



PARLIAMENTARY DEBATES

(HANSARD)

SENATE

OFFICIAL REPORT

Vol. 10 No. 14

Friday, 6th July, 1956

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1956

GOVERNMENT OF CEYLON

GOVERNOR-GENERAL

HIS EXCELLENCY SIR OLIVER ERNEST GOONETILLEKE, G.C.M.G., K.C.V.O., K.B.E.

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(Formed by The Hon. SOLOMON WEST RIDGEWAY DIAS BANDARANAIKE, M.P.,
April, 1956)

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Parliamentary Secretary to the Minister of Finance—Senator CHANDRADASA WIJESINGHE.

SENATE

Friday, 6th July, 1956

The Senate met at 2.30 p.m. MR. PRESIDENT [SENATOR THE HON. SIR CYRIL DE ZOYSA, KT.] in the Chair.

PETITION

SENATOR S. R. KANAGANAYAGAM: Mr. President, may I be permitted to present a humble petition from K. M. Chellappah of Puttur, Secretary, District Court, Point Pedro, between the years 1952-56. The petitioner was Chief Clerk of the District Court of Galle in 1939-40, during which time he was denied statutory powers under the Civil Procedure Code and punished. He has been agitating for the removal of this blemish on his career. He has now retired from the post of Secretary, District Court, Point Pedro. I am presenting this petition, and I do not wish to speak on it. I would request that the matter be submitted to the Public Petitions Committee.

Ordered to be referred to the Public Petitions Committee.

SITTINGS OF THE SENATE

SENATOR THE HON. M. W. H. DE SILVA (MINISTER OF JUSTICE AND LEADER OF THE SENATE): I move,

That at its rising this day, the House do adjourn until 2.30 p.m. on Tuesday, July 17, 1956.

On Question, Motion agreed to.

LEAVE OF ABSENCE

[SENATOR DR. A. M. SAMARASINGHE]

SENATOR C. WIJESINGHE (PARLIAMENTARY SECRETARY TO THE MINISTER OF FINANCE): In the absence of Senator Sir Ukwatte Jayasundera, may I be permitted to move the Motion standing in his name?

THE PRESIDENT: Yes.

SENATOR WIJESINGHE: I move,

That Senator Dr. A. M. Samarasinghe (Elected Senator) be granted leave under Section 23 (1) (d) of the Ceylon (Constitution)

2—J. N. R. 7130-1,592 (7/56)

Order in Council, 1946, to be absent from the sittings of the House for a period of three months from July 10, 1956.

SENATOR DR. M. V. P. PEIRIS seconded.

On Question, Motion agreed to.

OFFICIAL LANGUAGE BILL

Order read for resuming adjourned debate on Question.—[3rd July]:

“That the Bill be now read a Second time.”
—[Senator The Hon. M. W. H. de Silva.]

Question again proposed from the Chair.

SENATOR S. NADESAN: Mr. President, yesterday I formulated a few of the many questions that arise for consideration in connection with this Bill so that the hon. Leader might have some opportunity of examining them and giving the answers. I do trust that he will not give us the answer, “Wait and see what happens in 1961” because what I am concerned with is not so much exactly what will happen in 1961 but precisely what are the intentions of the Government when the entire switch-over has taken place and Sinhalese has been adopted as the official language of the country. In that situation, apart from the period 1961, what are the answers to the questions I have formulated?

These questions arise really from a consideration of the impact of this legislation on the various aspects of the functions of the State—the legislative, the judicial and the executive functions of the State.

With regard to the legislative functions of the State, one should realize that Ceylon is inhabited by large sections of people who speak the Tamil language and that one of the matters to which serious objection was taken in pre-Independence days was the fact that the people themselves were unable to participate actively in the legislative functions of the State in that they were unable to understand the language in which the State promulgated its laws and in which the debates in Parliament took place. If that was the grievance we all laboured under in the old days, it is a matter of vital importance to the Tamil-speaking

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people, as citizens of this country, that they should be able to understand the laws and also understand the proceedings in Parliament. What is more, it is a matter of paramount importance that their representatives should be able, when they speak in the legislature, to use the language with which they are familiar to express the sentiments of their people in this Assembly—or in the other.

This Bill says that Sinhalese shall be the official language. A very important question then arises as to what is to be the language in which Members of Parliament who represent the Northern and Eastern Provinces and Tamil-speaking Senators will be able to speak, either in the Other Place or in this honourable House. All these days we have been speaking in the English language, and after Independence the Standing Orders of the Other Place have been amended to enable Members of Parliament to speak in the Sinhalese or in the Tamil language, if they so desire. Now, that was possible for the reason, as I said earlier, that there is no enactment today which states that any one language is the official language of this country. But what is to be the situation once Sinhalese is made the one official language of this country?

When this question was raised in the Other Place, I find that the Hon. Prime Minister and certain other speakers have, so far as the Houses of Parliament are concerned, stated that they are free to regulate their own proceedings under the Standing Orders so that the Members of Parliament or the Members of the Senate, if they so desire, can, by a suitable amendment of the Standing Orders, permit speeches in the Tamil language after Sinhalese has become the official language. In other words, the right of the representatives of the Tamil-speaking people of this country to speak in the legislature of their land in their own language is dependent upon the will of a majority of either House; it will be dependent on whether the majority will consent to their speaking in their language or not.

Can you imagine anything more fantastic than that—that the right of the people's elected representatives to speak in both Houses in their language should be dependent on whether or not the Standing Orders of the two Houses are amended by certain gentlemen who are gathered here? In other words, one day you might, by a simple majority, pass a Standing Order to permit speeches in the Tamil language and the next day pass a Standing Order that you will not permit those elected representatives to speak in their own language. So that, the Tamil-speaking representatives in either Chamber will be without any legal right, without any constitutional right to speak, if they so desire, in their own language. They are to be left to the tender mercies of a racial majority in the two Houses. Whether they may speak in their language in the legislature or not may depend on the sweet will and pleasure of a racial majority. Can one conceive of a more absurd position if one believes in the fundamentals of democracy?

It is hardly necessary to refer to other countries but in every country which has been faced with this linguistic problem of two languages—in countries like Finland, South Africa and Canada—specific provision has been made in the Constitution giving the constitutional right to Members of the Houses of Parliament to speak in their own language. It is a constitutional provision which cannot easily be amended. That is the type of provision that has been made to safeguard the rights of minority Members to address the Houses of Parliament in their own language.

But here this type of legislation is being enacted though this Government professes to call itself a socialist Government. I do not know whether the type of socialism it believes in is the type of national socialism which Hitler and Mussolini expounded. If so, I can understand this sort of step-motherly attitude in respect of a minority community in this country—of not wanting to specifically provide either in this law or in the Constitution of this country that every Tamil-speaking representative in Parliament, if he so desires, can speak, has the right to speak, in the

Tamil language when taking part in the proceedings of Parliament. That is a statutory right which should have been preserved.

Surely, these gentlemen who are so keen to placate the rabid communalists among the Sinhalese people, the fasting communalists as well as the praying communalists, could have had the commonsense to realize that they were striking at the very foundation of democratic government in this country if the right of the representatives of a people to speak in Parliament in their own language is to be granted to them merely at the pleasure of a racial majority and is not to be guaranteed to them specifically by laws. Have they ever thought that it is their bounden duty that the minimum they should do is to safeguard that essential right of the minorities? If they thought so, there would have been a clause or a proviso in this Bill providing that so far as the proceedings of Parliament are concerned all Members of Parliament shall be entitled, if they so desire, to speak either in the Tamil or in the Sinhalese or, if need be, in the English language. Adequate facilities should have been provided for that purpose. There should have been a specific legal provision made in this Bill. That has not been done. I ask, why has that not been done?

That is not all. We would like to know whether it is the intention of this Government to permit this right of the representatives of the Tamil-speaking people to be dependent upon the whims and fancies, if I may use the term, of this racial majority in either House of Parliament, or is it their intention to give them this legal right which they can claim as a right and exercise as a right in this Chamber. That is a question which Government cannot avoid answering. Government must answer that question.

In other words, for the purpose of fulfilling their election pledges a Bill saying that Sinhalese only shall be the official language has been introduced. Nothing has been done to safeguard the privileges of this House and the rights of the elected representatives of this and the Other Place. They have to be de-

pendent upon what certain gentlemen may say or may not say in respect of Standing Orders.

The voters of the Northern and Eastern Provinces would be electing their Members without knowing what exactly would be the language in which they might be compelled, by a racial majority, to take part in the proceedings in Parliament. They are not to be told beforehand that that is the law and in accordance with that law they should elect their representatives. Very well, Mr. President. I do not know whether there is a lurking desire on the part of these imperialists, the Sinhalese imperialists, who now imagine that they have not only got independence but also an empire to rule over, some day in some way to force the representatives of the Tamil-speaking people to speak in this Chamber or in the Other Place in the language of their masters. I might tell them frankly that if they think so, it is only a forlorn hope; that no representatives of the Tamil-speaking people, after the date on which this Bill is implemented, are going to speak in this Chamber or in the Other Place in the Sinhalese language. They will be failing in their duty if they do so.

Under those circumstances, the question arises whether this Government is going to make legal provision to enable those representatives to speak in the Tamil language; and, if they make legal provision to enable them to make use of the Tamil language, what about the rest of the proceedings of the House of Representatives and of the Senate? Will minutes be sent out in the Tamil language as well as in the Sinhalese language? As I said earlier, will HANSARD be available for reading Sinhalese speeches with translations in Tamil, and Tamil speeches with translations in Sinhalese? Will Administration Reports and other documents of Government departments, such as the Auditor-General's Report, etc., be in the Tamil and Sinhalese languages to enable the Tamil-speaking Members of Parliament to discharge their functions properly and adequately?

So far as this House is concerned, there is another question that arises. Will the laws themselves be in both the

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languages, so that Members can understand what goes on and suggest suitable amendments in respect of those laws? It is not so simple, as my learned friend, Senator Kanaganayagam, pointed out, as saying "Sinhalese only shall be the official language" and having it done. Those are questions that arise for consideration, and what are the answers to those questions? Where are the answers to those questions in this Bill? Very well, if this Bill does not contain the answers, I ask the hon. Leader of this House and Minister of Justice in all earnestness, what are the answers of the Government in respect of those questions? Let us know those answers. Surely, the Government must have some elementary conception of the answers to those important questions affecting fundamental rights of the people and their representatives in Parliament? There are many other matters incidental to that which arise for consideration, but I do not think I will be justified in speaking at length with regard to them.

Now, Mr. President, let us take the case of the judiciary. I was really amazed at the hon. Leader of the Senate and Minister of Justice, a one-time distinguished Judge of the Supreme Court, a Queen's Counsel and a lawyer of great eminence, saying very airily on the Floor of this House "The plaint will be in the Sinhalese language in any case." I would like to ask him this question. Supposing a plaint is to be in the Sinhalese language in the year 1961, say, in respect of a mercantile transaction involving bills of lading, c.i.f. contracts, freight and all the rest of the jargon which we know has developed round those activities, how is that plaint to be rendered in the Sinhalese language? That plaint will have to set out matters of demurrage and all the rest of that vocabulary of legal terms which we know in connection with transactions of, say, shipping companies, of landing companies, of insurance companies, and it will be drafted by some landing or shipping company or insurance company. Well, the plaint has to be drafted, and when the hon. Leader says that the firm which may be

involved, maybe a big European concern, maybe a big Ceylonese concern, will have to set out the cause of action, the facts of the matter in the good year 1961, in the Sinhalese language, he merely imagines that it can be drafted in the Sinhalese language.

Take the case of a police inspector who files a plaint in the magistrate's court charging somebody with criminal misappropriation and setting out the elements of the criminal misappropriation in the plaint. Apparently the hon. Leader of the House imagines that in 1961 the inspector of police will be in a position to translate, shall we say, the appropriate section of the Penal Code into the Sinhalese language with the necessary elements involving the offence of criminal misappropriation and frame that charge, so that people may know precisely what that charge is. Of course, today the people do not know the charge, but there are lawyers who advise them, who know the elements of the offence, who are conversant with the English language, who read it and understand the charge. That is what he says is going to be the position in the year 1961.

I want to ask one straight question. The Hon. Minister of Justice has been very, very vigilant in the matter of taking the appropriate steps to see that the law courts function in the Sinhalese language. He has been so assiduous about it, and thought it was so desirable, that even before the Minister in charge of this particular subject dealt with the matter, he sent a circular to the Council of Legal Education giving his suggestions with regard to what he considers should be the standard in respect of the Sinhalese language to be attained by law students in the future. Has he taken any steps to see that the Penal Code is translated into the Sinhalese language?

SENATOR THE HON. M. W. H. DE SILVA: It is already translated.

SENATOR NADESAN: The hon. Leader says it has already been translated. We do know that, far from it being translated, there are certain versions given of

the Penal Code in the Sinhalese language in a sort of way, meant for purposes of information to people, but that is not a translation in the sense of a legal enactment which can be interpreted or construed. If the hon. Leader of this House imagines that the laws of this country are going to be enshrined in the already translated words of the Penal Code, then I am only sorry for the administration of justice in this country.

SENATOR KANAGANAYAGAM: That is used by the touts.

SENATOR NADESAN: I ask another question in connection with this matter. What about the Tamil-speaking people of this country? All these days we were under foreign rule. I remember it was only the other day that Senator Kanaganayagam, Senator Nagalingam and I were railing against the humiliating position of being compelled to understand the laws of our country in a foreign language, of having to read the laws in a foreign language, of our people being compelled to go and take part in cases in a language which they could not understand and of being governed in a language which they did not understand. We thought that with the grant of independence, we were ourselves going to participate in the fruits of independence to this extent, that our own people would be able to understand their laws and go on transacting their business in the courts in their own language. What about the Tamil-speaking people? Are not the laws of the Penal Code to be translated into the Tamil language?

There is this other question. What steps has the hon. Leader taken to see that the entirety of the inheritance laws of this country, the Kandyan laws of inheritance, the Thesavalamai laws of inheritance, which are contained in the statute-book, shall be translated into the Sinhalese language? Has he the competent staff to do it? How long will he take to do it? Does he not consider that before we set about these things, it is of paramount importance to see that the laws of this country are codified and unified instead of talking of different systems of laws—one system of inheritance for the Kandyan,

another for the Tamils, another for Muslims and the general law, that is the Roman-Dutch law, for the maritime provinces? It is paramount to have one unified system of laws right through the Island. Should not a Commission be appointed for the purpose? As a first step, you must have all systems of law codified and unified in the English language. Thereafter, if need be—I think it is necessary now—you must translate these laws into the national languages, into both the Sinhalese and Tamil languages; but if your object is to have a new kind of imperialism then into the Sinhalese language only.

Has the hon. Leader, instead of sending circulars to the Council of Legal Education, busied himself ascertaining what talent and what material are available for the purpose of embarking on an enterprise of this nature? Has he consulted the Bar Council or distinguished lawyers with a view to ascertaining whether they can sit down and codify the entire body of laws of this country? Has he found out how long it will take to codify these laws? Has he tried to ascertain whether there are lawyers conversant with the laws and the Sinhalese language to be able to translate these laws into the Sinhalese? In other words, has anything been done, has any start been made in respect of the preparatory work which is absolutely essential before we can talk of conducting work in the courts of law in the Sinhalese language, leave alone the Tamil language? Has that been done? One has to take stock of the country's resources of men, of talent. One has to consider the complexities of the tasks one has to face.

I believe it has been stated in certain quarters that proceedings can be conducted in the Sinhalese language. Is it to be assumed for one moment that when you have a mercantile case, in which two European concerns are involved, coming up in the District Court of Colombo there will not arise misinterpretations with regard to the import and meaning of various terms, legal terms, phraseology, and so on? If there is scope for misinterpretation in the lower courts, will not misinterpretation again crop up in the Supreme

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Court where the judges may know only the English language? How are such contingencies to be met?

It is all very well for people to put forward slogans and to raise cries for the purpose of winning popular sympathy and popular support, but surely it is the duty of the Hon. Minister of Justice to have pointed out all these difficulties? Curiously enough, it has been now admitted by the hon. Leader that the wrong reason was given by the Hon. Prime Minister, namely, that this four-year period was stipulated because the Judges of the Supreme Court had said that in four years the switch-over could take place. How came it that the Hon. Prime Minister gave such a wrong reason? How was it that such a monstrous proposition was attributed to their Lordships of the Supreme Court—the proposition that the switch-over into Sinhalese can take place in four years if the necessary stenographers, translators, and so on, were given? How did he come to make that mistake? Was it one of the usual mistakes that resulted from the use of swabasha in communications between Minister and Minister? One does not know how this misunderstanding arose in respect of a vital matter of this nature. Is it that the hon. Leader had not sent the correspondence to the Hon. Prime Minister for him to see what precisely the Judges of the Supreme Court had stated. Or, is it that the hon. Leader spoke to the Hon. Prime Minister in the Sinhalese language and in the course of that a misunderstanding arose?

THE PRESIDENT: I do not quite understand the hon. Senator.

SENATOR NADESAN: The hon. Leader might have conveyed to the Hon. Prime Minister in the Sinhalese language what the judges told him or communicated to him in the English language and in that process a misunderstanding might have arisen as to what precisely Judges of the Supreme Court had said?

THE PRESIDENT: What is the hon. Senator suggesting?

SENATOR NADESAN: I am not suggesting anything. I am asking a question. I do not want to make a suggestion. I am asking a question as to how this misunderstanding arose. Obviously, there has been a misunderstanding because the Hon. Prime Minister said in the Other Place that the Judges of the Supreme Court had stated that the switch-over could take place in four years, whereas the hon. Leader has stood up in this House and told us that that was an erroneous statement. He said that what the Hon. Prime Minister said was erroneous. Therefore the question is: how did that error arise? As a matter of fact, when the Hon. Prime Minister and the Members of his Government took up the position that the switch-over could be effected in four years, it was admittedly on an erroneous hypothesis because the hon. Leader says that the Judges of the Supreme Court never said that the switch-over from English to Sinhalese could take place in four years provided the necessary facilities were given. Only the keeping of some records, it is said can be done in Sinhalese, not the proceedings. If so, it is under a misconception then of what their Lordships of the Supreme Court have stated that this four-year period has been fixed. It is a result of misunderstanding. That is quite clear.

In other words, at the very outset this Government fixes on a four-year period within which it hopes to implement this Bill as a result of a complete misunderstanding of what their Lordships of the Supreme Court had said and therefore the entire basis with regard to the period of the switch-over itself disappears; and the country is going to be the victim of an experiment which is the result of this misunderstanding.

When one comes to think of legal institutions and the legal system, it must be apparent to one that this switch-over will be a matter of considerable difficulty. After 1961, in what language will legislation be passed if Sinhalese is the official language? I presume, if the switch-over is complete by 1961, legislation will be passed in the Sinhalese language; and I take it that for the benefit of Tamil-speaking people, there will translations in the Tamil language. Now, suppose the Bills of Exchange Ordinance, which

is in the English language, is to be amended after 1961. In what language will the amendment be? Will it be in the Sinhalese language? Or, is it suggested that it will be possible to have an accurate translation of the Bills of Exchange Ordinance by 1961?

SENATOR KANAGANAYAGAM: Only if the Sinhalese man knows English. Otherwise, how can he translate?

SENATOR NADESAN: They will learn the necessary language for the purpose. Take, for instance, the Motor Transport Ordinance and various other Ordinances. What is the position with regard to these Ordinances and other Ordinances like the Municipal Councils Ordinance, which go to form the entire body of law in this country? Accurate translations of our legal enactments into the Sinhalese language will be necessary on or before 1961. But it may be that all this will be done in 1971! How many years will it take? Does the hon. Leader know how many years it will take?

It is not without reason that those who formulated the Indian Constitution took certain steps in regard to this very vital matter. Originally, a period of 15 years was stipulated for the switch-over into Hindi, but so far as the Courts and High Courts are concerned that limitation does not apply. It is not without reason that they have said that even after a period of 15 years the English language will continue for a variety of purposes which will be effected by legislation. They know the difficulties. Even today there is an interesting provision with regard to Provincial Legislatures. Really, it is very curious—what they say with regard to the Provincial Legislatures in their Chapter on the official languages. I am reading from Section 348 (1) of their Constitution:

“Notwithstanding anything in the foregoing provisions of this Part, until Parliament by law otherwise provides—

(a) all proceedings in the Supreme Court and in every High Court,

(b) the authoritative texts—

(i) of all Bills to be introduced or amendments thereto to be moved in either House of Parliament or in the House or either House of the Legislature of a State,

(ii) of all Acts passed by Parliament or the Legislature of a State and of all Ordinances promulgated by the President or the Governor or Rajpramukh of a State, and

(iii) of all orders, rules, regulations and bye-laws issued under this constitution or under any law made by Parliament or the Legislature of a State

shall be in the English language.”

That is what they have said in regard to that aspect of the matter. They go on to say:

“Notwithstanding anything in sub-clause (b) of Clause 1, where the Legislature of a State has prescribed any language other than the English language for use in Bills introduced in, or Acts passed by, the Legislature . . . or in any order, rule, regulation, or bye-law—

There is reference to Provincial Legislatures. For instance, in Madras, they might have a Bill that the Tamil language be used. Then, what is the position? Supposing a State says, “We want to have this law in the Tamil language”, the Central Government does not want to say, “No”; but—

“a translation of the same in the English language published . . . in the official Gazette of the State shall for the purposes of this clause be deemed to be the authoritative text thereof.”

The authoritative text is not what is passed in any Provincial Legislature that makes up its mind to pass a law in the language of that area. The Central Government cannot interfere with the right of a State to pass laws in the provincial language, but,

“there shall be appended to that an authoritative translation in the English language, and the translation in the English language shall be the authoritative text of the law.”

That is provided for a very good reason. They have realized that none of the Indian languages, including Hindi, has developed that degree of precision which is necessary for enacting laws. It is not that they are lacking in patriotism! Yet here we are told nothing about these matters. We have a short and sweet Bill of one clause—“The Sinhala language shall be the official language by 1961.”

This means one of two things. Either the members of the Government are fooling themselves, or they are fooling

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the public. It is inconceivable that any sane—I will not use that word—any person who understands the magnitude of the task, so far as the legal system of this country is concerned, can think for a moment that a switch-over of this nature can take place in four years—

THE PRESIDENT: In such a case, the Government can come to the Legislature and ask for an extension.

SENATOR NADESAN: What are the Members of this Government up to? Do they not know the obvious things about these matters? Why do they say that by 1961 these things can be done? Why not say in this very enactment, "Provided this does not apply to the legal system—the Supreme Court, the Judiciary."? Why do they not say that the laws shall continue to be in English, unless Parliament otherwise provides later? Why are they not frank with us? Why are they pretending that they can solve all these problems within four years, when they now know that they cannot do it? For whose benefit is this sort of drama being enacted?

That is not all with regard to the courts of law in this country. On this isolated question of examining witnesses in Tamil or in Sinhalese, there is no difficulty. If the judge is conversant with the language, and counsel too are conversant with the particular language spoken by the witnesses, by all means let the proceedings be conducted in that language. In the District Court of Colombo, in one instance, the judge was a Tamil and the litigants on both sides were Tamils. They were represented by Tamil advocates. The proceedings were conducted in Tamil, and the record was in English. There is no difficulty at all about that. Similarly, in a certain outstation I have seen proceedings being conducted in Sinhalese and the record being maintained in English. There is no difficulty about that either. The only difficulty comes in when the judge is not able to understand the particular language, or counsel on either side do not understand the language of the parties in the case.

Are we really intending to do something which would interfere with the proper functioning of the judicial system, for which at least we should be beholden to the British? It is a judicial system of which one can legitimately be proud.

With regard to laws, enactments and ordinances; there is the question of the Roman-Dutch law, the common law. Should we not have to codify the laws in the Sinhalese language so that there would be no occasion to refer to the various authorities like Lee, vander Linden and so on? Let us codify these laws. How long will it take to codify and formulate these laws?

These are matters which do not appear to have struck those who have passed this "Sinhalese Only" Bill. We are now told, "Through a misunderstanding we have said that four years' time would be enough for the switch-over. We have misunderstood what the Judges of the Supreme Court have said", and the country has to suffer as a result of this misunderstanding. If they have misunderstood what the Judges of the Supreme Court have said, why does not the Government, at this stage, suggest an amendment with regard to the period?

The Judges of the Supreme Court have not said that the proceedings of the Court can be conducted in the Sinhalese language. That is one aspect of certain practical difficulties, but there are other aspects which I wish to emphasise.

Even as a Sinhalese citizen in this country is entitled to know the laws by which he is governed, and to go before the courts and make his representations in his own language, the Tamil-speaking citizen must also be accorded that right; otherwise this independence, this freedom, will have no meaning for him.

As for the time given, four years, I would say that with luck we might be able to make the transformation in the legal system in 40 years—that is, if the hon. Leader straightway proceeds to set up the necessary machinery, engages the necessary number of lawyers to work on the vast enterprise of codifying the entire system of laws prevailing in the country, first in the English language and thereafter translating them into the Sinhalese language. If

that were done, with luck, in about 40 years' time we should be able to conduct all proceedings in that language. Apart from all other considerations, it is of paramount importance that we should make a start in that direction, and not come before the Legislature and say that in four years we are going to switch over to the Sinhalese language. So much with regard to the judicial system.

Then the question arises with regard to the executive. I have stated on more than one occasion on the floor of this House that the pure, elementary, simple, right that we demand on behalf of the Tamil-speaking people of the country is that the disability under which they, with their Sinhalese brethren, have been suffering all these years of having to transact business in the English language should be removed, and that they should be given the right, even as the Sinhalese people have the right, of being able to transact their business in the Tamil language. That is all.

In the course of his observations on this Bill, the hon. Leader said that they were not able to make any provision in this Bill for the reasonable use of the Tamil language because the Tamil representatives—those who were for parity—did not choose to go before the Prime Minister when a request was made to them to do so. The Tamil representatives declined to make representations, we are told, because they were for parity. That is correct, but they have on more than one occasion expressed what they require.

