or loss upon or against any person in order to induce or compel such person to vote or refrain from voting, or on account of such person having voted or refrained from voting at any election, or who by abduction, duress, or any fraudulent device or contrivance impedes or prevents the free exercise of the franchise of any voter, or thereby compels, induces, or prevails upon any voter either to give or refrain from giving his vote at any election, shall be guilty of the offence of undue influence, and shall be liable, on summary conviction, to the penalty specified in clause 41, and shall be disqualified as therein provided.

## BRIBERY.

43. (1) The following persons shall be deemed guilty of the offence of bribery, and shall be liable, on summary conviction, to the penalty specified in clause 41, and shall be disqualified as therein provided :—

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(*a*) Every person who directly or indirectly, by himself or by any other person on his behalf, gives, lends, or agrees to give or lend, or offers, promises, or promises to procure or to endeavour to procure, any money or valuable consideration to or for any voter, or to or for any person on behalf of any voter, or to or for any other person, in order to induce any voter to vote or refrain from voting or corruptly does any such act as aforesaid on account of such voter having voted or refrained from voting at any election under this Order;

(*b*) Every person who directly or indirectly, by himself or by any other person on his behalf, gives or procures, or agrees to give or procure, or offers, promises, or promises to procure or to endeavour to procure any office, place, or employment to or for any voter or to or for any person on behalf of any voter or to or for any other person, in order to induce such voter to vote or refrain from voting, or corruptly does any such act as aforesaid on account of any voter having voted or refrained from voting at any election under this Order.

(*c*) Every person who directly or indirectly, by himself or by any other person on his behalf, makes any such gift, loan, offer, promise, procurement, or agreement as aforesaid to or for any person in order to induce such person to procure or endeavour to procure the return of any person as a Member of the Legislative Council, or the vote of any voter at any election under this Order;

(*d*) Every person who upon or in consequence of any such gift, loan, offer, promise, procurement, or agreement procures, or engages, promises, or endeavours to procure, the return of any person as a Member of the Legislative Council, or the vote of any voter at any election under this Order;

(*e*) Every person who advances or pays or causes to be paid any money to or to the use of any other person, with the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

intent that such money or any part thereof shall be expended in bribery at any election under this Order, or who shall knowingly pay or cause to be paid any money to any person in discharge or repayment of any money wholly or in part expended in bribery at any such election.

Provided always that the aforesaid enactment shall not extend or be construed to extend to any money paid or agreed to be paid for on account of any legal expenses *bona fide* incurred at or concerning any election.

(2) The following persons shall also be deemed guilty of the offence of bribery, and shall be liable, on summary conviction, to the penalty specified in clause 41, and shall be disqualified as therein provided :—

(*a*) Every voter who, before or during any election under this Order, directly or indirectly, by himself or by any other person on his behalf, receives, agrees, or contracts for any money, gift, loan, or valuable consideration, office, place, or employment, for himself or for any other person, for voting or agreeing to vote or for refraining or agreeing to refrain from voting at any such election;

## POWER TO MAKE LAWS.

**44.** It shall be lawful for the Governor, with the advice and consent of the Council, to make laws for the peace, order, and good government of the Island.

## ASSENT TO LAWS.

**45.** No law made by the Governor, with the advice and consent of the Council, shall take effect until either the Governor shall have assented thereto in the name and on behalf of His Majesty, and shall have signed the same in token of such assent, or His Majesty shall have given his assent thereto by Order in Council or through one of His Principal Secretaries of State.

## DISALLOWANCE OF LAWS.

**46.** When the Governor assents to a law, he shall, by the first convenient opportunity, transmit an authentic copy in duplicate of the law to one of His Majesty's Principal Secretaries of State, and it shall be lawful for His Majesty, at any time within

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

two years after such copy shall have been received by the Secretary of State, to notify to the Governor his disallowance of such law through one of His Principal Secretaries of State, and every law so disallowed shall become null and void from and after the day on which the Governor shall signify such disallowance by Proclamation in the *Government Gazette*.

## BILLS RESERVED FOR SIGNIFICATION OF HIS MAJESTY'S PLEASURE.

47. (1) The Governor may reserve any Bill passed by the Council for the signification of His Majesty's pleasure thereon, and shall so reserve any such Bill by which any provision of this Order is repealed, altered, or amended, or which is in any way repugnant to or inconsistent with any of the provisions of this Order.

(2) A Bill so reserved shall take effect so soon as His Majesty shall have given his assent thereto, either by Order in Council or through one of His Principal Secretaries of State, and the Governor shall have signified such assent by Proclamation in the *Government Gazette*.

## INITIATION OF MONEY VOTES.

48. The Council shall not pass, nor shall the Governor assent to, any law, vote, or resolution imposing any tax or disposing of or charging any part of the public revenue, unless such law, vote, or resolution shall have been proposed by, or by the direction of, or shall have the express approval of, the Governor.

## WHO TO PRESIDE AT MEETINGS OF COUNCIL.

49. The Governor shall attend and preside in the Council, unless prevented by illness or other grave cause; and in his absence any Member of the Council appointed by him in writing, or, in default of such appointment, the Member present who stands first in order of precedence, shall preside.

## VOTING.

50. (1) Subject to the provisions contained in clause 52 of this Order, all questions proposed for decision in the Council shall be determined by a majority of the votes of the Members present and the Governor or other presiding Member shall have an original vote on all such questions, and also a casting vote if the votes shall be equally divided.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(2) The votes of the Members of the Council shall be taken in the order of precedence.

## POWER TO PREVENT BILL, &c., BEING PROCEEDED WITH.

51. Where any Bill has been introduced or is proposed to be introduced, or any amendment to a Bill or any resolution is moved or proposed to be moved, the Governor may certify or declare that the Bill or any clause of it, or the amendment, or the resolution, affects the safety or tranquillity of the Island or any part of it, and may direct that no proceedings or no further proceedings shall be taken by the Council in relation to the Bill, clause, amendment, or resolution, and effect shall be given to any such direction.

## QUESTIONS OF PARAMOUNT IMPORTANCE.

52. (1) If the Governor is of opinion that the passing of any Bill, or any clause of it, or of any amendment to any such Bill, or of any resolution or vote, is of paramount importance to the public interest, he may declare such Bill, clause, amendment, resolution, or vote to be of paramount importance.

(2) In any such case only the votes of the *ex-officio* Members and Nominated Official Members shall be recorded, and any such Bill, clause, amendment, resolution, or vote shall be deemed to have been passed by the Council if a majority of the votes of such *ex-officio* Members and Nominated official Members are recorded in favour of any such Bill, clause, amendment, resolution, or vote.

## GOVERNOR TO REPORT MEASURES PASSED UNDER POWERS CONFERRED UNDER CLAUSE 52.

53. The Governor shall forthwith report to one of His Majesty's Principal Secretaries of State every case in which he shall make any such declaration of opinion as is mentioned in clause 52 of this Order, with the reasons for his opinion.

## COUNCIL MAY TRANSACT BUSINESS NOTWITHSTANDING VACANCIES.

54. The Council shall not be disqualified for the transaction of business by reason of any vacancy or vacancies among the *ex-officio*, Nominated, or Elected Members.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## QUORUM.

55. No business, except that of adjournment, shall be transacted, unless there shall be present six Members, besides the Governor or Presiding Member.

## RULES TO BE OBSERVED BY COUNCIL.

56. Subject to the provisions of this Order, the Council, shall in the transaction of business and passing of laws, conform as nearly as may be to the directions as to the transaction of business and passing of laws by the now existing Legislative Council of Ceylon conveyed to the Governor of Ceylon in certain Instructions under His Majesty's Sign Manual and Signet, bearing date the Twenty fourth day of November ,1910, until otherwise provided by His Majesty, and to such further instructions under His Majesty's Sign Manual and Signet as may be hereafter addressed to the Governor in that behalf.

## STANDING ORDERS.

57. (1) The course of business and procedure and the preservation of order at meetings of the Council shall be regulated by the rules and orders set forth in Schedule III. to this Order.

(2) Subject to the provisions of this Order, and such Instructions as aforesaid, the Council may from time to time make rules and orders, to supplement the rules and orders set forth in Schedule III. to this Order, and may rescind, vary, or amend any such rules and orders as above referred to.

## SESSIONS OF COUNCIL.

58. The sessions of the Council shall be held at such times and places as the Governor shall from time to time, by Proclamation in the *Government Gazette,* appoint. There shall be at least one session of the Council in every year, and there shall not be an interval of twelve months between the last sitting in one session and the first sitting in the next session. The first session shall be held within six months after the publication of this Order in the *Government Gazette.*

## PROROGATION OR DISSOLUTION OF COUNCIL.

59. The Governor may at any time, by Proclamation, prorogue or dissolve the Council.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## DURATION OF COUNCIL.

60. The Governor shall dissolve the Council at the expiration of five years from the date of the publication in the *Government Gazette* or the return of the first Member elected at the last preceding general election, if it shall not have been sooner dissolved.

## TIMES OF FIRST AND SUBSEQUENT GENERAL ELECTIONS.

61. The first general election of Members of the Legislative Council shall be held at such time not more than six months after the publication of this Order in the *Government Gazette,* and a general election shall be held at such time within two months after every dissolution of the Council as the Governor shall, by Proclamation, appoint.

Provided always that the Governor may, by Proclamation, postpone the holding of the first general election under this Order for a further period not exceeding three months, if, in his opinion, it is not practicable to hold the same within the period of six months hereinbefore provided.

## INTERPRETATION.

62. (1) In this Order, unless the context otherwise requires—

(*a*) The term "the Governor" means the officer for the time being lawfully administering the Government of the Island;

(*b*) The term "the Council" means the Council hereby created;

(*c*) The term "persons holding public office under the Crown in the Island" and cognate expressions shall not include—

(i.) Persons in the employment of Municipal Councils, District Councils, Local Boards, Sanitary Boards, and Boards of Health, Provincial and District Committees, and Village Committees;

(ii.) Crown Proctors;

(iii.) Crown Advocates not being Crown Counsel.

(*d*) The term "British subject" includes persons who have been naturalized under any Act of the Imperial Parliament, or under any enactment of a British Possession, as well as the natural-born subjects of His Majesty;

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(*e*) The term "Kandyan" means a person subject to Kandyan law;

(*f*) The term "Indian" means any person who is a native of British India or of the territories of any Native Prince or Chief under the suzerainty of His Majesty exercised through the Governor-General of India or through any Governor or other officer subordinate to the Governor-General of India;

(*g*) The term "register of voters" or "register" means the register prepared in accordance with this Order of the persons qualified to vote at the election of a Member to represent any of the constituencies created under this Order;

(*h*) The term "Member" means a Member of the Legislative Council.

(2) In the construction of this Order the provisions of "The Interpretation Ordinance, 1901," shall, subject to the express provisions of this Order, and notwithstanding any provision to the contrary in such Ordinance, apply as if this Order were an Ordinance of the Legislative Council of the Island.

## POWER TO SUPPLEMENT RULES IN SCHEDULES I. AND II.

63. (1) The Governor in Executive Council may from time to time make rules to supplement the rules contained in Schedules I. and II. to this Order, or to rescind, vary, or amend any of such rules as above referred to.

(2) All rules so made shall be published in the *Government Gazette,* and shall thereupon, subject to the provisions of the next following sub-section, be as legal, valid, effectual, and binding as if they had been enacted in this Order.

(3) All rules made in pursuance of this section shall be laid as soon as conveniently may be before the Legislative Council; and if a resolution is passed within forty days of their being so laid before the Legislative Council praying that any such rule shall be annulled, such rule shall thenceforth be void, but without prejudice to anything done thereunder.

## POWER OF GOVERNOR IN EXECUTIVE COUNCIL TO MAKE ORDERS TO MEET DIFFICULTIES ARISING UNDER ORDER.

64. If any difficulty arises as to the first establishment of the Council after the commencement of this Order, or otherwise

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

in first giving effect to the provisions of this Order, the Governor in Executive Council, as occasion may require, may, by Order published in the *Government Gazette*, do anything which appears to him necessary for the purpose of removing the difficulty.

## POWER OF GOVERNOR IN EXECUTIVE COUNCIL TO DECIDE QUESTIONS.

65. The decision of the Governor in Executive Council on any question which may arise as to the intention, construction, or application of this Order and of the rules thereunder shall be final.

## POWER TO REVOKE AND AMEND ORDER.

66. His Majesty hereby reserves to Himself, His Heirs and Successors, power, with the advice of His or their Privy Council, to revoke, alter, or amend this Order as to Him, or them shall seem fit.

ALMERIC FITZROY.

## SCHEDULE I.

*Rules for the Preparation of Register of Voters.*

(Clause 21.)

### Preparation of First Registers.

### NOTICE INVITING CLAIM OF VOTERS.

1. (*a*) As soon as conveniently may be after the publication in the *Government Gazette* of this Order, a notification shall be published in the *Government Gazette* calling upon all persons desirous of having their names inserted in the register of voters for any constituency to forward their claims within one month from the publication of the notification.

(*b*) Claims relating to the Burgher, Commercial, Low-country Products Association, and Colombo Electorates shall be forwarded to the registering officer respectively of each such electorate, and claims relating to any other constituency to the registering officer of the electoral district within which the claimant resides.

(*c*) Every claim may be in the Form A appended to these rules; it shall be signed by the claimant, and shall contain the following particulars, namely:—

(i.) The constituency in respect of which the claim is made.

(ii.) The name in full of the claimant.

(iii.) The claimant's address and occupation.

(iv.) The claimant's age at his last birthday.

(v.) The qualifications in virtue of which a vote is claimed.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## PREPARATION OF REGISTER OF VOTERS.

2. Upon the expiration of the period limited by the preceding rule, it shall be the duty of the registering officers of the several electoral districts to prepare a separate register of voters for each of such districts.

## DUTIES OF REGISTERING OFFICERS AS TO INCLUSION OF NAMES ON REGISTER.

3. In preparing such registers, the registering officers shall, after inquiry, as may be necessary, include in the register the names of all persons who they consider are duly qualified to be registered as voters, whether such persons have or have not forwarded claims as provided by rule 1.

## REGISTERS FOR BURGHER ELECTORATE.

4. The registering officer for the Burgher Electorate, with the assistance of the Board referred to in clause 20 of this Order, shall prepare separate registers for each of the electoral districts in the Island.

## NOTICE OF COMPLETION OF REGISTERS.

5. On the completion of the registers, notice shall be given in the *Government Gazette* and in the principal newspapers circulating in the Island in the English language that the registers are completed, and that the registers, or copies thereof, are open for inspection at all reasonable hours of the day at the Kachcheries of the several electoral districts, or at such other places as shall be specified in the notice.

## CLAIMS AND OBJECTIONS.

6. (*a*) Every person qualified to have his name entered on the register for any constituency whose name is omitted from such register, and who claims to have it inserted therein (in these rules called "the claimant"), may apply to the registering officer to have his name inserted therein.

(*b*) Every person whose name appears in the register for any constituency, and who objects to the name of any other person or his own name appearing therein (in these rules called "the objector"), may apply to the registering officer to have such name expunged from the register.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(*c*) Every such application shall be made in writing within four weeks from the date of the publication of the notice referred to in rule 5, and shall set out the grounds of the application, and shall given an address for the receipt of notices.

(*d*) The registering officer shall hear all claims and objections which have been duly made in open court or office, giving ten clear day's notice of the holding of the inquiry by written notice to each claimant, objector, and to each person objected to, and shall also fix such notice in some conspicuous place of his court or office.

(*e*) The registering officer shall insert in the register the name of every person who has duly claimed to have his name inserted therein, and whose claim is proved to the registering officer's satisfaction.

(*f*) The registering officer shall retain in the register the name of every person objected to, unless the objector appears by himself or by some person duly authorized by him in this behalf in support of the objection. Where the objector so appears, the registering officer shall require proof of the qualification of the person objected to, and if within such reasonable time as the registering officer fixes in this behalf, or on the subsequent day, if any to which the hearing is adjourned, such person's qualification is not proved to the registering officer's satisfaction, he shall expunge his name from the register.

(*g*) In the case of claims with regard to the Burgher, Commercial, and Low-country Products Association, the registering officer may dispense with the attendance of the claimant, if the claim is, in his judgment, supported by sufficient documentary evidence.

7. (*a*) If any claimant or objector is dissatisfied with the decision of the registering officer, he may within ten days from the date thereof appeal to the revising officer.

(*b*) Every such appeal shall be in writing, and shall state shortly the ground of appeal. The revising officer shall hear such appeals in manner provided by rule 6 (*d*), 6 (*e*), and 6 (*f*), and his determination thereon shall be final and conclusive.

(*c*) When the revising officer has determined all the appeals which have been lodged with respect to any register, he shall

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

forward to the registering officer a statement under his hand of the names which he has decided shall be inserted in or expunged from the register, and the registering officer shall amend the register accordingly.

8. The registering officer then shall certify the register amended as aforesaid, and the certified register shall be the register in operation until a revised register has been prepared and certified in accordance with these rules.

### Annual Revision of Registers.

9. On or before the Fifteenth day of August, 1922, and thereafter on or before the fifteenth day of August in every succeeding year, a notification shall be published in the *Government Gazette* calling upon all persons desirous of having their names inserted in any register of voters to forward their claims to the proper registering officer before the fifteenth day of the succeeding month of September. Every claim shall contain the particulars specified in rule 1 (*c*), and shall be signed as therein required.

10. (*a*) The registering officer shall on or before the fifteenth day of the succeeding month of October prepare revised registers of voters, and notice of the completion of the register shall be given in manner provided by rule 5.

(*b*) In preparing such revised registers the registering officers shall include the names of all persons appearing entitled to have their names inserted therein, and shall expunge from the registers the name of any person who is dead or has become disqualified or has left the electoral district. The registering officer shall also correct any mistake or supply any omission which appears to have been made in the register.

11. (*a*) Claims and objections may be made with regard to the revised registers in the manner provided by rule 6 and within the time therein prescribed. Such claims shall be heard and determined by the registering officer in the manner provided by the said rule.

(*b*) Appeals may be made to the revising officer in the manner provided by rule 7, and the registering officer and the revising officer shall respectively proceed as therein provided.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(*c*) The registering officer shall certify the revised registers in manner provided by rule 8, and the registers so certified shall come into operation on the first day of January following the publication of the notice mentioned in rule 10 (*a*), and shall continue in operation until superseded by other revised registers.

(*d*) If any revised register is not prepared in due time, the register in operation immediately before the time at which the new register ought to have been prepared shall continue in operation until the new register is prepared.

FORM A (Rule 1).

To the Registering Officer of————.

I claim to have my name inserted in the list of persons entitled to vote for the election of a member to represent————.

The following are particulars of my qualifications :—

Name in full :————.

Address and occupation :————.

Age last birthday :————.

Qualifications* :————.

Dated the————day of————, 19—.

(*Signed*) *A. B.*,
Claimant.

* *E.g.*, in case of European (Urban) Electorate :—

1. I am of European descent
2. I have resided in the Electoral district of Colombo for a period of one year prior to the 31st day of July, 19—.
3. I am possessed of a clear annual income of not less than Rs. 600 (or as the case may be).
4. I am able to read and write English (*or* Sinhalese *or* Tamil, as the case may be).

## SCHEDULE II.

*Rules for the Election of Members.*

(Clause 34.)

1. Any person not ineligible for election under this Order may be nominated as a candidate for election.

[NOTIFICATIONS OF NOVEMBER 17, 1920, AND MARCH 22, 1921.]

2. *Each candidate shall be nominated by means of a separate nomination paper signed by two persons, whose names are on the register of voters for the electorate for which the candidate seeks election, as proposer and seconder respectively. Provided that in the case of the Commercial Electorate, the duly appointed representative of any company or firm under rule 21 of this Schedule may sign a nomination paper as proposer or seconder, and shall thereupon be deemed, for the purposes of these rules, to be proposer or seconder, as the case may be. The written consent of the candidate must be annexed to, or endorsed on, the nomination paper.*

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

3. The signatures of the proposer and seconder shall be attested by a Justice of the Peace or by a notary public.

4. Every nomination paper shall be in the Form A annexed to these rules.

5. The returning officer shall, at any time between the date of the notification published under clause 33 of this Order and one o'clock in the afternoon of the day of election, supply a form or nomination paper to any registered voter requiring the same; but nothing in these rules shall render obligatory the use of a nomination paper supplied by the returning officer, so, however, that the paper be substantially in the form prescribed by these rules.

[NOTIFICATION OF NOVEMBER 17, 1920.]

6. *Every nomination paper subscribed and attested as aforesaid must be delivered to the returning officer by the candidate or by his proposer or seconder on the day and at the place appointed for the election between* 12 *noon and* 1 *p.m.; and nomination papers which are not duly delivered within that hour shall be rejected.*

7. On the date appointed for the election of a member for any electorate, every candidate and his proposer and seconder and one other person selected by the candidate, and no person other than the aforesaid, shall, except for the purpose of assisting the returning officer, be entitled to attend the proceedings during the time appointed for the election.

8. The returning officer shall permit the candidates and their proposers and seconders and the person, if any, selected by the candidate as aforesaid to examine the nomination papers of candidates which have been received for their electorate.