Knowing that the Government of the country might take advantage of the situation and say that no Tamil-speaking representatives had been willing to go before them, I took the trouble to go before the Hon. Prime Minister, as did my hon. Friend Senator Azeez. We were present at the conference where I was asked to express our views. I formulated in precise terms what exactly we wanted and I supported that by referring to what generally the leaders of the Tamil-speaking people wanted.

I said: "All right, there is this Bill to which you say you are committed; if by any chance you who have roused the fear of the Sinhalese people

do not produce a Bill of this nature, you will be in dire peril. But today put this provision in: 'Provided, or notwithstanding the provisions of Section 2 of this Act, any Tamil or English-speaking person shall be entitled to transact his business, if any, with the Government departments in his own language.' Put that provision in. It would mean that Sinhalese is the official language so far as the question of internal records is concerned, but so far as its impact on the citizen is concerned, he is entitled to transact his business in his own language. Put that clause in." That has not been done. I ask you: Why has that not been done? What is your difficulty? Do you want time to study the implications of these matters? Is that the reason? No, Mr. President. The reason the Prime Minister gave me with regard to this matter is one which was advanced by Mr. Mettananda, who also happened to be present at the conference, namely "If we put it in, all the Tamil-speaking people will start corresponding in Tamil and"—

SENATOR A. M. A. AZEEZ: Inundate!

SENATOR NADESAN: "Inundate" was the word used. I said "What about it? Are you not very anxious that all the Sinhalese should write in Sinhalese and inundate the Government departments with such letters? Why are you objecting to Tamil-speaking people inundating Government departments with correspondence in Tamil? Is it not your cry that in the Public Service there are Tamils out of all proportion to the Sinhalese? Why cannot you employ them to attend to correspondence in Tamil?" Are the people going to write love letters to Government departments? They will be writing letters in respect of public business in which they are interested. In fact, they must have some sort of business to transact with the Government departments. They will not spend 10 cents on a postage stamp and write letters merely for the sake of writing letters. They must have some business to transact. Take the Matara Kachcheri, for instance. A merchant might write a letter to the Kachcheri in respect of a particular matter in Tamil. That is

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all that he might do. For a day you might get four or five letter in Tamil at the most. If you have one Tamil clerk at the Kacheheri the work can be attended to. To be cautious you can have two Tamil clerks, so that if one falls ill the other can attend to his work. That way the problem can be solved. What is this talk of being inundated? If gentlemen like Mr. Mettananda become the policy-makers of this Government, we will find ourselves in this sad predicament.

I must say in fairness to Mr. Mettananda that he said that so far as he was concerned he regarded it as a natural right. Of course, that was instinct. He was not the lawyer who was seeking to get hold of hair-splitting arguments in order to invoke Gujarati, Chinese and things of that kind. He was a school-master; to him, it was a natural thing. It was a natural right. Why have a law? As a Tamil man you have the natural right to write letters in Tamil; you do not want a law for that. But if you make this provision by law, they will start inundating Government departments with Tamil correspondence! I suppose there is some sort of idea at the back of his mind that this natural right should be denied. Otherwise, why not embody it in the law?

The crux of the matter is this. If the Government really wants to play fair by all the people of this country I can quite understand it saying: Very well, it is very cumbersome to have records in both Sinhalese and Tamil. It is so very difficult. Therefore we want to have the records, at any rate in the predominantly Sinhalese areas, in the Sinhalese language. Even in the Tamil areas we propose to have records in the Sinhalese language. But so far as the actual transaction of Government business with the people is concerned—people who want to have contact with the Government—we will see that they do not suffer, that they are accorded equal treatment with the Sinhalese people. Even as a Sinhalese man is able to transact his business with the Government in his own language, so also the Tamil man should be granted that equal right.” One can understand a situation like that which would, of course, mean that the Tamil people will be deprived of

their Government jobs unless they become proficient in the Sinhalese language. But that does not matter. After all, Government employment is not the only source from which people can make a livelihood. There are other spheres. No doubt, the Tamil-speaking people have made a valuable contribution in the field of Government; but they are prepared to give up, to surrender their jobs and take to other walks of life. They will make an equally valuable contribution in other walks of life. Put them on the land. Take all the Tamils from the Public Service and give them land. Whether it is increasing food production or developing industries, they will do it.

But the problem is this. Why are you not willing, particularly when even extremists like Mr. Mettananda say that it is a natural right which the Tamils already have, to give statutory recognition to that natural right, by permitting us to transact our business with the administration in our own language? That is all that we ask. I referred earlier to one of the important features of the M. E. P. manifesto with which that party were able to win the confidence of the minorities. The Tamil-speaking people voted for the M.E.P. as against the U.N.P. The Hon. Minister of Home Affairs who was largely responsible for the success of the M. E. P. at the elections, the election manager, will know that a large number of M. E. P. candidates in areas in which there were Tamil electors made a point of the fact that unlike the U. N. P. which stood for Sinhalese only being the official language, the M. E. P. was not for Sinhalese only being the official language but also for granting due recognition for the reasonable use of the Tamil language.

SENATOR THOMAS AMARASURIYA:
You supported the M. E. P.

SENATOR NADESAN: I did; I myself was taken in by those words. But there was a little more than those words. Even with regard to the reasonable use of the Tamil language, when I took up that question with a number of members of the M. E. P. they referred me to what they had in view. I desire here and now to read to you the report made

by Mr. S. W. R. D. Bandaranaike himself to the Sri Lanka Freedom Party after the party had decided on adopting the policy of making Sinhalese only the official language of the country. A sub-committee was appointed to go into the question. Long after this question had become a live controversy and the S. L. F. P. was committed to making Sinhalese only the official language, Mr. Bandaranaike looked into the whole matter, and this is what he said. These are his suggestions. These are Mr. Bandaranaike's own suggestions, and of his party, after, I take it, considerable study and thought.

"It is suggested that Sinhalese be adopted as the official language while recognition be accorded to the Tamil language in the legislature, administration and education as set out below."

When I asked a number of members of the M. E. P. what is meant by the expression "reasonable use of Tamil", I was told by them, "It is what our Leader has explained." They did not want to put all this there, so they said, "reasonable use". Their leader had put down what his view was with regard to the reasonable use of the Tamil language.

THE PRESIDENT: From where is the hon. Senator reading?

SENATOR NADESAN: I am reading from *The Tribune* of 10th May, 1956, which refers to a statement dated 12th September, 1955, submitted by Mr. Bandaranaike to the Executive Committee of the S. L. F. P.:

"It is suggested that Sinhalese be adopted as the official language while recognition be accorded to the Tamil language in the legislature, administration and education as set out below:

Legislature—Sinhalese and Tamil will be the languages which may be used in the Senate and the House of Representatives and all laws will be promulgated in these two languages."

Where is the enactment which says that? Why has that been omitted from this Bill? Why has it not been put in here? Sinhalese shall be the only official language, but these things can happen. What is the difficulty? This is a matter which Mr. Bandaranaike had given considerable thought to as late as the 12th September, 1955, and these were his recommendations. When they were

making use of the expression, "reasonable use of the Tamil language", all of us were aware that he was the man who had made these recommendations before the elections.—[*Interruption.*] The Honorary Secretary of the U. N. P. says that they all led us up the garden path. Perhaps, he is right in making that observation. Certainly, speaking for myself, I was led up the garden path. I say that quite candidly on the floor of this House.

If I, for a moment, thought that the M. E. P. was going to father this sort of Bill on us and resist all legitimate demands, such as the recognition of the right of the Tamil-speaking minority in this country to transact their business with the Government in their own language; if I, for a moment, thought that a person of the eminence of the hon. Leader would stand up on the floor of this House and challenge the existence of such a fundamental right, our course of action would certainly have been completely different. But that is neither here nor there.—[*Interruption.*] To twit me with that type of remark is not fair because if there has been a very grave and gross betrayal by any party in this country, it was by the U. N. P.

SENATOR B. I. PALIPANE: You have no grievance.

SENATOR SIR UKWATTE JAYASUNDERA: We had no secret pacts.

SENATOR AZEEZ: Assurances!

SENATOR NADESAN: Assurances were given as my good Friend, Senator Azeez, says. The U. N. P. gave all these assurances within the walls of "Sri Kotha"; there the assurances were given and were ended.

To continue with what I was reading:

"Administration—Sinhalese will be the language of the administration in all courts including the Supreme Court, government offices and local bodies in all the provinces except the Northern and Eastern where the language will be Tamil.

Proviso—When the Supreme Court sits in the Northern and Eastern Provinces, its proceedings will be in Tamil.

Education—The medium of instruction in any area shall be the language of the area.

Proviso (1) Every pupil should be encouraged (but not compelled) to learn the other language as a second language, and if 33 per cent of the

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pupils in any school desire to do so, the school shall be compelled to provide the necessary facilities.

Proviso (2)—If in any school 66 per cent. of the pupils desire that the medium of instruction shall be the other language, this shall be allowed. But, in such a school, the language of the area shall be taught compulsorily as a second language to all the pupils in that school.

Transitory Provisions: There should be an immediate declaration of the official language, but in the transition period until the above policy can be implemented, English may continue to be used. A Commission shall be appointed forthwith to draw up a time-table setting out the dates on which English will cease to be used in each of the various activities and departments of Government in each area and also indicating, where necessary, the steps to be taken to give effect to this time-table."

I take it that a commission will now be appointed to set out the time-table. If a commission had been appointed to set out the time-table before this Bill was passed, the time-table would have been completely different. This is a time-table that has been drawn up on an erroneous basis.

Mr. Bandaranaike, having stated various things, gave his conclusions in this way:

"I have therefore come to the conclusion that the only two alternatives are:

- (a) either to give Sinhalese and Tamil parity throughout the country;
- (b) or to make Sinhalese the official language while according due recognition to Tamil in the legislature, administration and in education.

It has been pointed out earlier that the question of parity is likely to be unacceptable to the vast majority of members of our party. The second alternative therefore is recommended. I want here to emphasize that it is not the policy of our party to do any injustice to any minority, and that the scheme suggested below is intended, while reasonably satisfying the just claims of the majority, to afford to the Tamil community all the safeguards necessary for the preservation of their language and culture, for the assurance of equal opportunities for posts, etc. in the country and the welding of the various people in the country into one harmonious community."

Those were the views on September 12th, 1955, of the present Prime Minister with regard to what he thought was necessary for the purpose of satisfying the legitimate aspirations of the Tamil-speaking minority in this country.

On that occasion he did not speak of the Malay community and their language.

or of the English language; neither was he solicitous about the language spoken by the various Indians living in this country on September 12th. But now, today, for some mysterious reason which baffles me, there is a tremendous amount of solicitude shown on behalf of the Malay language when the Malays themselves are not worrying about it at all, when they themselves are quite willing to learn the Sinhalese language in 15 years.

There is, I believe, specific provision in the Civil Procedure Code or in one of these Codes for serving summons—for a copy of the plaint, in the case of either a Muslim or a Malay, in the Tamil language. The position all these years under British rule, so far as the Malays and the Muslims were concerned, was that the summons or the plaint should be served in the Tamil language, and in the case of the Sinhalese in the Sinhalese language.

The Malays were content to put up with that all these years. They did not say that it should be in the Malay language. What they say is, "If you want us to learn Sinhalese, well, give us 15 years' time." So, too, the Burgher community in this country; they say, "Very well, if you want to have Sinhalese, have it." So far as they are concerned, they will solve their problem in a slightly different form. You cannot blame them. They are perfectly entitled to go and live in another country which is more sympathetic to their way of life and culture and get assimilated with the rest of the population; and they can go.

But here, when we say that the Tamil-speaking citizen should be given the right to transact his business with the Government in his own language, up jumps the hon. Leader exclaiming, "What about the Malays? What about the Chinese? What about the Indians in our midst who speak different languages? What about all these people?" The answer is simple. Firstly, so far as Sinhalese and Tamil are concerned, they are the national languages of particular sections of this country from time immemorial. Secondly, during the colonial regime, Sinhalese and Tamil were given recognition in a certain way. Thirdly, neither the Malay nor the

Burgher communities, nor the Indian temporary residents in this country wanted the use of their languages recognized in Ceylon. Therefore, why bring that up as an argument for the purpose of denying the legitimate demand of a community which says it is of paramount importance that the Tamil language should be given due recognition?

SENATOR THE HON. M. W. H. DE SILVA: May I interrupt the speaker? The hon. Senator argued that there was a fundamental right for each man to be governed in his own language.

SENATOR NADESAN: I never said each man. I said there was a fundamental right—

THE PRESIDENT: The hon. Senator gave way to the hon. Leader. Perhaps it might be better if he will wait till the hon. Leader makes his observation.

SENATOR THE HON. M. W. H. DE SILVA: I examined that point and said, that if that argument was correct, it would apply not only to the Tamils but also to the Burghers, the English-speaking people, the Malay-speaking people, and the people speaking every other language in this country. My hon. Friend's argument today is not what he then put forward: he now puts it on the basis that the Tamils, as a minority having a national language, should be given Tamil as their official language. If that was his contention then, I would not have got up and put forward that argument. It was merely an argument to show how ridiculous the claim was.

SENATOR NADESAN: Very well. I am really sorry that there is a little misunderstanding, because my hon. Friend even on the last occasion, during the debate on the Address of Thanks, came out with this argument. This is what he said:

"Now, you say that in any country every man has the right to address the Government in his own language and get a reply in his own language. If a Chinaman who lives here, Mr. Paktsun, for instance, writes a letter to the Government in Chinese—"

Then I interrupted and said my position was not that. On the last

occasion itself I made my position clear. I said:

"My position did not envisage the case of Chinamen and others. My whole position is this. There is a Tamil language which is one of the national languages of the country; at least, the English language is spoken by the Burghers. Any other person who comes to this country must communicate in one of the national languages and not in his language. That is never permitted in any country in the world. It should be either Sinhalese for the Sinhalese, or Tamil for the Tamils, and English, but no other language."

The hon. Leader then interrupted me and said:

"Senator Nadesan sees the weakness of his argument now."

And you, Mr. President, requested the hon. Leader to address the Chair because you found it difficult to follow him.

The hon. Leader went on to say:

"My hon. Friend, Senator Nadesan, argued that every man in this country has the right."

Then I clarified my position thus:

"I said 'every citizen of this country'; and when I said 'every citizen', I was aware of the fact that the citizens of this country talk three languages, Sinhalese, Tamil and English. I referred to no other language. I was aware that these are the three national languages of this country: two national languages and English. I desire to say, so that there may be no misunderstanding, that I confined myself solely and exclusively to Tamil and Sinhalese, and outside English to no other language, because I think these are the languages that have a status in this country."—[OFFICIAL REPORT, 10th May, 1956; Vol. 10, c. 216.]

So, that point was disposed of on the last occasion itself, namely, on 10th May, 1956. But that argument is once again trotted out today. I can understand it if the point of view I put forward is being demolished; but why attribute to me something that I did not say? As I explained earlier, I am aware of the fact that in every country there may be one or two or more national languages in the sense that they are distinct from the languages of the people who come to the country for the purpose of trade, or conquest, or whatever other reason it may be, which of course is a totally different thing.

Now, it has nowhere been stated that a man who comes to this country from, say, Venezuela, can claim to transact his business with the Government of Ceylon in his own language. Nor can a Chinese, or a Hottentot, or an African, or an Australian, or anybody else for a matter of that, come here and say that

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he wants to transact his business with the Government in his own language. No, that is not permitted.—[*Interruption*—My hon. Friend refers to distinguished citizens. By all means, let anybody who comes here become a distinguished citizen. But merely because you become a distinguished citizen, you cannot as an individual claim that status be given to your language in this country.

I wish the hon. Leader will give us credit for this: that we do not propose to advance arguments of such fantastic nature, and that the arguments we put forward are related to a particular context. What we are concerned with is the principle that every citizen of this country speaking one of the national languages has the right to transact his business with the State in his national language. That is what we are contending for; and it is too late in the day, in the year 1956, to attempt to equate the Tamil language with the Malay language or some other language spoken by people who have come to reside in this country.

That is why I said that even the Hon. Prime Minister has taken the trouble here to refer especially to the Tamil language. He has not referred to the other languages. Why is that? Because he is as much aware as anybody else—and his party must be aware of the fact—that Tamil is the language of a section of the indigenous population of this country who had lived here in their own right for thousands and thousands of years.

THE PRESIDENT: Perhaps the hon. Senator will accept the hon. Leader's explanation on the point. He said he would not have advanced that argument but for the fact that the hon. Senator put forward a certain point of view.

SENATOR NADESAN: All that I wish to say is that the argument he advanced was the result of a misunderstanding.

SENATOR KANAGANAYAGAM: There is a technical term in logic for that type of argument. It is *pons asinorum*.

SENATOR NADESAN: It is no doubt due to a misunderstanding. But you would have noticed that on more than two occasions in the course of the debate

on the Address of Thanks I wanted to make my position crystal clear. I cannot, and no man can, reasonably contend that such a right can be claimed in respect of anybody and everybody who comes to this country; that is a right you can claim only on behalf of the nationals of this country who speak one of the national languages.

In this connection I might refer to certain observations made by Senator Cooray regarding the national language, with which I disagree. I think this is a convenient point for me to refer to those observations. For instance, he quoted the Irish parallel and said that in Ireland, Irish has been recognized as the national language and the first official language, and English as the second official language. Then he observed that the formula to be adopted in Ceylon is to recognize Sinhalese as the national language and the first official language, and Tamil, I suppose, as the second official language.

Now, that parallel does not apply at all for the reason that the English language was really forced upon the Irish people by their conquerors, and right along the Irish people resisted to the best of their ability the imposition of a foreign language on them. And, finally, when they gained their freedom they regarded this foreign language imposed upon them not as a national language but as a language which they were compelled to study. Under those circumstances, they proclaimed Irish as the national language and as the first official language, and English as the second official language.

But the situation here is totally different. It is analogous to the situation in India, a multinational State, where there are a number of national languages. As far as Ceylon is concerned, there are two languages: one is Tamil and the other is Sinhalese. These two are the national languages of the country. You will remember that all these years, from the time of the National Congress right down to Independence, the terminology used in respect of Tamil and Sinhalese was that they were national languages of this country. Now, it cannot be because the M. E. P. Government has got into power it is going to deny the use of Tamil as a national language.

THE PRESIDENT: May I ask the hon. Senator to accept the explanation?

SENATOR NADESAN: I have accepted it. I am going on another point. If it is for the purpose of appeasing the mob, or for the purpose of showing that one is doing really heroic deeds on behalf of the Sinhalese, by all means say, "We want to have Sinhalese as the official language." It is sometimes very fashionable in certain quarters to get rid of inconveniences by denying their existence. Even as Sinhalese is a national language of Ceylon, Tamil also is a national language. There are two national languages in this country, and there have been these two national languages from time immemorial.

THE PRESIDENT: I do not think that has been denied.

SENATOR NADESAN: I am referring to Senator Cooray's argument with regard to the Irish parallel. He is absent, but I am not responsible for his absence. I am dealing with his argument with regard to Ireland.

THE PRESIDENT: Senator Cooray did not say that he did not recognize Tamil as a national language.

SENATOR NADESAN: He said we will have to devise a way by which Sinhalese will be the first official language and Tamil the second official language. In other words, it is of vital importance that now and at all times we must realize the fact that Tamil is a national language of this country. There is no use of attempting to get rid of that fact for the purpose of avoiding difficulties. They have recognized that fact. The question is: What status will you give to one of these national languages Tamil? Will you give it the same status as the Sinhalese language, in the sense that even as a Sinhalese man can speak to the State and its institution in his own language, a Tamil man will also be able to do so in his own language? As the Bill is silent on that point, I should like to have that elucidated even at this late hour from the Hon. Minister of Justice. Will the Tamil-speaking people be accorded that

simple elementary right, which I call a national fundamental right, and of which Mr. Mettananda said, "Oh, that is there. Why do you want any provision? You do not want legal provision for the exercise of that right."

Obviously, on 22nd September, 1955, the present Prime Minister was aware of the fact that certain safeguards were necessary—safeguards to the Tamil-speaking people—for the preservation of their language and culture, for the assurance of equal opportunities to them and for the welding of the various people of the country into one homogeneous community. It is unfortunate that he had not been able, after the first flush of victory, to execute his earlier wishes in this matter, and he has not been able to persuade his fellow members of the M. E. P. to make the necessary provision in this Bill to see that the entirety of the Ceylonese people were welded into a homogeneous nation.

What is it that has happened as a result of this Bill and the failure of this Government to take the elementary steps to safeguard the rights of a minority in this country with regard not only to their linguistic rights but also their personal rights? We see today a situation which any true lover of this country will deplore. One method of getting over the present situation is to deny the existence of a tremendous communal tension. Another method that has been adopted to deny to the Tamil-speaking people of this country their linguistic right is to detach the Muslim population from the rest and say, that they are not a Tamil-speaking lot. There are certain people who, possibly for fear of their very lives, live in the midst of Sinhalese.

SENATOR KANAGANAYAGAM: The Sinhala Marikkars?

SENATOR NADESAN: I am not referring to the Sinhala Marikkars. They have certainly accepted the Sinhalese language but, of course, the vast masses of the Muslims in this country speak the Tamil language and some of them are as proficient or more proficient in the Tamil language than most Tamils, particularly in the Eastern Province;

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and they have voted against this Bill showing that so far as the Muslim population of this country is concerned they themselves feel that the Tamil language should be accorded an honoured place in this Bill. It is customary these days to overlook the fact that the Muslims are a Tamil-speaking people and to ignore them in the computation of the Tamil-speaking population of the country. But I desire to draw in this connection the attention of hon. Senators to Sessional Paper XXII of 1946 which contains the recommendations of the Select Committee composed of Mr. J. R. Jayewardene (Chairman) and some other Members of Parliament, in which they have set out the linguistic distribution of the population of Ceylon as shown in the Census of 1946. In that Select Committee Report appears this paragraph:

“The Sinhalese, except a few thousands who speak Tamil in the Western and North-Western Provinces, generally speak Sinhalese. The Ceylon and Indian Tamils and the Muslims are, in general, Tamil-speaking. The proportion according to language may therefore be reckoned as 69.6% Sinhalese-speaking and 28.6% Tamil-speaking.”

In that has been included Ceylon Moors and Malays, numbering 393,000 at that time. I do not think anything so very radical has been done since 1946 that one will be justified today in excluding them in computing the strength of the Tamil-speaking people of this country. According to the Census of 1953, the entire Sinhalese population is given as 5,621,332, so that, excluding the entirety of the Indians in this country—the Indian plantation labour and others who have not acquired citizenship—the position appears to be that the Ceylon Moors and the Ceylon Tamils number 1,376,851 as against a Sinhalese-speaking population of 5,621,332. That is the actual position and, in that state of affairs, one cannot ignore the linguistic rights of such an important minority in this country.

On the last occasion, I referred to the instance of a small country like Finland, where the Swedish people numbered 10 per cent and the Finnish people numbered 90 per cent. In their Constitution both languages have been recognized as official languages and arrangements have been made to enable the Swedish as well as Finnish-speaking

people to transact business with the Government in their own language. I then said that it was but right and fair that we, too, should follow this whole-some example with regard to the way in which governments recognize the linguistic rights of national minorities if we are to have anything like harmony and contentment in this country. But unfortunately the Government has adopted this unwarranted course of action and, as a result of the unfortunate situation that has been created, there is racial tension today.

As speaker after speaker said in the Other Place, we have as a result of this unwise action on the part of the Government practically gone back ten years; because you might remember that during the past ten years, on the basis that both these languages would be accorded an equal place and that there would be complete equality, the Tamil-speaking people of this country had taken to the study of Sinhalese. You are aware, and I think Senator Sir Sangarapillai Pararajasingam will bear me out, that in a large number of schools in Jaffna Sinhalese was taught as a second language. A number of Tamil students took to the study of Sinhalese with great avidity. But now what has happened? The entire atmosphere has been poisoned as a result of the Sinhalese leaders being suspected of wanting to introduce a sort of linguistic imperialism in this country; the Tamil-speaking people have reacted by refusing to study Sinhalese.

Speaking for myself, looking at it purely from a rational point of view, I do not think that any set of people should refuse to study their neighbours' language because they suspect their neighbours of imperialist tendencies. A knowledge of our neighbours' language is an advantage at least for the purpose of reading their newspapers to see what they are saying about us, because I am told that the Sinhalese newspapers are carrying on a virulent campaign to rouse the Sinhalese masses against us. I do not know whether that is right or not, but it will be of advantage to our people to study Sinhalese for the purpose of knowing what the Sinhalese people are thinking and saying about us. It is also a matter of cultural advantage to us to study Sinhalese, apart from anything

else. But in the present state of affairs, if a person like me were to advise the Tamil-speaking people that, despite the short-sighted policy of this Government, they should continue to study Sinhalese because one day sanity is bound to prevail, that these acts of injustice cannot last for all time, that governments come and go, that this Government will also meet its doom soon and when that time comes their proper rights would be restored and they will be in a position to participate in the affairs of this country on terms of friendship with their Sinhalese brothers, that for those reasons a knowledge of that language and appreciation of that culture is necessary, it is hardly likely that such advice will be heeded. It is most unfortunate that such a situation has been created.

Whatever may be the attitude of this Government, on one matter there can be, as I said, no compromise; and that is, the assertion of our right to transact our business in our own language, which we propose to do. If the Government is wise, it will recognize that right.

SENATOR THE HON. M. W. H. DE SILVA: I have repeatedly said that the Government will recognize the reasonable use of Tamil, and provision will be made subsequent to the passage of this Bill for that purpose. Provision will be made for the reasonable use of Tamil as indicated, to a certain extent, in the paper read out by my hon. Friend. The provision which we will make in respect of the reasonable use of Tamil will follow, more or less, what was read out by him. The position will be carefully examined. So that, the Tamil-speaking people will not suffer in any way.

SENATOR NADESAN: I am thankful, even at this stage, to the hon. Leader for the assurance he has given me. I suppose I must be content with that assurance; but I would have been happier if he had given me a categorical assurance as to whether I could write to a Government department in my language and receive a reply in my language.

SENATOR NADESAN: I want a narrower assurance. I only want these rights; I want nothing more. I want these simple elementary rights. The assurance that provision will be made for the reasonable use of the Tamil language is not enough. We want certain specific rights; and we want an assurance that we will be allowed those specific rights, because then we can tell the people something.

THE PRESIDENT: May I ask the hon. Senator whether the hon. Leader's assurance was not a very affirmative one?

SENATOR NADESAN: It was not an affirmative one with regard to the simple question that I asked. I asked the question, will the Tamil-speaking people have the right to communicate with Government in their language and get a reply to their communications in their language? Will they have the right to fill up their estate duty forms, their income tax forms and other forms in their language and send them to the Government and get replies in respect of those matters in their language? That is all that is meant by the "equal status" I am asking for. I am not concerned with the equal rights of public servants; they can take care of themselves. As a matter of fact, the whole atmosphere has been poisoned by the public servants being dragged into this controversy at every stage. I think the further the Tamil people keep away from the subject of public servants, the better it will be for themselves and the Sinhalese. At least, then the atmosphere will be more harmonious.

THE PRESIDENT: What the hon. Leader said was that provision would be made on the lines indicated in the statement the hon. Senator read as the policy of the present Prime Minister.

SENATOR NADESAN: To that extent, an assurance has been given, and I am very grateful to the hon. Leader, because what I read out here certainly grants

THE PRESIDENT: He has given the hon. Senator a broad assurance.

[Senator Nadesan]
some rights. But it is not an answer to the particular question that I have formulated. It is a simple question to which I have not been given a categorical reply. I hope that before the debate is over, it will be possible for us to get an answer to this simple question.

SENATOR KANAGANAYAGAM: Wait and see!

SENATOR NADESAN: I said that on the question of asserting our positive right to transact business with the Government in our language and requiring the Government to transact its business with each individual citizen in his own language, there can be no compromise. In regard to that we will inevitably have to stand and fight, and I think such a fight can be carried out without in any way creating racial animosity. It is unfortunate that in respect of a fight of that nature there should be talk that is likely to rouse racial passion on the Tamil side. These are times when both leaders of the Sinhalese people and leaders of the Tamil people should avoid as far as possible the rousing of communal passions.

Speaking for myself, I am confident that if we, the Tamil-speaking people of this country, put across this point of view to the Sinhalese masses—that this is the right we claim; that this is the right we want conserved—it will be possible in course of time, despite the communalistic propaganda that is being carried on by political adventurers, to persuade the Sinhalese masses to a reasonable view of the matter and to concede to us what is our right. I am not despondent nor am I desperate with regard to this matter. What we require is a certain amount of patience and confidence because there is not the slightest doubt that if the Sinhalese people are told the truth with regard to what precisely it is that we want, they will not have the slightest objection to our being granted that right.

As a matter of fact, I was told only the other day by Mr. Julius de Lanerolle that he spoke to a large number of Buddhist priests who did not know that our demand was only for the right to transact our business with the Government in our language. That is all that we are asking for. Of course incidentally, we should have the right of having our education in our mother tongue from the kindergarten to the University and also the right to sit for public examinations in our language. They did not know that the main demand that has been put forward by the Tamil-speaking people was only this, and I was told that a number of Buddhist priests will not have the slightest objection to that being conceded. They have stated, "Oh, yes; why not? Surely, we suffer nothing by conceding that right." But that point of view has not permeated to the masses. Things have been misrepresented. They have been told that we want "fifty-fifty"; they have been told that the moment parity is conceded, a Sinhalese nurse will become half a Tamil.

I personally feel that this is a situation which calls for patience on the part of the Tamil-speaking minority in this country. Their cause is just and will ultimately prevail. They should not be tempted into imagining that the problem can be solved without their explaining to the Sinhalese people the true position. And at least for that reason it may be an advantage if we study the Sinhalese language, so that we may go among the Sinhalese people and tell them in their own language what our problem is. I say so because the M.E.P. and some of its leaders have taken advantage of the situation that we are unable to talk to the Sinhalese in their own language and misrepresented our demands to the Sinhalese people. At least for this reason, if not for any other, it may be desirable for us to study the Sinhalese language.

SENATOR AMARASURIYA: Not too late.

SENATOR NADESAN: But so far as the Government is concerned, it is very essential that it should not allow the present situation to deteriorate; it

should do everything in its power immediately, not by way of assurances but by something more tangible, to assure to the Tamil-speaking minority in this country their undoubted rights. It does not matter what you call it. You can say that Sinhalese only shall be the official language, but give us our substantial rights. There is nothing in a name; we only want our rights. Once those rights are assured—not in words but by legislation—then the present tension will ease and thereafter it may be possible for this Government to embark on its ambitious socialist programme.

THE PRESIDENT: I think you said that you all voted for the M.E.P. because you were satisfied with the policy, as set out in the Prime Minister's—

SENATOR NADESAN: I never said that. What I said was that, as between the U.N.P. and the M.E.P., we supported the M.E.P. because the M.E.P. had a more progressive programme than the U.N.P. But that does not mean that we accepted the M.E.P. programme itself.

SENATOR PALIPANE: The lesser of the two evils.

SENATOR NADESAN: Of the two evils at that time, the M.E.P. appeared to be the lesser. Of course, in certain electorates where the leftist parties contested the U.N.P., we supported the leftist parties. Where there was a contest between a leftist party and the M.E.P., certainly the Tamil-speaking people supported the leftist party.

THE PRESIDENT: I think the hon. Senator has got an assurance from the hon. Leader, which assurance nobody else has got so far. I think the hon. Senator has been very successful there.

SENATOR NADESAN: I do not think it is due to my ability; it is due to the essentially intrinsic fairness of the hon. Leader who, of course, finds himself at this time of his life sometimes in rather embarrassing company.

SENATOR KANAGANAYAGAM: Very embarrassing company.

SENATOR NADESAN: He gave that assurance because he is prepared to recognize essential fairness for which he has devoted all his life and not because of the success of my persuasion. I have not succeeded in doing anything at all.

THE PRESIDENT: You therefore accept that position?

SENATOR NADESAN: All that is accepted but I am not the person so largely involved. The mass of people in the Northern and Eastern Provinces and their elected Representatives are threatening a march to Trincomalee, organizing a hartal and demanding separation. All this agitation is going on. That agitation is certainly not conducive to harmonious relationship between two communities in this country. Once they do that, the Rajaratnes and the Mettanandas will want the Sinhalese people to boycott everything of the Tamil people; they will want the Sinhalese people to boycott me also as a lawyer. That sort of thing creates racial tension and racial passion.

Therefore it is a matter of paramount urgency. I desire to impress on the Government the urgency of doing something tangible in legislative form to assure these people that there is nothing to fear. If that is done, then of course it will strengthen the hands of what they call moderate elements and whom Mr. Chelvanayakam refers to as defeatist elements. There is no use in creating all these elements. You call yourself a nationalist but you are called a defeatist. That sort of thing does not take us anywhere at all. While on the one hand the nationalist elements in our country should put their foot down against these fissiparous tendencies and see that the Tamil-speaking people are not weaned away from the Sinhalese masses, the Tamil people should realize their fortune is interwoven with that of the rest of the people of this country; they should at the same time see to it that the Government itself, which has precipitated this situation, apart from giving us assurances, introduces the necessary

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legislation without delay so that the people may know that the Government is considerate. Otherwise difficulties will be created.

The question of language rights should not be approached from the point of view of success at the elections or what will satisfy the masses. It is a far more fundamental question. It has been stated by some writers that it may be even permissible to thrust down the throats of other people your religion but not your language. I am quoting an extract from *The Spirit of Language in Civilisation* by Karl Vossler. This is what he says:

“Tolerance of national languages is a still later tenderer flower of human culture. Once that insight has been gained, thereafter intolerance on this point is an even greater idiocy. If I grudge my neighbour his religious beliefs, and hammer my own into his skull, I shall at any rate be able to excuse myself on the ground that I believe my own to be the only one that leads to salvation, that his leads to damnation, and that I want to save his soul.

But if I throttled my brother's mother-tongue in order to impose mine on him, what excuse can I have except that of conceit? For my neighbour's language is his inner eye, his form of thought with all its potentialities of expression, his spiritual childhood and future. To everyone who has understood this, all repressive measures directed against a language must seem like crimes against the budding life of their spirit.”

That is the position. So that, for the sake of votes, do not be intolerant with regard to the language of your neighbours. Your own language has drawn sustenance from it down the centuries. That is no shame because wherever languages meet and cultures meet, there is interaction of those languages and cultures and, to some degree, each language and each culture benefits from the other.

This same question of language came up for discussion in the Canadian Parliament. I believe on the occasion of the last debate, Senator Nagalingam referred to what was stated by Mr. St. Laurent, the Minister of Justice, in the Canadian Parliament. Before I conclude I shall quote his words in the hope that hon. Members and the M.E.P. Government will pay heed to what another Minister of Justice, who is now the

Prime Minister of Canada, had to say. He is a Frenchman; and as hon. Senators know, there are 25 per cent. French-speaking people in Canada confined to the Province of Quebec mostly. Both English and French are recognized as the official languages in the Federation of Canada. This is what he said:

“It is not the manner of those who have themselves had the formation that comes from that long history which has brought us to this point in the civilization of mankind to do things which the conscience of humanity at large would regard as dishonourable; and the conscience of humanity at large would frown upon an assemblage in this house that attempted to take from me and from those of my race the right to speak the language I learned from my infancy as one of the official languages in which the deliberations of this house may be carried on. So it is of everything else that is not within Section 92. If it is fair, if it is just, if it is proper according to the standards of human decency, it will be done; if it is unfair, if it is unjust, if it is improper, all members of this house will say, ‘It is not our manner to do such things.’”

I do hope that all Members of this House will say it is not the manner of the Sinhalese people to do such things. In this connection I would only refer to the fact that the late Rt. Hon. D. S. Senanayake on that memorable occasion when he called upon the Tamil-speaking people of this country to vote for the acceptance of the White Paper proposals made the following observations:

“The accusation of Sinhalese domination has thus been shown to be false . . .

I do not normally speak as a Sinhalese, and I do not think that the Leader of this Council ought to think of himself as a Sinhalese representative; but for once I should like to speak as a Sinhalese and to assert with all the force at my command that the interests of one community are the interests of all. We are one of another, whatever our race or creed. These accusations of rabid communalism—

He was at that time replying to the charge that the Sinhalese people were guilty of rabid communalism.

“—were no doubt inevitable, but they hurt because they seemed to us to be so manifestly untrue.”—[OFFICIAL REPORT, STATE COUNCIL, 8th November, 1945; Vol. II, c. 6922.]

SENATOR PALIPANE: Manifestly untrue.

SENATOR NADESAN: That is what he said then. The question arises whether this charge of communalism is

manifestly untrue of the activities of the present Government. He also said this:

"Let me say at this point that throughout this period the Ministers have had in view one objective only, the attainment of the maximum of freedom. Accusations about Sinhalese domination have been bandied about. We can afford to ignore them, for it must be plain to everyone that what we sought was not Sinhalese domination but Ceylonese domination."—[OFFICIAL REPORT, STATE COUNCIL, 8th November, 1945; Vol. II, c. 6920.]

I want to ask this Government: Are you going to honour those words today or are you going to stand for Sinhalese domination? I hope even today the Government will stand for the freedom of the Ceylonese people, stand for equal rights for the Ceylonese people, stand for nondiscrimination in respect of the minorities and make every effort to preserve the language, culture and rights of the minorities of this country. I thank you, Mr. President.

THE PRESIDENT: The sitting is suspended for 30 minutes.

Sitting accordingly suspended at 4.30 p.m., and resumed at 5 p.m.

SENATOR PALIPANE: Mr. President, it is very refreshing to feel that we are able to discuss this Bill far from the madding crowd, in a happier, calmer and saner setting. The people of this country shall never condone the unhappy situation created by a few. The responsibility for the recent events will be fixed by posterity on those who have striven in vain for the perpetuation of a fragmented nation and the infliction of injustice upon it.

I am sorry that my good Friend Senator Kanaganayagam is not in his seat. When hon. Senators were wearying of the debate, my good Friend Senator Kanaganayagam produced a great deal of comic interlude to relieve our minds and to provide some comedy which I hope, at any rate, would tend to alleviate the tragedy of our present life. My good Friend began from the beginning. I, too, would like to commence from genesis.

Mr. President, *Mahavamsa*, our ancient historical chronicle, records that 2,500 years ago an Aryan Prince, Vijaya by name, came to Lanka.

AN HON. SENATOR: You have said this before.

SENATOR PALIPANE: I am saying it again for your delectation and enlightenment. At that time, the Yakkhas inhabited this Island. It is also recorded in the *Mahavamsa* that the coming of Vijaya coincided with the passing away of the Buddha.

SENATOR NADESAN: Now also there are Yakkhas.

SENATOR PALIPANE: What is that?

AN HON. SENATOR: He says that now also there are Yakkhas.

THE PRESIDENT: I do not think the hon. Senator should give ear to interruptions.

SENATOR PALIPANE: They are interesting and I would like to reply to them.

Now that my hon. Friend Senator Kanaganayagam has come back to his seat, I would like to remind him that although he was good enough to entertain us with all the comedy at his command, most of the things that he did say were tantamount to a comedy of errors.

This Prince Vijaya, prior to his consecration and coronation as King of Lanka, demanded that he should have a spouse of noble family, and I am very grateful to my hon. Friend for having reminded us that this Aryan—

SENATOR KANAGANAYAGAM: Question! Dravidian.

SENATOR PALIPANE: I maintain he was an Aryan Prince because he came from Bengal. I am grateful to my hon. Friend for having reminded us that this Aryan Prince wedded a daughter of the then King of Madhura which is, no doubt, a Dravidian province. This union strengthens the case that I am trying to make out, that from that point of time up to the advent of foreigners from the west there lived in this country of ours, Lanka, a single homogeneous nation. My good Friend Senator

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Nadesan also supported this view in the speech he made on the Indian and Pakistani Residents (Citizenship) Bill. I am quoting him:

"The Hon. Minister of Justice stated that we have been very hospitable to the Indian immigrants who have come here. It is so. Ceylon has been a very hospitable country. When the Hon. Minister's ancestors and my ancestors came down from India, they were absorbed into the population of Ceylon."—[OFFICIAL REPORT, 25th November, 1952; Vol. 6, c. 939.]

"They were absorbed into the population of Ceylon." That is what my hon. Friend Senator Nadesan said during the course of the debate that I just referred to. Incidentally, the Minister of Justice referred to here, as you know, was Sir Lalita Rajapakse, who is a member of the Salagama community and is a descendant of the last contingent of Indians who came here during the period immediately prior to the period of the western invaders.

SENATOR KANAGANAYAGAM: Were you present to receive them?

SENATOR PALIPANE: My ancestors may have received them.

SENATOR KANAGANAYAGAM: You are denying your ancestry.

SENATOR PALIPANE: Anyway, this great advocate, this great lawyer who has been pleading so much on behalf of the Tamil language and pleading with us so much to recognize the fact that the Tamils are a different nation, said in the course of that debate that when the Hon. Minister's ancestors and his ancestors came down from India they were absorbed into the population of Ceylon. Right throughout, from the period following Vijaya's coming to Ceylon up to the point of time when the Portuguese landed here, various tribes did come from India from time to time, but the fact remains that they were more or less absorbed into the population and lived as one people under one rule.

SENATOR KANAGANAYAGAM: Including Vijaya who was also absorbed by two women.

SENATOR PALIPANE: This is the passage which refers to the consecration of Vijaya:

"Then King Vijaya consecrated the daughter of the Pandu King with solemn ceremony as his queen; he bestowed wealth on his Ministers, and every year he sent to his wife's father a shell-pearl worth twice a hundred thousand (pieces of money)."

SENATOR SIR U. JAYASUNDERA: That is from the *Mahavamsa*.

SENATOR PALIPANE: At least, from a translation of the *Mahavamsa*, Chapter 7, page 61.

Vijaya, like Prince Hal, indulged in all kinds of indiscretions in his youth, but when he had come to the years of discretion, having married a Pandyan Princess, he settled down to govern the Island of Lanka. When he had forsaken his former wife, Vijaya, Lord of men, began ruling over all Lanka in peace and righteousness and his reign as King of Tambapanne lasted 38 years. He reigned as supreme monarch of Lanka —

SENATOR NADESAN: What was then known as Lanka.

SENATOR PALIPANE: —to the point of time the Portuguese, those "conquering heroes", those adventurers, came and marauded our country; there was one rule in this country, one people, one homogeneous nation. That is the point I wish to stress.

SENATOR NADESAN: That is the past. What about the future?

SENATOR PALIPANE: I will come to the future. If the hon. Senator will curb his impatience I will meet his desires.

AN HON. SENATOR: Not all.

SENATOR PALIPANE: If I cannot meet all, I shall get somebody else to meet them.

SENATOR KANAGANAYAGAM: That is their tradition.

SENATOR PALIPANE: Suggested by you.

SENATOR KANAGANAYAGAM: Your tradition—we know how you meet desires.

SENATOR PALIPANE: Then the benign influence of the Sublime and Eternal Lord, set in motion at Saranath, that is, in India, spread its influence throughout the length and breadth of India. Two centuries later, during our Golden Age, Emperor Asoka sent as his emissaries to Lanka to spread the dhamma his son Prince Mahinda and daughter Princess Sangamitta. Prince Mahinda came to Lanka and at Mihintale met Devanampiyatissa and conversed with him in Prakrit Sinhala. Thereafter King Devanampiyatissa, Beloved of the Gods, embraced Buddhism and there was established in Lanka the Buddha Sasana for the gain of the many, for the welfare of the many, in compassion for the world, for the good, for the gain, for the welfare of gods and men.

The point on which I am endeavouring to focus your attention is the evolution and growth of the Sinhala language from a point of time dating back 2,500 years. During the entire period of our history, despite marauders from the neighbouring continent and a number of periods of disintegration, there lived in this country a single homogeneous people. There were Tamil-speaking Hindus, Tamil-speaking Muslims, within a Sinhala State. There were large Tamil and Muslim settlements within a Buddhist Sinhala State. Today, in the North-Western Province, there is Demala Hatpattu. In the Western Province, there is the Negombo District in which there are large numbers of Sinhalese who still speak Tamil. In the Central Province, there is a large settlement at Akurana of Tamil-speaking Muslims. All these people were part and parcel of a single homogeneous people.

SENATOR NADESAN: Not homogeneous, but a single nation.

SENATOR PALIPANE: A homogeneous nation.

SENATOR NADESAN: They spoke different languages.

SENATOR PALIPANE: Most of them did adopt the language, customs and manners of the people who were there. There did arise a unified integrated people.

SENATOR NADESAN: How did they come to speak the Tamil language?

SENATOR PALIPANE: I will come to that. In the Central and North-Western Provinces there are large Muslim villages which survive to this very day and the officials in those villages performed their official functions and maintained their official records—like the headmen who maintain their diaries—in the Sinhala language. They do that to this very day. The Tamils who were living in Demala Hatpattu have acquired the customs, the manners and the language of the people of the area and today they go as Sinhalese people. The very statement made by my Friend Senator Nadesan bears this out—

SENATOR SIR U. JAYASUNDERA: Read that again.

SENATOR PALIPANE: I shall, for your enlightenment. It bears out the assertion I make. During the course of the debate on the Indian and Pakistani Residents (Citizenship) Bill, my hon. Friend said :

“ The Hon. Minister of Justice stated we have been very hospitable to Indian immigrants who have come here. It is so. Ceylon has been a very hospitable country. When the Hon. Minister's ancestors and my ancestors came down from India, they were absorbed into the population of Ceylon.”

SENATOR NADESAN: That is right.

SENATOR PALIPANE: Absorption went on from time to time and there were never two nations. There was only one nation, one people. The concept of a homogeneous nation is in full accord with the universal law that all human beings, nay, all living creatures, tend to seek after their kind and to combine with them and to form what is called the herd, the group or the nation.

SENATOR KANAGANAYAGAM: Buffaloes, for instance!

SENATOR PALIPANE: I will come to that. This tendency involves a movement towards achieving a oneness.

[Senator Palipane]

which is, in itself, an ever-growing force binding and welding a people together. Have you ever heard—I am trying to meet my hon. Friend's interruption—of a wild elephant, a wild buffalo and a wild boar forming one herd? If they tried to form one herd, you will find the wild elephant lashing the wild boar with its trunk or pulling its tail, the wild boar goring the wild buffalo and the wild buffalo goring the wild elephant! There will be a tremendous amount of confusion. There are some people in this country today who, wearing a mask, are trying to create confusion—like the wild elephant, the wild boar and the wild buffalo—and sow discord in the country. I say here and now that it is time to unmask them and to call a halt to this masquerade. You will see that the actual truth is that there are no two sets of people in this country. There is only one set of people with one common interest. It is only as one people pulling together that we can better our social and economic conditions.

AN HON. SENATOR: Send your manuscript to Mr. Mettananda!

SENATOR PALIPANE: I will send it to the Lingams! That is how we are living in this country, as one people. That is the truth of the matter. That truth must be revealed. That is "satyagraha"—force of truth—through which we can see the people act, through which we can see the true state of affairs in the country. It is not by force of argument, or by any other form of force—physical or otherwise—that we can really overcome the difficulty.

It is strange that people who threatened bloodshed, wars, invasions, should have for just one day donned white clothes and pretended that they were going to perform satyagraha. Satyagraha means force of truth. "Satya" means truth, and "graha" means force—

SENATOR NADESAN: The greatest exponent of ahimsa is Mr. Mettananda!

SENATOR PALIPANE: The greatest exponents of "satyagraha", as we have seen in the recent past, were the

of people, comprising the Suntharalingams, Ponnambalams, Chelvanayakams and so many others. These are the people who threatened bloodshed, civil strife—

SENATOR NADESAN: Will the hon. Senator, who is so eloquent, tell me when it was that Mr. Chelvanayakam threatened bloodshed? I am asking that question as he is the leader of a party—

SENATOR PALIPANE: They were all acting together.

SENATOR NADESAN: Mr. Chelvanayakam is the leader of the Federal Party. I have seen him, heard him, on a number of occasions, and he has stated that they were bent on peaceful methods, ahimsa and satyagraha—

THE PRESIDENT: I cannot have two hon. Senators speaking at the same time.

SENATOR NADESAN: In respect of Mr. Chelvanayakam I want to ask this specific question: Can the hon. Senator give me the reference to any speech, utterance or observation made by Mr. Chelvanayakam on any occasion in which he advocated violence or bloodshed, or anything of that kind? Let the hon. Senator confine himself to that particular gentleman, who is the leader of the Federal Party, and answer the specific question, instead of putting it on other people and generalizing. Mr. Chelvanayakam happens to be the leader of the largest political party representing the Tamils. He leads a party of ten Members in the House. When did he say these things?

SENATOR PALIPANE: This is the kind of intolerance, this is the type of thing we have to put up with. I am on my feet, and I would like to address the House uninterrupted. The hon. Senator has spoken for hours.

I maintain that there were threats of bloodshed on the part of Tamil leaders, and these Tamil leaders formed into a group to perform satyagraha. The greatest exponent of satyagraha in modern times was Mahatma Gandhi—

SENATOR KANAGANAYAGAM: The hon. Senator made a serious allegation. Let him substantiate that allegation or withdraw it. It is a travesty of truth to say that the leader of a recognized party threatened bloodshed at the Galle Face Green. We are not addressing the buffaloes of Kurunegala—I withdraw the last words.

THE PRESIDENT: I cannot allow—

SENATOR KANAGANAYAGAM: Let him substantiate or withdraw that allegation.

SENATOR PALIPANE: I am prepared to substantiate every word I utter in this House. These leaders—

SENATOR NADESAN: When?

SENATOR PALIPANE: I will answer that. It was this threat of bloodshed on the part of a number of leaders who professed to lead the Tamil people that caused all the trouble. These leaders got together. Those who aligned themselves with those leaders who had threatened bloodshed were parties to these threats.

SENATOR KANAGANAYAGAM: When and where?

SENATOR PALIPANE: The hon. Member for Vavuniya (Mr. Suntharalingam) threatened bloodshed in the Other Place. He threatened to go to war. Therefore I maintain that any one who aligned himself with him in a public demonstration of that kind on the Galle Face Green is a party to these threats.

I was saying that the greatest exponent of satyagraha in modern times was Mahatma Gandhi, who fought the might of the greatest empire that ever existed with the weapon of satyagraha, with the force of truth. He had no arms, no guns, no physical weapons. He believed in non-violence, practised it, preached it, and the people of the world believed in him. But what happened in this country? People who threatened bloodshed, war, blue murder, came in large numbers to the Galle Face Green and said, "We are innocent satyagrahis; we have no other weapon except ourselves"—

SENATOR NADESAN: To sit down!

SENATOR PALIPANE: They wanted to impress upon the Sinhalese people that they were trying to perform satyagraha; they wanted the Sinhalese people to believe that there was no form of physical invasion, no display of physical force, but that it was all a simple form of satyagraha. We know what followed, what ensued. Not only in the City of Colombo but also in Gal Oya we know the butchery that ensued—

SENATOR KANAGANAYAGAM: Organized, inspired!

SENATOR PALIPANE: Inspired by your leaders, by your Lingams.

SENATOR KANAGANAYAGAM: By the hon. Senator.

SENATOR NADESAN: What has all this to do with the Official Language Bill?

SENATOR PALIPANE: This satyagraha, as a protest—

THE PRESIDENT: The other two hon. Senators had their full say without being interrupted, and the hon. Senator now holding the floor wants a chance to have his say without being interrupted. I hope he will be allowed to speak without being interrupted unnecessarily.

SENATOR PALIPANE: We cannot create artificial conditions and attempt to repudiate the universal law and yet hope to survive as a nation.

The invasion from the west commenced in the 17th century when the Portuguese landed in Sri Lanka. At that time, King Bhuvaneka Bahu was reigning in all his splendour at Kotte. When news of the arrival of the Portuguese reached him, the king commanded that the foreigners be brought to the royal court. The Parangi went to Kotte. They asked for protection, for food and shelter, and the pious king, who was a very devout Buddhist, thought it was his duty to render assistance to those who sought shelter. They built a fort and made themselves comfortable, but that was the first slip to disaster.