9. Each candidate shall be described in the nomination paper in such manner as in the opinion of the returning officer is calculated to sufficiently identify such candidate. No objection to a nomination paper on the ground of the description of the candidate therein being insufficient or not being in accordance with these rules shall be allowed or deemed valid, unless such objection is made by the returning officer or by some other person at, or immediately after, the time of delivery of the nomination paper. The decision of the returning officer as to the sufficiency of any nomination paper shall be final.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

10. If at one o'clock in the afternoon of the day appointed for the election for any electorate one candidate only is duly nominated, the returning officer shall forthwith declare such candidate to be elected, and shall report such election to the Colonial Secretary, who shall cause the election to be published in the *Government Gazette*.

11. A candidate may before one o'clock on the day appointed for the election, but not afterwards, withdraw from the candidature by giving a notice to that effect signed by him to the returning officer.

12. If more candidates than one are duly nominated for any electorate, the returning officer shall adjourn the election for the purpose of taking a poll, and shall report to the Colonial Secretary the names of the candidates as described in their respective nomination papers.

13. Upon the receipt of such report the Governor shall cause to be published in the *Government Gazette*, and also in such local newspapers as the Governor shall think fit, a notice specifying—

(*a*) The constituency for which a poll will be taken.

(*b*) The date on which the poll will be taken, which shall be not less than fourteen days later than the date of publication of the notice in the *Government Gazette*.

(*c*) The names of the candidates as described in their respective nomination papers, and the names of their proposers and seconders.

(*d*) The places at which the poll will be taken, and the districts allotted to each polling station.

14. If after an election has been adjourned for the purpose of taking a poll one of the candidates nominated shall die before the poll has commenced, the Governor shall, upon being satisfied of the fact of such death, countermand the notice for the poll, and shall appoint in manner prescribed by clause 33 of this Order a fresh date for the election. In such case all proceedings with reference to the election shall be commenced afresh, provided that no fresh nomination shall be necessary in the case of a candidate who stood nominated at the time of the countermand of the poll.



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

[NOTIFICATION OF NOVEMBER 17, 1920.]

15. *The Governor shall appoint one or more persons, in these rules called "presiding officers," to preside at each polling station. Each presiding officer shall be supplied with a copy of the register of voters containing the voters residing in the district assigned to his polling station.*

16. No person shall be admitted to vote at any polling station except the one allotted to him.

17. Unless the Governor, by notification in the *Government Gazette,* appoint any other hour, the poll shall open at nine o'clock in the forenoon and shall close at five o'clock in the afternoon of the same day.

[NOTIFICATION OF NOVEMBER 17, 1920.]

18. *The presiding officer shall keep order in his station, and shall regulate the number of electors to be admitted at a time, and shall exclude all other persons, except the clerks, an agent for each candidate, and the constables on duty.*

19. (1) Every ballot paper shall contain a list of the candidates described as in their respective nomination papers, and shall be in the Form B annexed to these rules, or as near thereto as circumstances permit, and shall be capable of being folded up. Each ballot paper shall have a number printed on the back, and shall have attached a counterfoil with the same number printed on the face.

(2) The names and descriptions of the candidates shall, in the case of the constituencies referred to in sub-heads (*a*), (*b*), (*c*), and (*d*) of clause 17 (1) of this Order, be in English, and in the case of the other constituencies mentioned in the said clause be in English, Sinhalese, and Tamil.

20. Every ballot box shall be so constructed that the ballot papers can be introduced therein, but cannot be withdrawn therefrom without the box being unlocked.

The presiding officer, immediately before the commencement of the poll, shall show the ballot box empty to such persons, if any, as may be present in the polling station, so that they may see that it is empty, and shall then lock it up and place his seal upon it in such a manner as to prevent it being opened without breaking the seal, and shall place it in his view for the receipt of ballot papers, and keep it so locked and sealed.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

[NOTIFICATION OF NOVEMBER 17, 1920.]

21. *Immediately before a ballot paper is delivered to a voter it shall be stamped on the back or perforated with an official mark; and the number, name, and description of the voter, as stated in the copy of the register of voters, shall be called out, and the number of such elector shall be marked on the counterfoil, and a mark shall be placed in the register against the number of the elector to denote that he has received a ballot paper, but without showing the particular ballot paper which he has received.*

[NOTIFICATION OF DECEMBER 10, 1920.]

*In the case of a poll for the election of a member for the Commercial Electorate, the ballot paper shall be delivered, on his applying for the same, to the duly appointed representative of any company or firm which is registered as an elector for such constituency, and such representative shall, for the purposes of any of the provisions of these rules as to the manner of voting, be deemed to be an elector. The appointment of every such representative shall be in writing under the common seal of the company or under the name of the firm, as the case may be.*

22. The elector on receiving the ballot paper shall forthwith proceed to a place screened from observation, which shall be provided by the presiding officer, and there mark his paper by placing the mark X opposite the name of the candidate whom he prefers, and fold it up so as to conceal his vote, and shall then put his ballot paper so folded up into the ballot box; he shall vote without undue delay, and shall quit the polling place as soon as he has put his paper into the ballot box.

23. A voter who has inadvertently dealt with his ballot paper in such manner that it cannot be conveniently used as a ballot paper may, on delivering to the presiding officer the ballot paper so inadvertently dealt with, and proving the fact of the inadvertence to the satisfaction of the presiding officer, obtain another ballot paper in the place of the ballot paper so delivered up (in these rules called a "spoilt ballot paper"), and the spoilt ballot papers shall be immediately cancelled.

24. If a person representing himself to be a particular voter named on the register applies for a ballot paper after another person has voted as such elector, the applicant shall, upon

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

making and subscribing a declaration in the form hereafter provided, be entitled to mark a ballot paper in the same manner as any other voter, but the ballot paper (in this Order called "a tendered ballot paper") shall be of a colour different from the other ballot papers; and instead of being put into the ballot box, shall be given to the presiding officer and indorsed by him with the name of the voter and his number in the register of voters, and set aside in a separate packet, and shall not be counted by the returning officer, and the name of the voter and his number on the register shall be entered on a list, in these rules called the "tendered votes list."

FORM OF DECLARATION.

I, *A. B.*, of————, solemnly and sincerely declare that I am the same person whose name appears as *A. B.*, No.——, in the register in force for————.

Witness: *C. D.*, (*Signed*) *A. B.*
Presiding Officer.

25. The presiding officer of each polling station, as soon as practicable after the close of the poll, shall in the presence of the agents of the candidates make up into separate packets, sealed with his own seal and the seals of the agents of the candidates who desire to affix their seals—

(*a*) The ballot box, unopened, but with the key attached; and
(*b*) The unused and spoilt ballot papers placed together; and
(*c*) The marked copies of the register of voters and the counterfoils of the ballot papers; and
(*d*) The packet containing the tendered ballot papers and the tendered votes list—

and shall despatch such packets in safe custody to the returning officer.

COUNTING VOTES.

[NOTIFICATION OF NOVEMBER 17, 1920.]

26. *The returning officer shall make arrangements for counting the votes in the presence of an agent for each candidate as soon as practicable after he has received all the ballot boxes relating to any electorate, and for that purpose shall give notice in writing to the agent of each candidate of the time and place at which he will begin to count the votes.*

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

27. Any ballot paper which has not on its back an official mark, or on which votes are given to more than one candidate, or on which anything except the number on its back is written or marked by which the vote can be identified, shall be void, and shall not be counted.

28. The returning officer shall endorse "rejected" on any ballot paper which he may reject as invalid.

29. The returning officer shall not open the sealed packet of tendered ballot papers, but shall retain the same, unless it is required for the purposes of an election petition under clause 35 of this Order.

30. The decision of the returning officers as to any question arising in respect of any ballot paper shall be final.

31. When the counting of the votes has been completed, the returning officer shall forthwith declare the candidate to whom the greatest number of votes is given to be elected. Provided that upon the application of any candidate or his agent a recount shall be made before the returning officer makes the declaration.

32. When an equality of votes is found to exist between any candidates, and the addition of a vote would entitle any of the candidates to be declared elected, the determination of the candidate to whom such one additional vote shall be deemed to have been given shall be made by lot in the presence of the returning officer in such manner as he shall determine.

33. Upon the completion of the counting, and after the result has been declared by him, the returning officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed, unless otherwise directed by order of the Governor.

34. The returning officer shall without delay report the result of the election to the Colonial Secretary, who shall cause the name of the member elected to be published in the *Government Gazette*.

FORM A (Rule 4).

Nomination Paper for*————.

1. Name in full of candidate :————.
2. Address :————.
3. Occupation :————.
4. Name of proposer :—— ——.
5. Name of seconder :————.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Signed by the above-named————(proposer) in my presence this————day of————, 19—.

*A. B.* (a Justice of the Peace or a Notary Public).

Signed by the above-named————(seconder) in my presence this————day of————, 19—.

*C. D.* (a Justice of the Peace or a Notary Public).

* Here insert description of constituency.

FORM B.

**Form of Ballot Paper.**

*(Front.)*

Counterfoil.

No.——.

NOTE.—The counterfoil is to have a number to correspond with that on the back of the ballot paper.

1. *A. B.*, of————.
2. *C. D.*, of————.
3. *E. F.*, of————.
4. *G. H.*, of————.

*(Back).*

No.——.

Election for————, 19—.

NOTE.—The number is to correspond with that on the counterfoil.

## SCHEDULE III.

## RULES AND ORDERS OF THE COUNCIL.

(Clause 57.)

RULES AND ORDERS IN SPECIAL CASES.

*Usages of House of Commons.*

1. In all cases not herein provided resort shall be had to the rules, forms, usages, and practices of the Commons House of Parliament of Great Britain and Ireland, which shall be followed so far as the same may be applicable to this Council, and not inconsistent with the following Rules and Orders, nor with the practice of this Council.

MEETINGS.

*Times and Places of Sittings.*

2. (*a*) The Council shall hold its sessions at such times and places as the Governor shall from time to time appoint.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(*b*) Notice of the first meeting of each session shall be published in the *Government Gazette* at least three weeks before the day appointed for such meeting, and it shall be the duty of the Clerk of the Council to give not less than ten days' notice of such meeting to each member.

(*c*) The Council shall, meet on Tuesday, and Thursday in each week during the session, unless the Council otherwise decides.

(*d*) The Governor may also summon an Extraordinary Meeting of Council whether the Council be in session or not. Not less than seven days' notice of any such meeting shall ordinarily be given, but in cases of emergency such notice shall be given as the occasion may permit.

(*e*) The ordinary sitting of the Council shall begin at 2:30 in the afternoon, or at such other times as the Council may from time to time determine. Extraordinary sittings of the Council shall begin at such hour as the Governor may fix in giving notice thereof.

QUORUM.

3. Six members, exclusive of the President, Presiding Member, or Chairman, shall form a quorum.

ADJOURNMENT.

4. A meeting of the Council can be adjourned at any time by the President or Presiding Member, or by a vote of the majority of the members present.

PRESENCE OF STRANGERS.

5. Strangers may be present in the Council Chamber in the place set apart for them, but must withdraw when called upon to do so by the President (or Presiding Member), or, if the Council is in Committee, by the Chairman.

ORDER OF BUSINESS.

6. The business of the Council shall be transacted in the following order :—

(1) Confirmation of minutes of the last preceding meeting.
(2) Announcements.
(3) Petitions.
(4) Notices.
(5) Questions.
(6) Business of which notice has been given according to priority of notice, and as set down in the Orders of the Day.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## Conduct of Business.

### *Confirmation of Minutes.*

7. The minutes of each meeting shall be printed and circulated. At the next or some subsequent meeting the question shall be put that the minutes be confirmed. In the absence of objection or correction the minutes as printed shall be confirmed.

## Notices.

8. Notices of motions or questions can be given in Council, and if sent to the Clerk of the Council not less than two days before any meeting, they shall be included in the "Order of the Day." Every member, in giving such notice, shall deliver to the Clerk a copy of the proposed motion or question.

## Applications.

9. All applications to the Council shall be in the form of a petition, and every petition must be presented by some member, who shall be responsible for the same being in respectful language.

A member presenting a petition to the Council may state concisely the purpose of the petition.

## Petitions.

10. It shall be competent for any member to move that such petition be read. In making such motion he shall state concisely his reasons for wishing to have it read.

No debate shall be permitted on such motion nor shall any other member speak upon or in relation to such petition, except to second the motion formally.

Such motion being seconded, the question shall be put whether the petition shall be read.

## Questions.

11. Questions relating to public affairs may be put at the beginning of public business to the Colonial Secretary, or to any Official Member of Council on matters connected with his Department.

At least two days' notice shall be given of such question.

Every such question shall be put in writting, and a written reply shall be read by the member to whom the supplementary question is addressed.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

No member shall address the Council upon any question, nor shall the terms of any question contain any argument or expression of opinion or statement of fact, except in so far as may be necessary to explain such question.

"ORDER OF THE DAY."

12. The "Order of the Day" shall include all business to be transacted according to notice given and orders made, business remaining over from the previous meeting being put down first. Unless otherwise resolved, the business shall be taken in the order printed.

DEBATE ON NOTICE.

13. No debate shall take place on the giving of notice of any matter and no matter can be debated without notice, which unless otherwise specially ordered, must be given not less than two days previously.

This rule shall not be construed to extend to the exclusion of motions for amendments, or of motions for the adjournment of the Council or of the debate, or for referring any matter to a Committee, or of any motion the urgency of which is admitted by the President.

MOTION FOR ADJOURNMENT.

A motion for the adjournment of the Council, if supported by at least four members may be made at any time, and shall take precedence of all other business.

QUESTIONS FOR DEBATE.

14. Subject to the provisions of rule 15, it shall be competent for any member of Council to propose any motion on any matter of public interest, and such motion, if seconded by any other member, shall be debated and disposed of according to these rules.

MONEY VOTES OR BILLS.

15. No Bill, motion, vote, or resolution, the object or effect of which may be to dispose of or charge any part of the public revenue of the Colony, or to alter or vary any existing disposition or charge, shall be proposed except by the Governor, or with his allowance or by his direction.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

ADJOURNMENT OF DEBATE BY PRESIDENT.

16. It shall be competent for the President to adjourn a debate at any time.

VOTING.

*Votes how taken. Casting Vote of President.*

17. (1) The question shall be put by the President or Presiding Member, and the votes may be taken by voices, Ayes and Noes, and the result shall be declared by the President; but any member may call for a division, when the votes shall be taken by the Clerk, asking each member separately, how he desires to vote, and recording the votes accordingly.

(2) The President or Presiding Member shall have an original vote in common with the other Members of the Council, as also a casting vote if upon any question the votes are equal.

*Casting Vote of Chairman of Committee.*

18. When the Council is in Committee of the whole Council, the Chairman shall have an original vote in common with the other members, and also a casting vote if upon any question the vote shall be equal.

PROCEDURE AS TO BILLS.

*Introduction of Bills.*

19. Every Bill introduced into Council shall be read a first time without amendment or debate.

Every Bill shall be published in at least two consecutive issues of the *Government Gazette* before the same be read a first time, and a copy of the Bill shall be distributed to every member of the Council. Provided that Bills declared by the Governor to be urgent may be read a first time after one such publication.

Every Bill so published shall be accompanied by a printed statement, signed by the Attorney-General in the case of Government Bills, and by the mover in the case of Bills not submitted by the Governor, stating fully the objects of and reasons for the Bill.

On moving the first reading of every Bill, the mover shall give an exposition of its provisions.

*Precedence of Government Bills.*

20. Government Bills shall take precedence in the "Order of the Day" over all other Bills, unless the President or Presiding Member shall direct otherwise.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

*Bills affecting Private Persons.*

21. Where any Bill shall be proposed directly affecting the particular interest or benefit of any person, association, or corporate body, notice of the Bill shall be given by advertising a statement of its general nature and objects, at least one month before the first reading, in the *Government Gazette*, and also in at least one newspaper circulating in the Island. Such advertisement shall be in addition to the publication required by rule 19.

*Reading of Bills.*

22. A Bill may be "read" by reading the title of the Bill only.

*Second Reading.*

23. Notice must be given, immediately after its first reading of a second reading of a Bill if it is intended to proceed with the Bill at the subsequent meeting, or an interval of not less than seven days must elapse between the first and second reading.

*Debate on Second Reading. Record of Protest.*

24. On the second reading of a Bill the measure may be debated.

It shall be competent for any member who is in a minority to record the reason of his dissent from the opinion of the majority, and the same shall be sent in within a week entered by the Clerk at the end of the minutes of the day's proceedings.

*Committee on Bill.*

25. After its second reading, a Bill shall be referred to a Committee of the whole Council or to a Select Committee.

When a Bill has been referred to a Select Committee, no further proceedings shall be taken on the Bill until the Select Committee has reported thereon.

*Procedure in Committee.*

26. On a Bill being committed, the Committee shall discuss its several provisions and any proposed amendments, and may report progress from time to time as occasion may require.

*Reading Clauses in Committee.*

27. When the Council is in Committee, the Chairman of the Committee or the Clerk shall read the number or the marginal note of each clause in succession, but any member may require a clause to be read at length by the Clerk.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

*Amendments to Clauses in Committee.*

28. When the Council is in Committee any amendments may be made to a clause, or clauses may be debated or new clauses may be added, provided the same be relevant to the subject-matter of the Bill and be otherwise in conformity with the Rules and Orders.

*Principle of Bill.*

29. The principle of the Bill shall not be discussed in Committee, but only its details.

*Inconsistent Amendment.*

30. When the Council is in Committee, no amendment can be proposed inconsistent with any decision come to upon any previous part of the Bill without the leave of the Chairman.

*Amendment before Resumption.*

31. After a Bill has been read through in Committee, but before resumption, any member may, with the leave of the Council, move an amendment of any clause already passed.

*Re-committal.*

32. A Bill having passed through the Committee of the whole Council may be re-committed for further amendment.

*Third Reading.*

33. A Bill having passed through Committee of the Whole Council, or having been reported to the Council by a Select Committee, may forthwith be read a third time and passed, or if the Council so direct, the third reading may be postponed.

*Report of Select Committee.*

34. A Select Committee to which a Bill shall have been referred shall present a report to the Council explaining its recommendations, and if the said recommendations involve any amendments, a reprint of the Bill shall be attached to the report with all amendments printed in italics, and all deletions clearly indicated and a copy of the report and of the Bill so amended shall be distributed to every member of the Council.

*Presentation of Report.*

35. The report of a Select Committee shall be brought up by the Chairman, and may be ordered to lie upon the table, or be otherwise dealt with, as the Council may direct, but at the request of any member present shall be referred to a Committee of the whole Council.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

*Assent to Bill when passed.*

36. A Bill when passed shall be submitted to the Governor for his assent or otherwise.

*Bill returned to Council for Amendment.*

37. When a Bill passed by the Council is returned to the Council by the Governor for amendment, the Bill shall be re-committed for the consideration only of the amendments proposed. The Bill shall be re-submitted to the Governor with the amendments made therein should the Council approve of them.

*Record of Proceedings of Committee.*

38. The proceedings of a Committee of the whole Council shall be recorded in the minutes of the Council, and no report to the Council shall be required.

*When Bill deemed to be Withdrawn.*

39. If an interval of three calendar months shall elapse after any notice of motion is given, or after any reading of a Bill, without further action being taken on such motion or Bill, such motion or Bill shall be deemed to be withdrawn, unless the Council otherwise orders.

*Parties affected. Witnesses. Evidence.*

40. In any case where individual rights or interest may be peculiarly affected by any Bill, all parties so affected may be heard upon petition before the Council when in Committee, either in person or by counsel, provided that the latter is not a member of the Council.

When it is intended to examine any witnesses, the petitioner or member of the Council requiring such witnesses shall deliver to the Clerk, two days at least before the day appointed for their examination, a list containing the names, residence, and occupation of such witnesses.

The evidence of every witness shall be taken down and read over to the witness, who may then desire any correction to be made; and in case no such correction shall be made, the evidence shall stand as taken down, and not be altered afterwards.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## STANDING COMMITTEE.

### FINANCE.

*Finance Committee.*

41. There shall be a Standing Committee on Finance, of which the Colonial Secretary, the Controller of Revenue, and the Colonial Treasurer shall be *ex-officio* members, and all the Unofficial Members of the Council or such number of them as the Council shall from time to time determine shall be members. Of this Standing Committee, the Colonial Secretary shall be *ex officio* Chairman, and in his absence the next Senior Official Member.

*Sittings of Committee.*

42. The Standing Committee on Finance shall sit at such times as may be determined by the Chairman, not less than forty-eight hours' notice of each meeting being given to the members.

*Quorum.*

43. The Chairman and three Unofficial Members of the Standing Committee on Finance shall constitute a quorum.

*Committee to consider Votes for Supplementary or Unforeseen Expenditure.*

44. When the Council is not in session, or when the Council is in session but has been adjourned *sine die* or for a period exceeding twenty days, all votes entailing supplementary or unforeseen expenditure from public funds for which the sanction of the Legislative Council is necessary shall be considered by the Standing Committee on Finance.

*Chairman to present Report. Passing of Report.*

45. At each meeting of the Council it shall be the duty of the Chairman of the Standing Committee on Finance to present to the Council the report of the Committee detailing the items of expenditure, if any, approved by it since the Council last met, for which formal ratification is sought, and also any expenditure proposed to the Committee which has not received its approval.

Except when the report deals with expenditure proposed to, but not approved of by, the Committee, the question "that the report of the Standing Committee on Finance be adopted" shall be put without debate, unless at least three members present otherwise demand.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## SELECT COMMITTEES.