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The "maitrya" and the generosity of the Sinhalese people have often proved to be their undoing. How reminiscent was the Parangi Fort of the Trojan horse. Within their fort the Portuguese accumulated arms, and one fine day they opened fire and declared war. All that followed was the result of their having been granted hospitality. The Colombo "Kotuwa" and the harbour became the bases for the military operations of the Portuguese. Little did King Bhuvaneka Bahu envisage that he would have to encounter the base treachery and outrageous perfidy of the very people who were the recipients of his gracious bounty.

During this period of 300 years one foreign power replaced another. These foreigners ruthlessly pursued the campaign of conquest, disintegration and exploitation. Hemmed in on all sides, the Sinhalese fought valiantly in their mountain fastnesses for the preservation of the sovereignty of their nation up to 1815. In that year, the Sinhala Buddhist nation entered into a solemn treaty with the British Christian nation. I would like to read to you Sections 4 and 5 of this solemn Convention.

SENATOR NADESAN: Kandyan Convention.

SENATOR PALIPANE: Sinhala Convention. "Kandyan" is a foreign coinage.

SENATOR KANAGANAYAGAM: Who betrayed the King then?

SENATOR PALIPANE: You.

SENATOR KANAGANAYAGAM: The descendant stands here.

SENATOR PALIPANE: Section 4 of the Kandyan Convention states:

"The dominion of the Kandyan provinces is vested in the Sovereign of the British Empire and to be exercised through the Governors or Lieutenant-Governors of Ceylon for the time being, and their accredited Agents, saving to the Adigars, Dessaves, Mohottales, Coraals, Vidaans, and all other chief and subordinate native headmen, lawfully appointed by authority of the British Government, the rights, privileges, and powers of their respective offices, and to all classes of the people the safety of their persons and property, with their civil rights and immunities, according to the laws, institutions, and customs established and in force amongst them."

Section 5 states:

"The religion of Boodho, professed by the chiefs and inhabitants of these provinces, is declared inviolable, and its rites, ministers, and places of worship are to be maintained and protected."

Those were the solemn clauses of the Treaty of 1815. But the British Raj were not slow to discover that they could not observe the clauses of this solemn Treaty and still pursue their policy of divide and rule. Therefore, there was a *de facto* repudiation of this Treaty and the British Raj embarked upon a relentless campaign to secure the social and economic disintegration of the people of this country.

Buddhism was the foundation of our social structure. The British Raj struck their first mortal blow at the foundation of our religion, Buddhism. All *pirivena* education was declared illegal and in its place there were built Christian schools, Christian colleges; and the Buddhists had no alternative but to send their children to those schools to obtain their education. In this Christian environment the children of Buddhist people were brought up. The use of the Sinhalese language was banned in those schools. When I was at St. Thomas' College, if students were found speaking in the Sinhalese language they used to receive corporal punishment. Estranged from their religion, from their language, from their customs and all that was valuable to them, the Buddhist children were brought up. Trinity College was built on Asgiriya Temple property; Hillwood, on Malwatte Temple property, and St. Paul's Church on Natha Devale property.

SENATOR KANAGANAYAGAM: Dynamite them now.

SENATOR PALIPANE: We will not do that.

SENATOR KANAGANAYAGAM: That is the peoples' will.

SENATOR PALIPANE: That is what you will do.

SENATOR KANAGANAYAGAM: We give straight blows. My friend's style is the Kandyan style; mine is the Jaffna style—the straight blow. His is below the belt.

SENATOR PALIPANE: Never.

SENATOR KANAGANAYAGAM: Read the Convention.

THE PRESIDENT: May I ask that this cross-talk stop immediately, please. It is not fair by the House; it is not fair by the hon Senator.

SENATOR PALIPANE: We have been accustomed to this Tamil tyranny. Let me go on. Then the British Raj struck their second deadly blow at the economic structure of the people.

The Sinhala were essentially an agricultural people engaged in paddy and chena cultivation. By one stroke of the pen, by the enactment of the Waste Lands Ordinance, thousands of valuable acres of land were declared Crown property overnight. These valuable lands, fertile and rich, situated in areas that enjoy the best climate, were sold at one shilling an acre to the British planting community. Thereafter, thousands of Tamil-speaking Indians were brought from South India, settled on these plantations and given various benefits, such as guarantee of employment, houses, schools dispensaries, maternity benefits, and a number of other benefits which the nationals of this country never enjoyed. And the Sinhala people, bereft of their inherent and fundamental rights—so much has been talked about fundamental rights, human rights, and so on—were squeezed into the bottoms of the valleys to languish and decay. This was the fate of the Sinhala peasantry. The one time “Granary of the East” was transformed into “Lipton’s Tea Garden”—owned by British capitalists and colonized by Tamil-speaking Indians. This was the perfidious manner in which the British honoured the Treaty of 1815 and protected the persons and property of the Sinhala people.

The British rulers did not rest content with that. The Government embarked upon a plan of studiously creating minorities. Christian missionaries—Catholic, American and Anglican—went in full force to the north to set up schools and various other institutions and began intensively to impart western education. In large numbers the western educated Tamils were absorbed into the

Government service and given security of tenure, guarantee of employment, in the Government service.

They were fostered and strengthened and fortified, so that the majority community might be kept suppressed. Not only that, the Muslims, who were part and parcel of our people, were torn out of the context of their existence and converted into another new minority known as the Muslim minority. These minorities were carefully tutored to feel that they were entirely distinct and separate from the main body of people from whom they were put asunder.

It is indeed very refreshing to see a leader of the calibre of Sir Razik Fareed consistently supporting the cause of national unity and the restoration of a homogeneous nation on the basis of one national language.

SENATOR KANAGANAYAGAM: High calibre!

SENATOR PALIPANE: Not in your view, but in our view it is high calibre.

In this fashion, the people of this country were dissected and minorities and minority interests were created. All these things were accomplished in pursuance of the British policy. Even the social clubs were organized on communal lines—that is how the rulers encouraged it.

Wherever the British went, there was communal discord. They left India after having partitioned it. They repeated the same surgical operation in Palestine. Although they had left this country, the evil that they had done still lives.

SENATOR P. NAGALINGAM: The bases.

SENATOR PALIPANE: With the utmost sincerity and conviction of mind that I possess, let me appeal to my Tamil brothers and sisters not to continue to be a prey to these foreign machinations, but to endeavour to restore the homogeneous nation that existed prior to their arrival and to live in this country as a single homogeneous, happy people. After our liberation from foreign domination, must the minorities created by the foreign rulers for their benefit continue to exist, or must the homogeneous nation that

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existed prior to their advent be restored? That is the question. Doubtless the Tamil minority which had enjoyed the various benefits the British Government conferred on them to the detriment of the Sinhalese were tempted to resist the reversion to the condition of a homogeneous nation. But I would appeal to them not to fall to that temptation but rejoice instead in being a virile and integral part of a united nation, freely associating one with another. The communal barrier created by the foreigners must cease to exist, and the people of this country must move forward to the achieving of oneness which will restore unity and strength to a fragmented nation.

Mr. President, during the various stages of our movement towards freedom from a condition of subjugation, it was very distressing to see Tamil leaders of various types misleading the innocent Tamil masses. If only freedom of movement between the Sinhalese and the Tamil masses can be established, they will choose what is good for them, but the barriers of these pseudo-leaders prevent that from being attained.

In 1931, when we took another step towards freedom, the Tamil leaders induced the Tamils to boycott the State Council, saying, "We shall not co-operate with the Sinhalese; we must wage war against them; we must oppose them." That was well in keeping with the purpose for which the minorities were created by the foreigners. They continued to be a thorn on the side of the Sinhalese. Thereafter, one and a half years later, the Tamil leaders could not resist the demands of the Tamil masses. Therefore, they became penitent—I do not know whether they were truly penitent or whether they were only superficially penitent—came back, made their peace with the Sinhalese and entered the State Council.

In 1944, Mr. J. R. Jayewardene moved a Motion for making Sinhalese the official language of the country. The Tamil minority in the State Council then asked their Sinhalese brothers to consider the question of giving Tamil also a reasonable place in that Resolution, and an Amendment was moved to that Motion by Mr. Nalliah. The

amended Motion was that Sinhalese and Tamil shall be the official languages of the country. The Sinhalese majority conceded this, although they had the power to resist it and to refuse it.

The Sinhalese yielded on the basis of the faith that they placed in the Tamils that in the future they would collaborate and co-operate with them and assist them to achieve emancipation from foreign domination. But what happened thereafter?

In 1945, immediately in the wake of that concession, the first thing that was created was the Tamil Congress, that monstrous regiment. In 1945 the White Paper proposals came up subsequent to the findings of the Soulbury Commission, and during the course of that debate various speeches were made to which reference was made by my hon. Friend Senator Nadesan. But there was absent at that important and epoch-making debate Mr. G. G. Ponnambalam, the Leader of the Tamil Congress. Where was he at that time?

He had pursued the Prime Minister to England, the late Rt. Hon. D. S. Senanayake. The late Prime Minister went to England to make all the arrangements for the acceptance of the White Paper proposals. Everything was arranged at the other end for its acceptance and for Lord Soulbury, the Chairman of the Soulbury Commission, to be the first Governor-General of Ceylon. The Leader of the Tamil Congress, Mr. G. G. Ponnambalam, flew to England to press the demands of the Tamils, to press for the "fifty-fifty" demand, to press for parity of representation, and whilst he was there pressing those demands, the debate on the White Paper proposals went on in this country. And the few Tamil Members—

SENATOR NADESAN: All the Tamils were there.

SENATOR PALIPANE: Not all the Tamils. I will tell you who were there and who were not. I have got it here.

SENATOR NADESAN: All were there.

SENATOR PALIPANE: The few Tamil Members who were there were saying, "If the majority community,

the Sinhalese community, will meet our just demands, look after us, protect us, we will vote for this Bill, we will give our consent to this movement towards fullness of freedom."

And, as I said, the Tamil Congress leader was bargaining at the other end in England while these Tamil Members were bargaining at this end. The Tamil leaders thought that that was an opportune moment to blow the twin trumpet, to adopt a policy of "Heads I win; tails you lose." In either case, they were victors. If Mr. G. G. Ponnambalam succeeded in pressing the British Government to accept the "fifty-fifty" proposal, they would have been victorious. If he failed, they would strike the hard bargain at this end and yet triumph.

SENATOR NADESAN: I desire to make this observation. If the hon. Senator does not know the facts, I might tell him this. It is only after Mr. Ponnambalam had gone there and made his representations and had failed in those representations, that the Soulbury Commission proposals were published. And at the time the White Paper proposals came up for discussion, so far as Mr. Ponnambalam was concerned, he was holidaying on the Continent, having failed in his mission. There was no bargaining going on at that end. It was because it was known that he had failed that the White Paper proposals were put forward. It is absurd to state that when this debate was going on, Mr. Ponnambalam was bargaining there.

SENATOR PALIPANE: As far as they know, Mr. Ponnambalam was holidaying, but as far as we know he was bargaining. He was pursuing this one idea of trying to get the British Government to accept his proposal of "fifty-fifty."

SENATOR NADESAN: May I ask the hon. Senator, in fairness to the entire Tamil community, what is the justification for his statement that after the publication of the White Paper proposals by the British Government the Tamil people had made representations to the British Government? Why is he saying this? On what authority? What is the document?

SENATOR PALIPANE: Mr. President, if I refer to all the unfair and unjust things that my hon. Friend has said about the Sinhalese people, I am sure, he will hang his head in shame.

SENATOR NADESAN: Is that the kind of reply to give?

SENATOR PALIPANE: What is the reply my hon. Friend expects?

THE PRESIDENT: If the hon. Senator will please not give ear to these remarks, I think we can carry on with the debate.

SENATOR PALIPANE: In that case, I would respectfully ask you, Mr. President, to prevent hon. Senators from interrupting me.

THE PRESIDENT: But the hon. Senator is giving way every time. What am I to do? The hon. Senator leaves me helpless.

SENATOR PALIPANE: Then, I will not give way.

SENATOR NADESAN: If the hon. Senator does not give way, he can say anything he likes.

SENATOR PALIPANE: According to hon. Senator Nadesan, if the Sinhalese say anything harsh about the Tamils, it is unjust, unfair and illegal—everything is wrong; but when the Tamils say the hardest thing about the Sinhalese, it is just, fair and legal.

At the end of that debate I was referring to, when a division was taken, there were 51 Members who voted for the Bill and three who voted against it. Out of those 51 Members, only four were Tamils. I am referring to the *Times of Ceylon*. There were only four Tamil Members who voted for the Bill. Mr. Dharmaratnam, Member for Batticaloa South, was absent. I do not know where he was at the time.

SENATOR NADESAN: He was in hospital.

SENATOR PALIPANE: Is that so? And the Member for Point Pedro, Mr. Ponnambalam, was apparently holidaying

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in Europe at the time! However, there were only four Tamil Members who voted for the Motion. And out of that 51, if you subtract four and add it on to the "Noes", you will see with what an overwhelming majority the Bill could have been passed. Without the help of the Tamil Members, without their consent, that Bill could have been passed. And my hon. Friend, Senator Nadesan, was trying to impress upon us that because of the great help, the great assistance the Tamils gave us, we were able to achieve the fullness of freedom!

I have narrated what happened in 1931. Thereafter we know what occurred in 1944 and 1945. Then came the General Election of 1947; and from the Tamil areas in the north was returned the Tamil Congress into power. Men like Mr. Mahadeva who voted for the Bill with the Sinhalese were just thrown overboard. That gentleman, who was referred to yesterday as the illustrious son of an illustrious father, was thrown overboard by his own people. Those events, those happenings, made the Sinhalese people feel that any Tamil who dared to collaborate with the Sinhalese had to pay the price for doing so.

In 1944 the Sinhalese conceded to the Tamils that both Sinhalese and Tamil should be the official languages of this country. But in the year following was formed the Tamil Congress, the hydra-headed monster that stirred up communal passions in this country.

SENATOR NADESAN: I desire to make one statement——

SENATOR PALIPANE: I am not giving way.

SENATOR NADESAN: The Tamil Congress was formed long before 1944.

SENATOR KANAGANAYAGAM: When was the Sinhala Maha Sabha formed?

SENATOR PALIPANE: Nevertheless, it gained strength and prominence from that year.

SENATOR NADESAN: Do not misrepresent facts.

SENATOR PALIPANE: How long is my hon. Friend determined to impose his tyranny on me?

SENATOR NADESAN: How long is my hon. Friend going to misrepresent facts in this House?

SENATOR PALIPANE: I am not misrepresenting facts. I am stating facts. I will show hon. Senators how my good Friend has misrepresented facts in this House.

SENATOR KANAGANAYAGAM: What is the date of the birth of the Sinhala Maha Sabha?

SENATOR PALIPANE: Let my hon. Friend find it out himself.

THE PRESIDENT: May I remind the hon. Senator that he should not get himself drawn into cross-talk? That is why he is being interrupted.

SENATOR PALIPANE: On the last occasion, when hon. Senator Nadesan rose to interrupt me, I did not give way.

THE PRESIDENT: Quite right. But the hon. Senator allows himself to be drawn into cross-talk by these interruptions, with the result he loses the trend of his thoughts.

SENATOR PALIPANE: I am not losing the trend of my thoughts. On the contrary, I rather like these interruptions because they relieve the tension.

Then, in 1956 we find history repeating itself: the Federal Party demanding a Federal State and the local Jinnahs demanding partition. Amidst all this, one Tamil leader was threatening to shed blood, and another to fly to the arms of Her Majesty the Queen.

SENATOR NADESAN: Mr. President, I object to that. It is in very bad taste.

SENATOR PALIPANE: That is purely metaphorical.

SENATOR KANAGANAYAGAM: We are now speaking in the English language. It is unparliamentary.

SENATOR PALIPANE: I am not giving way.

SENATOR NADESAN: I object to that remark. It is discourteous to Her Majesty the Queen.

SENATOR PALIPANE: It is not; I will repeat what I was saying—

SENATOR KANAGANAYAGAM: We are still speaking in the English language. The "Sinhalese Only" Bill has not yet become law.

THE PRESIDENT: I did not quite catch what the hon. Senator said.

SENATOR PALIPANE: I will repeat the statement I made, so that you may decide whether it is unparliamentary or not, Mr. President.

SENATOR E. W. KANNANGARA: Perhaps the hon. Senator was merely quoting a passage from a newspaper.

SENATOR PALIPANE: I said that one Tamil leader was threatening to shed blood—[Interruption]

THE PRESIDENT: Objection has been taken to the use of certain words. Was the hon. Senator quoting a passage?

SENATOR PALIPANE: No, Mr. President. If you rule that it is unparliamentary, I am prepared to withdraw it.

THE PRESIDENT: Will the hon. Member withdraw it?

SENATOR PALIPANE: Yes.

SENATOR KANAGANAYAGAM: This would have happened if the "Sinhalese Only" Bill was law.

SENATOR PALIPANE: I am between two Tamils, one on my right and one on my left, each trying to get the better of me. But they will never succeed.

THE PRESIDENT: Will hon. Senator Kanaganayagam please refrain from interrupting?

SENATOR PALIPANE: Then, the hon. Member for Jaffna said that if parity of status for the Sinhalese and Tamil languages was not conceded, the Tamil people had the divine right to revolt. This right, to put it at its highest, is no more divine than the right which King Henry VIII of England arrogated to himself to revolt against the Christian Church in order to divorce his wife Catherine of Arragon and marry the beautiful Anne Boleyn. The exercise of the "divine right" by Henry VIII subsequently led to the execution of beautiful Anne Boleyn, so that he could marry his third wife, Jane Seymour. History records that Henry VIII had eight wives, and that by virtue of his piety he assumed the title of "Defender of the Faith" of his realms. That title continues up to this very date.

Then, after achieving freedom, when it came to the question of deciding what our national flag should be, the Tamil leaders opposed the restoration of the Lion Flag. They opposed the retention of the four "bo" leaves in the four corners of the flag, saying that this was a secular State and no symbol representative of any religion may be incorporated in the national flag. The Sinhalese acceded to that demand, and the four "bo" leaves were removed.

SENATOR KANAGANAYAGAM: What about the saree border?

SENATOR PALIPANE: But the hon. Member for Vavuniya objected to the Lion Flag even in its present form. The issue became so grave for him that he vacated his seat, refusing to sit in the House so long as the Lion Flag flew over Parliament House; and he went to his constituency to get a mandate from the people. What was the mandate he got? It was to go back and sit comfortably in his seat. The issue is not so simple, and there he sits in Parliament with the Lion Flag still there.

Let us see what India has done. India, as you know, is a Hindu country. She was partitioned on a religious basis. There was the State of Hindustan for the Hindus and the State of Pakistan for the Muslims. Although it is not embodied in the Indian Constitution that India is a Hindu State, and although there is no *de jure* recognition

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nevertheless, India is, in fact, a Hindu State. It is the one and only Hindu State that exists in the world today. Right in the centre of the Indian Tricolour is the Dharma Chakra. It has accepted as its symbol, its public seal, the Asokan lion capitol. The statue of Buddha towers over the Presidential Chair of the Indian House of Parliament. All this proves, beyond doubt, that the demands that the Tamils of this country are making are fantastic. They have from time to time, physically and otherwise, waged war against the Sinhalese or opposed them and have come into conflict with them. The sum total of their actions is tantamount to a betrayal of the faith the Sinhalese reposed in them.

SENATOR NADESAN: Join the M. E. P.

SENATOR PALIPANE: Why should I join them? I am in the U. N. P. and I will remain in it.

SENATOR KANAGANAYAGAM: He will not be taken by the M. E. P.

SENATOR JUSTIN KOTELAWALA: I can say that the hon. Senator is not speaking on behalf of the U. N. P.

SENATOR PALIPANE: I am surprised at what the hon. Senator said. My Party was for Sinhalese only; that it should be the sole official language of the country. It is on that issue that we went to the country.

THE PRESIDENT: Please do not interrupt the hon. Senator. We must finish this debate today. The hon. Senator is on his feet and he must be allowed to speak. There were no interruptions when other hon. Senators were speaking.

SENATOR KOTELAWALA: When I said that the hon. Senator was not speaking for the U. N. P. I meant that he was speaking for himself. We are supporting the Bill but the way the hon. Senator speaks shows that he is for the Government.

SENATOR PALIPANE: I was saying that Sinhalese alone should be the official language. That is not only the M. E. P. policy; it is the policy of my party as well. The Indian State, though legally

secular, in actual fact spent millions of rupees for the restoration of Buddhist shrines and the celebration of the Buddha Jayanthi. What happened when the Government of this country voted certain sums of money for the Buddha Jayanthi Celebrations? The Tamil leaders raised their voices in violent protest.

SENATOR KANAGANAYAGAM: That is not correct.

SENATOR PALIPANE: This is what my hon. Friend Senator Nadesan said.

SENATOR NADESAN: But I am not a Tamil leader. I represent the Sinhalese.

SENATOR PALIPANE: I shall read out what he said. I am quoting from HANSARD:

"But I should like to know whether Ceylon is still a secular State or whether it has become a theocratic State. That is a question that should be answered. All these days we were under the impression that Ceylon was a secular State. . . . Unlike Pakistan and Egypt, which were well-known theocratic States, we were all these days under the impression that Ceylon was a secular State. And what is more, we were under the impression that the Constitution of Ceylon enshrined the fundamental principle that it is a secular State. This is what Article 29 of the Constitution states:—" [OFFICIAL REPORT, Vol. 8, c. 541.]

He goes on to read the Article and then he says:

"How dare the Government of this country spend money, out of revenue that is supplied by not only Buddhists but also Hindus, Muslims, Roman Catholics and various other religious bodies in the country?"

Consider what our great neighbour, India, has done in respect of these matters. All these things that my Tamil Friends are urging are unjust.

If we did not continue to have the Lion Flag, even in its present form, what is the alternative flag we may have had? We might have had a flag with a *kiribath katte* to represent the Sinhalese, a Jaffna cigar to represent the Tamil and a ball of cheese to represent the Dutch Burghers. It would have been a fine combination. These symbols could have been imprinted on a colourless background—the colourless background representing the unrepresented minorities.

Then, we come to the question of the national anthem. They were opposed to that too.

SENATOR NADESAN: Opposition by whom? Let him mention one person who opposed the national anthem.

SENATOR PALIPANE: Let the hon. Senator curb his patience and allow me to continue my speech so that I can voice my sentiments as I myself enjoy freedom of speech in this honourable House.

SENATOR KANAGANAYAGAM: You are giving wrong facts.

SENATOR PALIPANE: If we cannot have the national anthem, *Namo, Namō, Matha*, we might have to procure the services of Sooty Banda who is a specialist in trilingual verse. He will produce a trilingual national anthem and he will go down to history as the author of that national anthem. He might even have to change his name and assume a trilingual name—Sinna Bandarette. But that is not possible.

SENATOR NADESAN: Who opposed it?

SENATOR KANAGANAYAGAM: On a point of Order, Mr. President. The hon. Senator said that certain Tamils had opposed the national anthem. We asked him who they were and he said he would tell us. We want that information.

SENATOR PALIPANE: I am not here to give in to the fantastic demands of various people.

SENATOR KANAGANAYAGAM: I think "Sooty Banda" must withdraw!

SENATOR PALIPANE: It is impossible to educate my Tamil friends.

Much has been said about the infliction of tyranny on the Tamil minority. I challenge the Tamil leaders to point to one single instance in our recorded history where the Sinhala people imposed their tyranny on the Tamils. If there is any tyranny imposed on the Tamil people in this country, I make bold to say that it is the tyranny of the *Vellala*. The *Vellala* Tamils will not permit Tamils of the depressed classes to draw a bucket of water from a well or enter a temple. The *Vellala* man is not prepared to concede the fundamental right to his Tamil brother to enter a

temple and enjoy freedom of worship and be on a level with him in the act of communing with God.

SENATOR NADESAN: What about the *Rodiyas* and the *Kandyans*?

THE PRESIDENT: I should like to know how long the hon. Senator will take. I am not trying to stop his speaking; I merely want to know how long he will take.

SENATOR PALIPANE: I have taken 1 hour and 20 minutes.

THE PRESIDENT: I merely want to know how much longer the hon. Senator will take so that I may arrange the debate as to time, and so on, as various other matters are pending. I just want to have an idea as to how much longer the hon. Senator will continue.

SENATOR PALIPANE: Another 20 minutes or so.

THE PRESIDENT: Thank you! I should like to ask Senator Kanaganayagam to please allow the hon. Senator to carry on without interrupting him.

SENATOR KANAGANAYAGAM: I am sorry, Mr. President. I was only supplying the Hon. Minister of Home Affairs with some information.

SENATOR PALIPANE: The very validity of this Bill has been questioned in some quarters. I should like to make a submission in respect of this aspect of the matter. In the Order in Council of 1931, you find the following section:

"Except in accordance with the provisions of the second sub-clause of this clause, the Governor shall not assent in our name to any Bill falling within any of the following classes:—

Any Bill whereby persons of any particular community or religion are made liable to any disabilities or restrictions to which persons of other communities or religions are not also subjected or made liable, or are granted advantages not extended to persons of other communities or religions."

This section appears in practically the same form in the Constitution of Ceylon of 1946.

SENATOR E. J. COORAY: I am sorry to interrupt the hon. Senator but I think he is quoting from the wrong document. He talks about the Governor giving assent to some law.

SENATOR PALIPANE: It is not the wrong quotation. That section was contained in the Order in Council of 1931 and it applied to the proceedings of the State Council. The Constitution of 1946 embodied that same section; it is contained in Section 29 (2). So that, the position in 1931 was not any different from the position in 1947. That is what I am trying to make out.

Now, in 1944, despite the existence of that section, Sinhalese and Tamil were made the official languages of this country, although in fact there was in this country, and there still is an English speaking minority. That act was not considered to be illegal.

SENATOR COORAY: I am sorry to again interrupt the hon. Senator, but I do not think it is fair by this House that he should make such a statement, that Sinhalese and Tamil were made the official languages of this country in 1944. The whole point of our discussion is that to this day English is by law, by the Civil and Criminal Procedure Code and a number of other enactments, the official language.

SENATOR PALIPANE: I do not say that it is embodied in the Constitution, but a Motion to that effect was passed. It was said in the Other Place that in 1944 effect was given to the idea that Sinhalese and Tamil should be the official languages of the country, but that now we are endeavouring to reverse that situation and in order to achieve that we must have a two-thirds majority. That is the point that was urged in the Other Place.

Then, I come to the question of the difficulties in implementing this Bill. There is not the slightest doubt that the implementation of this Bill is fraught with various difficulties. In respect of these difficulties, a number of questions were posed by my hon. Friend Senator Nadesan to the hon. Leader and I should like, before I conclude, to endeavour to find answers to some of them as I see them.

SENATOR NADESAN: How can the hon. Senator answer them?

SENATOR PALIPANE: I am prepared to concede that I have not sufficient

capacity to answer them but I will endeavour to answer them as I see them.

SENATOR NAGALINGAM: The hon. Senator might queer the pitch for the Government!

SENATOR PALIPANE: My hon. Friend asked a question to this effect: If HANSARD is to be published in Sinhalese only, how is a Tamil-speaking Representative expected to discharge his duties as a Member of Parliament? I think we can seek a solution to that problem in the Indian Constitution. The Indian people have endeavoured to find answers to these difficult questions and my hon. Friend has so often drawn our attention to the example of India that I think that in this particular case, too, we can very well follow the example of our great neighbour India.

SENATOR NADESAN: Then have a federal constitution. He wants to help the Government.

SENATOR PALIPANE: I am not trying to help anybody. I am a servant of the people and I am trying to help the people.

Article 20 of the Constitution says,

“Hindi or English

Notwithstanding anything in Part XVII but subject to the provisions of article 348, business in Parliament shall be transacted in Hindi or in English:

provided that the Chairman of the Council of States or Speaker of the House of the People or person acting as such, as the case may be, may permit any member who cannot adequately express himself in Hindi or in English to address the House in his mother tongue.”

There are 40 million Tamils in India and that is the position of Tamil in India.

SENATOR NADESAN: So?

SENATOR PALIPANE: So that, if a non-Hindi-speaking person does not have a sufficient knowledge of Hindi or English, the Speaker of the House of the People or the Chairman of the Council of States can permit him to speak in his mother tongue.

SENATOR NADESAN: So?

SENATOR PALIPANE: All these legal quibblings are only within the mind and capacity of my learned Friend; nobody can have any other view.

Sub-section 2 says:

"Unless Parliament by law otherwise provides, this article shall, after the expiration of a period of 15 years from the commencement of this Constitution, have effect as if the words 'or in English' were omitted therefrom."

That is the position in India.

SENATOR KANAGANAYAGAM: Wisdom!

SENATOR PALIPANE: That is not wisdom. This is what happens in India.

Clause 343 of the Indian Constitution reads:

"The official language of the Union shall be Hindi in Devanagari manuscript."

Sub-clause 2 says:

"Notwithstanding anything in Clause (1), for a period of fifteen years from the commencement of this Constitution, the English language shall continue to be used for all the official purposes of the Union for which it was being used immediately before such commencement."

Then Clause 346 reads:

"The language for the time being authorized for use in the Union for official purposes shall be the official language for communication between one State and another State and between a State and the Union."

SENATOR NADESAN: That is right.

SENATOR PALIPANE: Mr. President, you will see that all these clauses point towards one end—right throughout the length and breadth of India the common language is Hindi.

SENATOR NAGALINGAM: Lingua franca for inter-State communication.

SENATOR NADESAN: Leave him alone; he wants a federal constitution for Ceylon.

SENATOR PALIPANE: Let me answer another question that the hon. Senator has posed:

"Will currency notes and stamps be in all three languages, as at present, or only in Sinhalese after 1961?"

Let me fish the answer out of my pocket. I have with me some Indian postage stamps. There is English and the only other language on the postage stamp is Hindi. I have an air letter from Calcutta; I have another air letter from Madras. The air letters have the words "By Air Mail" in Hindi only.

SENATOR KANAGANAYAGAM: That is in English—"By Air Mail".

SENATOR PALIPANE: But this is Hindi; that is only the label.

SENATOR KANAGANAYAGAM: The label is the most important thing to distinguish it from an ordinary letter. It says in English "By Air Mail"; that is not Hindi.

SENATOR PALIPANE: English is being used during the period of transition but the only language that is there other than English is Hindi.

SENATOR NADESAN: Do you want 14 languages stamped there on the stamp?

SENATOR PALIPANE: I am talking about the Tamil language.

I have a currency note with me.

SENATOR KANAGANAYAGAM: That is counterfeit.

SENATOR PALIPANE: I challenge the hon. Senator to prove that it is counterfeit.

SENATOR KANAGANAYAGAM: I challenge the hon. Senator to prove that it is genuine.

SENATOR KANNANGARA: I object to the statement of Senator Kanaganayagam that Senator Palipane is producing a counterfeit note.

SENATOR PALIPANE: I demand that the hon. Senator should withdraw that statement.

THE PRESIDENT: The hon. Senator should withdraw that.

SENATOR KANAGANAYAGAM: I withdraw, but it looked like a counterfeit note.

SENATOR PALIPANE: Here is my passport. When I went to India I had to get the transit *visa* stamped with a Re. 1 stamp.

SENATOR KANAGANAYAGAM: Let me see that.

THE PRESIDENT: The hon. Senator must be allowed to read from his own documents; other Senators must not interfere. That is a privilege every Senator enjoys.

SENATOR PALIPANE: It is an Indian *visa* with a Re. 1 stamp.

SENATOR KANAGANAYAGAM: Can we see it?

SENATOR PALIPANE: It contains the Re. 1 stamp bearing the lion capital and, the Dharma Chakkraya—the Buddhist Dharma Chakkraya. The Tamil leaders of this country object to Buddhist symbols in our national emblems, seals and other documents.

SENATOR NADESAN: In India, they recognize the minority symbols.

SENATOR KANAGANAYAGAM: This is a Ceylon passport. The hon. Senator is not an Indian.

THE PRESIDENT: I think we have to accept his word. That is a privilege every Senator has.

SENATOR KANAGANAYAGAM: I move that it be tabled.

SENATOR PALIPANE: I am prepared to table it.

THE PRESIDENT: Will you please keep that with you?

SENATOR KANAGANAYAGAM: It is the desire of the House that it be tabled. Standing Orders are very clear on the point.

THE PRESIDENT: Will Senator Kanaganayagam take his seat?

SENATOR KANAGANAYAGAM: Thank you.

SENATOR PALIPANE: The Tamil tyranny continues. I am sandwiched between two Tamil Senators. They are trying to squeeze me into silence. Nevertheless, I shall continue in the best way I can to make out the case for Sinhala only.

All these fantastic fears that have been expressed by my hon. Friends do not exist in that great country, India. My hon. Friend said that it would not be possible for a Tamil man to read the words printed on a currency note. He said that it would not be possible for a Tamil man to decipher whether currency notes were of a particular denomination, whether they were five, ten or fifty rupee notes. But in India none of these fears are being encountered although Hindi is the one language in predominant use. It is strange that all these fears arise only in this beautiful Island of ours.

SENATOR NADESAN: So, what will currency notes contain after 1961?

SENATOR WIJESINGHE: Sinhalese only; untouchable!

SENATOR PALIPANE: I must faithfully keep to my promise that I will not take up too much of the time of this honourable House. I will finish shortly as I promised.

THE PRESIDENT: No. If the hon. Senator has not completed all his points, he may carry on.

SENATOR PALIPANE: I have a lot to say, Mr. President, but what is the use? It will be like pouring water on a duck's back.

SENATOR NADESAN: I rise to a point of Order. He has no right to refer to any hon. Senator as a duck. He must withdraw that.

SENATOR PALIPANE: What is your ruling, Mr. President?

THE PRESIDENT: The hon. Senator must withdraw that.

SENATOR PALIPANE: I withdraw that statement.

THE PRESIDENT: Order, please!

SENATOR PALIPANE: If you can liquidate these misleaders of the Tamil masses you can create in this country a very happy united people. If the Tamil masses are given freedom of movement to associate with the Sinhalese masses, then we shall be able to create in this country a single homogeneous nation, like that which existed prior to the advent of the empire builders who came here, divided the people and ruled this country. Once we achieve that happy condition and create a homogeneous nation then blood and tears will cease to flow. It is then only that there will spring up in our hearts crystal streams of happiness. I feel that I must in conclusion appeal, in all sincerity, to my Tamil brothers and sisters to take an enlightened place within the confines of one homogeneous nation and contribute their share towards the economic and social advancement of Sri Lanka.

SENATOR THE HON. A. P. JAYASURIYA (MINISTER OF HOME AFFAIRS): At this late hour and at this late stage of the debate I rise to intervene only because I feel that it is necessary to remove, if I can, some misconceptions that appear to exist in the minds of some hon. Senators. Remembering that you and we, too, on this side of the House are anxious to close this debate as early as possible, I shall try my best to be very brief.

At the outset, I would like to repeat the assurances given by the hon. Leader of the House when he moved the Second Reading of this Bill. In introducing this Bill Government has absolutely no intention whatsoever to hurt any community or cause any damage to any minority. Not only that, it seems to me that there seems to be a misconception that this Bill is really a dangerous piece of legislation, the precursor of greater and more dangerous things to come.

My hon. Friend, Senator Cooray, quoted a passage from a speech made by the hon. Member for Ruwanwella (Dr. N. M. Perera) in the Other Place. I would like to remind the hon. Senator that one has got to be extremely careful in accepting any prophecy coming from that quarter. The hon. Member for

Ruwanwella goes to Jaffna and raises the cry for parity of languages because he knows that that is a popular cry there. That cry appeals to the Tamil community. He goes to the south and says something else—[*Interruption.*]

SENATOR NAGALINGAM: I am sorry to interrupt the Hon. Minister. I believe, Mr. President, you have often drawn our attention to the fact that we should not comment on the speeches made in the Other Place.

THE PRESIDENT: I am sorry I could not quite follow what the hon. Senator said.

SENATOR NAGALINGAM: The Hon. Minister of Home Affairs was criticising the hon. Member for Ruwanwella. He was mentioning the fact that he goes to Jaffna and makes one speech and goes to the South of Ceylon and makes a different speech. I thought you have drawn our attention, on more than one occasion, to the fact that we cannot criticize hon. Members of the Other Place who have no right of reply.

SENATOR DR. PEIRIS: On a point of Order, may our minds be clarified on this issue. Are we prevented from criticizing anybody's speech in this House? Can we not comment on any speech made in the Other Place on the same subject? We would like to know what the position is. When a particular subject is being debated various expressions of opinion are put over by hon. Members both in this House and in the Other Place. Is it our business to point out the discrepancies of an argument and bring them to your notice and that of hon. Senators, more particularly to show in which way those arguments or implications are defective? In that sense, we are not being derogatory to any speaker who has brought up those arguments. The names are only being mentioned when such statements are being examined. I do not think there could be any objection to that.

THE PRESIDENT: Convention demands that it is not in Order for a Member of this House to criticize the speech of a Member of the Other Place in the same Session because that Member has no way of defending himself. So,

[The President]

for that reason, we cannot here criticize a speech made in the Other Place by a Member, unless it is a speech by a Minister who expounded Government policy.

SENATOR SIR U. JAYASUNDERA : I beg your pardon, Mr. President. Without reference to the Member or speech, the points raised there can be criticized.

THE PRESIDENT: Yes, certainly. So long as you do not refer to the Member by name, you can always meet arguments used in the Other Place or anywhere else.

SENATOR KOTELAWALA: But in this particular case, the Hon. Minister was speaking of a speech delivered outside Parliament. Is he not permitted to refer to such a speech? It is not a speech made in the House.

THE PRESIDENT: All that the Hon. Minister referred to was that that hon. Member made a particular speech somewhere in the north and made some other speech in the south.

SENATOR KOTELAWALA: In that case, this has nothing to do with the Lower House, and therefore the Hon. Minister is perfectly in Order in making that reference.

THE PRESIDENT: Yes, he is.

SENATOR THE HON. JAYASURIYA : I bow to whatever Ruling you make, Mr. President, but it was necessary, I thought, to refer to that passage quoted by Senator Cooray, because I find that it has disturbed very much the minds of some hon. Senators in this House. Also, the politics of the Lanka Sama Samaja Party—

SENATOR NADESAN : The Nava Lanka Sama Samaja Party.

SENATOR THE HON. JAYASURIYA : —appeared to loom very large in this debate when my hon. Friend, Senator Kanaganayagam, tried to explain the theories of the Lanka Sama Samaja Party.

SENATOR NADESAN: Senator Naganalingam.

SENATOR THE HON. JAYASURIYA: I thought, in his capacity as a party leader, I was entitled to refer to what he said. I shall not refer to him as Dr. N. M. Perera in future but I would refer to him as the leader of the Lanka Sama Samaja Party. The leader of the Lanka Sama Samaja Party used to make one kind of speech in Jaffna and quite a different kind of speech in the south when he goes there, entirely forgetting the language question. He has one foot in Jaffna, one foot here, and expects to ride to power on these theories which he propounds at different times to suit the occasion and his audience. We must be extremely careful in accepting the prophetic words expressed by a party leader of that kind.

SENATOR COORAY: On a point of personal explanation, if the Hon. Minister will give way, I did not at any moment say that I accepted the warning or statement of the Leader of the Opposition. This is precisely what I said:

"I do not necessarily agree with all that he says,"—

That is, what Dr. N. M. Perera says—

"but here I have quoted you, chapter and verse, from a responsible person like the hon. Leader of the Opposition who has expressed that fear. And I sincerely ask the hon. Leader of this House whether, in view of a remark like that by a responsible person who is not a member of a religious minority group, he can blame the minorities if they are completely jittery—if I may use that word—and apprehensive with regard to their own future."—
[OFFICIAL REPORT, 4th July, 1956; Vol. 10, c. 521.]

So, it will be seen that I did not for a moment agree with what he said, far from accepting it. I merely said that it was not an imaginary fear arising in the minds of the minorities but that a responsible Member of the Other Place has given expression to that fear.

SENATOR THE HON. JAYASURIYA: I am glad that Senator Cooray did not believe the prophetic words of the leader of the Lanka Sama Samaja Party. I do hope none of the other hon. Senators will accept these or any other prophetic words of the leader of the Lanka Sama Samaja Party. I especially wanted to refer to that because this is what he said:

"This is the first step and it will end up in establishing in this country a goigama Buddhist Government."

I thought at the time that Senator Cooray quoted that statement, he actually believed it and that he wanted this House also to

have some belief in it. And I do know that it has disturbed the minds of one or two Senators who have spoken to me about it. Let it be known, once and for all, that this Government does not for a moment intend to injure any minority community, the Tamil community or any other minority community or any religious community or any community of other residents.

Copious extracts have been read in this House to show what Mr. D. S. Senanayake had said in the past, that he had stated that the minority communities had nothing to fear from the majority community. We stand by that statement and say that the minorities have nothing to fear from this Government. We thought of enacting this legislation because the time had come when the country had to be independent, the time had come when it was necessary to state clearly the position with regard to the official language of the country.

The Government has been accused of the most heinous crime that one can think of for bringing forward this Bill. We have been accused of trying to annihilate the Tamil community. We have been accused of trying to drive a wedge between two communities. We have been accused of bringing in something which the Sinhalese people never wanted. We have been accused of bringing in a very small Bill on a very big subject and we have also been accused of bringing to our aid what is known as *argumentum ad baculum* in some place or other.

I shall deal with these points, one by one. With regard to the question of languages, it is quite clear from the debate in this House and also in the Other Place, and from what we have heard outside, that this is a matter of prestige for my Friends the members of the Tamil community; but it is a matter of life and death for the Sinhalese people. It is not at all correct to say that the Sinhalese people do not want the Sinhalese language to be the official language. The Sinhalese people, every one of them, feel very, very strongly that if parity is given, that will be the beginning of the end of the Sinhalese people, their culture and everything they hold dear. If any proof is needed to show that their fears are well founded, have we not received sufficient proof from the time the debate on this Bill started till

this noon? Have we not been told in so many words of the great superiority of the Tamil language? Have we not been told that Tamil culture is far superior to Sinhalese culture.

SENATOR NADESAN: Who said that ?

SENATOR THE HON. JAYASURIYA: I think it was Senator Nadesan himself.

SENATOR NADESAN: Far from that, I said just as we are proud of our culture, the Sinhalese are equally proud of theirs, and that there was no question of one culture being superior to another culture. I did not say it at all.

THE PRESIDENT: That is correct.

SENATOR THE HON. JAYASURIYA: As far as I remember, I think—

THE PRESIDENT: I have followed the debate very closely.

SENATOR THE HON. JAYASURIYA: —it has been said that the Tamil language is a superior language.

SENATOR NADESAN: No one said it.

SENATOR THE HON. JAYASURIYA: Anyway, we have also been told—

SENATOR NADESAN: I will never say it.

THE PRESIDENT: That has been accepted.

SENATOR THE HON. JAYASURIYA: We have been reminded that there are no Sinhalese people in this country, that we are all Tamils. We have been told that some Tamils speak in Tamil and some speak in Sinhalese; but that there are no Sinhalese, and there are only Tamils. To that extent, they have gone in this matter.

SENATOR NADESAN: Who said that ?

SENATOR KOTELAWALA: Senator Kanaganayagam.

SENATOR KANAGANAYAGAM: No.

THE PRESIDENT: I think the Hon. Minister is correct.

SENATOR KANAGANAYAGAM: Might I rise to a point of Order? What I said was that there is no such thing as Aryan blood or Dravidian blood, but that there are two linguistic groups, the Sinhalese-speaking people and the Tamil-speaking people. Because the fans are working, hon. Senators do not hear well.

SENATOR THE HON. JAYASURIYA: In that case, I would like to refresh the hon. Senator's memory:

"We know them through and through because the Sinhalese man"—

THE PRESIDENT: From whose speech is the Hon. Minister quoting?

SENATOR THE HON. JAYASURIYA: From the Uncorrected Report of the Senate Proceedings of Wednesday the 4th July, 1953.

THE PRESIDENT: Whose speech?

SENATOR THE HON. JAYASURIYA: From Senator Kanaganayagam's speech. This appears at column 535:

"We know them through and through because the Sinhalese man—people who have studied him closely say so—is really 90 per cent a Tamil man. Ethnically, culturally, historically and in every way, we were all Tamil people with the only difference that some are Tamil-speaking and some are Sinhalese-speaking."

SENATOR KANAGANAYAGAM: Quite right!

SENATOR THE HON. JAYASURIYA: So that, my statement is correct!

THE PRESIDENT: Quite correct.

SENATOR KOTELAWALA: Then the hon. Senator must withdraw his remark about the fan.

SENATOR KANAGANAYAGAM: We have forgotten it.

SENATOR THE HON. JAYASURIYA: Is it, therefore, surprising that the Sinhalese people are perturbed that there will be a real danger to their language if parity of languages is introduced? With all this talk of a superior language and a superior culture, with the Tamil community knowing that, and some of them even claiming that all are Tamils—

SENATOR NADESAN: Not the community but Senator Kanaganayagam here.

SENATOR THE HON. JAYASURIYA: Senator Kanaganayagam might speak for himself and for the Tamil community.

AN HON. SENATOR: He is only a Nominated Senator of the U. N. P!

SENATOR THE HON. JAYASURIYA: With all that in the background, can it be denied that the fears of the Sinhalese people are well founded? Every Sinhalese, every peasant, every worker honestly and sincerely feels that the introduction of parity of languages in respect of Sinhalese and Tamil—on equal terms—will undoubtedly sound the death knell of his language, his culture and perhaps even his race! We have found such feelings being honestly experienced by the Sinhalese people.

THE PRESIDENT: Order please.

SENATOR THE HON. JAYASURIYA: The Sinhalese really do want Sinhalese to be the only official language. After all, the Sinhalese language is spoken only in this country and the introduction of a Bill making Sinhalese the official language will not in any way hamper the progress of the Tamil community, will not in any way throw any obstacles in the path of the Tamil community and therefore it certainly cannot be said that this Bill will be the beginning of the annihilation of the Tamil language.

AN HON. SENATOR: In this country.

SENATOR THE HON. JAYASURIYA: The Tamil language is spoken by 30 to 40 million people. For the last one and a half centuries English has been the official language of this country. Has the Tamil language suffered one bit?

SENATOR NADESAN: Has the Sinhalese language suffered?

SENATOR THE HON. JAYASURIYA: It has suffered. Maybe it was our fault, but it has suffered, while the Tamil language has progressed and developed and is at the moment far more developed than the Sinhalese language. That must be admitted. That fact must be faced.

Is it surprising that fears are expressed that if parity is granted to both Sinhalese and Tamil in this country, the Sinhalese language will disappear within a reasonably short time? That is the fear the Sinhalese have expressed.

As for trying to drive a wedge between the two communities, is it not a fact that you will be driving a deeper and sharper wedge if you allow parity of languages? The moment parity is introduced, what will happen with the Tamil language being far more developed than the Sinhalese language? I read in a newspaper the other day an account of what a Tamil gentleman, a Reverend of the Christian Faith, had said. He had said that the Tamils had been in this country much earlier than the Sinhalese and that therefore the Tamils must rule this country!

SENATOR NADESAN: That cannot be right.

SENATOR THE HON. JAYASURIYA: I read it in a newspaper. I have not got a copy of it, but I made a note of it. I distinctly remember it.

AN HON. SENATOR: It may be some Buddhist priest!

SENATOR THE HON. JAYASURIYA: That is the view held by some of our friends in the Tamil community. That is what they say, with the knowledge that their language is far more developed, with the knowledge that their history—ethnically and culturally—is very superior. With that background, is it not possible that the moment you introduce parity there will begin the fight for superiority of the language?

SENATOR NADESAN: May I know whether the Home Minister is referring to parity in the sense I defined it, namely, of giving the right to the Tamil-speaking person to have his transactions with Government departments in his own language? If that is conceded, does the Home Minister take up the position that the Sinhalese language will disappear?

THE PRESIDENT: The Hon. Minister is looking at it in a different way.

SENATOR NADESAN: Let us understand the word used. We have been using the word "parity" in a certain sense. I have given a definition, other people used it in a different sense. Is the Home Minister using the word "parity" in this context in that sense or in a different sense? I desire to be clear with regard to the argument he is adducing.

SENATOR THE HON. JAYASURIYA: As far as I understood it, the word "parity" was used from the very beginning in the sense that the Tamil language should have equality with the Sinhalese language right throughout the country.

SENATOR NADESAN: I wish to be clear in my own mind. Even as a Sinhalese citizen has the right to transact his business with the administration in his own language, a Tamil citizen should be conceded that right so far as his business with the administration is concerned. There is no question of granting equality in everything; and if we limit it to that extent, does the Hon. Home Minister think that the Sinhalese language will be in danger? Does the Home Minister think that if a Tamil citizen is given the right to transact business with Government departments in his own language—let us limit it to that conception of parity—there will be any danger to the Sinhalese language? That is the only point.

SENATOR THE HON. JAYASURIYA: What we have been made to believe from the very beginning is that the Tamil community wants full parity—nothing but parity. If Senator Nadesan's definition of parity is different, I think those are matters that can be discussed and settled once this Bill is passed and its implementation is taken up. The Hon. Prime Minister has been given full powers for framing—

THE PRESIDENT: Working!

SENATOR THE HON. JAYASURIYA: —framing regulations and working the Bill. Once we start implementing the Bill, there are so many things that can be done. We know, as a matter of fact, that once a piece of legislation is

[Senator The Hon. Jayasuriya] enacted and put on the statute-book, before many years pass, we have to make amendments to it. There are so many different clauses, and so on. There is not a single instance of any legislation going through without amendments. Within a space of four or five years, or even within one year, we may have to make amendments.

With regard to this, I appeal to Senator Nadesan and other hon. Friends of ours to accept the assurance given by the Prime Minister. That assurance was given not because the Prime Minister just wanted to see the passage of this Bill; it was honestly meant, honestly given, and I appeal to them to accept it in the spirit in which it was given.

It has been said that this is a short Bill for a very big subject like this. Senator Azeez referred to the remarks made by the hon. Leader about satisfying other minority languages in the same category as Tamil. If mention had been made in this Bill of Tamil, others would have had the perfect right to ask: "What about Arabic, what about our language?"

SENATOR AZEEZ: On a point of personal explanation. What I said was there were only two national languages recognized in this country. That does not detract from my love of Arabic. I cannot go against history. There are only two national languages. That does not mean that one is superior to the other.

SENATOR THE HON. JAYASURIYA: I understood that Senator Azeez wanted a place given to other minority languages. What about English? People can ask that question. They can ask, "Why do you not mention English if you are mentioning Tamil?" That would be a perfectly justifiable question.

Therefore it should not be argued, one must not be carried away by the idea, that merely because Tamil is not mentioned in the Bill itself, that we are opposed to the development of the Tamil language or that we are trying to destroy the Tamil community or that we are in any way trying to prevent the Tamil community from prospering in its due place in the life of the country.

This Bill is short, no doubt. I have always felt that in the case of legislation a short Bill is about the best because then there is room for amendments, without committing ourselves too much.

THE PRESIDENT: I want to ascertain the wishes of hon. Senators as to whether they want to adjourn for dinner or whether they would be satisfied if we adjourned for about 15 minutes. I do not think this debate will continue for more than two hours. By nine o'clock, we ought to finish it. I wish to know from hon. Senators whether they, too, think that the debate will be over in two hours—[Interruption].—It will not go beyond 8 o'clock? Is Senator Dr. Peiris going to speak?

SENATOR DR. PEIRIS: Yes, but I shall not take long.

THE PRESIDENT: Is he the only Senator who is going to speak?

SENATOR COORAY: We might be able to finish the debate before 8 o'clock.

THE PRESIDENT: If that is so, we need not adjourn for dinner. Is it the wish of hon. Senators that we continue a little longer now, or adjourn for about 10 minutes?

AN HON. SENATOR: Better continue.

THE PRESIDENT: Would hon. Senators like to continue?

HON. SENATORS: Yes.

SENATOR THE HON. JAYASURIYA: I shall take only ten minutes more.