*Appointment and Chairman. Quorum.*

46. The member moving for the appointment of a Select Committee shall, in the absence of any special appointment by the President, be Chairman, and the Committee shall consist of such members as may be appointed by the President. With the addition of such members as may be suggested by the Council.

In the absence of the Chairman, the Senior Official Member on the Committee shall act as Chairman.

Unless the President otherwise directs, three members, or, if the number of the Select Committee does not exceed four, two members, shall form a quorum.

*Replacing Members.*

47. The President may from time to time, in case of the death or unavoidable absence of a member, appoint another member of the Council to take the place of such absent member on the Committee. The Chairman of a Select Committee shall have an original vote. If the votes cast be equally divided, he shall also have a casting vote.

*Continuance and Dissolution.*

48. A Select Committee may continue its investigations although the Council may be adjourned, and shall not be dissolved until the presentation to the Council of its report or by a motion of the Council.

*Member Dissenting.*

49. Any member dissenting from the opinion of a majority of a Select Committee may put in a written statement of his reasons for such dissent, and such statement shall be appended to the report of the Committee.

*Clerk's Services.*

50. Select Committees shall have a right to the services of the Clerk of the Council, and of a shorthand writer.

*Witnesses before a Select Committee.*

51. The provisions of rule 40 shall apply to the examination of witnesses before a Select Committee.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## Rules of Debate.

*President, Presiding Member, or Chairman to preserve Order.*

52. It shall be the duty of the President, Presiding Member, or Chairman to preserve order, and his decision on all disputed points of order shall be final.

*Naming of Members.*

53. (1) Whenever any member shall have been named by the President, Presiding Member, or Chairman, immediately after the commission of the offence of disregarding the authority of the Chair, or of abusing the rules of the Council by persistently and wilfully obstructing the business of the Council or otherwise, the President, Presiding Member, or Chairman shall forthwith put the question, on a motion being made (no amendment, adjournment, or debate of such motion being allowed) "that such member be suspended from the Service of the Council."

(2) If any member be suspended under this rule, his suspension on the first occasion shall continue for one week, on the second occasion for a fortnight, and on the third or any subsequent occasion for one month.

(3) Not more than one member shall be named at the same time, unless several members present together have jointly disregarded the authority of the Chair.

(4) If any member, or members acting jointly, who have been suspended under this rule from the service of the Council shall refuse, at any time during the period of suspension, to obey the direction of the President, Presiding Member, or Chairman to withdraw from the precincts of the Council Chamber, the President, Presiding Member, or Chairman may direct such steps to be taken as are required to enforce his decision.

*Irrelevance or tedious Repetition.*

54. The President, Presiding Member, or Chairman, after having called the attention of the Council or Committee to the conduct of a member who persists in irrelevance or tedious repetition either of his own arguments or of the arguments used by other members in debate, may direct the member to discontinue his speech.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

*Disorderly Conduct.*

**55.** (1) The President, Presiding Member, or Chairman shall order members whose conduct is grossly disorderly to withdraw immediately from the Council Chamber during the remainder of the day's sitting, and may direct such steps to be taken as are required to enforce his order.

(2) If on any occasion the President, Presiding Member, or Chairman deems that his powers under this rule are inadequate, he may name such member or members in pursuance of rule 53.

*Duty to obey Order of Suspension or Withdrawal.*

**56.** Members who are suspended under rule 53, or are directed to withdraw under rule 55, shall forthwith withdraw from the precincts of the Council Chamber.

*Power to adjourn Council or Committee.*

**56.** In the case of grave disorder arising in the Council or Committee, the President, Presiding Member, or Chairman, as the case may be, may, if he thinks it necessary to do so, adjourn the Council or Committee without question put, or suspend any sitting for a time to be named by him.

*Rules for Members Speaking.*

**58.** In speaking to any proposition under consideration of the Council or a Committee of the whole Council, the following rules shall be strictly observed :—

(i.) Every member shall address his observations to the President, Presiding Member, or Chairman, and shall speak standing.

(ii.) He shall not be interrupted, unless out of order.

(iii.) When he has finished his observations he shall resume his seat, and any other member wishing to address the Council or Committee may rise.

(iv.) If two members rise at the same time, the President, Presiding Member, or Chairman will call on the Member who first catches his eye.

(v.) Every member must confine his observations to the subject under consideration.

(vi.) No member shall impute improper motives to any other member.

(vii.) All personalities shall be avoided.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(viii.) A member may speak to the question before the Council or upon any amendment proposed thereto.

(ix.) No member shall speak more than once on any proposition before the Council, except in explanation or to order, or when the Council is in Committee, or as is provided by (xi.),

(x.) By the indulgence of the Council a member may explain matters of a personal nature although there be no question before the Council, but such matters may not be debated, and he must confine himself strictly to the vindication of his own conduct.

(xi) The mover of any resolution or motion may reply after all the other members present have had an opportunity of addressing the Council and before the question is put.

(xii.) Any member of the Council deviating from the rules may be immediately called to order by the President, Presiding Member, or Chairman, or by any other member of the Council or Committee rising to a point of order.

*English Language to be used.*

**59.** The business of the Council shall be conducted in English.

*Motion or Amendment to be Seconded.*

**60.** The mover of any motion or amendment may speak in support thereof; but no further debate shall be allowed, whether the Council be in Committee or not, until the motion or amendment be duly seconded.

*Amendments to be in Writing.*

**61.** Every amendment shall be put in writting and handed to the Clerk by the member proposing it.

*Debate ceases when Question fully put.*

**62.** No member may speak to any question after the same has been fully put by the President, Presiding Member, or Chairman. A question is fully put when the voices of both the Ayes and of the Noes have been given thereon.

*Recording of Votes.*

**63.** On any question being put either in Council or in Committee of the whole Council or in Select Committee, every member present shall, unless he expressly states that he declines to vote, record his vote either for the Ayes or Noes.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

In the event of a member stating that he declines to vote, the Clerk shall enter his name upon the minutes as having declined to vote.

*Member not Explaining or Retracting.*

64. Any member having used objectionable words and not explaining or retracting the same, or offering apologies for the use thereof to the satisfaction of the Council, shall be censured or otherwise dealt with as the Council may think fit; and any member called to order shall sit down, unless permitted to explain.

*Finality of Result of Questions.*

65. When a question for debate has been proposed, debated, and disposed of, it shall not be competent to any member, without special leave of the President, again to propose such question within six months.

*Seconding of Motion.*

66. Any member may second a motion or amendment by rising in his place and bowing to the Chair, without prejudice to his right to speak at a later period of the debate.

*Question must be Seconded.*

67. No question shall be deemed to have been submitted for debate until it shall have been proposed and seconded.

*Withdrawal of Motion.*

68. A member who has made a motion may withdraw the same by leave of the Council.

*Re-introduction of Motion.*

69. A motion which has been withdrawn may be made again at any time during the session; but no motion shall be proposed which is the same in substance as any motion which during the same session, shall have been resolved in the affirmative or negative.

*Speech not to be Read.*

70. A member shall not read his speech, but he may read extracts from written or printed papers in support of his argument.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

*Decision of Questions of Order.*

71. When the question of order has been stated, the member who raises it shall resume his seat, and no other member, except by leave of the President, Presiding Member, or Chairman, shall rise till the President, Presiding Member, or Chairman has decided the question, after which the member who was addressing the Council or Committee at the time the question was raised shall be entitled to proceed with his speech, giving effect to the ruling of the Chair.

*President, Presiding Member, or Chairman speaking.*

72. When the President, Presiding Member, or Chairman is addressing the Council or Committee, any member then standing shall immediately resume his seat.

SUSPENSION OF RULES AND ORDERS.

*Suspension of Standing Rules.*

73. Any one or more of these Standing Rules and Orders may be suspended by a majority of members present at any meeting to enable any special business to be considered or disposed of.

UNOFFICIAL MEMBERS' BILLS.

74. Any member desiring to introduce a Bill other than a Government Bill shall apply to the Council for leave to do so, stating at the same time the object and leading features of such Bill.

*Introduction.*

75. Every such application shall be made in the form of a motion, and the member making such application shall at the same time deliver to the Clerk a copy of his motion containing the title of his proposed Bill.

*Copy to be delivered to Clerk.*

76. Leave being granted on a question put and carried, the member desirous of introducing such Bill shall deliver a copy thereof to the Clerk, and a day shall thereupon be fixed for the first reading thereof.

*Publication.*

77. The Bill shall thereupon be published in the *Government Gazette*, and circulated amongst the members, and dealt with as herein before provided with respect to Bills generally.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## *APPENDIX C.*

See Page 245

# PROCEEDINGS OF A DEPUTATION WHICH WAITED ON HIS EXCELLENCY THE GOVERNOR AT QUEEN'S HOUSE ON MONDAY, 29TH NOVEMBER, 1920. AT 10 A.M. IN CONNECTION WITH CERTAIN MATTERS CONNECTED WITH THE RECONSTITUTION OF THE LEGISLATIVE COUNCIL.*

---

The following gentlemen composed the deputation :—

MR. JAMES PEIRIS,
MR. E. W. JAYAWARDENE,
MR. E. J. SAMARAWICKREME,
MR. D. B. JAYATILLAKA, AND
MR. G. A. WILLE,

The Honourable the Colonial Secretary and the Attorney General were also present.

MR. JAMES PEIRIS, who acted as spokesman, said that they were pleased to have that opportunity of discussing the question of reform with His Excellency. They had already explained their position fully to Mr. Gollan, and he believed that Mr. Gollan had already submitted a memorandum containing their views to His Excellency. They would be glad to know His Excellency's views in regard to the proposals contained in that memorandum.

HIS EXCELLENCY, said that the first request in the memorandum was that he should give a definite assurance that amendments to the Standing Orders in Schedule 3 relating to the limitation of speeches and the time allowed for discussion should be left to the

* This is the shorthand report of the interview forwarded by the Attorney-General Hon'ble Mr. H. C. Gollan to Mr. James Peiris along with memorandum II (p. 8) dated 1st December, 1920.



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

decision of the majority of the Unofficial side of the Council. He had no objection whatever to acceding to that request, but he pointed out the necessity for economising time as much as possible, contrasting the time taken by Parliament in discussing an extremely important subject like the Dyer case, with the time taken in the Ceylon Legislative Council in discussing questions of much less importance. If they were not going to limit the duration of speeches, he suggested that a certain period of time should be assigned for the discussion of certain resolutions. The Council would say :—"You propose to devote a day or two days to the discussing of this subject, and the motion must be put to the Council within that period." His Excellency said that his intention was to appoint a Committee to deal with the Standing Orders in so far as they can do so without coming into conflict with the Order in Council.

His Excellency then proceeded to deal with the next request made by the deputation, which was that the property qualification shall be made an alternative for the residential qualification for candidates. He noticed that the deputation were strongly of opinion that this question should not be left to be decided by the votes of the unofficial members in the new Council, but he reminded them that the present Council was in favour of the residential qualification as set out in the Order in Council.

Mr. James Peiris, remarked that it was the electors who were strongly opposed to it, and they were the people who were really concerned. If undesirable persons got into the Legislative Council under existing qualifications there was the possiblity of their opposing any measures which would result in their being ousted by others.

His Excellency, reiterated his point that judging by the speeches made at the last meeting of the Council, the feeling among the unofficial members seemed to be that the residential qualification was a good one. The members who would be returned for the Provinces in the new Council would want to defend their position. They would say :—"We enjoy the confidence of those who elected us. Why do you want to create a

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

condition of affairs which might enable others to come in from outside and oust us?"

MR. JAMES PEIRIS, said that in the case of certain Provinces like the North-Central and the Uva it would be difficult to get good men.

HIS EXCELLENCY was of opinion that a resolution embodying the views of the deputation should be placed before the Legislative Council and debated upon. The Legislative Council would probably negative the proposal. He would then ask those who had the opposite view to place before him a very clearly reasoned statement showing that although the Legislative Council was opposed to any modification of the residential qualification, still there were those outside and in the Council who were of opinion that such a modification was necessary, for reasons to be set out by them. His Excellency would then lay the pros and cons of the whole case before the Secretary of State.

MR. JAMES PEIRIS pointed out that owing to the residential qualification there was only one seat—or two, if the Low-Country Products Association seat was counted—available, for residents of Colombo. There were many men who had migrated into Colombo from the districts to better themselves or to form business connections—in the case of Jaffna, for instance, some of the best men were in Colombo.

HIS EXCELLENCY remarked that he would be able to judge of the soundness of that argument after seeing the members who would be returned to the new Council.

MR. JAMES PEIRIS said they understood His Excellency's position and they would give consideration to the suggestion.

HIS EXCELLENCY said that he was not in a position to say whether the arguments put forward by the deputation or those put forward by the other side were correct. They would have to watch the working of the new constitution very carefully and form their conclusions at the end of a year or so. In the meantime, he would keep a perfectly open mind. They did not

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

want in Council men who come there merely for the honour of the thing, but men who could tell Government what the wants and aspirations of the people were.

MR. WILLE enquired whether this matter would be considered in a year's time.

HIS EXCELLENCY replied that it would be considered after the Council had sat for a reasonable time.

HIS EXCELLENCY said that as regards the Western Province, the deputation also urged in their memorandum that for purposes of qualification of candidates, the Western Province should be treated as a unit, that is to say, residence in the city of Colombo should be regarded as qualifying candidates to sit for either division of the Western Province, His Excellency was prepared to accede to that request at once, because he recognised that the Western Province was treated somewhat differently to the other Provinces.

MR. JAMES PEIRIS enquired whether it was possible under the powers given to the Governor to make that alteration at once.

THE HON. THE ATTORNEY GENERAL pointed out that the Order in Council specifically states that only a person qualified by residence shall be a candidate. The proposal made involved an alteration in the express provisions of the Order-in-Council, and it could not be done without a new Order in Council.

HIS EXCELLENCY said that that being so he was not prepared to recommend any amendment to the Order in Council until it had been given a fair trial, but he saw no reason why the suggested amendment should not be made in due course.

HIS EXCELLENCY then dealt with the next suggestion of the deputation, which was that clause 51 of the Order in Council shall be repealed. A great deal of misconception existed in regard to that clause. There was no intention whatever of stifling discussion on any subject except in times of national emergency when it might be necessary to prevent the discussion of matters which might be of use to the enemy. He had not the least doubt that if the Governor of this Colony told a member that

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

the resolution which he intended moving was an undesirable one in the circumstances existing at the time, not only he but the rest of the members would agree that a discussion on that subject should not taken place. But in Legislative Councils of other countries there were members of the firebrand description, whose one object was to introduce into the Council and endeavour to debate on subjects which would cause grave embarrassment to the Council. Unless, therefore, there was some power like that embodied in section 51, the Governor would be powerless unless he adjourned the Council. He did not think that such a condition of affairs would ever arise in this country, the people of which were anxious to assist the Governor as much as possible, and he was therefore prepared to recommend to the Secretary of State the deletion of clause 51 on the understanding that should circumstances arise which necessitate the re-enactment of this clause, it shall be re-enacted forthwith. His Excellency assured the deputation that there was no intention to reflect upon the loyalty and good sense of the people of this country. It was merely there to meet cases of emergency that might arise. He was sure that in the present Council or in the reformed Council, if a member did move a resolution or spoke to a resolution which was against the good feeling and sense of decency of the rest of the members of the Council, they would do what is done in the House of Commons—cry out 'Order! Order!' until the offending member sat down. His Excellency repeated his assurance that he would recommend to the Secretary of State that clause 51 be deleted, on condition that it will be re-inserted should circumstances render this necessary.

His Excellency then dealt with the last suggestion of the deputation, which was that any amendments agreed to will be taken in hand within a reasonable time. He was quite prepared to give them that assurance, which was absolutely in consonance with what he had said in the Legislative Council, viz that when the Order in Council had been given a fair trial and its deficiencies laid bare he was ready to approach the Secretary of State and to

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

recommend the necessary amendments. But that did not mean that these steps would be taken in a fortnight. After the Council had been sitting for about a year, and they had had time to see how the order in council worked, and to decide what its deficiencies were and how it should be improved, then he would be quite prepared to recommend to the Secretary of State that it should be amended to meet the new situation. That would mean that as soon as the new Order in Council was passed, the first session of the reformed Council would be dissolved, and a general election under the new conditions would take place. He would not go further than that.

MR. JAMES PEIRIS said that he understood that His Excellency was prepared to give due weight to the opinions of the elected members.

HIS EXCELLENCY said that he would naturally give every possible consideration to the views of the elected members. As far as he could say, there was only one proposal put forward by the deputation which he found some difficulty in acceding to, and that he would place before the Secretary of State, with a statement of the pros and cons.

MR. JAMES PEIRIS said that they were entirely in favour of the suggestion put forward by the deputation, because it was to their interest to have the best men in Council.

HIS EXCELLENCY said that it was equally to the interest of Government to have the best men to advise them, not those who are only *interested* in the Provinces, but those who also *know* the Provinces, who know the aspirations of the people and what their requirements are as to roads, bridges and hospitals.

MR. JAMES PEIRIS pointed out that hitherto a member had really to speak for the whole island, whereas under the new constitution, he would, whether he resided in Colombo or elsewhere, have to make himself acquainted with only the province he represents, and he would serve his constituents much more effectually. That was why they asked for territorial representation.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

HIS EXCELLENCY repeated that they could only go to the Secretary of State after the new constitution had been given a trial for about a year, when they would be able to take stock of their position.

MR. JAMES PEIRIS said that they would lay a statement of what had transpired that day before their Committee and it would then be necessary to call a session of the Congress and come to a decision. If the Committee supported them, he thought they would be able to carry the matter through Congress. There was also one matter which had to be put before the Committee, and that was the residential qualification.

HIS EXCELLENCY then referred to the position of the Low-Country Products Association in regard to the new constitution. After discussion they had come to the conclusion that there was a differentiation between the case of the Low-Country Products Association *vis-a-vis* the mercantile representation in the Legislative Council given through the Chamber of Commerce. In the case of the Chamber of Commerce individuals did not register themselves as voters, but the firms registered themselves and the result was that individuals did not lose their right to vote either for the Rural or the Urban Constituencies. It was different with the Low-Country Products Association.

If a person was put on the Low-Country Products Association register he forfeited his right to be put on the register of any other constituency. That was a differentiation which should not exist, and His Excellency said that he intended recommending to the Secretary of State that the Order in Council on that point should be amended when the other amendments are made. If a deputation of the Low-Country Products Association had only come and seen him, this difficulty could have been got over—as it can be got over now—by at least three of the members of the Association registering themselves. These three will lose their votes in respect of the territorial constituency to which they belong, but the remainder of the members will retain their vote. The Low-Country Products Association can then, by ballot, if

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

they choose, select a candidate for representation in the Legislative Council. All that has to be done then is for him to be nominated by the three who have registered themselves as voters.

MR. JAMES PEIRIS, said that the members of the Low-Country Products Association felt very strongly as regards Section 51. Anyway, he would like to know what could be done.

HIS EXCELLENCY said that he understood that no member of the Low-Country Products Association had registered, but by the Order in Council any member of that body who found that his name had not been registered could up to a certain date and month demand that his name be registered, or he could, on the other hand, if he found that somebody had registered himself, demand the scrutiny of the reasons why that person registered where his qualifications are such that he has a right to register. Therefore under the rules in the Order in Council, three can register. The Association by means of a ballot can select a member out of the three who have registered when the time for election comes.

THE HON. THE ATTORNEY GENERAL said that they would simply nominate him. There would be no contested election.

MR. JAMES PEIRIS said that he would bring this matter to the notice of the members of the Low-Country Products Association and the other matters before his Committee and get a decision. He thanked His Excellency for receiving them and explaining matters.

HIS EXCELLENCY said that nothing would give him greater pleasure than to hear that they had come to a decision which would put an end to a state of affairs which he thought was not good for the welfare of the country or for the people.

The deputation then withdrew.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## II.

### Memorandum of Hon. Mr. H. C. Gollan dated 1st December, 1920, Containing a Summary of H. E. the Governor's Views as Conveyed to the Deputation on 29th November, 1920.

On Monday, 29th November, His Excellency the Governor received a deputation consisting of Messrs. James Peiris, E. W. Jayawardene, E. J. Samarawickreme, D. B. Jayatilaka and G. A. Wille at Queen's House.

There were also present the Hon'ble the Colonial Secretary and the Hon'ble the Attorney-General.

The deputation was shortly introduced by Mr. James Peiris who asked His Excellency for a pronouncement on certain points which he understood had been submitted to him by the Attorney-General; and His Excellency was pleased to communicate to the deputation the following decisions:—

1. His Excellency expressed his intention of appointing a Committee of the new Council, soon after its first meeting, to consider the Standing Orders in Schedule III to the Order in Council. In particular His Excellency gave an assurance to the deputation that the matter of the Standing Orders dealing with the limitation of speeches and of the time allowed for discussion would be left to the decision of the Unofficial side of the Council.

II. With respect to the representations made by the deputation as to the residential qualification for candidates, His Excellency stated:—

(a) He gave the assurance that he was prepared to recommend that the Order in Council should be amended so as to allow of candidates residing in any portion of the Western Province being eligible for any one of the constituencies included within that Province;

(b) As regards providing for a property qualification as an alternative to residence, he was prepared to submit the views of the deputation, and those of supporters of the residential qualification, to the Secretary of State for his decision.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

III. As regards clause 51 of the Order in Council, His Excellency explained that its provisions were only intended to be applied in times of grave emergency, and that therefore it was improbable that those provisions would ever be brought into operation in Ceylon; but that as they were regarded as a slur on the loyalty of the Colony, he was prepared to recommend to the Secretary of State the elimination of the clause: provided that it was clearly understood that, if experience in the future proved that it was required, Government would be free to take measures for its re-enactment.

IV. His Excellency stated that, in view of the importance of the amendments above referred to, it would probably be advisable to dissolve the Council after the first year of its existence.

V. The steps for procuring the making of the amendments above referred to would be taken after the Order in Council had been given a fair trial say, one year from the first meeting of the Council. It was clearly understood that all motions with a view to the amendment of the Order in Council would, after discussion in Council be submited to the Secretary of State, with His Excellency's recommendations thereon; and that in making such recommendations he would give due weight to the views of the Unofficial members of Council.

H. C. GOLLAN,
Attorney-General.

Attorney General's Chambers,
Colombo, 1st December, 1920.

---

## III.

## CIRCULAR OF 1ST DECEMBER, 1920, FROM THE CONGRESS COMMITTEE TO THE VARIOUS ASSOCIATIONS.

---

The assurances given by H. E. the Governor are to the following effect:—

(1) That His Excellency would recommend the cancellation of section 51 of the Order in Council, with reference to the freedom of discussion, subject to its reimposition if necessity arose.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(2) That the Standing orders in Schedule 3 will be submitted in the New Council and the opinion of the unofficial members would be accepted with regard to the provisions for the limitation of time for speeches and for the time allowed for the discussion of any subject.

(3) That His Excellency would recommend that residence in any part of the Western Province should be accepted as sufficient qualification for election to any of the three Constituencies in that Province.

(4) That the modification of the rule with regard to residential qualification of candidates in the territorial electorates would be considered in Council and that the views of its members, together with the views of the country would be submitted to the Secretary of State.

(5) That all amendments to the order in Council which might be suggested by the members of the Council will be dealt with by the end of the Session and that His Excellency's recommendations thereon will be forwarded to the Secretary of State and the Council dissolved.

## IV.*

## AMENDED MEMORANDUM DATED 6TH DECEMBER, 1920.†

On Monday, 20th November, His Excellency the Governor received a deputation consisting of Messrs. James Peiris, E. W. Jayawardene, E. J. Samarawickreme, D. B. Jayatilaka, and G. A. Wille at Queen's House.

There were also present the Hon'ble the Colonial Secretary and the Hon'ble the Attorney-General.

The deputation was introduced by Mr. James Pieris who asked His Excellency for a pronouncement on certain points which he understood had been submitted to him by the Attorney-General; and His Excellency was pleased to communicate to the deputation the following decisions.

---

* The memorandum of 1st December, 1920, (Document II) was returned under instructions of the Congress Committee by Mr. James Peiris to the Hon. Mr. Gollan to clear up ambiguities in paras iv. and v., and memorandum iv was sent instead by Hon. Mr. Gollan to Mr. Peiris.

† This memorandum was the basis of the 1st Resolution passed by the Congress on 18th December, 1920.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

I. His Excellency expressed his intention of appointing a Committee of the new Council, soon after its first meeting, to consider the standing orders in Schedule III to the Order in Council. In particular His Excellency gave an assurance to the Deputation that the matter of the standing orders dealing with the limitation of speeches and of the time allowed for discussion would be left to the decision of the Unofficial side of the Council.

II. With respect to the representations made by the deputation as to the residential qualification for candidates, His Excellency stated:—

(a) He gave the assurance that he was prepared to recommend that the Order in Council should be amended so as to allow of candidates residing in any portion of the Western Province being eligible for any of the constituencies included within that Province.

(b) As regards providing for a property qualification as an alternative to residence, he was prepared to submit the views of the deputation, and those of the supporters of residential qualification to the Secretary of State, for his decision.

III. As regards Clause 51 of the Order in Council, His Excellency explained that its provisions were only intended to be applied in time of grave urgency, and that therefore it was improbable that these provisions would be ever brought into operation in Ceylon; but as they were regarded as a slur on the loyalty of the colony, he was prepared to recommend to the Secretary of State the elimination of that clause; provided that it was clearly understood that, if experience in the future proved that it was required, Govermnent would be free to take measures for its re-enactment.

IV. His Excellency stated that as soon as the Amending Order in Council required to give effect to the amendments above referred to, was passed, the first Reformed Council should be dissolved, and a general election under the new conditions should take place.

V. The steps for procuring the making of the amendments above referred to would be taken after the Order in Council had been given a fair trial, say one year from the first meeting of the Council. It was clearly understood that all motions with a view

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

to the amendment of the Order in Council would, after discussion in Council be submitted to the Secretary of State, with His Excellency's recommendations thereon; and that in making such recommendations he would give due weight to the view of the Unofficial Members in Council.

(Sgd) H. C. GOLLAN,
Attorney-General.

Attorney-General's Chambers,
Colombo, 6th December, 1920.

---

## V.

## CORRESPONDENCE BETWEEN MR. JAMES PEIRIS AND Hon. SIR. H. C. GOLLAN, ATTORNEY-GENERAL.

Colombo, 23rd February, 1921.

Dear Sir,

Your statement of the 6th December, 1920 on the interview granted by H. E. the Governor to the Congress Deputation has given rise to a doubt as to the duration of the new Council. To clear this point, I shall be much obliged if you will kindly inform me whether it is the intention of the Government to dissolve the new Council at the end of its first Session, that is in about a year from its opening, having in the meantime re-considered the question of reforms and having taken the necessary steps to secure the passing of an amending Order-in-Council.

Yours faithfully,
(Sgd.) JAMES PEIRIS.

The Hon'ble The Attorney General,
Colombo.

Attorney-General's Chambers,
Colombo 26th. February, 1921.

Dear Sir,

In reply to your letter of 23rd February, I think it would tend to make the position clear if I quote, *in extenso,* the relevant passage from the shorthand note of what took place at the meeting between His Excellency and the Congress Deputation on 29th November, 1920. The Memo. of 6th December never pretended to be a full account of this meeting but merely put very shortly the principal matters on which an arrangement was come to.



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

The passage is in the following terms:— "His Excellency then dealt with the last suggestion of the Deputation, which was that any amendments agreed to will be taken in hand within a reasonable time. He was quite prepared to give them that assurance, which was absolutely in accordance with what he had said in the Legislative Council viz: that, when the Order in Council had been given a fair trial and its deficiencies laid bare, he was ready to approach the Secretary of State, and to recommend the necessary amendments. But that did not mean that these steps would be taken in a fortnight. After the Council had been sitting for about a year, and they had had time to see how the Order-in-Council worked, and to decide what its deficiencies were and how it should be improved, then he would be quite prepared to approach the Secretary of State that it should be amended to meet the new situation. That would mean that as soon as the new Order-in-Council was passed, the first Session of the Reformed Council would be dissolved, and a General Election under the new conditions would take place. He would not go further than that."

"Mr. James Peiris said that he understood that His Excellency was prepared to give due weight to the opinions of the elected members."

"His Excellency said that he would naturally give every possible consideration to the views of the elected members."

I think that passage not only makes clear what His Excellency stated to the Deputation, but also the correctness of paragraphs IV and V of the Memo. of 6th December, 1920.

Yours faithfully,

H. C. GOLLAN.

James Peiris, Esq.
Rippleworth,
Turret Road,
Colombo.

Hawarden Cottage,
Haputale, 1st March, 1921.

Dear Sir,

Thank you for your letter of the 26th and the copy of the memorandum showing the wording of para IV of the first memorandum. The doubt which some members of the Congress

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Committee feel is that the wording of the memorandum does not preclude the possibility of the first session of the Council being prolonged beyond the year which His Excellency mentioned as the period of its probable duration. If you can assure the Committee that it is not the intention of the Government to continue the session beyond a year and that it will take steps to dissolve the Council soon afterwards it will clear the doubt which members of Congress now entertain.

Yours faithfully,
Sgd. James Peiris.

The Hon'ble,
The Attorney-General,
Colombo.

Attorney-General's Chambers,
Colombo, 3rd March, 1921.

Dear Sir,

I have to acknowledge receipt of your letter of 1st March in which you ask for a definite assurance that the first reformed Council will be dissolved immediately after the first year of its existence has ended.

It appears to me that you are demanding that the undertaking given by H. E. at the meeting of 29th November, 1920, should be extended so as to impose upon him a responsibility which he is unable to take upon himself.

In the extract from the proceedings of that meeting which was set out in my letter to you of 26th February, H. E. promised "after the Council had been sitting about a year" "to approach the Secretary of State and to recommend the necessary amendments." I am directed to inform you that this promise H.E. will carry out to its full extent; but it is obvious that some time may elapse between the recommendations being submitted to the Secretary of State and their taking substantive shape in an Amending Order-in-Council.

If therefore, the first Council were to be dissolved immediately on the first year of its existence being completed, a period of uncertain length, with respect to which H. E. has no control, must ensue during which there would be no Council.

I need hardly point out to you that such a state of affairs might be seriously detrimental to the public interest.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

H. E. however, authorises me to say that so far as he is concerned no delay will take place in giving effect to the promise made by him to the Deputation on 29th November, 1920; but that the consideration by the Secretary of State of the proposals put forward must of necessity take some time and quite possibly requiring some reference back to the Legislative Council which must consequently be in existence until an amending Order-in-Council is promulgated.

H. E. was most careful to state this very clearly in the words "that would mean that as soon as the new Order-in-Council was passed the first Session of the Reformed Council would be dissolved—and a General Election would take place. He could not go further than that."

Yours faithfully,
H. C. Gollan.

James Peiris Esq.,
"Rippleworth,"
Turret Road,
Colombo.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

*APPENDIX D.*

See Page 415

## ALLOCATION AND DISTRIBUTION OF SEATS IN THE TERRITORIAL ELECTORATES.

THIS Committee was appointed in terms of the following resolution of the Legislative Council :—"That a scheme for the allocation and distribution of seats in the Territorial Electorates should be made on the recommendations of a Committee of this Council appointed for the purpose."

It has held seven sittings, at all of which all members have been present. Mr. Adamaly has attended the five sittings held since his appointment to the Committee.

### ALLOCATION.

A thorough examination of the claims of every part of the Island for territorial representation has been made, and consideration given to the population, literacy, and economic interests of the various areas.

The following recommendations are made in regard to the number of seats which are considered to afford adequate and efficient representation :—

*North-Central Province* : 1 *Seat.*—All members of the Committee, except one, who advocates the allocation of 2 seats, agree that this representation is adequate for the North-Central Province.

*Province of Uva* : 1 *Seat.*—All members of the Committee, except one, who advocates the allocation of 2 seats, agree that this representation is adequate for the Province of Uva.

*Province of Sabaragamuwa* : 2 *Seats.*—All members of the Committee, except one, who advocates the allocation of 3 seats, agree that this representation is adequate for the Province of Sabaragamuwa. It was felt by all members of the Committee that the interests of the Ratnapura and Kegalla Districts were sufficiently distinct to necessitate the provision of separate seats.



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

*North-Western Province*: 2 *Seats.*—Five members of the Committee were of opinion that this Province could be adequately represented by 2 seats, three were of opinion that 3 seats should be allocated, whilst one member advocated 4.

All members were agreed that the interests of the maritime portion were distinct from those of the interior portions of this Province, and the majority were of opinion that 1 seat for each of these interests would afford adequate representation.

*Eastern Province*: 2 *Seats.*—Five members consider that this Province can be adequately represented by 2 seats, four members are of opinion that 3 seats should be allocated.

*Central Province*: *Urban,* 1 *Seat*: *Rural,* 1 *Seat.*—An examination of the different interests in this Province clearly indicated that the electors in the townships have interests distinct from the electors in the rural areas. All members of the Committee are, therefore, unanimous that a division into Urban and Rural Electorates is essential.

For the Urban Electorate all members, except one agree that 1 seat affords adequate representation.

For the Rural Electorate four members consider that 1 seat provides adequate representation for the interests of the rural population of the Province, four members consider that 2 seats should be provided. whilst one member advocates the allocation of 4.

*Southern Province*: 2 *Seats.* +.—Four members of the Committee consider that the interests of the Southern Province can be represented by two members, three are of opinion that 3 seats should be provided, one advocates the allocation of 5 seats, and one the allocation of 6.

*Northern Province*: 4 *Seats.* +.—Four members of the Committee agree that 4 seats are required adequately to represent the interests of the Northern Province, two members consider 5 seats necessary, and three members advocate the allocation of 6 seats in this Province.

*Western Province*: *Town of Colombo,* 2 *Seats; Western Province, excluding Municipality of Colombo,* 2 *Seats.* +—All members, with the exception of two, who advocated 3 seats, are agreed that 2 seats should be allocated to represent the important interests of the town of Colombo.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

For the rural representation in the Western Province, four members are of opinion that 2 seats will afford adequate representation, four advocate 3 seats, and one considers that 4 seats are necessary.

An analysis of our individual opinions is shown in the annexure appended to this report.

---

## DISTRIBUTION.

The following recommendations are made in regard to the distribution of those seats considered by the majority of members of the Committee to afford adequate representation in the territorial electorates :—

North-Central Province.—The whole Province.

Province of Uva.—The whole Province.

Province of Sabaragamuwa :—

One seat for the Kegalla Revenue District.

One seat for the Ratnapura Revenue District.

North-Western Province :—

*West* : The Chilaw District and the Puttalam District, except Demala Hatpattu.

*East* : The Kurunegala Revenue District and the Demala Hatpattu of the Puttalam District.

Eastern Province :—One seat for the Trincomalee District.

One seat for the Batticaloa District.

Members of the Committee, whilst recognizing that the Trincomalee District is a small one, considered that it was isolated from the Batticaloa District, and that its interests were in no manner connected with the larger and more densely populated district of Batticaloa. They considered that it could only be adequately represented by the provision of a separate seat. One member was opposed to the distribution as above mentioned, and considered that two electorates should be provided : one for the Eastern Province North, including Batticaloa District North and the Trincomalee Revenue District; and one for the Eastern Province South, including Batticaloa District South.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Central Province :—

Urban :—To include the Municipality of Kandy, all Local Board towns, the Board of Improvement, Nuwara Eliya, and Sanitary Board towns.

To the inclusion of Sanitary Board towns in the Urban Electorate one member dissents.

Rural :—(*a*) If 1 seat is adopted, the whole of the Central Province, excluding the Municipality of Kandy, all Local Board towns, the Board of Improvement, Nuwara Eliya, and Sanitary Board towns.

(*b*) If 2 seats are provided :—

(1) One seat to be provided for the Kandy and Nuwara Eliya Revenue Districts, excluding areas included in the Urban seat, and excluding the Uda Dumbara division of the Kandy District.

(2) One seat for the Uda Dumbara division of the Kandy District and the whole of the Matale Revenue District, with the exception of areas included in the Provincial Urban seat.

Southern Province :—

(*a*) If 2 seats are adopted :—

(1) One seat for the Galle District, including the Municipality of Galle.

(2) One seat for the Matara and Hambantota Revenue Districts.

(*b*) If 3 seats are adopted :—

(1) One seat for the Galle District, including the Municipality of Galle.

(2) One seat for the Matara Revenue District.

(3) One seat for the Hambantota Revenue District.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Northern Province :—

(*a*) If 4 seats are adopted :—

(1) Jaffna division, Punaryn-Tunukkai, Valikamam East, and Valikamam north-east of the Jaffna-Kankesanturai road.

(2) Delft, The Islands, Valikamam West, Valikamam north-west of the Jaffna-Kankesanturai road.

(3) Vadamaradchi West, Vadamaradchi East, Tenmaradchi, Pachchilaippali, and Karachchi.

(4) Mullaittivu and Mannar Revenue Districts.

(*b*) If 5 seats are adopted :—

(1) Jaffna Division and Punaryn-Tunukkai.

(2) Valikamam West, Delft, and The Islands.

(3) Valikamam North and Valikamam East.

(4) Vadamaradchi West, Vadamaradchi East, Tenmaradchi, Pachchilaippali, and Karachchi.

(5) Mullaittivu and Mannar Revenue Districts.

Western Province :—

Urban : Colombo Town 2. One electorate for the Municipality of Colombo to return two members.

The question of the representation of the important Tamil interests in Colombo town received separate and careful consideration. All members of the Committee recognize that the importance of these interests deserve special and separate representation. The majority of members are strongly in favour of special provision for a seat for the Ceylon Tamils in Colombo, and advocate that arrangements be made so that, of the two seats for Colombo town, one shall be reserved for the representation of Tamil interests. Three members agree to this proposal without any conditions. Other members attach certain reservations to their recommendations, which may be analysed as follows :—

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Three members recommend this special seat if the Northern Province representation is limited to four.

One member agrees with the above, but stipulates that this seat must be one of the two recommended for Colombo town.

One member supports the proposal if the residential qualification as prescribed at present by the Order in Council is retained.

One member is opposed to the suggested territorial-*cum*-communal representation.

*Rural*: (*a*) If 2 seats are adopted, the A and B Electorate Divisions as at present should be retained.

(*b*) If three seats are adopted: (1) Colombo Revenue District; (2) Kalutara Revenue District; (3) Negombo Revenue District.

## CONCLUSIONS.

Four members of the Committee are of the opinion that the interests of the Territorial Electorates can be adequately represented by 20 territorially-elected representatives. One member is of opinion that 24 seats would be sufficient adequately to represent territorial interests. Four are of opinion that 30 seats are necessary, but two of these concede that 24 can be recommended if this number secures in the Legislative Council a territorial majority, even of one.

The other two members insist upon 30 territorially-elected seats as a minimum, of which 5 shall be for the Southern Province, and one of these members is of opinion that 40 seats are necessary to give full satisfaction to the country.

The position is shown as follows:—

| | | | |
|---|---|---|---|
| North-Central Province | 1 | 1 | 1 |
| Province of Uva | 1 | 1 | 1 |
| Province of Sabaragamuwa | 2 | 2 | 2 |
| North-Western Province | 2 | 2 | 3 |
| Eastern Province | 2 | 2 | 3 |
| Central Province | 2 | 3 | 4 |
| Southern Province | 2 | 3 | 5 |
| Northern Province | 4 | 5 | 6 |
| Western Province | 4 | 5 | 5 |
| Total ... | 20 | 24 | 30 |

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

All members are agreed that there shall be an unofficial majority in the Legislative Council. Three are of opinion that the territorially-elected members must be in the majority, but other members of the Committee are of the opinion that this majority should not necessarily be territorial.

F. A. STOCKDALE, Chairman.
J. THOMSON BROOM.*
C. E. COREA.†
ALLAN DRIEBERG.*

July 5, 1922.

E. R. TAMBIMUTTU.
OSWALD C. TILLEKERATNE.‡
W. DURAISWAMY.§
N. H. M. ABDUL CADER.¶
E. G. ADAMALY.*
T. B. PANABOKKE.

---

* Two members conditionally—see previous paragraph.

† Two of these members are prepared to agree to 24 under certain conditions—see previous paragraph.

* Subject to rider No. 1.

† Subject to rider No. 2.

‡ Subject to rider No. 4.

§ Subject to rider No. 3.