It was also said that inside Parliament certain arguments were used and that outside Parliament other arguments were used. Those were unfortunate incidents for which the Government is extremely sorry; but if anybody is to blame, in the first instance it is those members of the Tamil community who led the hartal, or whatever else you may call it; on that day.

The leader of the Federal Party wrote to the Hon. Prime Minister that he proposed to bring a number of members of the Tamil community from Jaffna and Batticaloa, from the north and the east, to stage a hartal within the

precincts of the House of Representatives. The Hon. Prime Minister, after consultation with the Cabinet and the Members of the Government Group, took certain steps and informed the Leader of the Federal Party, but the Leader of the Federal Party never for a moment thought fit to inform the Hon. Prime Minister that he was going to stage what he called a "hartal" outside the Parliament building, on the Galle Face Green. Had he informed the Hon. Prime Minister steps would have been taken, adequate steps, to avoid those unfortunate incidents.

It must be remembered that, in this instance, it was not only members of the Tamil community alone who suffered. Members of the Sinhalese community too suffered, not only in Colombo but in Batticaloa and various other places. This morning's papers publish a police report, giving the number of deaths so far ascertained. These include ten Sinhalese and five Tamils. So that, it is not the Tamils alone who suffered. Members of the Sinhalese community also suffered. They suffered injuries. Heaven alone knows how many people were injured. When I was passing Tissamaharama, people coming from Batticaloa gave harrowing details of what had happened there. These are incidents for which we are extremely sorry. They are incidents for which the leaders themselves are responsible——

SENATOR NADESAN: Leaders on both sides. Not political leaders, but others.

SENATOR THE HON. JAYASURIYA: Mostly the leaders of the Tamil community, because passions were roused. They it was who thought first of bringing in large numbers of members of the Tamil community from the north and the east to stage a hartal.

AN HON. SENATOR: A peaceful hartal !

SENATOR THE HON. JAYASURIYA: That was the beginning. It was quite unnecessary. I do not know what the Leader of the Federal Party wanted to achieve by performing "satyagraha". After all the incidents were over, what was the summing up given by the Leader of the Federal Party and Mr. Suntharalingam? "The hartal passed off very well. It has achieved its object."

SENATOR NADESAN: That is right; they suffered!

SENATOR THE HON. JAYASURIYA: What was the object? To create trouble? If that was so, certainly the object was achieved. It was well planned by the Tamil Members of Parliament. You cannot therefore say that the leaders of both parties were responsible.

AN HON. SENATOR: What about the meeting at the Town Hall?

SENATOR THE HON. JAYASURIYA: I wish to make this appeal to my friends of the Tamil community. Is it necessary to annihilate the Sinhalese language, culture and all that we hold dear for the peace and contentment of our country?

SENATOR NADESAN: No.

SENATOR THE HON. JAYASURIYA: Then, Mr. President, all that I ask them is to accept this Bill. In the implementation of this Bill, we can have discussions. The Government was accused, of not having discussed this Bill with Tamil Members, of not having consulted their views. It was not possible to consult them at that stage. We were told that they wanted parity and nothing but parity. Nothing else would satisfy them, they said. How were we going to have discussions if that was the attitude of the Tamil Members? What is the use of discussing? Whatever we might say, the discussion would have ended in pandemonium——

SENATOR NAGALINGAM: May I ask the Hon. Minister whether they have endeavoured to implement the submissions made by the Hon. Prime Minister to his own Party, which Senator Nadesan read out, in regard to the rights of the Tamil language?

SENATOR THE HON. JAYASURIYA: I have said that the Bill has not been implemented. Once it comes up for implementation, the Hon. Prime Minister will see to it that no damage is caused to the Tamil community, or to any other community. He has given that assurance.

[Senator The Hon. Jayasuriya]

I would ask the Members of the Tamil community to accept that assurance of the Hon. Prime Minister. In the course of implementation, these matters will be discussed and the necessary amendments made. Preserving Sinhalese only as the official language, certain things can be done, either by way of amendments to the Act or by regulations.

SENATOR NADESAN: Regulations cannot do it. They only implement the Bill.

SENATOR THE HON. JAYASURIYA: If you read the Bill carefully you will find that the Prime Minister has been empowered under its provisions to do so at least till 1960, not after 1960. I would appeal to my hon. Friends to maintain the peace and harmony which we have achieved among all communities. Why should that state of affairs be disturbed for the sake of prestige, for the sake of the so-called dignity of the members of the Tamil community? I would urge hon. Senators to accept this Bill and the assurances given by the Hon. Prime Minister in the spirit in which they have been given. We must compose our differences and see that both communities join hands in fostering the independence we have obtained and that we take our due place among the comity of nations, so that in the fullness of time both communities may march together, instead of creating divisions among the people of this country. I am sure that if the average Tamil farmer and peasant are questioned, they will at once say that they will be very happy to live in harmony and on equal terms with the Sinhalese.

SENATOR NADESAN: Oh yes, on equal terms.

SENATOR THE HON. JAYASURIYA: Equal terms certainly. Merely because we make Sinhalese the official language, their status is not lost.

SENATOR NADESAN: Unless you allow them to transact business in their language, all is lost.

SENATOR THE HON. JAYASURIYA: I cannot make any promises just now.

SENATOR NADESAN: Why?

SENATOR THE HON. JAYASURIYA: I am not the Cabinet.

SENATOR NADESAN: That is the point.

SENATOR THE HON. JAYASURIYA: I am sure, hon. Senators will not expect me to make promises, because I am only speaking on the Bill.

SENATOR NADESAN: Then, what are your promises worth?

SENATOR THE HON. JAYASURIYA: The assurances given must be accepted in the spirit in which they have been given. The Hon. Prime Minister has not broken any pledges before, and within the short time we have been in office we have shown the country that our pledges have not been broken in any way. Before I sit down, I appeal to the Members of the Tamil community to think it over again and support the Bill.

SENATOR NADESAN: To think it over again?

SENATOR SIR PHILIP RODRIGO: Mr. President, after the long speeches that we have heard during the debate, I think my contribution would be very short as I know the value of time and as many things I wanted to mention have already been said. However, I rise to support the principle of the Bill more in the role of a peace-maker than for any other reason. Although I do so, I am much disturbed in mind about the implications of the Bill.

We all know that the Government is entitled to place on the statute-book this measure to have Sinhalese only as the official language. That is perfectly attempts to solve many economic and social service problems because Government has to lead the masses to the "Promised Land".

In support of my statements I am not going to invoke foreign authors and learned men, such as Shakespeare or Lord Macaulay, or even famous local

poets like Alagiyavanna, a great contributor to the Catholic cause. But I would say in common parlance:

“Because it is hot, it cannot be drunk; and because it is milk, it cannot be thrown away.” In Sinhalese it is:

“උණු නිත්ද බොන්ට බ; කිරි නිත්ද විසි කරන්ට බ”

I am aware that by the enforcement of this Bill, our Tamil friends will stand to lose a lot. From the day I entered this august Assembly I have always been with my Friend on my right, and always both of us have gone from place to place together. I have enjoyed his hospitality; I have been to his home. So has he been to mine; he has been very reciprocal and kind. Many other hon. Senators and Members of Parliament from the Northern and Eastern Provinces have always shown their affection, regard and hospitality to me because I have always understood them and tried to please them. Today, the “Sinhalese Only” Bill is about to bring disunity.

SENATOR THE HON. JAYASURIYA: Question!

SENATOR SIR P. RODRIGO: We all know, and it must be admitted, that a lot of difficulties will arise. The hon. Minister of Home Affairs who spoke last is a lawyer and after the speeches made by a chain of lawyers, I think I will be justified in saying that the legal profession will suffer the most. Of course, the other professions, too, will undoubtedly suffer.

Before I proceed further I would say that the Sinhalese grammar itself is very complicated, and to show that I would just quote a few lines first from a book published by the Royal Asiatic Society.

SENATOR KANNANGARA: It is not so complicated.

SENATOR SIR P. RODRIGO: I do not wish to be interrupted. This is what it says:

“The Sinhalese language has from time to time been subject to such analysis, and various grammars have been compiled. In a study of

the grammar of a language, a person is generally led by pre-conceived bias arising from his previous study of the grammar of other languages. He is used to certain methods of analysis and he follows them. He knows of certain categories existing in those languages he already knows, and he attempts to put the words in the new language he learns into the same categories.”

SENATOR KANNANGARA: Who wrote that?

SENATOR SIR P. RODRIGO: For the benefit of hon. Senators, I shall mention the name of the writer. It is written by C. E. Godakumbura.

SENATOR NAGALINGAM: Dr. Godakumbura.

SENATOR NADESAN: Professor of Sinhalese in the London University.

SENATOR SIR P. RODRIGO: The author continues:

“This is precisely what happened in the study of Sinhalese grammar. The author of the oldest existing Sinhalese grammar, the Sidatsangara (13th century), followed the Sanskrit grammar of Candrar and the Pali grammar of Moggallana. He also appears to have known the Tamil grammar of Viracoliyan. . . .”

To which hon. Senator Nadesan referred yesterday. To continue the quotation:

“This Tamil grammar, too, no doubt, was based on the same Sanskrit system. Thus the author of the Sidatsangara for the most part classified his findings according to the Sanskrit system he knew. Sanskrit or Old Indian being the parent of Sinhalese, such an analysis based on Sanskrit could not wander very far from the structure of Sinhalese although this has happened in certain instances as we shall presently see.”

For the special benefit of my hon. Friend, Senator Kannangara, I will go one step further and read to him another illuminating paragraph—not about fossils of animals but of some linguistic “fossils”—written by a Professor of the Cambridge University, Dr. E. G. Thomas. This is what he says:

“In the course of translating certain Pali terms, western scholars have often been at a loss. When one remembers the lack of texts and dictionaries in the early 19th century, it is not surprising that interpretations were often unsound or misleading. There were honest attempts to get at the truth, and we need not blame them, but it is a misfortune when later scholars persist in using the old and mistaken

[Senator Sir P. Rodrigo]

terms after their true meaning has been pointed out. Now they stand out like fossils from which all life has gone and are merely hindrances to clear thinking."

As I have already indicated to you, I did not mean to participate in this debate in the early stages, but knowing as I do the handicaps and the disadvantages that will be caused to the Tamil people, I thought I should make a contribution.

Sometime ago, there were various causes for regret. We all knew the disturbing conditions that took place a few weeks ago, and while we blame both the Tamils and the Sinhalese for all that had happened still, I think, that great affinity which existed between these two communities should continue uninterrupted.

In the matter of religion, too, though I am a Catholic, I know that according to my lights there are numerous connections between Hinduism and Buddhism. This alone is sufficient to keep these two great communities together and I suppose they will display a greater spirit of tolerance in the future.

Before concluding my speech, it is my duty to follow up the Hon. Minister of Home Affairs in regard to certain points which he raised after the speech of Senator Cooray. He said that Senator Cooray had made certain references to a speech that was made by Dr. N. M. Perera. This is what appeared in the newspaper.

SENATOR NAGALINGAM: What newspaper?

SENATOR SIR P. RODRIGO: The *Ceylon Daily News*. Senator Cooray is reported to have said that Dr. N. M. Perera had stated that it would be impossible to arrest the present trend and that they would attack Christianity next leaving room only for *goigama* Buddhists. This was referred to by the Hon. Minister of Home Affairs. Naturally it has created a certain amount of unrest and pain of mind to the Catholics and the Christians. Why should they not take it seriously?

In this land of ours where memories are short, might I ask hon. Senators whether they know what happened in regard to the contest that took place over the educated Ceylonese seat? Why was Sir Marcus Fernando, an intellectual

giant, not accepted for that seat? Was it not because he was a Christian? Was it not because he did not belong to a particular community? Can that be denied?

SENATOR NAGALINGAM: Early 1910.

SENATOR SIR P. RODRIGO: And today this Bill before us, a Bill of national importance, though couched in three paragraphs contains in two of those paragraphs the word "may". It is true that the friends of the Tamils can prevail on the Prime Minister to be more generous towards the Tamils.

I, for one, am voting for this Bill because if I were to vote against it, I feel that I will not be able to ask a favour of the Hon. Prime Minister. I am prepared to go before the Prime Minister and say, "Please give some concessions as far as possible, even in a secondary way, as was done in regard to the flag where the Tamils were given at least a corner in the flag." So, I thought it was my duty to speak to my Friends on this matter and ask them to vote with the Government so that we can be the Friends of the Government and thereby obtain redress for our Tamil brethren who are in distress.

Many of us who are here, when participating in this debate, thought that this Bill was to them a matter of amusement, a joke, I should say.

SENATOR AMARASURIYA: Your friend.

SENATOR SIR P. RODRIGO: May I very respectfully tell them that they seem to have forgotten that great saying of another learned Catholic Judge—I refer to none other than Sir Thomas de Sampayo—who said that, "A joke is a serious thing and should, like an oath, be resorted to only in a moral emergency." Here, when we find that one community is in distress and is asking for—

SENATOR NAGALINGAM: Justice.

SENATOR SIR P. RODRIGO:—at least recognition of their language, it is not a matter to be laughed at. What is the use, I would ask, in our diligently quoting the *Ramayana*, or quoting something more mythical about the history of

Ceylon? I am sorry that Senator Palipane is not in his seat. By quoting the Kandyan Convention he has only caused me great pain of mind. When he was quoting the Kandyan Convention, I had in my hand a book entitled *The Betrayal of Buddhism*. What does it say? I quote:

"The religion of the Buddha professed by the chiefs and inhabitants of these provinces is declared inviolable, and its rites and Ministers and places of worship are to be maintained and protected.—Article V of the Kandyan Convention."

Well, if Senator Palipane could quote the Kandyan Convention for his benefit, I would ask the House whether I am not justified in quoting something more from the Kandyan Convention. This is an abridged edition from the Sinhalese version of the Buddhist Commission Report.

SENATOR NADESAN: The Sinhalese version was distributed very widely during the last General Election.

SENATOR SIR P. RODRIGO: That is so. As a matter of fact, I was in the company of my good Friend, the Mayor of Kandy, Senator Sir Bennet Soysa, during a by-election when I saw an august crowd coming in procession. I admired it very much. I suppose no Catholic in any part of this Island would do anything to hurt the feelings of the Buddhists. We want all religions in this country to prosper. As the Hon. Prime Minister said the other day in London, all religions are useful. In this connection, I am reminded that the only people who say that they have no religion, that they have no use for religion, that they do not believe in God, are the Communists. Their leaders, those who have taken the place of Stalin and company, have recently declared it. It was widely published in all the newspapers.

SENATOR KOTELAWALA: On a point of explanation, the Buddhists do not believe in God.

SENATOR SIR P. RODRIGO: I did not speak about God; I only spoke about religion. The Christians believe in God. The Buddhists believe in *karma*, if I am not mistaken.

SENATOR NADESAN: The Buddhists and the Communists do not believe in God; they believe in religion!

SENATOR SIR P. RODRIGO: In view of what Senator Palipane quoted, I would also like to touch upon a few passages of this Report. Taking this edition as it is, I find that the very first paragraph of the recommendations of the Commission concludes with a reference to the Vatican.

SENATOR AMARASURIYA: May I inquire whether that is an official document?

SENATOR NADESAN: It is an official document of the Buddhist Commission.

SENATOR SIR P. RODRIGO: They claimed protection under the Kandyan Convention.

THE PRESIDENT: Hon. Senator Amarasuriya wants to know whether the document that is to be quoted is an official document.

SENATOR KANNANGARA: If it is a correct translation of the Sinhalese version, the hon. Senator can quote it.

SENATOR SIR P. RODRIGO: It is authorized by the Commission and is to be handed over to the Prime Minister.

THE PRESIDENT: That is all I wanted to know. It is quite in Order for the hon. Senator to quote from it.

SENATOR THE HON. JAYASURIYA: It is not an official document.

SENATOR NADESAN: It need not be.

SENATOR SIR P. RODRIGO: If it is not an official document, how is it that reference is made to the Kandyan Convention which it claims gives protection to Buddhism? Senator Palipane himself made reference to it.

THE PRESIDENT: But, at that time, no objection was taken.

SENATOR SIR P. RODRIGO: Very well. My submission is that I was told by the hon. Leader of the Senate that this book was to be submitted officially to the Prime Minister in a few days.

SENATOR KANNANGARA: It is a public document, and I believe it is in Order to quote from it.

THE PRESIDENT: It is a public document in a sense. But can you say it is an authentic version of the Commission's report? That is the point.

SENATOR THE HON. M. W. H. DE SILVA: It is not a Commission in that sense. A number of persons were appointed to make this inquiry and report. They had no official status at all; and this is a report of that group.

SENATOR NADESAN: It is a report which was distributed widely in support of the M. E. P. during the last General Election.

SENATOR THE HON. JAYASURIYA: This is the translation of an abridged version.

SENATOR NADESAN: What was distributed was the Sinhalese version.

SENATOR AZEEZ: May I say that it is relevant to the debate because the M. E. P. manifesto—I have a copy of it—makes specific reference to the acceptance of that report?

THE PRESIDENT: I agree with the hon. Senator that if Senator Sir Philip Rodrigo is making use of the report itself, then this House can have no objection.

SENATOR SIR P. RODRIGO: This is the report itself.

SENATOR AMARASURIYA: That is an abridged report.

SENATOR SIR P. RODRIGO: This is a translation of the Sinhalese version.

SENATOR AMARASURIYA: It may not be a correct version.

THE PRESIDENT: Objection is taken that it may not be a correct version.

SENATOR KANNANGARA: The hon. Senator can quote the Sinhalese version of the report.

SENATOR SIR P. RODRIGO: This passage occurs in the Sinhalese report of the Buddhist Commission, and it has been translated into English.

SENATOR THE HON. JAYASURIYA: The official document is a Sinhalese report. The evidence was given and taken down in Sinhalese. But this is only a translation of the abridged version of that report.

SENATOR NADESAN: It has been published, I take it, for the benefit of the people who do not know Sinhalese.

SENATOR COORAY: It is a correct translation.

THE PRESIDENT: I am afraid if the position is that it is only a translation of an abridged version of the report itself, I cannot take it as authentic.

SENATOR SIR P. RODRIGO: If anybody takes objection to this book, I am prepared to show him the relevant Sinhalese version in the Buddhist Commission Report. I may straightway tell you that I am not one of those "doubting Thomases" who are here.

SENATOR AMARASURIYA: On a point of Order—

SENATOR SIR P. RODRIGO: I never made a reference to the hon. Senator.

THE PRESIDENT: I think the hon. Senator must withdraw that.

SENATOR SIR P. RODRIGO: Very well. I bow to your ruling, Mr. President.

SENATOR AMARASURIYA: It is quite uncalled for.

THE PRESIDENT: The hon. Senator has withdrawn it.

SENATOR SIR P. RODRIGO: I am sure of my facts. I have no doubt of the authenticity of this version. That is why I said I am not a person who doubts.

Now, in the first place, I said that the Commission made reference to the Vatican. Then, at page 7 of this book, there is under the heading, "Impoverishment of Temples," a particular article that makes some reference to the Bishop of Chilaw. As soon as I read this book, I contacted His Lordship on the telephone, and he contradicted the statement made in this report.

THE PRESIDENT: I wonder whether it is politic, at this stage, to go into religion. I am only appealing to the hon. Senator. At the moment there are other feelings which are strained, without bringing religion also into this debate.

SENATOR SIR P. RODRIGO: My submission is that all this is the outcome of the warning that has been given to us that after the language issue the obstruction of minority religions will follow.

SENATOR THE HON. JAYASURIYA: If I may intervene, how is all this relevant?

SENATOR SIR P. RODRIGO: The fear has been expressed.

SENATOR THE HON. JAYASURIYA: By whom?

SENATOR SIR P. RODRIGO: By Dr. Perera whose statement was discussed here.

THE PRESIDENT: That can hardly be taken as an authoritative statement. He merely summarized that.

SENATOR SIR P. RODRIGO: On that point, I would submit to you. I now come on to another point. There is a reference in this book to the prescription of dress. That is when the M.E.P. came into being—

SENATOR NADESAN: That has been already implemented.

SENATOR SIR P. RODRIGO: But that is our fear.

SENATOR THE HON. JAYASURIYA: We are not compelling anybody to do that.

SENATOR SIR P. RODRIGO: I think both the Hon. Minister and I must be about the same age. Both of us have worn cloth. I have not only worn cloth but I am also one of those persons who had worn a cloth over my pair of trousers when I held the rank of Mudaliyar of the Governor's Gate. That is a privilege which the Hon. Minister of Home Affairs has not enjoyed. Now, there is a prescription for the dress we should wear. We already have seen that the question of a Republic for Ceylon has been raised.

SENATOR NADESAN: Is that in the Buddhist document?

SENATOR SIR P. RODRIGO: Yes. There is also the question raised by Senator Cooray about the nursing sisters—that they have been wrongly recommended for service.

SENATOR NADESAN: Is the language issue also there?

SENATOR SIR P. RODRIGO: It is already under fire and I do not want to refer to it. I think, in the light of what has been already explained, and in view of the assurance that has been given, I will not pursue the matter further. I only want to bring one matter to the notice of the House and that is the disrespectful manner in which my religion has been described in this report.

THE PRESIDENT: I do not think it is necessary to raise that question.

SENATOR NADESAN: I do not know whether I am right or wrong in saying it, but surely, the President can rule on matters such as these without intervening in the debate.

THE PRESIDENT: I merely appealed to the hon. Senator not to refer to religion.

SENATOR NADESAN: Are you not expressing your personal view in that case; are you not really participating in the debate as President of the House? I desire to know whether you can also participate in the discussions of the House. There have been instances when this has been done.

THE PRESIDENT: Will you kindly refer to one or two instances where you think that I have intervened in the debate?

SENATOR NADESAN: In this particular case, you are appealing to the hon. Senator not to refer to religion.

THE PRESIDENT: All that I said was that the hon. Senator should avoid referring to religion and he accepted my suggestion.

SENATOR NADESAN: Are you not, therefore, intervening and participating in the debate?

THE PRESIDENT: I did not want to rule him out but religion is not relevant to this question.

SENATOR NADESAN: On that basis, it is all right.

THE PRESIDENT: I would have first appealed to the hon. Senator not to refer to religion; then, if I thought he was irrelevant, I would have told him so.

SENATOR NADESAN: I am sorry.

SENATOR THE HON. JAYASURIYA: There is the assurance of the Prime Minister.

THE PRESIDENT: I want the hon. Senator to substantiate the statement he made just now on the floor of this House that on a number of occasions he was led to believe that I was intervening in the debate.

SENATOR NADESAN: I shall straightway refer to them if you will give me a little time.

THE PRESIDENT: I have given the hon. Senator a lot of liberty but he wants to be unfair.

SENATOR NADESAN: I do not desire to be unfair.

THE PRESIDENT: I have been very fair by the hon. Senator right through this debate.

SENATOR NADESAN: I refer to volume 10, column 568:

“SENATOR KANAGANAYAGAM: These are very expensive and now we want to have air-conditioning because our blood pressure is going up.

AN HON. SENATOR: It has gone up now.

SENATOR KANAGANAYAGAM: These are the trappings of democracy. This is a grand betrayal—

THE PRESIDENT: We are not going to have air-conditioning because our blood pressure is going up.”

I thought this was an intervention in the debate. I thought you were actually participating in the debate. Then, it goes on:

“SENATOR KANAGANAYAGAM: We are ageing. Believe me, I am 52 years. You may not know it, but I am 52 years old. Only a few weeks ago, my good friend Senator Kotelawala asked me why my hair was black, and I said it was the result of correct living.

SENATOR KOTELAWALA: On a point of personal explanation. The hon. Senator misunderstood me. I said it was the result of using the correct dye.

Then, it goes on.

THE PRESIDENT: You will permit me to say—

THE PRESIDENT: Have I said anything further in that, in fairness to me?

SENATOR NADESAN: Yes, as follows:

“—why we are anxious to have air-conditioning. You know this is a very closed-up place, and the atmosphere is warm. We want to get in fresh air. We also find it very difficult sometimes to follow a debate because of the fans that are working here. That is the only reason why I think air-conditioning is necessary.”

and the hon. Senator Kanaganayagam went on with the debate.

THE PRESIDENT: Are you therefore suggesting for a moment that when I explained why I was going to have air-conditioning in this Chamber I was taking part in the debate? Surely, you must be fair by the Chair. The Chair has been very fair by you right through your speech for about four hours and I think it is most deplorable that you should have raised this question.

SENATOR NADESAN: I shall refer to the rest of your interventions later.

THE PRESIDENT: Thank you very much!

SENATOR SIR P. RODRIGO: In the meantime, I have had the assurance from the Hon. Minister of Home Affairs and the Leader of the Senate that no disrespect is meant. I am satisfied with their assurance. The Buddhist Commission have presented this report, and I hope, when the Prime Minister comes back he will receive a deputation of Catholics, hear what they have to say and tell them what he thinks. I want that assurance. That has been recommended by the Leader of the Senate and the Minister of Home Affairs because the Catholics are in a very sad mood and in a distressed state of mind.

I have concluded my speech, but at the same time, I would appeal to the hon. Leader, the Minister of Home Affairs, the Parliamentary Secretary and other Members of the House to consider this question and give a fair deal in this Bill—to see whether some kind of a compromise can be worked out in respect of my Tamil friends, at least to give them second place.

SENATOR NADESAN: An equal place. We do not want second place.

SENATOR DR. PEIRIS: Mr. President, I do not intend to take up much of the time of the House. In fact, at this stage of the debate I think it wise to keep silent, although my first impulse was to express my views on the language Bill. The Bill itself is of such great import, having far-reaching effects which may even affect the stability of the State, that no one can remain unmoved

or untouched. Therefore I feel it is my duty to express my views on this very important and momentous matter.

We had, at the time of the introduction of the Bill, a state of alarm which later developed into a state of hysteria. Even now there is a state of unrest. How long this state of unrest is going to continue, nobody can tell. We hope that this state of unrest will come to an end as soon as this Bill is passed by this House, as expected by the Hon. Prime Minister.