¶ Subject to riders Nos. 1 and 5.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## I.—ANALYSIS OF OPINIONS IN REGARD TO TERRITORIAL SEATS.

| Province. | Number of Seats. | | | | | |
|---|---|---|---|---|---|---|
| | 1 | 2 | 3 | 4. | 5. | 6. |
| North-Central | Eight members | Mr. Corea | — | — | — | — |
| Uva | Eight members | Mr. Corea | — | — | — | — |
| Sabaragamuwa | — | Eight members | Mr. Corea | — | — | — |
| North-Western | — | Mr. Adamaly | Mr. Panabokke, Mr. Corea | | — | — |
| | | Sir J. Thomson | Mr. Tambimutti | | | |
| | | Broom | Mr. Tillekeratne | | | |
| | | Mr. Drieberg | ... | | | |
| | | Mr. Abdul Cader | ... | | | |
| | | Mr. Duraiswamy | ... | | | |
| Eastern | — | Mr. Panabokke | Mr. Duraiswamy | — | — | — |
| | | Mr. Adamaly | Mr. Tillekeratne | | | |
| | | Sir J. Thomson | Mr. Tambimuttu | | | |
| | | Broom | Mr. Corea | | | |
| | | Mr. Drieberg | ... | | | |
| | | Mr. Abdul Cader | ... | | | |
| Central:— | | | | | | |
| Urban | Eight members | Mr. Corea | — | — | — | — |
| Rural | Mr. Drieberg | Mr. Panabokke | — | Mr. Corea | — | — |
| | Mr. Abdul Cader | Mr. Duraiswamy | | | | |
| | Mr. Adamaly | Mr. Tambimuttu | | | | |
| | Sir J. Thomson | Mr. Tillekeratne | | | | |
| | Broom | ... | | | | |

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

I.—Analysis of Opinions in regard to Territorial Seats.—*Contd.*

| Province. | Number of Seats. | | | | | |
|---|---|---|---|---|---|---|
| | 1 | 2 | 3 | 4 | 5 | 6 |
| **Southern** | — | Mr. Adamaly | Mr. Panabokke | | Mr. Tillekeratne | Mr. Corea |
| | | Sir J. Thomson | Mr. Tambimuttu | | | |
| | | Broom | Mr. Duraiswamy | | | |
| | | Mr. Drieberg | ... | | | |
| | | Mr. Abdul Cader | ... | | | |
| **Northern** | — | — | — | Mr. Adamaly | Mr. Panabokke | Mr. Tambimuttu |
| | | | | Mr. Abdul Cader | Mr. Tillekeratne | Mr. Duraiswamy |
| | | | | Mr. Drieberg | — | Mr. Corea |
| | | | | Sir J. Thomson | | |
| | | | | Broom | | |
| **Western :—** | | | | | | |
| City of Colombo | — | Seven members | Mr. Corea | — | — | — |
| | | | Mr. Tillekeratne | | | |
| Rural | — | Sir J. Thomson | Mr. Panabokke | Mr. Corea | — | — |
| | | Broom | Mr. Duraiswamy | | | |
| | | Mr. Drieberg | Mr. Tambimuttu | | | |
| | | Mr. Adamaly | Mr. Tillekeratne | | | |
| | | Mr. Abdul Cader | | | | |

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## II.—PROPOSED PROVISIONAL SCHEME FOR THIRTY SEATS CONSIDERED BY THE COMMITTEE.

| | | | Seats |
|---|---|---|---|
| North-Central Province | ... | whole Province ... ... ... | 1 |
| Province of Uva | ... | whole Province ... ... ... | 1 |
| Province of Sabaragamuwa | ... | 1. Ratnapura District ... ... ... | 1 |
| | | 2. Kegalla District ... ... ... | |
| North-Western Province | ... | 1. Pitigal Korale North, Pitigal Korale South, and Chilaw District | 2 |
| | | 2. Demala Hatpattu, Wanni Hatpattu, Dewamedi, Hatpattu, and Katugampola Hatpattu | |
| | | 3. Hiriyala Hatpattu, Weudawili Hatpattu, Dambadeni Hatpattu | |
| Eastern Province | ... | 1. Batticaloa North ... ... ... | 3 |
| | | 2. Batticaloa South ... ... ... | |
| | | 3. Trincomalee ... ... ... | |
| Central Province | ... | 1. Urban Seat ... ... ... | 4 |
| | | 2. Kandy District, except half of Uda Dumbara ... | |
| | | 3. Matale District and half of Uda Dumbara ... | |
| | | 4. Nuwara Eliya District ... ... ... | |

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

II.—Proposed Provisional Scheme for Thirty Seats considered by the Committee. *-Contd.*

| | | | Seats |
|---|---|---|---|
| Southern Province | ... | 1. Four Gravets, including Municipality ... | 5 |
| | | 2. Galle District North, Bentota-Walallawiti Korale, and Wellaboda pattu | |
| | | 3. Galle District South, Hiniduma, Gangaboda Pattu, Talpe Pattu | |
| | | 4. Matara District ... ... ... | 6 |
| | | 5. Hambantota District ... ... ... | |
| Northern Province | ... | 1. Jaffna Maniagar's Division and Punaryn ... | |
| | | 2. Valikamam West, Delft, and The Islands ... | |
| | | 3. Valikamam North and Valikamam East ... | |
| | | 4. Vadamaradchi West, Vadamaradchi East, Tenmaradchi, Pachchilaippilai, and Karachchi | |
| | | 5. Mullaittivu and Vavuniya ... ... | |
| | | 6. Mannar ... ... .. | |
| Western Province | .. | 2. Town of Colombo: 2 seats ... .. | 5 |
| | | 3. Negombo District: 1 seat ... ... | |
| | | 4. Colombo District: 1 seat ... ... | |
| | | 5. Kalutara District: 1 seat ... ... | |
| | | Total .. | 30 |

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## RIDER No. 1.

After hearing fully the views of the territorial representatives, we are still of opinion that the principles on which proper representation should be based, set out in the memorandum previously submitted by us to His Excellency the Governor, are correct, and should be adhered to.

The proceedings of the Committee have made it even still more clear that underlying all claims for territorial representation lies a strong basis of communal sentiment and desire.

Claims have been made for representation of the Eastern Province on a basis which separates in the Batticaloa District the Tamil area from the south portion, which contains about 63,000 Muhammadans.

Similarly, in the Central Province and the North-Western Province the divisions unanimously adopted proceeded on the recognition of the fact that the Kandyans predominated in certain areas, and in other areas were poorly represented. The division proceeded on this basis, and areas were marked off for separate representation which were more or less entirely Kandyan in population.

Further, there was a general feeling that in fixing the number of members for the Northern Province it had to be remembered that adequate representation had thereby to be secured for the Tamil community, and a similar reason has led the members to unanimously concede, with certain qualifications, representation for the Tamils in the city of Colombo.

The claim so often made that the Territorial Electorates are above and free from such considerations as these is not justified by the facts.

J. THOMSON BROOM.
E. G. ADAMALY.
N. H. M. A. CADER.
ALLAN DRIEBERG.

Colombo, July 5, 1922.

---

## RIDER No. 2.

I have to dissent from the concluding paragraph of the report. The statement that only three members of the Committee are of opinion that the territorially-elected members must be in

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

the majority, but other members are of the opinion that this majority should not necessarily be territorial, is not correct. Four members, namely, the Hon. Mr. Duraiswamy, the Hon. Mr. Tambimuttu, the Hon. Mr. Tillekeratne, and I, recommended and voted for 30 territorially-elected seats as necessary, clearly contemplating a territorially-elected majority, though, while the Hon. Mr. Tillekeratne and I would not agree to a reduction of that number for any consideration, the other two, rather than risk the territorially-elected majority by the possible rejection of the scheme for 30 seats, were prepared to concede a reduction to 24 seats expressedly in order to assure even a bare territorially-elected majority. The scheme for 24 seats was put forward in express terms in opposition to the scheme for 20 seats, which alone provided against a territorial majority. And the Hon. Mr. Panabokke voted for the scheme for 24 seats. Thus, it will be seen that really five members are of opinion that the territorially-elected members must be in the majority.

2. At the first meeting of the Committee the question of what would be adequate representation for each of the nine Provinces of the Island was very carefully and circumstantially considered, with the result of a scheme for 30 territorially-elected members. It was this scheme which immediately emerged from "the thorough examination" referred to in the report "of the claims of every part of the Island and the consideration given to the population, literacy, and economic interests of the various areas." Later, upon considerations, which I submit were beyond the scope of this Committee, such as "balance of power," the Committee was led, at the instance of some of the communal members, to speculate on the possibility of a reduction of the proposed 30 territorial seats "if there was a proportionate reduction throughout." It will be seen from the minutes that the scheme for 30 seats evolved out of the facts considered, without any difference of opinion, until the speculative hypothesis of a reduction throughout the Council was propounded. The discussion was continued on that hypothesis, resulting in the development of three separate schemes and much divergence of opinion. But I maintain that on the direct question of adequate territorial representation, apart from other considerations, the scheme for 30 seats logically followed the undisputed facts brought

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

before the Committee. The report states that four members "are of opinion that 30 seats are necessary"; these four members are Hon. Mr. Duraiswamy, Hon. Mr. Tambimuttu, Hon. Mr. Tillekeratne, and myself. But it has to be remembered that at the Reform Debate in Council in December last Hon. Mr. Panabokke voted for the first clause of the motion then before the Council, which was "That the Legislative Council should be re-constituted so that.....it should consist of about forty-five members, two-thirds of whom should be elected on a territorial basis." Thus, Hon. Mr. Panabokke's considered opinion, on record, is that the territorially-elected seats should be 30 (two-thirds of 45). Therefore, the above five members of this Committee, forming the majority, must be considered as holding the opinion that 30 seats representing territorial divisions are necessary.

3. I have subscribed to the allocation of 30 seats to be elected on a territorial basis on the consideration that this allocation will secure a *substantial* territorially-elected majority. I do not for a moment concede the proposition that a bare majority will suffice or satisfy the country. The desired majority has been stated at the lowest to be two-thirds. Therefore, the allocation of 30 territorially-elected seats must be taken as recommended on the basis that the rest of the Council shall consist of 15 other members. I have, however, to point out that even this falls short of the country's demand, through the Ceylon National Congress, which has been accepted by the vast majority of the population as the vehicle of their views and wishes, and the representative character of which has received official recognition both in Downing street and here. The popular demand, as stated by the Congress in December, 1919, and re-affirmed by unanimous resolution in December, 1921, is "That the Legislative Council should consist of about 50 members, of whom at least four-fifths should be elected according to territorial divisions." The existing territorial divisions of the country easily lend themselves to a scheme to give effect to this demand, and so adjusted as to afford adequate representation to localities in accordance with their merits and claims. The country has nine Provinces, and their capitals are towns of varying importance. The principle of urban representation is already in the constitution. In the enlargement of the Council the extension of that

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

principle to other important towns, besides Colombo, is the first suggestion that naturally presents itself. "All the members of this Committee are unanimous," as the report states, that an Urban Electorate is necessary in the Central Province. There is no logical reason to differentiate the Central Province in this respect from the other Provinces. The difference of interests in townships and rural areas is as clearly indicated in other Provinces as in the Central Province. Of the nine principal towns, Colombo, the capital of the Island, of course, stands first. The opinion has been stated, in Council and elsewhere, as also in this Committee, that to be adequately represented Colombo requires 3 members. The towns of Kandy, Galle, and Kurunegala stand together next in order, a little ahead of the others. Logically, therefore, they may be given 2 members and the rest 1 member each. Although by the Order in Council 1920, only 1 member was allotted to a Province, it was found necessary, for the collection of votes, that each revenue district should be Constituted an electoral district. This in itself indicates that each district should be made an electorate. The districts derive importance from the principal towns, and their order of merit, therefore, presents no difficulty. For the above reason, I submit the following scheme of allocation and distribution of territorially-elected seats as just, equitable, and reasonable, and as the only scheme which will be acceptable to the country at large :—

*Urban.*

| | | | | |
|---|---|---|---|---|
| Colombo Town | ... | 3 | Kalutara District | ... 1 |
| Kandy Town | ... | 2 | Matale District | ... 1 |
| Galle Town | ... | 2 | Nuwara Eliya District | ... 1 |
| Kurunegala Town | ... | 2 | Matara District | ... 1 |
| Jaffna Town | ... | 1 | Hambantota District | ... 1 |
| Anuradhapura Town | ... | 1 | Chilaw District | ... 1 |
| Badulla Town | ... | 1 | Puttalam District | ... 1 |
| Ratnapura Town | ... | 1 | Mullaittivu District | ... 1 |
| Batticaloa Town | ... | 1 | Mannar District | ... 1 |
| *Rural.* | | | Anuradhapura District | ... 1 |
| Colombo District | ... | 3 | Badulla District | ... 1 |
| Kandy District | ... | 2 | Ratnapura District | ... 1 |
| Galle District | ... | 2 | Kegalla District | ... 1 |
| Kurunegala District | ... | 2 | Batticaloa District | ... 1 |
| Jaffna District | ... | 2 | Trincomalee District | ... 1 |
| | | | | 40 |

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

This scheme will, I submit, secure ample safeguard to minorities and leave room for the three principal officials whose presence in Council would be helpful, namely, the Colonial Secretary, the Attorney-General, and the Director of Education.

July 5, 1922. C. E. COREA.

---

## RIDER No. 3.

There is a strong feeling among the entire Tamil community in the Island that the Tamils cannot be adequately represented in the Council unless the Northern Province is given 6 seats and the Eastern Province 3. The reasons for adequate representation are stated at length in the memorial addressed to His Excellency the Governor by the Tamil Mahajana Sabbai dated November 13, 1921.

With a provision of 6 seats to the Northern Province and 3 for the Eastern, the total number of seats to be filled on a territorial basis may be increased to 30, including the elected Tamil seat for Colombo. The question of reserved seats for Tamils received careful consideration, and the allocation of a reserved seat for the Ceylon Tamils in Colombo has been approved by the Committee. But opinion is divided as to the method by which such a member should be returned, whether it should be by a purely communal electorate consisting of Ceylon Tamils only or by the general electorate of the Municipality of Colombo. This, in my view, is immaterial so long as provision is made for the election of such a member. If we adopt the latter method, following what has been done in India and Burma, the principle of territorial representation will be maintained, and there shall be no room for any valid objection by those who profess to oppose this seat, though accepting the justice of the claim on the ground that it violates the territorial principle. I was and am in favour of a territorially-elected majority in Council, if we can satisfy the claims of the Tamils as above stated, and provide for a total number of members in Council of approximately 50, thereby avoiding an undue increase or reduction of the total.

An examination of the voting on the allocation and distribution of seats on a territorial basis , as given in Appendix I. of the report, shows that a majority of five members of the Committee has, in effect, agreed to adopt the following scheme, although

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

some out of this five desired to have the total of territorially-elected members increased. Thus, it is obvious that 24 is the minimum number of seats on a territorial basis this majority was prepared to recommend as adequate. It is also worthy of note that all the territorial members supported by the Kandyan Member are of this opinion. In this scheme provision is also made for a Tamil seat in Colombo :—

| | | | |
|---|---|---|---|
| 1. | North-Central Province | ... ... | 1 |
| 2. | Province of Uva | ... ... | 1 |
| 3. | Province of Sabaragamuwa | ... ... | 2 |
| 4. | North-Western Province | ... ... | 2 |
| 5. | Eastern Province | ... ... | 2 |
| 6. | Central Province | ... ... | 3 |
| 7. | Southern Province | ... ... | 3 |
| 8. | Northern Province | ... ... | 5 |
| 9. | Western Province | ... ... | 5 |
| | | | 24 |

This scheme contemplates at least a bare majority of territorially-elected members in the Council.

Bristol Hotel, W. DURAISWAMY.
Colombo, July 6, 1922.

---

## RIDER No. 4.

Though in the main in agreement with the conclusions arrived at by a majority of the Committee, I am not in full accord with all that is stated in that report.

I am not in favour of the division of the Central Province alone into urban and rural areas. The argument that the electors in townships have interests distinct from those in the rural areas holds good in the case of all the Provinces.

2. As regards the Southern Province, knowing the whole of it as I do, I honestly believe that none less than five members can adequately represent this the second most important Province in the Island.

As I stated in the Reform Debate, the Southern Province in point of literacy, in point of wealth, in point of importance and in point of population is second only to the Western Province.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

3. Whilst recognizing the importance of Tamil interests in Colombo, Town, I am strongly opposed to a special reserved seat for the Tamil community, as such a suggestion, if adopted, would only be a disguised form of territorial-*cum*-communal representation, and would be therefore subversive of the main principles that govern territorial representation.

If 3 seats are allotted to the City of Colombo, there is every possibility of a Tamil being returned to one of these seats. In any case, considering that the electors of the City of Colombo are presumed to be the most intelligent and enlightened in the Island, they can be relied upon to return the most suitable member, be he European, Sinhalese, Burgher, Tamil, or of any other nationality.

4. Lastly, I am of opinion that the *minimum* number of territorially elected members, *for the present,* should be 30, which alone can secure a substantial majority of territorially-elected members.

Colombo, July 6, 1922. OSWALD C. TILLEKERATNE.

---

RIDER No. 5.

All throughout the discussions in the Committee appointed for the allocation and distribution of seats in the Territorial Electorates, the territorially-elected members displayed a good deal of communal sentiment and bias when allocating and distributing seats for various districts and Provinces.

The Kandyan Member pointed out clearly that the distribution of seats for the Central Province and the North-Western Province respectively should be effected in such a way as to enable Kandyan Sinhalese members to secure such seats. This was conceded by all the other members unanimously.

The adequate representation of the Northern Province was also discussed in the light of communal interest. Being guided by such considerations in reference to the Northern Province and the Kandyan Districts, the territorially-elected members should not have ignored the claims of the Mohammedans in the Eastern Province for similar treatment.

It has been found that, out of the population of 146,000 of the Batticaloa District, no less than 63,000 are Mohammedans, most of whom live in Batticaloa South. Out of the 83,000 Tamils

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

who live in Batticaloa District, 60,500 live in Batticaloa North. The District of Trincomalee, the northern part of the Eastern Province, contains about 18,000 Tamils and 13,000 Mohammedans, respectively. The Trincomalee District is not much of importance either in commerce or agriculture to deserve a separate, electorate at present. The importance in number of the Mohammedan population, who live mostly in Batticaloa South, and who own vast paddy fields and coconut estates and command the commerce of the district, must necessarily entitle them to have an electorate for South Batticaloa, comprising Panawa pattu, Akkarai pattu, Karawaku pattu, and Sammanturai pattu, with the southern part of the Revenue District of Trincomalee.

I emphatically dissent from the rest of the Committee in their decision to allot 1 seat for the unimportant District of Trincomalee and 1 seat for the District of Batticaloa, and thereby deprive the Mohammedans of the chance and the opportunity of returning a member from the Eastern Province.

July 7, 1922. N. H. M. A. CADER.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## *APPENDIX E.*

See Page 522.

### His Grace the Duke of Devonshire to Governor Sir W. H. Manning, G.C.M.G., K.B.E., C.B.

Downing Street, January 11, 1923.

Sir,—I Have the honour to acknowledge the receipt of your despatches of March 1, 1922, and of, August 14, 1922, and of the various memorials from communities and public bodies transmitted by you with reference to the further reform of the Political Constitution of Ceylon, and to inform you that I have delayed communicating my decision on this subject until I had received the report of the Select Committee of the Legislative Council dealing with the allocation and distribution of seats in the territorial electorates which is enclosed in the latter despatch.

2. I am in accord with the opinion expressed by you that, in view of existing conditions and of the grouping of population in the Colony, representation must for an indefinite period of time be in fact communal, whatever the arrangement of constituencies may be; and that if all elected members were in form returned by territorial constituencies they would none the less be in substance communal representatives. It appears to me to be clearly established that in Ceylon the organization of society is communal, and that, if this fact is not clearly expressed, one of the essential considerations on which my decision must be based might be obscured.

3. It is also clear that the principle is generally accepted in Ceylon that the time has not come for the creation of a system under which all elected members of the Legislative Council should be returned by territorial constituencies. Under such a system communities which besides being considerable in numbers play an important part in the political, economic, and social life of the Colony would run serious danger of either not being represented at all or of being most inadequately represented.



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

4. The Ceylon (Legislative Council) Order in Council, 1920, under which the existing Legislature has been constituted, provides that it shall consist of 23 Unofficial and 14 Official Members. The selection of these 23 Unofficial Members has been so arranged, that while every community shall be represented in the Legislative Council, and while there is a substantial unofficial majority, no single community can impose its will on the other communities if the latter are supported by the Official Members.

5. If, on the other hand, these Unofficial Members had been elected by purely territorial constituencies, the Sinhalese community would almost certainly have been in a majority (disproportionate even to their numerical superiority in some cases) over all other sections of the Legislative Council, including the Government. It would therefore appear to be clear that adherence, pure and simple, to the territorial basis of representation would be strongly opposed by all communities except the Sinhalese, and I am satisfied that the former are sincerely persuaded that their vital interests require serious limitations of the territorial basis of representation. Careful perusal of all the materials submitted for my consideration goes to prove that it will be many years before the mass of the electorate develops a political instinct sufficient to rise superior to racial and religious divisions, and this fact appears to have been fully recognized in the course of the debate on the Hon. Mr. Peiris' resolution.

6. In your despatch of March 1, 1922, you enclosed a report of the debate which took place on December 1, 1921, and subsequent days on the resolution moved by the Hon. Mr. James Peiris with reference to the subject under consideration. I have been struck by the ability and moderation with which Members of Council in general expressed their views. One contention raised by the territorially elected members I cannot however, pass over without special comment. I agree with you that it is right to have special regard to the attitude of such members, but I cannot allow their views to over-ride altogether those of the members elected and nominated to represent special communities or assent to a proposition that would imply that certain classes of members had varying degrees of authority in the Legislative Council.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

7. I propose to take the suggestions contained in this resolution in their order and to inform you of the conclusions which I have reached on each of them.

8. *Suggestions I. and VIII.*—Suggestion I., with the amendment embodied in it, deals with the future composition of the Legislative Council; and in this connection it will be advisable also to consider the report of the Select Committee on the allocation and distribution of seats in the territorial electorates. I agree with your view that it would not be advisable to reduce the number of official members to any considerable extent, as I consider that such a reduction would deprive the Council of the opportunity of obtaining, at first hand, the views of officers possessing long experience of the Island and intimately acquainted with the problems of the more important departments. The existing constitution provides for 5 *ex officio* members and 9 official members, or 14 official members in all, but I am prepared to accept the recommendation that this number should be reduced to 12.

9. The proposal of the Hon. Mr. J. Peiris, as modified by the amendment moved by the Hon. Mr. E. W. Perera, is that two-thirds of the members should be elected on a territorial basis, while the remaining third should consist of officials and representatives of minorities. No principle was laid down in the course of the debate on which this increase of the numbers of Members of the Council was based, but it is obvious, as you remark, that the great preponderance of territorially elected members thus demanded would, for reasons I have already mentioned, ensure the clear predominance of the Sinhalese community in the Council That this fact was clearly appreciated by Members of the Council is shown by the analysis of the voting on the motion which you furnish.

10. This proposal was rejected by 25 votes to 12, but Suggestion VIII., which provided "that a scheme for the allocation and distribution of seats in territorial electorates should be made on the recommendations of a Committee of this Council appointed for the purpose," was carried without a division. I have informed you of my acceptance of Suggestion VIII., and I am unable to appreciate the reasoning which induced the Hon. Mr. J. Peiris and his 6 colleagues to refuse to serve on a Committee the appointment of which they had all supported.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

11. A Committee of the Council was appointed by you for the purpose above indicated, and their report has been transmitted to me in your despatch of August 14, 1922.

Having regard to the refusal to participate by Mr. Peiris and his colleagues, this Committee was, I observe, as representative of the unofficial elements on the Council as it was possible to make it; but except in their recommendations as to the seats to be allocated, respectively, to the North-Central, Uva, Sabaragamuwa, and North-Western Provinces, there is such a diversity of opinion as to make a decision a matter of extreme difficulty, and it is obvious that any decision come to must have a considerable body of opinion at once arrayed against it. But after the most careful consideration that I can give to this most complicated and controversial matter, I am prepared to accept the recommendations made in your despatch of August 14, 1922, viz. :—

*Suggestions I. and VIII.*—(1) That there shall be 21 territorially elected members.

(2) That there shall be 1 member elected to represent them by Tamils resident in Colombo Town;

(3) That the constituencies for these seats should be as recommended by you.

12. *Suggestion II.*—Suggestion II. proposes the retention of the existing representation of minorities, and the amendments propose the abolition of the representation of special interests.

But I observe from paragraph 7 (B) of your despatch of March 1, 1922, and paragraph 8 of your despatch of August 14, 1922, that your recommendations are that—

(1) The European Members should retain the seats they now possess, *i.e.*, 3;
(2) The Mohammedan community should receive 3 seats;
(3) The Burgher community, 2 seats;
(4) The Indian community, 2 seats.

These recommendations differ from the proposals made in the amendment moved by the Hon. Mr. Krisnaratne mentioned in paragraph 7 (B) (1) of your despatch of March 1, 1922, in according one additional representative to the Indian and Mohammedan

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

communities respectively. In view of their numbers and importance of these two communities, I concur with you in thinking this addition to their representation advisable.

13. I observe that it is not proposed by you to retain the special representation for the Kandyans which now appears in the Ceylon (Legislative Council) Order in Council, 1920, but that as stated in paragraph 9 of your despatch of August 14, 1922, they are to be included in the general electorate. In view of their great numerical preponderance in their special Provinces, the Kandyans should be able to elect Kandyans to represent them if they so desire; but I agree with you that if owing to their backward political education, this result should not be possible of attainment by them, representation might in the first instance be provided for this community out of the proposed nominated unofficial members.

14. As regards the method of selecting these communal representatives, the European and Burgher members should continue to be elected, while steps should be taken to establish machinery for the election of Indian and Mohammedan members, should both or either of such communities desire it. An early start in this direction might be made by creating a Mohammedan electorate for the Batticaloa District, as suggested by you in paragraph 6 (5) and (10) of your despatch of August 14, 1922.

15. *Suggestion III.*—Suggestion III. proposes that the Legislative Council should be presided over by a Speaker elected by itself. I have not felt able to accept this proposal at the present time, but I am prepared to accept your recommendation that the Governor should remain President of the Council under existing conditions, but with the understanding that he would not ordinarily preside, and that power should be given to the Council to elect their own Vice-President, who would, in the absence of the Governor, preside over their deliberations.

16. *Suggestion IV.*—Suggestion IV. deals with the control of the Legislative Council over the Budget, and is merely declaratory.

17. *Suggestion V.*—Suggestion V. deals with the requirement of residence for a candidate for election in an electoral area. I observe that you have with some reluctance recommended the

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

abolition of the residential qualification, and I share with you the regret that this provision, which has tended so much to make existing territorially elected members thoroughly representative of their constituencies, and has not militated against the selection of a high class of member, should not have been given a longer trial. But as those in whose interests this provision was originally inserted are anxious for its repeal, and the major part of the unofficial element in the Council support them in their demand, I am willing to accept your recommendation on this point.

18. *Suggestion VI.*—Suggestion VI. deals with certain disqualifications for election arising from dismissal from Government service or from imprisonment. I am prepared to accept this proposal.

19. *Suggestion VII.*—Suggestion VII. deals with the qualification of voters. I am prepared to accept paragraphs A and B, but as regards paragraph C (recommending the widening of the franchise by the reduction of the property and income qualifications) I do not consider that the time has yet come for an alteration. There was clearly considerable divergence of opinion on this proposal amongst the Unofficial Members. I do not propose at present to alter the existing franchise, but I am prepared to agree that the Legislative Council might be given power after, say, five years from the date of the instrument revising the existing constitution, to vary by Ordinance the conditions on which the franchise is granted.

20. *Suggestion VIII.*—I have dealt with Suggestion VIII. in paragraph 8 of this despatch.

21. *Suggestion IX.*—Suggestion IX. proposed that all persons, irrespective of race, resident in any electorate and otherwise qualified, shall be entitled to vote in that electorate. I am prepared to accept this proposal.

22. *Suggestion X.*—Suggestion X. proposes that the number of Members of Executive Council should be reduced to 4, including the Governor, "with whom shall be associated three ministers entrusted with portfolios, chosen from Members of the Legislative Council elected on a territorial basis." I do not gather from the debate that any clear idea has been formed as to the functions of the proposed ministers, nor as to their relations with the Governor

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

or the departments with which they are proposed to be connected. In the circumstances, I prefer to reserve any expression of opinion on this suggestion until a clear and detailed scheme is submitted for my consideration.

23. *Suggestion XI.*—Suggestion XI. proposes the abolition of the three Nominated Unofficial Members provided for by sub-section (1) of section 5 of the Order in Council.

I fully agree with you that the existing provision conduces to the greater strength and efficiency of the Legislative Council, and I am not prepared to accept this proposal.

24. *Suggestion XII.*—Suggestion XII. proposes the repeal of clause 51 of the Order in Council. I accept this proposal, and pending the repeal of the clause you will, of course, continue to abstain from any exercise of the powers given by it. I have no reason to suppose that it would ever be necessary to exercise such powers; but it will, of course, be understood that I shall be free to take measures for the re-enactment of the clause if, contrary to expectation, experience should prove that it was required.

25. *Suggestion XIII.*—Suggestion XIII. proposes the addition of a proviso to clause 52 of the Order in Council, I have no objection to this proposal.

26. While I have not found myself able in every case to accept the proposals contained in the resolutions discussed by the Council, the concessions which I have indicated do, I think it must be admitted, constitute a real advance in the direction of popular government. Members of Council must, I think, have realized in the past session that they possess great powers of control over the administration, particularly in questions of finance; and I rely upon a continuance of their loyal Co-operation under the extended powers which it is now proposed to confer on them.

27. I suggest that you should now lay before the Legislative Council this despatch and the despatches you have addressed to me on this subject. When I have considered any further observations which the Legislative Council may desire to offer, I propose to submit to His Majesty the draft of an Order in Council amending the Ceylon (Legislative Council) Order in Council, 1920, in the directions above indicated.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

It should be clearly understood that, while I may be able to accept amendments in detail, the general principles of revision must be regarded as settled by this despatch; and in the interest of stability I should propose that consideration of further amendments should be deferred for five years at least, during which experience of the working of the revised constitution may be gained.

I have, &.,
DEVONSHIRE.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

*APPENDIX F.*

See Page 607

# THE CEYLON (LEGISLATIVE COUNCIL) ORDER IN COUNCIL, 1923

*(Promulgated by Proclamation dated February* 16, 1924.)

AT THE COURT AT BUCKINGHAM PALACE,
19th day of December, 1923.

*Present*:

THE KING'S MOST EXCELLENT MAJESTY.

| | |
|---|---|
| LORD PRESIDENT. | LORD SOMERLEYTON. |
| LORD STEWARD. | MR. SECRETARY BRIDGEMAN. |

Whereas by "The Ceylon (Legislative Council) Order in Council, 1920," His Majesty, by and with the advice of His Privy Council, was pleased to make provision for the constitution of a Legislative Council for the Island of Ceylon, with the territories and dependencies thereof, under which increased powers and responsibility in, over, and in respect of the proceedings of the said Council were conferred upon the Unofficial Members thereof:

And whereas in the said Order in Council His Majesty reserved to Himself, His Heirs and Successors, power, with the advice of His or Their Privy Council, to revoke, alter, or amend the same as to Him or Them should seem fit:

And whereas it is expedient to revoke the said Order in Council and to make further provision for the constitution of a Legislative Council for the Island giving still further powers and responsibility to the Unofficial Members thereof in, over, and in respect of the proceedings of the said Council:

And whereas His Majesty has power, by and with the advice of His Privy Council, to pass laws in and for the Island:

Now, therefore, it is hereby ordered by His Majesty, by and with the advice of His Privy Council, as follows:—



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## SHORT TITLE, PUBLICATION, AND COMMENCEMENT.

I.—This Order may be cited as "The Ceylon (Legislative Council) Order in Council, 1923." It shall be published in the *Government Gazette,* and shall, subject to the express provisions hereinafter appearing, commence and come into operation on the date of such publication.

## REVOCATION OF "THE CEYLON (L.C.) ORDER IN COUNCIL, 1920," SAVING AS TO PRESENT COUNCIL NOTWITHSTANDING SUCH REVOCATION.

II.—"The Ceylon (Legislative Council) Order in Council, 1920," is hereby revoked, but without prejudice to anything lawfully done thereunder: Provided always and it is hereby expressly declared that, notwithstanding such revocation, the present Council shall continue to exist and to have, possess, and exercise all the privileges, powers, and functions conferred upon it by the Order hereby revoked until such Council has ceased to exist under the provisions hereinafter set forth.

## INTERPRETATION.

III.—(1) In this Order, unless the context otherwise requires:—

"The Island" means the Island of Ceylon, with the territories and dependencies thereof.

The term "the Governor" means the officer for the time being lawfully administering the Government of the Island.

The term "persons holding public office under the Crown in the Island" and cognate expressions shall not include—

(i.) Persons who are not in the permanent employment of the Crown in the Island, but shall include persons serving the Crown in the Island for a term of years;

*(ii.) Persons in the employment of Municipal Councils, District Councils, the Board of Improvement of Nuwara Eliya, Local Boards, Sanitary Boards and Boards of Health, Provincial and District Committees, and Village Committees;

(iii.) Crown Proctors;

(iv.) Crown Advocates not being Crown Counsel.

* As amended by Article II. of "The Ceylon (Legislative Council) Amendment Order in Council, 1924." —



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

The term "British subject" includes persons who have been naturalized under any Act of the Imperial Parliament, or under any enactment of a British Possession, as well as natural-born subjects of His Majesty.

The term "Ceylon Tamil" means a person commonly known as a Ceylon Tamil, and includes a member of the community known as the Colombo Chetties;

The term "European" means a person commonly known as a European;

The term "Indian" means any person who is a native of British India or of the territories of any Native Prince or Chief under the suzerainty of His Majesty exercised through the Governor-General of India or through any Governor or other officer subordinate to the Governor-General of India, and is a resident of Ceylon, but is not domiciled therein;

The term "Register of Voters" or "Register" means the register prepared in accordance with this Order of the persons qualified to vote at the election of a Member to represent any of the constituencies created under this Order;

The term "Member" means a Member of the Legislative Council;

The term "Nominated Member,, includes a "Nominated Official Member" and Nominated Unofficial Member" and also a "Mohammedan Member" and an "Indian Member," so long as any such Mohammedan or Indian Member continues to be appointed by the Governor under the provisions of this Order;

(2) In the construction of this Order the provisions of "The Interpretation Ordinance, 1901," shall, subject to the express provisions of this Order, and notwithstanding any provision to the contrary in such Ordinance, apply as if this Order were an Ordinance of the Legislative Council of the Island.

## LEGISLATIVE COUNCIL ESTABLISHED.

IV.—From and after a date to be fixed by the Governor in Executive Council by Proclamation in the *Government Gazette* the present Legislative Council shall cease to exist, and in place thereof there shall be constituted a Legislative Council in and for the Island as in this Order provided.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## COMPOSITION OF LEGISLATIVE COUNCIL.

V.—The Council shall consist of twelve Official Members and thirty-seven Unofficial Members.

### OFFICIAL MEMBERS.

VI.—The Official Members of the Council shall be—

(1) The following persons (herein referred to as *ex officio* Members) :—

(i.) The Senior Military Officer for the time being in command of His Majesty's regular troops in the Island if not below the rank of Captain in His Majesty's Army; and

(ii.) The persons for the time being lawfully exercising the functions of the respective offices of—

(*a*) Colonial Secretary;

(*b*) Attorney-General;

(*c*) Controller of Revenue;

(*d*) Treasurer.

(2) Such other persons holding public office under the Crown in the Island not exceeding seven in number (herein referred to as Nominated Official Members) as may be appointed in the manner hereinafter provided.

### UNOFFICIAL MEMBERS.

VII.—The Unofficial Members of the Council shall be—

(1) Such persons, not holding public office under the Crown in the Island, and not exceeding three in number (herein referred to as Nominated Official Members) as may be appointed in the manner hereinafter provided.

(2) Three persons, who shall belong to the Mohammedan faith (herein referred to as the Mohammedan Members), and shall, until such time as the Governor in Executive Council under the provisions of this Order shall direct that any one or more of them shall be elected, be appointed in the manner hereinafter provided, in respect of Nominated Members, to represent the Mohammedan community in the Island;

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(3) Two persons, who shall be Indians (herein referred to as the Indian Members), and shall, until such time as the Governor in Executive Council under the provisions of this Order shall direct that any one or both of them elected, be appointed in the manner hereinafter provided, in respect of Nominated Members, to represent the Indian inhabitants of the Island;

(4) Twenty-nine persons to be elected as hereinafter provided (herein referred to as Elected Members).

APPOINTMENT OF NOMINATED MEMBERS.

VIII.—The Nominated Members of the Council shall be appointed by Instruction or Warrant under His Majesty's Sign Manual and Signet, or by the Governor by an Instrument under the Public Seal of the Island in pursuance of His Majesty's instructions through one of His Principal Secretaries of State, or provisionally, by the Governor in pursuance of the power hereinafter vested in him.

PRECEDENCE OF MEMBERS.

IX.—(1) The *ex offico* Members of the Council shall take precedence of the other Members, and shall rank among themselves in the order in which they are hereinbefore named (except that the Senior Military Officer, if he be below the rank of Lieutenant-Colonel in His Majesty's Army, shall take precedence in the said Council next after the person lawfully discharging the functions of Attorney-General in the Island).

(2) The other Members shall rank amongst themselves in the order of date of their appointment or election, and two or more Members appointed or elected on the same day shall rank in the alphabetical order of their names; provided always that every such Member re-appointed or re-elected immediately on the termination of his term of office shall take precedence according to the date from which he has been continuously a Member of the Council as constituted by "The Ceylon (Legislative Council) Order in Council, 1920," or by this Order.

TENURE OF SEATS OF NOMINATED MEMBERS.

X.—(1) The Nominated Members of the Council shall hold their seats until the next dissolution of the Council after their appointment, unless any such Member shall, with the permission

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

of the Governor, have previously resigned his seat by writing under his hand or have become permanently an *ex offico* Member of the Council, or have died or been removed by virtue of instructions or warrant or warrants, under His Majesty's Sign Manual and Signet, or suspended by the Governor under the power for that purpose hereby vested in him, but may be re-appointed.

(2) Provided, further, that as from the time when provision is made under this Order for the election of the Mohammedan or Indian Members or of any one or more such Members, such Member or Members shall vacate his or their seat or seats.

(3) Provided, further, that if any Nominated Official Member of the Council ceases to hold public office under the Crown in the Island, his seat in the Council shall thereupon become vacant.

## PUBLIC OFFICERS BOUND TO ACT AS MEMBERS.

XI.—Any person holding a public office in the Island under the Crown may be required to serve as a Nominated Official Member of the Council, and if any such person having been appointed by His Majesty or by the Governor a Member shall decline to act in that capacity, he shall *ipso facto* vacate his office.

## SUSPENSION OF NOMINATED MEMBERS.

XII.—(1) The Governor may, by an Instrument under the Public Seal of the Island, suspend any Nominated Member from the exercise of his functions as a Member of the Council.

(2) Every such suspension shall be forthwith reported by the Governor to one of His Majesty's Principal Secretaries of State, and shall remain in force unless and until either it shall be removed by the Governor by an Instrument under the said Seal, or it shall be disallowed by His Majesty through one of His Principal Secretaries of State, and such disallowance shall be published in the *Government Gazette*.

## PROVISIONAL APPOINTMENT OF NOMINATED MEMBERS.

XIII.—(1) In the event of a Nominated Member dying, resigning, being removed, or becoming permanently an *ex officio* Member of the Council, the Governor may, by an Instrument under the Public Seal of the Colony, appoint provisionally another person in the place of the Member so dying, resigning, removed, or becoming permanently an *ex officio* Member of the Council as aforesaid.

SPECIAL COLLECTION
JAFFNA PUBLIC LIBRARY
Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(2) Every such appointment may be disallowed or confirmed by His Majesty through one of His Principal Secretaries of State, and, until so disallowed or confirmed, may be revoked by the Governor by an Instrument under the said Seal.

(3) The Governor shall, without delay, report to His Majesty, for His confirmation or disallowance, through one of His Principal Secretaries of State, every such provisional appointment.

(4) Every person so provisionally appointed shall be to all intents and purposes a Member of the Council until his appointment shall be disallowed, or revoked, or superseded by the permanent appointment of a Nominated Member of the Council.

APPOINTMENT TO TEMPORARY VACANCIES.

XIV.—(1) Whenever any Nominated Member shall be suspended from the exercise of his functions as a Member of the Council, or if he shall be declared by the Governor by an Instrument in writing under the Public Seal of the Island to be incapable of exercising his functions as a Member of the Council, or be temporarily absent from the Island, or temporarily become an *ex officio* Member of the Council, the Governor may, by an Instrument under the Public Seal of the Island, appoint in his place some fit person to be provisionally a Member of the Council.

(2) The Governor shall, without delay, report to His Majesty for His confirmation or disallowance, through one of His principal Secretaries of State, every such provisional appointment.

(3) Every such provisional appointment may be disallowed by His Majesty through one of His Principal Secretaries of State, or may be revoked by the Governor by any such Instrument as aforesaid.

(4) Every person so provisionally appointed shall be to all intents and purposes a Member of the Council until his appointment shall be disallowed, or revoked, or superseded by the permanent appointment of a Nominated Member of the Council, or until the person in whose place he has been appointed shall be relieved from suspension, or declared by the Governor by an Instrument under the Public Seal of the Island to be capable of exercising the functions of a Member of the Council, or shall return to the Island, or shall cease to be an *ex officio* Member, as the case may be.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## QUALIFICATIONS OF ELECTED MEMBERS OF COUNCIL.

XV.—(1) No person shall be capable of being elected a Member of Council, or, having been elected, shall sit or vote in the Council, who—

(1) is a holder of any public office under the Crown in the Island; or

(2) is under 25 years of age; or

(3) is not a British subject; or

(4) is unable to speak, read, and write the English language; or

(5) is not qualified to be registered, and is not actually registered as a voter for some constituency; or

(6) is an uncertificated bankrupt or an undischarged insolvent; or

(7) has been dismissed from the Government service in consequence of an offence involving moral turpitude; or

(8) has been debarred from practising as a legal or medical practitioner by order of any competent authority; or

(9) does not have or hold one of the following property qualifications, viz:—

(*a*) The possession or enjoyment of a clear annual income of not less than 1,500 Rupees, such possession or enjoyment having subsisted during the whole of a period of 12 months immediately prior to the date of his nomination as a candidate for election;

(*b*) The ownership of immovable property, either in his own right or in right of his wife (but not as lessee or usufructuary mortgagee), the value of which (after allowing for any mortgage debts thereon) is not less than 6,000 Rupees;

(*c*) The occupation as owner or tenant, during the whole of a period of twelve months immediately prior to the date of his nomination as a candidate for election, of any house, warehouse, counting-house, shop, or other building (in this section referred to as qualifying property) of the annual value of not less than—

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

* (i.) 500 Rupees if situated within the limits of any Municipal, Local Board, or Sanitary Board town, or of any Urban District Council, or of the Board of Improvement of Nuwara Eliya; and

(ii.) 400 Rupees if situated elsewhere.

(2) (*a*) The qualifying property need not be, throughout the year constituting the period of qualification, the same property, if the annual value is in no case less than 500 Rupees or 400 Rupees, as the case may be.

(*b*) The terms "house, warehouse, counting-house, shop, or other building" include any part of a building when that part is separately occupied for the purpose of any trade, business, or profession; and any such part may, for the purpose of describing the qualification, be described as office, chambers, studio, or by any other like term applicable to the case.

(*c*) Where an occupier is entitled to the sole and exclusive use of any part of a building, that part shall not be deemed to be occupied otherwise than separately by reason only that the occupier is entitled to the joint use of some other part.

## PENALTY FOR UNQUALIFIED PERSON SITTING OR VOTING.

XVI.—Every person who, having been returned as an Elected Member of the Council, but not having been at the time of his election qualified to be an Elected Member, shall sit or vote in the Council, shall for every day on which he sits or votes, and every person who shall sit or vote in the Council after his seat has become vacant shall, for every day on which he sits or votes after his seat has become vacant, be liable to a penalty of 500 Rupees, to be recovered by action in the District Court having jurisdiction where such person who has been returned as an Elected Member as aforesaid resides, by any person who shall sue for the same.

---

* As amended by Article II. of "The Ceylon (Legislative Council) Amendment Order in Council, 1924."

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

SEAT OF AN ELECTED MEMBER HOW VACANT.