Many solutions have been offered and many explanations have been made. Many arguments have been put forward and many assurances have been given. It is not necessary for me to reiterate all those arguments, to analyse them or to show how defective they are or whether they are worth serious consideration. Hon. Members of this House have enough sense to appreciate what is chaff and what is wheat. But my primary object in speaking at this stage is to make an appeal. My appeal is to the Government, to hon. Members of this House, to the ordinary citizen of this land, the ordinary voter, the common man. I do not want anybody to be misled or to be taken in by rash actions or rash promises. We do not want this Government or this House, or the individual voter to be stampeded into action, to be beguiled, to be swayed just for the moment by propaganda speeches, or to be intimidated in any way.

I want to make a sober appeal on this issue. And I know that when I make this appeal to the ordinary voter, to the ordinary citizen, to the general public, I am not appealing to people who are considered gullible. There is some intelligence, there is some understanding, there is some sense of fairplay in the ordinary voter. He is sociable and amiable and as such he will understand in due course, even if he does not understand now. After all, he is the person who makes governments and breaks them. This Government has been called "Our Government"—*Appe anduwa*, a thing that the Members of this Government must also remember. They should remember that this is *Appe anduwa*; they should not take any short cuts and say *Appe anduwa* which means "our

[Senator Dr. Peiris]
instrument". They should not make this opportunity an instrument or a means of doing some damage, some injustice, not merely to one community but to future generations as well.

Now, whatever you do about this "Sinhalese Only" Bill, whether you make Sinhalese the official language, the State language or the national language, when you suggest to dethrone or to do away with English I want to tell you that you are doing something which you do not understand. Those people who ask you to do it are trying to mislead you. It is a thing that cannot be done at present. Therefore, it is a matter that has to be carefully considered. That is why I say that hon. Members of this House and the ordinary citizen must be very careful about it. Do not abolish English merely because you want to have the Sinhalese language. Time and again, it has been stressed in the Press and on public platforms that there is no language in the world which is used more extensively than the English language. It has the largest number of publications and the largest vocabulary. No language has that literature, that universality, that access to world knowledge as the English language. Whether it came from our conquerors or not, English holds that unique position and we are unable to discard it. We cannot do it in 1960, nor can we do it in 1970. I know it, hon. Senators know it, the Members of the Government know it and the country knows it. So, make the Sinhalese language whatever you want it to be, but do not do away with English. I appeal to you to see that English is made a compulsory language in our schools, from the second or third standard if you like, right up to the top.

Of course, this is a very important matter for those people who only know swabasha. Mr. President, you know there are several classes of people who advocate the "Sinhalese Only" Bill. In one category are those people who know only swabasha or have a very meagre knowledge of English; therefore, they advocate Sinhalese only. They advocate this, maybe, because they hope to get prestige and power for themselves. But those who are parents and are under those circumstances, while they advocate

swabasha, only Sinhalese as a national or State language, do not advocate Sinhalese only for their children. They know very well that it is essential to have English. That is why to the parent I say, "Please see that you do not handicap your child. Do not handicap generations to come by throwing into a very subsidiary position English which has served us well and which is the only language which can serve us for the next 15 or 20 years in the way we want a language to serve us." To adopt this Bill is to make all your children shortsighted. If you just cut yourself away from English, then you will be making this generation of children shortsighted—myopic they call it. It is not the intention of this Government, it is not the intention of this House, nor is it the intention of any man to take such a retrograde step.

Therefore in this great hurry, in this great enthusiasm, we must not rush things. Whatever we do, we must retain English which is going to be milk for the intellectual growth of our children. Children can be fed on water, glucose water or coriander, but milk must not be done away with. It is this fact that I want to stress. It has been stressed but I want to make a special appeal to the voters, to the citizens, to see that they put into power a Government that will not deprive their children of that intellectual nourishment, of that wealth of knowledge, they are entitled to. I am not going to take very long on this Bill.

We have been talking about tolerance, about compassion, and so on, but in actual practice we have not exhibited tolerance, love and compassion. One is driven to the conclusion, the logical conclusion, that in rushing through this Bill—if we implement it without due consideration of the rights of every citizen, of the rights of the minorities—we are doing something unwarranted, unjust and humiliating.

Every citizen has a right to take a pride in his citizenship. He must be given equality of status so that he may have a sense of self-respect. You cannot make a man have a sense of self-respect when you withhold from him a sense of equality. In that sense, you must not deprive any citizen of our

land—whether Tamil or Sinhalese—of his rights. I am very moved by this and therefore I feel it is necessary to emphasize this fact.

I must also say at the same time that if a majority of a people, a substantial majority, decide to have a certain thing done in a certain way without interfering with the rights and liberties of other people, well it is their privilege to do so. It is not for me or any Member of this House to object when the elected representatives of the people say that they want this or that language as the national language or the State language. If that objective can be achieved without interfering with the just rights and privileges of individual citizens or minorities. I have no objection to this Bill.

We have had so many assurances. We know that assurances by themselves do not have any legal binding; they are subject to change with persons, with Governments. Still I, for one, am prepared to take those assurances and accept the Bill as it has been brought forward to satisfy the demand of a large proportion or a large section of the electorate. Therefore I support this Bill in that respect but at the same time I would ask the Government not to hurry on with the implementation of this Bill because, if they do, they will have to reverse their decisions, to retrace their steps, to come back with amendments. It is far better now to decide exactly when and how we can do these things.

Hon. Senators have spent much time and taken great pains to explain at length to the House how difficult it will be to actually implement this Bill in respect of the translation of the laws of the land, the law reports, in establishing the personnel, interpreters and so on—to get the system going whereby you can carry on in Sinhalese in a short time. It is going to take a very long time as shown by the experience of other countries like India and Pakistan. By actual experiment, they have found that it cannot be done quickly. So, if it is only a pious wish, if it is only a question of laying down policy, it is all right; if it is only an attempt to satisfy the wish of the people that something should be implemented in the future, it is all right. But until such time

we should continue using the same language that we have been using in the past. It is impossible to change over from English in 1960; it is impossible to do so even in 1970—at least completely in 1970. Therefore there is nobody to blame except those Members of the Government themselves who want the change when they know that no change can be made immediately. The change has to be gradual and, as has been stated, in a reasonable time. This word “reasonable” has been used a lot recently. Everything must be done in a reasonable way, and if that is so why not have a reasonable time? Let us have a reasonable time. This cannot be done in a hurry and let us not waste our energies in quarrelling over this thing which cannot be done quickly. Has not the Government more important and urgent things to do with regard to sanitation, illiteracy, malnutrition, lack of water? We have floods following monsoon rains but we have no water. So, it is time the Government took up these matters which are more urgent. This Bill can wait. After an expression of policy, after passing this Bill, wait till such time as we can really implement this Bill. I am in favour of this Bill because I think it can be implemented in due course, without doing injustice to anyone, without interfering with the liberty of the subject, without creating differences between citizens. Because I believe it can be done in that way, I am supporting the Bill; but I would ask that sufficient time be allowed for adjustments to be made before its implementation. I request the Government not to implement this Bill in a hurry.

SENATOR THE HON. M. W. H. DE SILVA: Mr. President, we have been listening to several very interesting and very instructive speeches in this honourable House.

I do not propose to say one word which would make the position of things in this country worse or make the tension which is actually prevailing in this country even slightly worse than it is at present. I can assure hon. Senators that whatever is done by this Government on the language question will be done in such a way as not to hurt any individual citizen of this country.

[Senator The Hon. M. W. H. de Silva]

It pains me when I hear of the relations that exist between the Sinhalese and Tamils today. Surely, we have lived together for a sufficiently long time to forget communal feelings and embrace each other as brothers. In fact, that is what we should seek to achieve and what we should aim at. I entirely agree with Senator Dr. Peiris that we cannot do without English for quite a long time. There is no proposal at all that English should be discarded in this country.

Now, coming to some of the points which have been raised, I will deal with them very shortly. With regard to the language of instruction in the Law College which was raised by Senator Cooray, I can assure him that when I wrote to the Council of Legal Education I suggested only that the subject of Sinhalese be added as one of the essential subjects. But I never for a moment indicated or thought that it would be understood to mean that lawyers should not learn English. In fact, for the legal profession in Ceylon, English is essential for a period which I do not like to set a limit to. It is essential and as Senator Cooray pointed out today we do not have any lawyers, except perhaps Senator Sir Ukwatte Jayasundera, who can lecture in any of the subjects in Sinhalese. For that, we shall have to wait for some time but in the meantime it is not difficult to have a moderate amount of Sinhalese in the courts. I should also like to say this. As a matter of fact, today, there are various legislative enactments, various provisions of law, which require certain things to be done in English and I suggested that we might change the plaits now from English to Sinhalese. That was because I thought it would be more uniform and easier for administration. But that is a point which is bound to come up before this honourable House and the House of Representatives. If it could be shown that it is necessary that Tamil also should be used in some places or under certain circumstances, it is up to this House to prove that, and the Government would certainly consider the possibility of doing that without difficulty of administration.

Uniformity of administration was the only reason why I suggested that English should be replaced by Sinhalese, but I

did not say that that has been decided by the Government. With regard to the reasonable use of Tamil I said that the Government would consider that matter as early as possible. I must point out that Sinhalese civilization is based on the recognition of the equality of man. There is no other culture—I do not know very much about Hindu culture—which recognises so fully the equality of man before everything else. Sinhalese civilization has been based on that one principle, that people are equal whatever their birth and whatever the other circumstances, such as wealth, may be. Well, with such a civilization, I cannot imagine that we would deny equal rights to all the people in this country whether they are Sinhalese, Tamils, Burghers, Muslims, Malays, English or anybody else. That, I say, is the basic principle of our civilization.

With regard to religious matters, I would point out that during the time of the Sinhalese kings and thereafter there has never been any occasion for any minority religion to complain against the Sinhalese people. Roman Catholicism, Islam and all other religions have prospered in Ceylon. The people who follow those religions have been treated as equals and there has never been any discrimination against them.

Senator Sir Philip Rodrigo pointed to certain passages in the Buddhist Commission Report. Unfortunately, I have not myself read the report. Therefore, I cannot say what recommendations the report makes. But whatever the recommendations may be, I can assure this honourable House that the Government in considering those recommendations will recognize the rights of other religions, and in implementing those recommendations the Government will not in any way harm any other religion in this Island. That is the basic principle of our civilization which stands today as it was previously. Therefore, I would ask hon. Senators not to be afraid thinking that this Government is going to do anything which would prejudice any particular religion.

As some hon. Senators pointed out, this Government is faced with the very grave task of looking into the economic

progress of this country. It is bound to introduce a socialist government and a socialist economy, and to do that it is absolutely necessary that all persons in this Island must co-operate with the Government. If there is no such co-operation, our hopes of a socialist system of government would certainly not be realised. As that is our object, though this Bill is passed, hon. Senators may be certain that we will implement it in such a way as not to break the unity of peoples who are in the Island today. Co-operation is vital if we are to carry out the functions and realize the purposes for which we have been elected.

There are, of course, certain difficulties which stand in our way. We must admit that the task we have to face is a very difficult one. It has been made more difficult in recent times by various extremists, if I may so call them, who have set the two communities, more or less, at loggerheads. I do not blame anybody. It is due to the unfortunate circumstances in which the elections were fought; and various measures have been introduced. I must admit that it is nobody's fault; it is chiefly the fault of circumstances and the fault of the times in which we live.

Granted that there are difficulties, we must make up our minds to face them—not to quarrel with each other, but to face the difficulties in a reasonable way and to surmount them for the benefit of the country. My hon. Friend, Senator Nadesan, asked me certain questions as to what will happen after 1960. Well, I am afraid I cannot answer them because the legal interpretation of an Act of Parliament is involved. Once Parliament passes this Bill, what happens in 1960 is a question of interpreting the Act so far as it affects human relations. Apart from that, if he asks me to foretell what is going to happen I cannot do that either, because the legal position of Sinhalese under the Bill can be ascertained from the interpretation of the Bill itself; nothing else can be added to that. If the Bill is there, certain effects will follow; but if the Bill is amended, certain other effects will follow.

SENATOR NADESAN: The Bill is there.

SENATOR THE HON. M. W. H. DE SILVA: If the Bill is there, we cannot produce other results except by an amendment. As I said previously, if there are various hardships, and if the Government is convinced that there are hardships, it will be prepared to amend the Bill. I mean, apart from the question of Tamil, for the reasonable use of which we are bound to make provision, if there are any other hardships, those matters will be dealt with in due course, at the proper time.

So, I do not think, Mr. President, that I should take any more time. We are all tired and I think it is time that we accepted this Bill and passed the Second Reading.

On Question, Motion agreed to; the Senate dividing—Ayes, 19; Noes, 6:

Ayes

de Silva, Senator The Hon. M. W. H.
Jayasuriya, Senator The Hon. A. P. Wijesinghe, Senator C.
Amarasuriya, Senator T.
Cooray, Senator E. J.
de Mel, Senator R. A.
de Saram, Senator J. E. M.
Jayasena, Senator P. M.
Jayasundera, Senator Sir Ukwatte.
Kannangara, Senator E. W.
Kotelawala, Senator Justin.
Molamure, Senator Lady.
Palipane, Senator B. I.
Peiris, Senator Dr. M. V. P.
Rodrigo, Senator Sir Philip.
Senanayake, Senator Dr. J. E.
Siriwardana, Senator Hector de Zoysa.
Soysa, Senator Sir Bennett.
Wanninayake, Senator U. B.

Noes

Azeez, Senator A. M. A.
Kanaganayagam, Senator S. R.
Nadesan, Senator S.
Nagalingam, Senator P.
Pararajasingham, Senator Sir Sangarapillai.
Wilson, Senator John.

Bill accordingly read a Second time; and committed to a Committee of the whole Senate, and considered in Committee.

MR. PRESIDENT sat Chairman.

Clause I agreed to.

CLAUSE 2.—(*Sinhala Language to be the one Official Language*)

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

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

SENATOR NADESAN: With regard to Clause 2, I have a large number of matters on which I desire clarification from the hon. Leader because it is convenient to do so in the Committee stage. There are a large number of matters and I think it will be better if we go on one by one. The first matter in respect of which I wish to have clarification is this. In what language will the Government be introducing the laws? Now there are the various enactments and ordinances: in what language will the M. E. P. Government be introducing the laws till 1960? As soon as this Bill is passed and it becomes law, in what language will the M. E. P. Government introduce its laws until 1960, and then after 1960?

SENATOR THE HON. M. W. H. DE SILVA: I cannot say anything more than that until the law is changed, it will be done in English and Sinhalese. Until the Constitution is changed, it will be in English and Sinhalese and probably in Tamil.

SENATOR NADESAN: Until the Constitution is changed?

SENATOR THE HON. M. W. H. DE SILVA: This is a matter——

SENATOR NADESAN: What I want to know is whether as soon as this Bill becomes law, until 1960 the present state of affairs may continue, provided there is an order by the Prime Minister; but there will be a stage from 1961 when this law will continue

SENATOR THE HON. M. W. H. DE SILVA: I cannot tell you what the effect of this law will be at that time; but my own idea, for what it is worth, is that it will be in English, Sinhalese and Tamil.

SENATOR NADESAN: In other words, am I correct in understanding that subsequent to 1961 the laws of this country will be introduced into the Legislature in all three languages?

THE CHAIRMAN: What the Hon. Minister said was that he was not able to say what the position would be at that time, but that his own view was that it might be in English, Sinhalese and Tamil.

SENATOR KANNANGARA: The question is whether the Bills that are printed and submitted here and in the Other Place will be in English only, or in Sinhalese only, or in English, Sinhalese and Tamil.

SENATOR NADESAN: Yes, these enactments——

THE CHAIRMAN: The hon. Senator is misunderstanding Senator Nadesan's question. It is certainly very clear that up to 1960 the Prime Minister has powers given to him. But Senator Nadesan wishes to know in what language you would introduce your Bills after 1960.

SENATOR THE HON. M. W. H. DE SILVA: The official language is Sinhalese. Therefore it is essential that it should be in Sinhalese. But apart from the essential nature of this question, there is the Constitution which says that a particular enacting clause should be used. There is an Article with regard to enactments. So that, unless that enacting clause is changed the Bill will have to be introduced in terms of that phrase. Whatever the position may be, we have now introduced Sinhalese as the official language and owing to certain provisions in the Constitution we might introduce it in English as well.

SENATOR SIR U. JAYASUNDERA: Are we to understand that already there is provision—some wording or phraseology—in the Constitution which will be a bar to the Sinhalese language being made the official language after 1961?

SENATOR THE HON. M. W. H. DE SILVA: No, it is not a question of official language—

SENATOR SIR U. JAYASUNDERA: If you will pardon me, there is an Article in the Constitution which says that in respect of all laws enacted in this country—they are enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Senate and the House of Representatives—the caption must be in English. Do I understand the hon. Leader to say that because the caption must be in English it is compulsory that the whole Bill should be in English?

SENATOR THE HON. M. W. H. DE SILVA: Not the whole Bill. That portion has to be in English. The rest of it—well, it is not essential, but it may be in English—

SENATOR NADESAN: Once this becomes law, am I right in saying that the position will be that subsequent to 1961—apart from the possibility of the Consitution being amended—all the Bills and enactments introduced in this House will be in the Sinhalese language—

SENATOR THE HON. M. W. H. DE SILVA: If it is necessary the Sinhalese language—

SENATOR NADESAN:—and not in any other language?

SENATOR THE HON. M. W. H. DE SILVA: I did not say that.

THE CHAIRMAN: Not legally necessary in any other language?

SENATOR NADESAN: Yes.

SENATOR THE HON. M. W. H. DE SILVA: Except for this, we are going to provide for the reasonable use of

Tamil. Unless there is provision made for Tamil also, it will not be necessary, though it may be desirable.

SENATOR NADESAN: If there is provision it will have to be in Tamil also, but so far as this law stands at present after 1961 Bills and laws will be introduced in the Sinhalese language only. What about the English language? Is there going to be an enactment with regard to the reasonable use of the English language also or will the law subsequently do away with English also?

SENATOR THE HON. M. W. H. DE SILVA: When we consider the matter I do not think it is necessary. In connection with the reasonable use of Tamil, we will also consider the other languages in Ceylon. It all depends on what provision will be made for their use.

SENATOR NADESAN: In other words, unless there is other legislative provision made for the laws of this country being in the English and Tamil languages, as the enactment stands at present, the laws of this country, subsequent to 1961, will be only in the Sinhalese language. That is correct?

SENATOR THE HON. M. W. H. DE SILVA: Yes.

SENATOR NADESAN: May I ask in enunciating this law now, how does Government expect a Member of Parliament who speaks only the Tamil language to conduct his business as a Member of Parliament subsequent to 1961? As the law stands now, you have in contemplation a situation in which, laws will be introduced in the Legislature in the Sinhalese language. How does Government expect a Representative who only knows the Tamil language, who does not know the Sinhalese language, to discharge his duties as a Member of Parliament under the provisions of this law as it now stands?

SENATOR KANNANGARA: Where this House is concerned, in Standing Order 12 there are certain provisions.

[Senator Kannangara]

I think whatever the official language may be, we have got the right to decide the language in which Members should speak.

SENATOR NADESAN: I am not concerned with Members speaking. Before they speak they must understand the Bills. I am referring to the language in which Bills are to be introduced now that you have brought a Bill of this nature. As the hon. Leader rightly pointed out, the effect of this Bill is that, subsequent to 1961, Bills will be introduced and laws will be enacted by Parliament in the Sinhalese language. That is the legal effect. Laws cannot be introduced in any other language. If so, did Government contemplate when introducing this Bill that it would be practically preventing or excluding the Tamil-speaking Members of Parliament from participating in debates in Parliament?

SENATOR THE HON. M. W. H. DE SILVA: They would not be debarred because when that was done in English they were not debarred.

SENATOR NADESAN: When it was in English it was different. The hon. Leader knows that we have had an English education for the last 150 years and one of the qualifications earlier was that before entering Parliament one should know the English language. Subsequently, that rule was relaxed. There are large numbers of people who, even if they know only Tamil, are able to get interpretations of the English laws in the Tamil language. The large number of people who entered Parliament knew English. It was a foreigner's language and it was imposed on us. Am I to understand from the observations of the hon. Leader that they are actually contemplating that Members of Parliament who are returned by the various electorates in the Northern and Eastern Provinces—Tamil-speaking Members who come into Parliament—should be familiar with the Sinhalese language to be able to understand Bills before they can participate in debates? Is that what the Government contemplate?

SENATOR KANNANGARA: May I enquire whether the practice now obtaining in South Africa, of Bills being published both in Afrikaans and English, would be used? Actually, the official Bills will be in Sinhalese, but will there be a translation of those Bills in Tamil also published in the *Gazette* and supplied to Members of this House? The official Bill exhibited will be in the Sinhalese language.

SENATOR COORAY: In South Africa, the Constitution specially provides for that. They have powers given to use both languages. It is specially laid down in the Constitution itself. It is not an administrative arrangement at all. It is a legal requirement. Arising out of that, it is necessary to clarify the position—

THE CHAIRMAN: We are in Committee now, and all hon. Senators are entitled to take part in this discussion.

SENATOR COORAY: There arises a further difficulty. Under the Constitution, all laws enacted by Parliament have to start with this specific recital:

“Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Representatives . . .”

That is in English in our Constitution. That formula is there. Therefore, the Constitution has to be amended. That is rather difficult; we are passing this Bill by a simple majority, and all of us know that we cannot amend the Constitution by a simple majority. If the Constitution is not amended before 1960, and this Bill does not get a two-thirds majority, what is going to be the position of legislation enacted in January-February, 1961, if it comes up—according to this Bill it has to come up—in Sinhalese? The hon. Leader of the House also said that it would not be in order to put up a Bill in Sinhalese without that phrase in English—

THE CHAIRMAN: That has been corrected by Senator Nadesan, who pointed out that there was that enacting clause on the top which would continue to be in English. But what is worrying Senator Nadesan now is, supposing a Bill is introduced in Sinhalese—

SENATOR COORAY: Has that point been cleared up? After 1960 Bills will be submitted with the enacting clause in English, and the rest of it in Sinhalese.

THE CHAIRMAN: Senator Kannangara has said that Bills will be introduced in Sinhalese with a full English translation.

SENATOR NADESAN: Senator Kannangara cited the South African provision. There the position is entirely different. The South African provision states,—

“... the English and Dutch languages shall be the official languages of the Union and shall be treated on a footing of equality and enjoy equal freedom, rights and privileges ...

All records, journals and proceedings of Parliament shall be kept in both languages ... All bills, acts ... issued by the Government of the Union shall be in both languages ...”

It is as a result of the operation of that provision that in South Africa all laws promulgated are both in Afrikaans and English. Here, there is no such provision. In the absence of such provision, the effect of this Bill will be, as the hon. Leader of the House pointed out, that from 1961 the language in which Bills will be introduced into Parliament will be Sinhalese.

We know that after 150 years of British rule in this country, today only 8 per cent. of the population know the English language. So far as the Tamils are concerned, only 8 per cent. of them know the English language. We were striving for independence so that our common people could elect representatives to Parliament; they could elect even a man who does not know English or Sinhalese to come into Parliament and speak in his own language. How is he to discharge his duties, unless Bills are in the Tamil language as well, so that he can deliver his speech in Tamil—

THE CHAIRMAN: Senator Kannangara answered that. He referred to translation—

SENATOR NADESAN: What is the legal sanction for it? I am asking this question from the hon. Leader of the

House. I am not concerned with statements that they can do or cannot do various things. What is the legal right?

You are introducing a Bill of far-reaching importance, making Sinhalese the only official language, and we are concerned with giving a right to Parliamentarians who come from the north and the east to participate in debates here. How are they to participate in debates if the Bills are in the Sinhalese language? Why is it that there is no legal provision here that Bills should also be in the Tamil language so that Members of Parliament who come here may be able to discourse on the Bills in the Tamil language?

SENATOR KANNANGARA: Certified translations—

SENATOR NADESAN: The hon. Senator is suggesting all sorts of things. I do not know under what provision of the law he is thinking of certified translations. We know that certified translations are desirable things, but where is the legal provision under which there is an obligation to provide those certified translations?

One other question: In 1961 laws will be introduced in the Sinhalese language. So far as Tamil-speaking Members are concerned, in what language have they to submit amendments to Bills? If the authoritative text is in Sinhalese, and if a Tamil-speaking Member of Parliament wishes to move that some word be removed and another put in, in what language will he submit an amendment in respect of such Bill?

I am referring to this for a particular reason. Under the Indian Constitution, it is specifically stated that the authoritative text of Bills for a large number of years, until Parliament otherwise provides, shall be in the English language. What is more, in Provincial Courts too, the authoritative text has to be in the English language. We have departed from that and we say that the Bill shall be in the Sinhalese language.

I am concerned with this limited question: Is it possible for a Member elected by the common people, say, of Jaffna, a Member who does not know Sinhalese but who knows only Tamil—

[Senator Nadesan]

not even English—to come into Parliament and participate in the affairs of the Government of this country? How would it be possible for him to do so if the text of the Bill is in Sinhalese? Are you not, by this measure, creating a Federal State where they can have a Parliament of their own? I want a specific answer to that question.

SENATOR SIR U. JAYASUNDERA: There will be a number of residuary matters on which the Hon. Prime Minister will say, “English shall continue for some time more.” That is what the hon. Leader of the House meant when he said that the enacting clause would be in English and the rest of the Bill also could be in English. That will be one of the residuary matters.

SENATOR KOTELAWALA: Sinhalese is to be the only official language, but would Government consider this suggestion? In view of the fact that a number of people among the minorities have a “speaking” knowledge of the Sinhalese language, in order to facilitate their study of that language, to make it easier for them, will the question of the Sinhalese language being written in Roman script be considered? Will the Government allow Sinhalese to be written in the Roman script for some time, so that members of the minority communities can be helped to study the Sinhalese language in an easier way—

SENATOR NADESAN: This is some other question.

SENATOR KOTELAWALA: Take a Tamil boy. He knows the Roman script, and he knows the Tamil script. For him to learn the Sinhalese language in the Roman script would be easy. He can master the few additional words that are necessary, he already knows how to speak Sinhalasse to a certain extent, having lived in the Sinhalese areas.

Will the Government consider that suggestion?

SENATOR AZEEZ: Another Bill would be necessary.