XVII.—(1) If any Elected Member of the Council shall die, or shall, by writing under his hand addressed to the Governor, resign his seat in the Council, or shall cease to possess a property qualification as required by Article 15 of this Order, or shall make any declaration or acknowledgment of allegiance to any Foreign State or Power, or shall become a citizen or subject of any Foreign State or Power, or shall be adjudicated a bankrupt or insolvent, to or shall be sentenced in any part of His Majesty's Dominions to death or penal servitude, or to imprisonment for an offence punishable with hard labour or rigorous imprisonment for a term exceeding twelve months, or shall have any direct or indirect pecuniary interest in any contract with the Government of the Island for or on account of the public service otherwise than as a member and in common with the other members of an incorporated company consisting of more than twenty-five persons, or shall accept any public office under the Crown in the Island, his seat in the Council shall thereupon become vacant.

(2) Whenever it shall be shown to the satisfaction of the Governor in Executive Council that the seat of an Elected Member has become vacant, the Governor in Executive Council shall, in manner hereinafter provided, appoint a date and place for the election of a Member to fill such vacancy.

OATH OF ALLEGIANCE TO BE TAKEN BY MEMBERS.

XVIII.—(1) No Member of the Council shall sit or vote therein until he shall have taken and subscribed the following oath before the Council:—

"I, *A. B.*, do swear that I will be faithful and bear true allegiance to His Majesty King George, His Heirs and Successors according to law.

"So help me God."

(2) Provided that every person authorized by law to make an affirmation or declaration instead of taking an oath may make such affirmation or declaration instead of the said oath.



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## CONSTITUENCIES.

XIX.—(1) For the purpose of the election of Members to serve in the Council, the following constituencies shall be and hereby are created, viz. :—

(i.) The European Electorate (Urban).
(ii.) The European Electorate (Rural).
(iii.) The Commercial Electorate.
(iv.) The Burgher Electorate.
(v.) Colombo Town (North).
(vi.) Colombo Town (South).
(vii.) Colombo District.
(viii.) Negombo District.
(ix.) Kalutara Revenue District.
(x.) Western Province (Ceylon Tamil).
(xi.) Central Province (Urban Division).
(xii.) Central Province (Rural Division).
(xiii.) Northern Province (Northern Division).
(xiv.) Northern Province (Southern Division).
(xv.) Northern Province (Eastern Division).
(xvi.) Northern Province (Western Division).
(xvii.) Northern Province (Central Division).
(xviii.) Southern Province Eastern Division).
(xix.) Southern Province (Central Division).
(xx.) Southern Province (Western Division).
(xxi.) Trincomalee Revenue District.
(xxii.) Batticaloa Revenue District.
(xxiii.) North-Western Province Western Division).
(xxiv.) North-Western Province (Western Division).
(xxv.) North-Central Province.
(xxvi.) Province of Uva.
(xxvii.) Kegalla Revenue District.
(xxviii.) Ratnapura Revenue District.

(2) The Divisions of Colombo Town (North) and of Colombo Town (South) shall, respectively, include such portions of the Town of Colombo as may be determined by the Governor in Executive Council by Proclamation in the *Government Gazette* to be included therein.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

* (3) The Colombo District shall include the Colombo Revenue District, other than the Town of Colombo and the Negombo District; and the Negombo District shall include Hapitigam korale, the administrative limits of the Local Board of Minuwangoda and of the Urban District Council of Negombo, Alutkuru korale North, Alutkuru korale South, and Siyane korale West.

(4) (*a*) The Central Province (Urban Division) shall include the Town of Kandy, all Local Board or Sanitary Board towns, and the administrative limits of the Board of Improvement of Nuwara Eliya and of all Urban District Councils within such Province.

(*b*) The Central Province (Rural Division) shall include all other portions of the Central Province not mentioned in paragraph (*a*) of this clause.

(5) The several divisions of the Northern Province shall include, respectively, such portions of the Northern Province as may be declared by the Governor in Executive Council by Proclamation in the *Government Gazette* to be included therein.

(6) The several divisions of the Southern Province shall include, respectively, such portions of the Southern Province as may be declared by the Governor in Executive Council by Proclamation in the *Government Gazette* to be included therein.

(7) (*a*) The North-Western Province (Western Division) shall include the Chilaw and Puttalam Revenue District except Demala hatpattu.

(*b*) The North-Western Province (Eastern Division) shall include all other portions of the North-Western Province not included in the Western Division as mentioned in paragraph (*a*) of this clause.

(8) One Member shall be elected for each constituency, except that the Burgher Electorate shall have the right to elect two Members.

---

* As amended by Article II. of "The Ceylon (Legislative Council) Amendment Order in Council, 1924."

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## ELECTORAL DISTRICTS AND REGISTERING OFFICERS.

XX.—(1) For the purpose of electing a Member to represent the European Electorate (Urban), the areas from time to time within the Municipal limits of the towns of Colombo, Kandy, and Galle shall respectively be electoral districts, and the Government Agents of the Western, Central, and Southern Provinces shall respectively be registering officers for such electoral districts.

(2) For the purpose of electing Members to represent the European Electorate (Rural), the Burgher Electorate, and the several constituencies named in sub-heads (vii.) to (xxviii.) (both inclusive in clause (1) of the last preceding article, each revenue district or part of a revenue district in the Island contained within any such constituency shall be an electoral district, and, subject to the exception contained in Article 22 of this Order with regard to the Burgher Electorate, the Government Agent, or Assistant Government Agent, as the case may be of such revenue district or part thereof, shall be the registering officer of each such electoral district.

(3) For the purpose of electing a Member to represent the Town of Colombo (North) and the Town of Colombo (South), each division or part of a division into which such town is from time to time divided under the provisions of "The Municipal Councils Ordinance, 1910," or any Ordinance amending the same, falling respectively into the said constituencies of Colombo Town (North) and Colombo Town (South), shall be an electoral district, and the Chairman of the Municipality thereof shall be the registering officer for every such electoral district.

(4) For the purpose of electing a Member to represent the Commercial Electorate, the Island shall be deemed to constitute a single electoral district, and the Secretary of the Chamber of Commerce of Ceylon shall be the registering officer.

## ELECTION OF MOHAMMEDAN OR INDIAN MEMBERS.

XXI.—(1) If and when the Governor decides that the Mohammedan or Indian Members or any one or more of such Members shall be elected and shall cease to be nominated, the Governor in Executive Council may, by Proclamation in the *Government Gazette*, make such orders and give such directions, not inconsistent with the provisions of this Order, as are, in his

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

opinion, from time to time required for the purpose of any such election or elections.

(2) A Mohammedan or Indian Member elected in accordance with the provisions of this Article shall become and be in all respects an Elected Member within the meaning of that expression as used in this Order.

SPECIAL REGISTERING OFFICER AND ADVISORY BOARD FOR BURGHER ELECTORATE.

XXII.—(1) For the Burgher Electorate the Governor shall from time to time appoint a registering officer (styled the registering officer for the Burgher Electorate), who shall be resident at Colombo, and shall perform the duties of a registering officer for the Burgher Electorate with respect to all the electoral districts of such constituency in the Island.

(2) The registering officer for the Burgher Electorate shall be assisted by a Board of not more than three persons nominated from time to time by the Governor, and holding office during the Governor's pleasure.

(3) It shall be the duty of such Board to advise and assist the registering officer in preparing the register of voters. The duties of the Board shall be advisory, and in the event of any difference between the registering officer and the Board, the opinion of the registering officer shall prevail.

REGISTERS OF VOTERS.

XXIII.—(1) For every electoral district separate registers of the persons entitled to vote for the election of members to represent the several constituencies hereinbefore specified shall be prepared and revised in the manner prescribed by the rules contained in Schedule I. to this Order.

(2) If any register is not prepared in due time, the register in operation immediately before the time at which the new register ought to have been prepared shall continue in operation until the new register is prepared.

(3) A registering or revising officer may, on the consideration of hearing of any claim, objection, or appeal, require that the evidence tendered by any person shall be given on oath or affirmation and may administer an oath or affirmation for this purpose; and any person who in the course of any such consideration or hearing knowingly swears or affirms anything

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

material to the validity of such claim or objection which is false or incorrect shall be guilty of the offence of giving false evidence, and shall be liable to the punishment provided therefor.

## APPOINTMENT OF REVISING OFFICERS.

XXIV.—(1) The Governor may from time to time appoint such persons as he may think fit to perform the duties of revising officers under the rules contained in Schedule I. to this Order.

(2) The Governor shall assign to each such officer the electoral district or districts for which he shall be the revising officer.

## REGISTERS OF VOTERS TO BE CONCLUSIVE EVIDENCE OF RIGHT TO VOTE.

XXV.—The registers of voters for the time being in operation shall be conclusive evidence for the purpose of determining whether a person is or is not entitled to vote in an electoral district for the election of a member to represent the constituency to which such register relates.

## GENERAL DISQUALIFICATION OF VOTERS.

XXVI.—(1) No person shall be qualified to have his name entered on any register of voters in any year if such person—

(*a*) is not a British subject; or

(*b*) is a female; or

(*c*) is not of the age of 21 years; or

(*d*) is unable to read and write English, Sinhalese, or Tamil; or

(*e*) has not, during the whole of a period of six months immediately prior to the commencement of the preparation of the register, resided in the electoral district to which the register relates; or

(*f*) has been sentenced in any part of His Majesty's Dominions to death or penal servitude, or to imprisonment for an offence punishable with hard labour or rigorous imprisonment for a term exceeding twelve months, unless he shall have suffered the punishment to which he has been sentenced to such other punishment as by competent authority may be substituted for the same or shall have received a free pardon from His Majesty; or

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(*g*) has been adjudged by a competent court to be of unsound mind; or

(*h*) does not have or hold one of the following qualifications, viz. :—

(i.) The possession or enjoyment of a clear annual income of not less than Rs. 600, such possession or enjoyment having subsisted during the whole of a period of six months immediately prior to the commencement of the preparation of the register;

(ii.) The ownership of immovable property, either in his own right, or in right of his wife (but not as lessee or usufructuary mortgagee), situate within the electoral district to which the register relates during the whole of a period of six months immediately prior to the commencement of the preparation of the register, the value of which, after allowing for any mortgage debts thereon, is not less than Rs. 1,500;

(iii.) The occupation as owner or tenant during the whole of a period of six months immediately prior to the commencement of the preparation of the register of any house, warehouse, counting-house, shop, or other building (hereinafter referred to as qualifying property), situate within the electoral district to which the register relates, of the annual value of not less than—

(*a*) Rs. 400 if situated within the limits of any Municipal, Local Board, or Sanitary Board town, or of any Urban District Council, or of the Board of Improvement of Nuwara Eliya;

(*b*) Rs. 200 if situated elsewhere:

Provided that the qualifying property need not be throughout the period of qualification the same property if the annual value is in no case less than Rs. 400 or Rs. 200, as the case may be, and if such property is in all cases situate within such area as aforesaid.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(2) The terms "house, warehouse, counting-house, shop, or other building" include any part of a building when that part is separately occupied for the purposes of any trade, business, or profession; and any such part may, for the purpose of describing the qualification, be described as office, chambers, studio, or by any like term applicable to the case.

(3) When an occupier is entitled to the sole and exclusive use of any part of a building, that part shall not be deemed to be occupied otherwise than separately by reason only that the occupier is entitled to the joint use of some other part.

(4) Residence in an electoral district or the occupation of a house shall not be deemed to be interrupted for the purposes of this article by reason only of permission being given for the occupation of the house as a furnished house by some other person on a monthly tenancy at will, or on a lease for a period not exceeding five months in the whole, or by reason only of notice to quit being served and possession being demanded by the landlord of the house, or by reason only of the fact that such residence has been interrupted by absence in the performance of any duty accruing from or incidental to any office, service, or employment held or undertaken by any person otherwise qualified to have his name entered on any register.

(5) The commencement of the preparation of the register of voters shall be deemed to be the date on which a notification is published in the *Government Gazette* calling upon all persons desirous of having their names entered in the register of voters to forward their claims to the registering officer.

## QUALIFICATION OF JOINT OWNERS.

*XXVII.—In the case of qualifying property possessed or occupied jointly by two or more persons, each such person not being a usufructuary mortgagee shall be qualified to have his name entered on the register of voters, provided the number of persons does not exceed the number obtained by dividing the annual value of such property by four hundred if it is situated within the limits of any Municipal, Local Board, or Sanitary

* As amended by Article II. of "The Ceylon (Legislative Council) Amendment Order in Council, 1924.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Board town, or of any Urban District Council, or of the Board of Improvement of Nuwara Eliya, and by two hundred if situated elsewhere.

## QUALIFICATION OF EUROPEAN (URBAN) VOTERS.

XXVIII.—Any European not otherwise disqualified shall be qualified to have his name entered on the register of voters for the European (Urban) Electorate if he is resident within the Municipal limits of Colombo, Kandy, or Galle.

## QUALIFICATION OF EUROPEAN (RURAL) VOTERS.

XXIX.—Any European, not otherwise disqualified, shall be qualified to have his name entered on the register of voters for the European (Rural) Electorate if he is resident in Ceylon outside the Municipal limits of Colombo, Kandy, or Galle.

## QUALIFICATION OF VOTERS FOR COMMERCIAL CONSTITUENCY.

XXX.—Every Member of the Ceylon Chamber of Commerce, not otherwise disqualified, shall be qualified to have his name entered on the register for the Commercial Electorate.

## QUALIFICATION OF BURGHER VOTERS.

XXXI.—Any person, not otherwise disqualified, shall be qualified to have his name entered on the register of voters for the Burgher Electorate if he—

(*a*) is the descendant in the male line of a European who, on or before the Fifteenth day of February, 1796, was in the service or under the rule of the Dutch East India Company of Ceylon, or is descended from any such descendant in the female line by marriage with a European; or

(*b*) is of legitimate birth, and is descended in the female line from any such descendant as aforesaid, and is able to speak, read, and write the English language.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## QUALIFICATION FOR THE WESTERN PROVINCE (CEYLON TAMIL) CONSTITUENCY.

XXXII.—Any Ceylon Tamil, not otherwise disqualified, shall be qualified to have his name entered on the register of voters for the Western Province (Tamil) Constituency if he is resident within the Western Province.

## QUALIFICATION OF VOTERS FOR GENERAL CONSTITUENCIES.

XXXIII.—Any person, not otherwise disqualified, shall be qualified to have his name entered on the register of voters for any constituency mentioned in sub-heads (v.) to (ix.) (both inclusive) and (xi.) to (xxviii.) (both inclusive) of Article 19 (1) of this Order.

## RETURNING OFFICERS.

XXXIV.—(1) The Governor shall from time to time appoint a fit and proper person to be the returning officer of each constituency, and may at any time cancel any such appointment.

(2) If any returning officer shall, by sickness or other cause, be prevented or disabled from acting, or shall refuse or neglect to act at any election, the Governor may at any time appoint some fit and proper person to act in the place of such returning officer at such election.

(3) Every appointment of a returning officer shall be valid until his death, or until such appointment shall be cancelled by the Governor.

(4) Every appointment or cancellation of appointment of a returning officer shall be notified in the *Government Gazette.*

## NOTIFICATIONS OF ELECTION.

XXXV.—(1) For the purpose of every general election of Members of the Council and for the purpose of the election of Members to supply vacancies caused by death, resignation, or otherwise, the Governor shall, by notification in the *Government Gazette*, appoint a convenient date, not being less than fourteen days after the publication of the notification.

(2) Every such notification shall specify the place or places of election.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## PROCEDURE AT ELECTIONS.

XXXVI.—(1) Such elections shall be by ballot, and shall be held in accordance with the procedure prescribed by the rules contained in Schedule II. of this Order.

(2) The returning officer or any officer presiding at a polling booth may in his discretion and shall, if required by any candidate, put to any voter, at the time of his applying for a ballot paper, the following questions or either of them, and no other :—

*First.*—Are you the same person whose name appears *A.B.* on the register of voters now in force for this electorate?

*Second.*—Have you already voted, either here or elsewhere, for the election of a member for this electorate?

(3) If any person refuses to answer any such questions so put to him, the returning or presiding officer may refuse to give him a balllot paper.

(4) If any person wilfully makes a false answer to any such question so put to him he shall be guilty of an offence and shall be liable on conviction to imprisonment of either description for any term not exceeding one year.

## ELECTION PETITIONS.

XXXVII.—(1) A petition complaining of an undue return or undue election of a Member of the Council, in this Order called an election petition, may at any time within fifteen days of the publication of the result of such election in the *Government Gazette*, be presented to the Supreme Court by any one or more of the following persons, that is to say :—

(i.) Some person who voted or had a right to vote at the election to which the petition relates;

(ii.) Some person claiming to have had a right to be returned or elected at such election;

(iii.) Some person alleging himself to have been a candidate at such election.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(2) Every election petition shall be tried by a Judge of the Supreme Court; and, at the conclusion of the trial, the Judge shall determine whether the Member of the Council whose return or election is complained of, or any other or what person, was duly returned or elected, or whether the election was void, and shall certify such determination to the Governor. Upon such certificate being given, such determination shall be final; and the return shall be confirmed or altered, or the Governor shall by notification, in manner hereinbefore provided, appoint another date for the election of a Member for the constituency concerned, as the case may require, in accordance with such certificate.

(3) Such Judge shall have the same power, jurisdiction, and authority as are possessed and exercised by a District Judge for summoning or compelling the attendance of witnesses at the trial of an election petition, and witnesses shall be sworn or affirmed in the same manner, as near as circumstances will admit, as in the trial of a civil action in a District Court, and shall be subject to the same penalties for the giving of false evidence.

(4) No voter who has voted at any election shall, in any proceeding to question the election, be required to state for whom he has voted.

(5) The Governor in Executive Council may make rules providing—

(*a*) For the deposit or giving by a petitioner of security to an amount not exceeding Rs. 5,000, for the payment of all costs, charges, and expenses that may become payable by the petitioner; and

(*b*) For the regulation of the practice, procedure, and costs of election petitions, and the trial thereof, and the certifying and reporting thereon.

(6) The Legislative Council may by law make other or further provision in respect of the matters referred to in this article.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## EXPENSES OF ELECTIONS.

XXXVIII.—(1) The Governor in Executive Council may make rules:—

(*a*) With respect to the incurring of expense and the making of payments by or on behalf of a candidate, whether before, during, or after an election, on account of, or in respect of, the conduct or management of such election;

(*b*) Requiring the appointment of an election agent through or by whom all such expenses or payments as aforesaid shall be incurred or made;

(*c*) Fixing the maximum amount of expenses that may be incurred or paid, whether before, during, or after an election, on account, or in respect of the conduct or management of such election;

(*d*) Fixing the time within which all election expenses shall be paid, and barring all claims in respect thereof not made within the prescribed time;

(*e*) Requiring a return of election expenses and prescribing the form in which the same shall be made and verified.

(2) Contraventions of such rules shall be deemed illegal practices, and provision may be made in the said rules for the punishment on summary conviction of persons committing or taking part in the commission of such illegal practices by—

(*a*) Fine, not exceeding 300 Rupees; and

(*b*) Disqualification from voting at any election under this Order and being elected as a Member for three years from the date of his conviction.

(3) An election petition may be presented in respect of any illegal practice declared by such rules to be a ground for the presentation of any such petition, and the provisions of Article 37 and of any rules made thereunder shall, subject to the terms of any rules made under this article, apply to petitions presented in respect of illegal practices.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(4) The Legislative Council may by law make other or further provision in respect of any of the matters referred to in this article.

CORRUPT PRACTICE.

XXXIX.—(1) No election shall be valid if any corrupt practice is committed in connection therewith by the candidate elected.

(2) The expression "corrupt practice" as used in this Order means any of the following offences, viz.; treating, undue influence, bribery, and personation, as hereinafter set forth.

NON-COMPLIANCE WITH RULES IN SCHEDULE II.

XL.—No election shall be invalid by reason of a non-compliance with the rules contained in Schedule II. to this Order if it appears that the election was conducted in accordance with the principles laid down in such rules, or that such non-compliance did not affect the result of the election.

OFFENCES IN RESPECT OF NOMINATION PAPERS, &c.

XLI.—(1) Every person who

(*a*) forges or fraudulently defaces or fraudulently destroys any nomination paper or delivers to the returning officer any nomination paper knowing the same to be forged; or

(*b*) forges or counterfeits or fraudulently defaces or fraudulently destroys any ballot paper or the official mark on any ballot paper; or

(*c*) without due authority supplies any ballot paper to any person; or

(*d*) fraudulently puts into any ballot box any paper other than the ballot paper which he is authorized by law to put in; or

(*e*) fraudulently takes out of the polling station any ballot paper; or

(*f*) without due authority destroys, takes, opens, or otherwise interferes with any ballot box or packet of ballot papers then in use for the purposes of the election;

shall be guilty of a summary offence, and be liable to imprisonment of either description for any term not exceeding six months.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(2) Any attempt to commit an offence specified in this article shall be punishable in the manner in which the offence itself is punishable.

(3) In any prosecution for an offence in relation to the nomination papers, ballot boxes, ballot papers, and marking instruments at an election, the property in such papers, boxes, and instruments may be stated to be in the returning officer at such election as well as the property in the counterfoils.

## INFRINGEMENT OF SECRECY.

XLII.—(1) Every officer, clerk, and agent in attendance at a polling station shall maintain, and aid in maintaining the secrecy of the voting in such station, and shall not communicate, except for some purpose authorized by law, before the poll is closed, to any person any information as to the name or number on the register of voters of any elector who has or has not applied for a ballot paper or voted at that station, or as to the official mark.

(2) No such officer, clerk, or agent, and no person whosoever, shall interfere with or attempt to interfere with a voter when marking his vote, or otherwise attempt to obtain in the polling station information as to the candidate for whom any voter in such station is about to vote or has voted, or communicate at any time to any person any information obtained in a polling station as to the candidate for whom any voter in such station is about to vote or has voted, or as to the number on the back of the voting paper given to any voter at such station.

(3) Every officer, clerk, and agent in attendance at the counting of the votes shall maintain and aid in maintaining the secrecy of the voting, and shall not attempt to ascertain at such counting the number on the back of any ballot paper, or communicate any information obtained at such counting as to the candidate for whom any vote is given in any particular ballot paper.

(4) No person shall directly or indirectly induce any voter to display his ballot paper after he shall have marked the same, so as to make known to any person the name of the candidate for whom or against whose name he has so marked his vote.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(5) Every person who acts in contravention of the provisions of this article shall be liable, on summary conviction, to imprisonment of either description for any term not exceeding six months.

PERSONATION.

XLIII.—Any person who at an election held under this Order applies for a ballot paper in the name of some other person, whether that name be that of a person living or dead or of a fictitious person, or who, having voted once at any such election, applies at the same election for a ballot paper in his own name, shall be guilty of the offence of personation, and shall be liable on summary conviction, to imprisonment of either description for any term not exceeding six months.

TREATING.

XLIV.—(1) Any person who corruptly by himself or by any other person, either before, during, or after an election, directly or indirectly, gives or provides, or pays wholly or in part the expense of giving or providing any meat, drink, entertainment, or provision to or for any person, for the purpose of corruptly influencing that person or any other person to give or refrain from giving his vote at the election, or on account of such person or any other person having voted or refrained from voting, or being about to vote or refrain from voting at such election, shall be guilty of the offence of treating, and shall be liable, on summary conviction, to a fine not exceeding 500 Rupees, and shall for seven years from the date of his conviction be disqualified from voting at any election under this Order and from being elected a Member.

(2) Every voter who corruptly accepts or takes any such meat, drink, entertainment, or provision shall also be guilty of the offence of treating, and shall be liable, on summary conviction, to the penalty hereinbefore in this article specified, and shall be disqualified as therein provided.

UNDUE INFLUENCE.

XLV.—Every person who directly or indirectly, by himself or by any other person, on his behalf, makes use of or threatens to make use of any force, violence, or restraint, or inflicts or threatens to inflict, by himself or by any other person, any

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

temporal or spiritual injury, damage, harm, or loss upon or against any person in order to induce or compel such person to vote or refrain from voting, or on account of such person having voted or refrained from voting at any election, or who by abduction, duress, or any fraudulent device or contrivance impedes or prevents the free exercise of the franchise of any voter, or thereby compels, induces, or prevails upon any voter either to give or refrain from giving his vote at any election, shall be guilty of the offence of undue influence, and shall be liable, on summary conviction, to the penalty specified in Article 44, and shall be disqualified as therein provided.

## BRIBERY.

XLVI.—(1) The following persons shall be deemed guilty of the offence of bribery, and shall be liable, on summary conviction, to the penalty specified in Article 44, and shall be disqualified as therein provided:—

(*a*) Every person who directly or indirectly, by himself or by any other person, on his behalf, gives, lends, or agrees to give or lend, or offers, promises, or promises, to procure, or to endeavour to procure, any money or valuable consideration to or for any voter, or to or for any person on behalf of any voter, or to or for any other person, in order to induce any voter to vote or refrain from voting, or corruptly does any such act as aforesaid on account of such voter having voted or refrained from voting at any election under this Order:

(*b*) Every person who, directly or indirectly, by himself or by any other person on his behalf, gives or procures, or agrees to give or procure, or offers, promises, or promises to procure or to endeavour to procure any office, place, or employment to or for any voter or to or for any person on behalf of any voter, or to or for any other person in order to induce such voter to vote or refrain from voting, or corruptly does any such act as aforesaid on account of any voter having voted or refrained from voting at any election under this Order.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(c) Every person who, directly or indirectly, by himself or by any other person on his behalf, makes any such gift, loan, offer, promise, procurement, or agreement as aforesaid to or for any person in order to induce such person to procure or endeavour to procure the return of any person as a Member of the Legislative Council, or the vote of any voter at any election under this Order;

(d) Every person who upon or in consequence of any such gift, loan, offer, promise, procurement, or agreement procures or engages, promises, or endeavours to procure, the return of any person as a Member of the Legislative Council, or the vote of any voter at any election under this Order;

(e) Every person who advances or pays or causes to be paid any money to or to the use of any other person, with the intent that such money or any part thereof shall be expended in bribery at any election under this Order, or who shall knowingly pay or cause to be paid any money to any person in discharge or repayment of any money wholly or in part expended in bribery at any such election;

Provided always that the aforesaid enactment shall not extend or be construed to extend to any money paid or agreed to be paid for or account of any legal expenses *bona fide* incurred at or concerning any election.

(2) The following persons shall also be deemed guilty of the offence of bribery, and shall be liable, on summary conviction, to the penalty specified in Article 44, and shall be disqualified as therein provided:—

(a) Every voter who, before or during any election under this Order, directly or indirectly, by himself or by any other person on his behalf, receives, agrees, or contracts for any money, gift, loan, or valuable consideration, office, place, or employment, for himself or for any other person, for voting or agreeing to vote or for refraining or agreeing to refrain from voting at any such election;

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(*b*) Every person who, after any election under this Order, directly or indirectly, by himself or by any other person on his behalf, receives any money or valuable consideration on account of any person having voted or refrained from voting or having induced any other person to vote or to refrain from voting at any such election.

## POWER TO MAKE LAWS.

XLVII.—It shall be lawful for the Governor, with the advice and consent of the Council, to make laws for the peace, order, and good government of the Island.

## ASSENT TO LAWS.

XLVIII.—No law made by the Governor, with the advice and consent of the Council, shall take effect until either the Governor shall have assented thereto in the name and on behalf of His Majesty and shall have signed the same in token of such assent, or His Majesty shall have given his assent thereto by Order in Council or through one of His Principal Secretaries of State.

## DISALLOWANCE OF LAWS.

XLIX.—When the Governor assents to a law, he shall, by the first convenient opportunity, transmit an authentic copy in duplicate of the law to one of His Majesty's Principal Secretaries of State, and it shall be lawful for His Majesty, at any time within two years after such copy shall have been received by the Secretary of State, to notify to the Governor his disallowance of such law through one of His Principal Secretaries of State, and every law so disallowed shall become null and void from and after the day on which the Governor shall signify such disallowance by Proclamation in the *Government Gazette*.

## BILLS RESERVED FOR SIGNIFICATION OF HIS MAJESTY'S PLEASURE.

(1) The Governor may reserve any Bill passed by the Council for the signification of His Majesty's pleasure thereon and shall, except where under this Order power is expressly given to the Legislative Council to make provision by law, so reserve any such Bill by which any provision of this Order is repealed, altered, or amended, or which is in any way repugnant to, or inconsistent with, any of the provisions of this Order.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

(2) A Bill so reserved shall take effect so soon as His Majesty shall have given His assent thereto, either by Order in Council or through one of His Principal Secretaries of State, and the Governor shall have signified such assent by Proclamation in the *Government Gazette*.

## INITIATION OF MONEY VOTES.

LI.—The Council shall not pass, nor shall the Governor assent to, any law, vote, or resolution imposing any tax or disposing of or charging any part of the public revenue, unless such law, vote, or resolution shall have been proposed by, or by the direction of, or shall have the express approval of, the Governor.

## WHO IS TO PRESIDE AT MEETINGS OF THE COUNCIL.

LII.—(1) The Governor shall be President and may attend and preside in the Council but at meetings of the Council at which he does not attend, the Vice-President shall preside, unless prevented by illness or other grave cause. In the absence of the Governor and of the Vice-President, any Member of the Council appointed by the Governor in writing, or, in default of such appointment, or in the absence of the member so appointed, the member present who stands first in order of precedence shall preside.

(2) The Vice-President shall be elected by the Council and shall hold office until the next dissolution of the Council after his election unless he shall previously resign such office or cease, from any cause whatever, to be a Member of the Council.

## VOTING.

LIII.—(1) Subject to the provisions contained in Article 54 of this Order, all questions proposed for decision in the Council shall be determined by a majority of the votes given on such questions, and the President, Vice-President, or other Presiding Member shall have an original vote on all such questions, and also a casting vote if the votes shall be equally divided.

(2) The votes of the Members of the Council shall be taken in the order of precedence.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## QUESTIONS OF PARAMOUNT IMPORTANCE.

LIV.—(1) If the Governor is of opinion that the passing of any Bill or of any clause of it, or of any amendment to any such Bill, or of any resolution, or vote, is of paramount importance to the public interest, he may declare such Bill, clause, amendment, resolution, or vote to be of paramount importance. Such declaration may be made by the Governor or by an *ex officio* Member of the Council acting by the authority and on the instructions of the Governor either before or after the votes of the Members are taken.

*(2) In any such case only the votes of the *ex officio* Members and Nominated Official Members shall be taken into consideration, and any such Bill, clause, amendment, resolution, or vote shall be deemed to have been passed by the Council if a majority of the votes of such *ex officio* Members and Nominated Official Members are recorded in favour of any such Bill, clause, amendment, resolution, or vote.

## GOVERNOR TO REPORT MEASURES PASSED UNDER POWERS CONFERRED UNDER ARTICLE 54.

LV.—(1) The Governor shall forthwith report to one of His Majesty's Principal Secretaries of State every case in which he shall make any such declaration of opinion as is mentioned in Article 54 of this Order with the reasons for his opinion.

(2) If any Member objects to any such declaration of opinion, he may, within seven days of the making thereof, submit to the Governor a statement in writing of his reasons for so objecting, and a copy of such statement shall be appended to the report of the Governor required by this article.

## COUNCIL MAY TRANSACT BUSINESS NOTWITHSTANDING VACANCIES.

LVI.—The Council shall not be disqualified for the transaction of business by reason of any vacancy or vacancies among the *ex officio* Nominated, or Elected Members.

---

* As amended by Article II. of "The Ceylon (Legislative Council) Amendment Order in Council, 1924.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## QUORUM.

LVII.—No business, except that of adjournment, shall be transacted unless there shall be present six Members, besides the President, Vice-President, or Presiding Member.

## RULES TO BE OBSERVED BY COUNCIL.

LVIII.—Subject to the provisions of this Order the Council shall, in the transaction of business and passing of laws, conform as nearly as may be to the directions as to the transaction of business and passing of laws by the now existing Legislative Council of Ceylon conveyed to the Governor of Ceylon in certain instructions under His Majesty's Sign Manual and Signet, bearing date the Eleventh day of September, 1920, until otherwise provided by His Majesty, and to such further instructions under His Majesty's Sign Manual and Signet as may be hereafter addressed to the Governor in that behalf.

## STANDING ORDERS.

LIX.—(1) The course of business and procedure and the preservation of order at meetings of the Council shall be regulated by the rules and orders set forth in Schedule III. to this Order.

(2) Subject to the provisions of this Order, and such instructions as aforesaid, the Council may from time to time make rules and orders to supplement the rules and orders set forth in Schedule III. to this Order, and may rescind, vary, or amend any such rules and orders as above referred to.

## SESSIONS OF COUNCIL.

LX.—The sessions of the Council shall be held at such times and places as the Governor shall from time to time, by Proclamation in the *Government Gazette*, appoint. There shall be at least one session of the Council every year, and there shall not be an interval of twelve months between the last sitting in one session and the first sitting in the next session. The first session shall be held within two months of the holding of the first general election of Members of the Council hereinafter referred to.

## PROROGATION OR DISSOLUTION OF COUNCIL.

LXI.—The Governor may at any time, by Proclamation, prorogue or dissolve the Council.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## DURATION OF COUNCIL.

LXII.—The Governor shall dissolve the Council at the expiration of five years from the date of the publication in the *Government Gazette* of the return of the first Member elected at the last preceding general election, if it shall not have been sooner dissolved.

## TIMES OF FIRST AND SUBSEQUENT GENERAL ELECTIONS.

LXIII.—The first general election of Members of the Legislative Council shall be held at such time not more than six months after the publication of this Order in the *Government Gazette*, and a general election shall be held at such time within two months after every dissolution of the Council, as the Governor shall, by Proclamation, appoint.

Provided always that the Governor may, by Proclamation, postpone the holding of the first general election under this Order for a further period not exceeding four months, if, in his opinion, it is not practicable to hold the same within the period of six months hereinbefore provided.

## POWER TO SUPPLEMENT RULES IN SCHEDULES I. AND II. AND AS TO PUBLICATION AND CONFIRMATION OF RULES.

LXIV.—(1) The Governor in Executive Council may from time to time make rules to supplement the rules contained in Schedules I. and II. to this Order, or may rescind, vary, or amend any of such rules as above referred to.

(2) All rules made under this article or under Article 37 or 38 of this Order shall be published in the *Government Gazette*, and shall, thereupon, subject to the provisions of the next following clause, be as legal, valid, effectual, and binding as if they had been enacted in this Order.

(3) All rules made under this article or under Article 37 or 38 of this Order shall be laid as soon as conveniently may Council for the signification of His Majesty's pleasure thereon,

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

I.—(1) The Governor may reserve any Bill passed by the Legislative Council; and if a resolution is passed within forty days of their being so laid before the Legislative Council, praying that any such rule shall be annulled, such rules shall henceforth be void, but without prejudice to anything done thereunder.

## POWER OF GOVERNOR IN EXECUTIVE COUNCIL TO MAKE ORDERS TO MEET DIFFICULTIES ARISING UNDER ORDER.

LXV.—If any difficulty rises as to the first establishment of the Council after the commencement of this Order, or otherwise in first giving effect to the provisions of this Order, the Governor in Executive Council, as occasion may require, may, by Order published in the *Government Gazette*, do anything which appears to him necessary for the purpose of removing the difficulty.

## POWER OF GOVERNOR IN EXECUTIVE COUNCIL TO DECIDE QUESTIONS.

LXVI.—The decision of the Governor in Executive Council on any question which may arise as to the intention, construction, or application of this Order and of the rules thereunder shall be final.

## POWER TO REVOKE AND AMEND ORDER.

LXVII.—His Majesty hereby reserves to Himself, His Heirs and Successors, power, with the advice of His or Their Privy Council, to revoke, alter, or amend this Order as to Him or Them shall seem fit.

M. P. A. HANKEY.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

*APPENDIX G.*

See Page 609

# EXECUTIVE COUNCIL.

## TWO ELECTED MEN

## But no Portfolios.

The following was placed on the Press Table at the Secretariat yesterday :—

His Excellency the Governor directs the publication of the following extract from a despatch from the Secretary of State for the Colonies dated 31st, October, 1923 :—

"I would point out that the deputation from the Ceylon National Congress, which waited upon Mr. Ormsby Gore, did not press the reform of the Executive Council as a matter of urgency, and that members of that deputation definitely stated that they would be satisfied at present with the appointment of one or two elected members of the Legislative Council to be members of the Executive Council during the Governor's pleasure, the functions of the Council remaining unaltered, and would be prepared to accept an arrangement under which such members would cease to be regarded as elected members of the Legislative Council and would be appointed nominated unofficial members of that Council."

Under subsequent instructions from the Secretary of State effect will now be given to this proposal. Accordingly, two elected members of the Legislative Council will be invited to resign their seats in that Council with a view to their nomination by His Excellency the Governor as members of the Legislative Council and their appointment by His Majesty the King as members of the Executive Council.

Colonial Secretary's Office,
Colombo, 3rd October, 1924.



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

*APPENDIX H.*

# CONSTITUTION OF THE CEYLON NATIONAL CONGRESS.

## OBJECTS OF THE CONGRESS.

Article 1. The aim of the CEYLON NATIONAL CONGRESS is to secure for the people of Ceylon responsible Government and the status of a self-governing member of the British Empire. This end is to be achieved by constitutional methods by a reform of the existing system of Government and Administration, by a vigorous development of self-governing institutions, and by organising and fostering the intellectual, moral, and economic resources of the country.

## CONGRESS DELEGATES.....ELECTION OF

Article 2. The Congress shall consist of Delegates elected annually by the various Political Associations in Ceylon which are recognized by the Executive Committee of the Congress as able to promote the objects of the Congress. The decision of the Executive Committee as to whether an Association is entitled to recognition, or has become disentitled thereto, shall be final.

## THEIR QUALIFICATIONS.

Provided that no person shall be entitled to be a Delegate unless he (a) has attained the age of 21 years, (b) has expressed in writing his acceptance of the objects of the Congress as laid down in Article 1 and his willingness to abide by its constitution and rules, and (c) pays a fee of Rs. 3/- to the Secretaries of the Executive Committee.

## NUMBER OF DELEGATES.

Article 3. The number of Delegates which each Association may send to the Congress shall be determined each year by the Executive Committee.



Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## ORDINARY SESSION OF CONGRESS.

Article 4. The Congress shall ordinarily meet each year in the month of December at such place and on such date as shall be determined by the Executive Committee.

## EXTRAORDINARY SESSION.

An Extraordinary Session of the Congress may be summoned by the Executive Commitee whereever and whenever it may deem advisable to hold such Session, provided that not less than 40 per cent. of the Committee shall be present and vote for the holding of such Session.

## OFFICERS OF THE CONGRESS.

Article 5. The Officers of the Congress shall consist of the President, a Vice-President, two Secretaries, and a Treasurer, who shall be elected annually by the Executive Committee at least 10 days before the date fixed for the holding of the Congress.

Any constituent Association may, two months before the date fixed for the Congress, suggest to the Executive Committee the names of persons who are in their opinion eligible for the Presidentship of the ensuing Congress. The Executive Committee shall send to the constituent Associations the full list of names suggested, and shall, at least 15 days before the date of sessions elect the President, and shall do so from among the persons suggested as aforesaid if any names have been suggested. The President shall be elected by ballot. If there are more than two nominations, the three who stand at the head of the poll shall be re-submitted for balloting and the two who are at the head of the resulting ballot shall then be finally balloted for.

## NOTIFICATION OF CONGRESS MEETING.

Article 6. The Executive Committee shall three months before the meeting of the Congress give public notification of the date and place of the meeting.

## RECEPTION COMMITTEE.

Article 7. The Executive Committee shall take steps to form a Reception Committee for each Congress, with a Chairman and Secretaries.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## NOTICE OF RESOLUTIONS.

Article 8. The Executive Committee shall invite the various Political Associations to give notice in writing of any resolutions which they may wish to propose at the Congress. Such notice must reach the Secretaries of the Executive Committee at least one month before the date fixed for the meeting of the Congress.

## AGENDA OF CONGRESS.

Article 9. The Executive Committee shall decide which of the resolutions of which notice has been given shall be placed on the Congress Agenda, in addition to such resolutions as the Committee may of its own motion resolve to place thereon, and the order in which they shall be placed.

A copy of the Agenda shall be sent to the constituent Associations at least seven days prior to the Sessions.

Provided however that the Committee shall always have the right to place on the Agenda any emergency resolutions.

## AMENDMENT OF RESOLUTIONS.

Article 10. No amendment shall be permitted to be moved at the Congress, unless at least 24 hours, notice of it be given to Secretaries and at least one-third of the Executive Committee present at a meeting called for the purpose of considering it vote for the inclusion of the amendment in the Agenda.

Provided, however, that the Chairman may allow any amendment to be moved at any Session with the leave of the Congress.

Article 11. The Executive Committee shall consist of the Officers appointed under Article 5, and one member nominated by each constituent Association and an additional member nominated by each Association having a hundred or more active members on the roll and a further fifteen members to be elected by the Congress, and shall hold office from the day of the meeting of Congress at which it is elected till the conclusion of the sitting of next Congress.

The Executive Committee shall take all steps necessary to give effect to the Resolutions of the Congress.

The Quorum for a meeting of the Executive Committee shall be seven.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

## FRAMING OF RULES.

Article 12. The Executive Committee shall have power to frame rules for the transaction of the business of the Congress, and to determine all matters not herein specially provided for.

Article 13. Each member of the Executive Committee of the Ceylon National Congress shall remit to the Treasurer a monthly subscription of Rs. 2-50 in the case of outstation members and Rs. 5-00 in the case of members residing in Colombo payable in advance at the commencement of each month following the date of his election. Should a member fail to remit the said subscription for three consecutive months he shall at the end of the third month for which his subscription shall remain unpaid be deemed to have resigned and shall cease to be a member, and it shall be the duty of the Secretary to remove his name from the list of members of the Congress Executive Committee and request the association concerned to nominate another in his place provided that no association shall have the power to nominate a new member unless the subscription due has been paid up. In the case of Committee members directly appointed by the Congress, the Executive Committee shall elect new members in place of those whose names have been struck off the roll for non-payment of subscription.

Article 14. All past Presidents of the Ceylon National Congress shall be regarded as ex-officio members of the Congress Executive Committee in addition to the fifteen members elected by Congress under Article 11.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

பொதுசன நூலகம்
யாழ்ப்பாணம்

SPECIAL COLLECTION
JAFFNA PUBLIC LIBRARY

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

SPECIAL COL
JAFFNA PUBLIC LIB

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org