SENATOR KOTELAWALA: We have passed the “Sinhalese Only” Bill, but that does not mean that we have passed the script in which it is to be written. In order to build a Ceylonese nation, where everybody will understand each other, why not facilitate matters by adopting the Roman script. That will make it easier for the minorities and also for some of the English-educated Sinhalese?

SENATOR COORAY: That is where the shoe pinches.

SENATOR KOTELAWALA: After all, the Roman script is used in Indonesia. China is about to use it and some other countries are thinking of using it. We should therefore fall in line with modern world thought. Even from the point of view of the Sinhalese themselves, if they know both scripts, they can study much faster. From the point of view of the Tamil boy, it would be much easier for him to learn two scripts, Tamil and Roman; but if he has to learn three scripts, Tamil, Sinhalese and Roman, it would be a bit of a task. It would make him lose his temper. So why does not the Government consider the question of making things easier for all of us by allowing the Sinhalese language to be written in both scripts?

THE CHAIRMAN: I think that is only a suggestion for the Government to consider?

SENATOR KOTELAWALA: Yes.

SENATOR PALIPANE: Mr. Chairman, may I be permitted to submit my views on the question that seems to worry Senator Nadesan?

SENATOR NADESAN: I do not desire to interrupt, but let it be answered by the hon. Leader. We are waiting for his reply.

SENATOR THE HON. M. W. H. DE SILVA: This is really a question for experts and it will have to be considered by them.

SENATOR NADESAN: What I desire to know is this. I want to point out to the hon. Members of the Government, not with the idea of scoring a

debating point, that as a result of this enactment, the position, as the hon. Leader rightly said, is that legislation will have to be introduced in Sinhalese after 1960. I want to point out to him that it virtually means disfranchising—

SENATOR THE HON. M. W. H. DE SILVA: I have already said that provision will have to be made for the reasonable use of Tamil. This is one of the matters for the reasonable use of Tamil.

SENATOR NADESAN: As the enactment stands, unless there is other legislative provision recognizing that the laws of this country could be published also in the Tamil language, Tamil legislators will find it impossible to participate in the affairs of Government.

SENATOR THE HON. M. W. H. DE SILVA: Regulations might be made to that effect.

SENATOR NADESAN: There can be no question of regulations. It cannot be done by regulations. There will have to be an Amendment of this law or a substantive Act making such a provision, so that the Tamil-speaking Members of Parliament may be able to discharge their duties as Members of Parliament.

SENATOR THE HON. M. W. H. DE SILVA: As I said several times, it is proposed to go into these questions, and we have four years within which to go into them.

SENATOR NADESAN: They have four years' time to go into the question. I personally think here and now is the time and place where we should find out the precise implications of the Bill and what they propose to do in respect of the matter.

THE CHAIRMAN: The Hon. Minister has answered the question this way. The Minister has said that "Official Language" means Sinhalese. The Bills will have to be introduced in Sinhalese. That is the answer. All those other questions arise, it is true. But as the Minister pointed out there are four years. In the meantime, an Amendment might be brought in.

SENATOR NADESAN: What the Hon. Minister says is that Amendments will have to be brought in to enable Tamil-speaking Members of Parliament to transact their business.

SENATOR THE HON. M. W. H. DE SILVA: After 1960.

SENATOR NADESAN: Even before 1960, Amendments will have to be brought in in respect of the Legislature. If the Hon. Prime Minister says that the laws shall be in Sinhalese, straightway an Amendment will have to be brought in. Before or after 1960 if the laws are going to be in Sinhalese, there should be an Amendment for the laws to be in the Tamil language. What should be in the Tamil language should be a correct and authoritative text of the law so that Tamil Members of Parliament may know precisely what the law is. If the Tamil text is not authoritative, it may be that they will discourse on one set of laws whereas the authoritative text is something else. Therefore, there will have to be an authoritative text in Tamil. Then only will Tamil-speaking Members be able to participate in the debates of the House.

SENATOR PALIPANE: Can I not participate in this discussion?

THE CHAIRMAN: Yes, you can.

SENATOR PALIPANE: The difficulty that seems to have arisen in the mind of my hon. Friend is that after 1960 no Tamil-speaking Member of Parliament will be able to read the Bills or papers that are presented in either House in Sinhalese and thus Tamil-speaking Members will not know what is happening in the House. In fact, that situation has arisen already, even before the passage of this Bill. Take the case of the Third Member for Colombo Central—Mr. Themis knows no English at all.

SENATOR NADESAN: Why not? He knows some English.

SENATOR NAGALINGAM: He was a sorter.

SENATOR PALIPANE: He cannot read or write English. He may have a "speaking" knowledge of English. He is now confronted with the difficulty of studying the Bills as they come up. That difficulty has already arisen. After 1960 that difficulty will arise in respect of the Tamil-speaking people who do not know Sinhalese, and also in respect of Sinhalese and Tamil-speaking people who do not know how to read and write Sinhalese but only know to read and write English. There are a number of Sinhalese-speaking Members of Parliament who know to read and write only English. The Hon. Prime Minister himself has said in the witness-box that he does not know to read and write Sinhalese.

SENATOR NADESAN: Therefore what do you suggest?

SENATOR PALIPANE: I am not the Government.

SENATOR NADESAN: No, but you are aspiring to be on the Government side.

SENATOR PALIPANE: Oh, no. I am just a humble Member of this House. The only remedy seems to be that after 1960 an Amendment will have to be brought in providing for the printing of all Bills and documents in Tamil and English.

SENATOR NADESAN: In Tamil and in English in addition to Sinhalese.

SENATOR SIR U. JAYASUNDERA: Arising out of this repartee, I understood that the Government has failed to give its mind to Article 38 of the Constitution which says:

"(1) In Every Bill presented to the Governor-General, other than a Bill presented under Section 33 or Section 34 of this Order, the words of enactment shall be as follows, that is to say:—

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

Then follow the necessary variations for those Bills that are passed under Sections 33 and 34. It appears to me that

the Government has failed to give its mind to the imperative necessity of these enacting words being given in English even in Bills printed in Sinhalese. That is to say, a part of the Bill, the enacting clause, will be in English and the rest in Sinhalese. That rather augurs a future of frustration for the Bill.

SENATOR KANNANGARA: Does that Section which the hon. Senator read out mean that a portion of the Bill should be incorporated in the English language and a portion in the Sinhalese language?

SENATOR SIR U. JAYASUNDERA: It is imperative that it should be in English.

SENATOR NADESAN: That aspect, as far as I am concerned, does not create much of a difficulty because in one or two years we will be a Republic, and once we become a Republic all those clauses will be deleted. That does not create much trouble. The real trouble as far as I am concerned is—Senator Palipane's suggestion seems to be the most feasible—that there should be some legal amendment or enactment which says that all laws shall be not only in the Sinhalese language but also in Tamil and English. Presumably, it is an advantage to have it in that form. It may be, for a long time, advantageous for us to follow the Indian practice of having English as authoritative texts. Most of our legal enactments are in English already and it will take years and years before these legal enactments are translated into the Sinhalese language. It may be desirable therefore to have these authoritative texts in the English language for a long time and until such time to have, of course, a text in the Sinhalese and English languages also. I would, therefore, suggest to the hon. Leader that the Government might consider that aspect of the matter and make the necessary changes.

SENATOR THE HON. M. W. H. DE SILVA: For the present, it will be in English because it is impracticable to have it in Sinhalese in that form. So, it will be in English. When the Constitution is changed then we will have to make provision for it, but if it is not changed, then we will have to make legal provision.

SENATOR NADESAN: In any event, it will be feasible to have a provision to the effect that all laws will be in the Sinhalese, Tamil and English languages. Thereafter, all those texts should be made authoritative so that there may be no difficulty at all. It may also be possible for us to combine the laws which are passed in future with those that have already been passed and, after a length of time, have laws only in the Sinhalese and Tamil languages.

Incidentally, another question that arises is this. I take it that the Government will continue to publish the Administration Reports of the various departments of Government both prior to 1961 and thereafter in all the three languages, Tamil, Sinhalese and English, so as to enable the Tamil-speaking Members of Parliament to participate in the proceedings and to discharge the duties expected of them, and also to enable the ordinary Tamil citizen to acquaint himself with what is happening in Parliament.

SENATOR THE HON. M. W. H. DE SILVA: That is very likely.

SENATOR NADESAN: Then in regard to Government notifications, notices in the *Government Gazette* and various other matters of general public interest which are published for the information of the public, I take it that there will be no difficulty for the Government to publish them in all the three languages, Tamil, Sinhalese and English, both prior to 1961 and thereafter.

SENATOR THE HON. M. W. H. DE SILVA: It is being done now.

SENATOR NADESAN: I am talking of what is going to happen after 1961, even if there is no change in respect of that matter.

Then, may I ask this other question, in respect of which I am rather disturbed? As the hon. Leader might know, with the first flush of enthusiasm, a number of Ministers who have come to office have altered their name boards, and all that, purely into Sinhalese—there are no English or Tamil name boards—with the result that even a person like me who is not literate in the Sinhalese language experiences difficulty in finding my way about when I

go to some office or other. So, will the names of public offices, names and designations of officials and Ministers exhibited in public offices be in the Sinhalese, Tamil and English languages after the passage of this Bill and even after 1961?

THE CHAIRMAN: May I suggest that we should not take very long over this?

SENATOR NADESAN: I gave notice of these questions in the hope that the hon. Leader will answer them but unfortunately he did not do so at that stage. I have, therefore, to elicit the answers from him in this way.

THE CHAIRMAN: How long does the hon. Senator propose to take?

SENATOR THE HON. M. W. H. DE SILVA: All those things will have to be provided for. The hon. Senator must accept our assurance that we will be reasonable in regard to all these matters.

SENATOR NADESAN: As I have already stated, some Ministers have started putting up their name boards in Sinhalese. Now, will the Government give us an assurance that all these matters will be rectified straightway, that the name boards will be in Sinhalese, Tamil and English, so that all citizens may be able to find their way about in Government offices?

SENATOR THE HON. M. W. H. DE SILVA: These are very minor details.

SENATOR NAGALINGAM: It is not a minor matter. I went myself to the Education Ministry this morning to see the Minister on a matter of very urgent importance in connection with the sudden discontinuance of a teacher. It took me some time to find out the place because every name board there was in Sinhalese. There was absolutely no official in that building whose name board was in English. But because I happened to be a Senator, I just walked in. That is not possible in the case of an ordinary villager or an ordinary Tamil citizen.

SENATOR NADESAN: We desire to have a categorical assurance on these points.

SENATOR THE HON. M. W. H. DE SILVA: That has nothing to do with this Bill.

SENATOR NADESAN: It has everything to do with this Bill because Sinhalese is the only official language and anybody and everybody apparently imagines that he can do anything because of the fact that Sinhalese is the only official language.

SENATOR THE HON. M. W. H. DE SILVA: Very well. I will bring it to the notice of the Prime Minister.

SENATOR NADESAN: There is no point in saying that you will bring it to the notice of the Prime Minister, let us have the assurance from you that the names of public offices, the names and designations of officials and Ministers which are exhibited in public offices will be in Sinhalese, English and Tamil even after the passage of this Bill, so as to enable all citizens in this country to find their way about.

SENATOR THE HON. M. W. H. DE SILVA: I will, as I said, bring it to the notice of the Prime Minister.

SENATOR NADESAN: Then, I take it, the names of public roads, railway stations, and so forth, will continue to be in English, Sinhalese and Tamil even after 1961?

SENATOR THE HON. M. W. H. DE SILVA: Well, I will bring all those matters to the notice of the Prime Minister.

SENATOR NADESAN: I desire to know this from the Government. I know that the hon. Leader will bring this to the notice of the Prime Minister or somebody, but I wish to know from him, on behalf of the Government, what his views are.

SENATOR THE HON. M. W. H. DE SILVA: It will be taken into consideration.

SENATOR NADESAN: In other words, may I bring to the notice of the hon. Leader this position? They have always been saying that English has been the official language up to now in Ceylon. But their endeavour now is to replace English with Sinhalese. That is what they have been saying. By this Bill, I take it, they have succeeded in replacing English with Sinhalese. But as the hon. Leader is aware, during the time, English was the official language of this country, the names of roads, railway stations, hospitals, police stations, and various things like that were exhibited in the Sinhalese, English and Tamil languages. That was done to enable the ordinary citizens of this country to find their way about.

Now what I want to know is this. Are they going to depart from that policy which has been followed all these years merely because Sinhalese is going to replace English as the official language or will they continue to render service to the people by naming railway stations, roads, hospitals, police stations and other public institutions in all three languages, so that the ordinary citizen may be able to have access to these institutions which are provided for their benefit? That is all that I ask.

SENATOR KOTELAWALA: That was why I suggested writing Sinhalese in both scripts until such time as all the nationalities learn this language.

SENATOR AZEEZ: In view of the statement that was made by the hon. Leader that Chinese-speaking citizens and Gujerati-speaking citizens also should have similar rights, might I ask him when he is going to recommend that these notices should be in Tamil, English and Sinhalese?

SENATOR NADESAN: No. Sir, I do not desire at this late hour to go on troubling the hon. Leader. But these are matters of importance not so much to us as to the ordinary citizen. Now, for instance, even after 1961 an ordinary citizen who gets into the train at Jaffna

must know when the train stops at some station or other what the name of that station is. If he is not in a position to know that, then he will have to seek the help of a neighbour, who may be travelling with him to find out what that station is. So, what I want to know is this. Is it the intention of this Government to depart from a practice which it has so far followed of catering to the needs of the people by providing these boards and notices in all three languages? The ordinary citizen of this country must know what it proposes to do. It is not a question of bringing it to the notice of the Government.

I want to know whether there is any statement, any positive statement, the hon. Leader can make on this particular matter.

THE CHAIRMAN: May I point this out to hon. Senator Nadesan? These are really details and, I take it, it is hardly fair to ask the hon. Leader what he proposes to do about them. He says his view is that it will be in English, Sinhalese and Tamil.

SENATOR KANNANGARA: These are all administrative matters which have to be taken into consideration under the proviso. I do not think it is fair to ask these questions of the hon. Leader.

THE CHAIRMAN: Hon. Senator Nadesan has heard the Hon. Minister's reply.

SENATOR NADESAN: I bow to what you say, Mr. Chairman. I have also listened to what Senator Kannangara had to say. Surely, when we pass this Bill, we should know whether these things will happen or not. It is absurd, if I may say so with respect, to suggest that these questions should not be asked because these are all administrative matters. There are two Ministers in this House. Surely, these are questions that should be considered by them, because they have an impact on the ordinary citizen. We all know what is happening in the various departments of the Government where some of the Ministers are doing certain things. Therefore, we wish to know whether public notices and notifications

will continue to be published in all the three languages, as has been the practice up to now. Even under British rule, when English was the official language, all these notices were published in English, Sinhalese and Tamil, so that the ordinary citizen could find his way about. Are you going to continue the same practice when we are now not under colonial rule but under Sinhalese rule? Or, are you going to depart from that practice and have these notices only in the Sinhalese language? That is what I desire to know. I wish to have a definite assurance on that point. Surely, the Hon. Minister of Justice, the Hon. Minister of Home Affairs and the other Ministers of the Government should have addressed their minds to these questions so as to be in a position to answer them, for these are matters that arise as a result of this Bill.

SENATOR THE HON. M. W. H. DE SILVA: They may arise years later, in 1960.

SENATOR NADESAN: My position is that they may arise tomorrow, not merely in 1960. Supposing tomorrow the Hon. Prime Minister says he is satisfied that the Public Works Department and the Railway Department can function in the Sinhalese language. What happens to the notices in respect of the various roads, railway stations, and so on? Supposing it is decided that all the notices in regard to post offices should be only in Sinhalese? What is the position? Surely, one need not wait till 1961 to bring up these matters?

As far as the law under the Official Language Bill is concerned, what is the position in respect of all these matters? From the point of view of the Minister in charge of this Bill, they may be small matters; but from the point of view of the convenience of the ordinary citizen, they are very important matters. The ordinary farmer who comes from Jaffna by train will have to ascertain that he gets down at the correct station. After detraining he will have to know which is the correct road that he wishes to take. If he is assaulted on that day, he will have to find his way to the police station to lodge a complaint. All these are matters which concern the ordinary citizen, in respect of which the British under colonial rule made provision by

[Senator Nadesan]
having all notices, notifications, sign boards, etc., in the three languages, English, Sinhalese and Tamil. What is the intention of the Government in respect of those matters?

SENATOR KANAGANAYAGAM: I think it is fair that we should have a reply to these questions.

THE CHAIRMAN: I dare say these are matters that may arise, and I agree with Senator Nadesan that they concern the ordinary citizen. But the hon. Leader has given an answer, namely, that he will bring these matters to the notice of the Government and that Government will give them due consideration. Perhaps he gave a reply in that form because he may not have addressed his mind to this aspect of the matter.

SENATOR NADESAN: Then, may I suggest that we adjourn the Committee stage now so as to enable the Hon. Minister of Justice to consult his colleagues on these matters and thereafter give an answer to my question. That is the proper thing to do in the circumstances, because hon. Senators are entitled to have an answer to this question which arises as a result of this Bill. We should know precisely what is going to happen when this Bill becomes law. If the Hon. Minister has some doubts about it, may I suggest, with due respect, that the Committee stage be adjourned immediately so that he may consult his colleagues and give a reply to this simple question, namely what will happen when the Bill is put into operation?

SENATOR THE HON. M. W. H. DE SILVA: The question relates purely to administrative matters. They are in charge of various departmental heads. Therefore, I cannot give a reply to them now.

SENATOR NADESAN: What I want to find out is whether, as a result of the passage of the "Sinhalese Only" Bill, there is any difficulty in continuing the present practice of having the various notices and notifications published in all three languages.

SENATOR THE HON. M. W. H. DE SILVA: There is no difficulty at all, so far as I can see.

SENATOR NADESAN: Is the Hon. Minister of Justice satisfied in his own mind—leave alone what others may think about it—with the justice of having these notices in all the three languages, so as to enable the citizens of this country to transact their business with the Government in their respective languages?

SENATOR THE HON. M. W. H. DE SILVA: I cannot answer that.

SENATOR PALIPANE: Collective responsibility!

SENATOR NADESAN: I ask the Hon. Minister of Justice whether he has any doubt in his own mind with regard to the justice of having the sign boards, notices, and so on, in the various railway stations in all the three languages, so as to enable the citizens who travel by train to get down at the proper railway station?

SENATOR KANNANGARA: I do not think the Hon. Minister of Justice, or, for a matter of that, any other Minister, is in a position to answer that question. It is the Prime Minister who will be in charge of this Bill; no doubt, he will consider all these matters. So, I do not think the hon. Leader can answer that question.

SENATOR NADESAN: Obviously, Senator Kannangara knows what the hon. Leader is in a position to answer and what he is not in a position to answer. But I have not had the advantage of being admitted into the confidence of the hon. Leader. That is why I postulate this question, so that I may be aware of the position.

If the hon. Leader is unable or does not want to answer it, I desire to make certain observations. Apparently, some of the Ministers of this Government are under the impression that, merely because Sinhalese is replacing English as the official language—and even before it is replaced by law—they are justified in putting up notices in their own language, namely, Sinhalese, and removing all the other notices which are

in English and Tamil. They apparently, imagine that the Tamil-speaking and English-speaking taxpayers of this country, who also contribute to this Government's finances and funds and whose servants these Ministers are, should learn Sinhalese before they go to transact their business with the Government. Therefore, it is high time, in the name of tolerance and charity which the hon. Leader always invokes, that he communicates to his colleagues that they are doing the greatest possible disservice to the M.E.P. by removing the English and Tamil name boards. It is absolute intolerance on their part and it is high time that the present name boards in Sinhalese are supplemented by name boards in English and Tamil. It is also high time the hon. Leader sees to it that all public utility departments of the Government, like the Railway, Post Office, and so on, cater to the entire population of this country by having the various notices and notifications published in all the three languages.

I would also ask the hon. Leader to bring to the notice of the Government, whatever the position may be with regard to the Official Language Bill, that currency notes, stamps, and the like, should be in all the languages. Senator Palipane was good enough to trot out an Indian currency note and saying that it is in the Hindi language. Apparently, he is not aware of the fact that India has 17 recognized official languages and as many as 200 dialects. Hence, it is impossible for India to print a simple currency note in all the 17 languages and in all the dialects of India.

SENATOR PALIPANE: I rise to a point of Order. The hon. Senator is going completely out of the point.

SENATOR NADESAN: That is why in the currency notes of India you have necessarily to have that one official language. In this country there is no such necessity. What I desire to point out is that, under British rule, when English was the official language, the British thought it necessary that there should be currency notes in English, Sinhalese and Tamil. Now, although Sinhalese is being substituted for English as the official language, I do hope the Government will continue to give Tamil and English a position in the currency notes

of this country, even as the British did, and that our new master will not be less tolerant than our British master.

Having said that much, I just want to ask a few questions from the hon. Leader with regard to courts, in which all of us are interested. This is something which comes within the purview of the Minister of Justice; so, he should be able to answer at least these questions.

SENATOR KANAGANAYAGAM: We hope the Hon. Minister of Justice will answer them.

SENATOR NADESAN: Courts come within his purview. Is it his intention that from 1961 the proceedings in all the courts of the Island, including the Northern and Eastern Provinces, should be in the Sinhalese language.

SENATOR THE HON. M. W. H. DE SILVA: I answered the question.

SENATOR NADESAN: What is the position?

SENATOR THE HON. M. W. H. DE SILVA: I said that, subject to the provision made with regard to the reasonable use of Tamil, the records will be in Sinhalese.

SENATOR NADESAN: I wish to point out a difficulty that will arise in the Northern and Eastern Provinces where lawyers will have to refer to records in testamentary and other cases in order to find out various matters. If the records are in the Sinhalese language, they will not be able to understand anything at all. I take it that the Hon. Minister of Justice will take all those matters into consideration before he decides on the procedure to be adopted in regard to courts.

May I also suggest to the Hon. Minister of Justice—I shall be brief, in view of the length of time that we are taking over this clause—that there are several other matters of a technical nature in respect of courts which have to be carefully considered? I would humbly suggest—after all, not one of us is omniscient in regard to these matters—that a Commission be appointed consisting of lawyers and others to investigate into all matters which come within the purview of the Minister of Justice *vis-a-vis* the Official Language Bill.

SENATOR THE HON. M. W. H. DE SILVA: I have already spoken to some people about it.

SENATOR NADESAN: I hope that an expert Commission will be appointed to go into the question with regard to the courts of law before any steps are taken in the direction of implementing any of these provisions in respect of the courts of law.

SENATOR KANNANGARA: I fully support the hon. Senator's idea of appointing an expert Commission to go into these details. There are a number of other matters, too, to be dealt with and I am glad the hon. Leader has agreed to appoint an expert Commission to go into them.

SENATOR KANAGANAYAGAM: But remember their report will be in Sinhalese!

SENATOR NAGALINGAM: Before the expert Commission is forgotten, I would like to know whether the Official Committee that is going to India is also going to do anything about this matter.

SENATOR THE HON. JAYASURIYA: That has not been decided.

SENATOR NADESAN: I do not think the Government of India will have anything to do with them.

Clause 2 agreed to.

Clause 3 agreed to.

Enacting Clause and Title agreed to.

Bill reported without amendment; read the Third time and passed.

MUSLIM MOSQUES AND CHARITABLE TRUSTS OR WAKFS BILL

Order for Second Reading read.

SENATOR THE HON. M. W. H. DE SILVA: It is now 9.24 p.m. So, I move that the Muslim Mosques and Charitable Trusts or Wakfs Bill be taken up on 17th July.

On Question, Motion agreed to; and consideration of Bill deferred accordingly.

ADJOURNMENT

Resolved: "That the House do now adjourn"—[*Senator The Hon. M. W. H. de Silva.*]

Adjourned accordingly at 9.24 p.m. until 2.30 p.m. on Tuesday, 17th July, 1956, pursuant to Standing Order, as amended by Order this day.

SENATORS

Third Parliament—First Session

	Year of Retirement
PRESIDENT—The Hon. Sir Cyril de Zoysa, Kt., J.P. ...	... 1961
DEPUTY PRESIDENT—Lady Molamure, C.B.E. ...	... 1961
K. Adamaly, Esq., O.B.E., J.P. ...	... 1959
T. Amarasuriya, Esq., O.B.E. ...	... 1959
A. M. A. Azeez, Esq., M.B.E. ...	... 1959
E. J. Cooray, Esq., C.M.G., O.B.E. ...	... 1961
R. A. de Mel, Esq. ...	... 1961
J. E. M. de Saram, Esq., O.B.E., J.P., U.M. ...	... 1957
The Hon. M. W. H. de Silva, Q.C. ...	... 1959
P. M. Jayasena, Esq. ...	... 1959
Sir Ukwatte Jayasundera, K.C.M.G., K.B.E., Kt., Q.C., J.P. ...	... 1957
The Hon. A. P. Jayasuriya ...	... 1961
S. R. Kanaganayagam, Esq. ...	... 1957
E. W. Kannangara, Esq., C.B.E. ...	... 1959
Justin Kotelawala, Esq., C.B.E. ...	... 1959
S. Nadesan, Esq., Q.C. ...	... 1959
P. Nagalingam, Esq. ...	... 1957
B. I. Palipane, Esq. ...	... 1957
Sir Sangarapillai Pararajasingam, Kt., J.P. ...	... 1959
Dr. M. V. P. Peiris, O.B.E. ...	... 1961
Sir Senapathige Theobald Philip Rodrigo, Kt., O.B.E., J.P. ...	... 1957
Dr. A. M. Samarasinghe ...	... 1961
Dr. J. E. Senanayake ...	... 1961
Hector de Zoysa Siriwardana, Esq., C.B.E. ...	... 1957
Sir Warusahennedige Abraham Bennett Bastian Soysa, Kt., C.B.E., J.P. ...	... 1957
Peri Sundaram, Esq. ...	... 1957
U. B. Wanninayake, Esq. ...	... 1961
C. Wijesinghe, Esq., O.B.E. ...	... 1957
E. B. Wikramanayake, Esq., Q.C. ...	... 1959
John Wilson, Esq., M.B.E., J.P., U.M. ...	... 1961

