

THE MEMORANDUM  
of  
**SIR PONNAMBALAM RAMANÂTHAN**

K.C., C.M.G., M.L.C. Ceylon,

on the Recommendations of the Doughtmore  
Commissioners appointed by the P. Honourable  
the Secretary of State for the Colonies, to report  
upon the Reform of the Existing Constitution  
of the Government of Ceylon (1924-1930).







THE MEMORANDUM  
of  
SIR PONNAMBALAM RÂMANÂTHAN  
K.C., C.M.G., M.L.C. Ceylon,

on the Recommendations of the Donoughmore  
Commissioners appointed by the Rt. Honourable  
the Secretary of State for the Colonies, to report  
upon the Reform of the Existing Constitution  
of the Government of Ceylon (1924-1930).

---

1930.

Printed by Vacher & Sons, Ltd., London.





## P R E F A C E .

The constitution proposed by the Donoughmore Commissioners may be said to be an emergency measure, designed to meet particular difficulties which had arisen in the panic-stricken mind of Sir Hugh Clifford who assumed the Governorship of Ceylon in November, 1925, and resigned it hurriedly in June, 1927, after demanding an inquiry into the *impasse* conditions which he conceived as prevailing in the social and political structure of the island.

It has become my duty, as the recognized leader of the unofficial Members since my appointment to a seat in the Legislative Council in 1879, and as the Father of the House, to explain clearly how very much mistaken Sir Hugh Clifford was in his interpretation of affairs in Ceylon, and how very unsuitable and unworkable are the proposals made by the Donoughmore Commissioners appointed by the Secretary of State for the Colonies, in August, 1927, to consider and report upon the charges alleged by Sir Hugh Clifford, and upon any difficulties which might have arisen in the working of the existing constitution of Ceylon.

My memorandum is intended humbly to help the Houses of Parliament to arrive at a correct conclusion on a most complicated question. It has baffled the judgment of two Governors, four Commissioners of Inquiry and two Secretaries of State, and affords a unique example as to the extreme difficulty of the British Cabinet and the Houses of Parliament governing rightly a country which lies several thousands of miles away from England, and is occupied by many races and communities who should live in peace and amity with each other.

The proper solution of this tangled problem depends upon the separation of facts from fancies and the application of sound principles of Law and Equity, which together are celebrated throughout the world as *British justice*, because Great Britain has, without fear or favour, stood up, more than any other country on earth during modern times, to rule its citizens and states by methods acceptable to God.

It is neither right, nor safe in the interests of Ceylon as well as the British Empire, as shown clearly at pages 16 to 21 (paras. 26 to 31) of this memorandum, to transfer the political power of electing members for the Legislative Council of the Island—which has been honestly and intelligently performed



by the present electorate of two hundred thousand men, with a due sense of responsibility owing to their possession of literacy, property and income qualifications—to the hands of two million men and women, most of whom are illiterate and have no stake in the peace or prosperity of the country.

In this respect the Donoughmore Commissioners have sinned before God and man by urging the Secretary of State to declare to the world at large that Ignorance is entitled to wield as much political power as Knowledge.

They admit that the Members who were returned to the Legislative Council by the present electorate, are men of ability, industry and enthusiasm for gaining a real knowledge of administrative affairs, and that "the educated element of the Ceylonese people, of which the Members are typical and representative, provides as fine a material as could be wished for the realization of the country's political progress." From this acknowledgment follows the conclusion that the electors of these Members had done their duty in the best manner possible. Why then did the Commissioners recommend the transfer of the political power of such electors to a dangerous mob who may be easily misled by schemers and speculators bent on selfish ends?

In Great Britain, it has taken well-nigh a century, after the passing of the Reform Act of 1832, to introduce universal suffrage by broadening the franchise gradually with the expansion of universal education. But in Ceylon the Government is unable to give compulsory education to 60 per cent. of the pupils of the school-going age for want of revenue and trained teachers, and it may take more than thirty years to supply compulsory education to all the children of the school-going age, and even then the opportunity for improving themselves by employment in carefully supervised stores, workshops and offices, after the school-going age, by reading useful books and papers and by association with thoughtful men in clubs and other places, may not come to them. In these circumstances, it would be ruinous to introduce universal suffrage in Ceylon at present.

The sacred power of selecting suitable Members for the Legislature should be conserved as zealously as the other power of selecting judges and jurymen for the trial of cases in courts of justice. The words of Lord John Russell, the Prime Minister who carried through Parliament the Reform Act of 1832, are worth remembering:—"A man's life and liberty are as valuable to him as his property, yet no one contends that the judicial body and the jury should be selected by the grant of universal suffrage to men and



women who are not qualified for it. On the contrary, the greatest care is taken to place on the judicial bench men qualified by learning and experience, and to form the list of the jury out of the portion of a community whose station in life affords some security for their average intelligence, information and honesty. Similar care ought to be taken to entrust to a portion of the community qualified by honesty and intelligence the mighty power of selecting members for the House of Commons."

Besides this problem of universal suffrage, which should be coupled always with universal education, and the ability to pay taxes, as explained at page 18 of the memorandum, there remain many others in the recommendations of the Commissioners, among which may be mentioned here the political extinction of the communal constituencies of the Burghers, Muhammadans, Ceylon Tamils and Indian Tamils, and the unsuitability and unworkability of the system of Government by means of committees without Cabinet solidarity.

The fair name and prestige of the Parliament demand that a careful investigation should be made by it regarding (1) the facts of the case as distinguished from the vain imaginings of the local authorities, and (2) the unsuitability and unworkability of the scheme framed by the Commissioners.

Let it not be contended that the progress of their scheme has advanced too far to be withdrawn or amended at present. The Members of the Legislative Council who opposed the recommendations of the Commissioners cannot be charged with any delay whatever in representing their case to the Secretary of State, as the following facts will show.

The Commissioners arrived in Ceylon in November, 1927, and departed from it in January, 1928. It took them about six months to prepare their Report. Soon after it was published, the opposing Members gave notice of many motions, and a day was fixed by the Governor for the beginning of the debate. That day was the 27th of September, 1928. They succeeded in carrying thirteen motions in condemnation of the Commissioner's chief proposals, early in the month of November, when the Secretary of State directed the Governor by cablegram, dated 14th November, 1928, to lay before the Council a telegraphic message, as set forth in pp. 39 and 40 of this Memorandum, to the effect that he considered it quite impracticable under present conditions to grant complete responsible government, that the recommendations of the Commissioners must be accepted or rejected as a whole, that he was not willing to accept any amendments in principle which would destroy the balance of the scheme, and that he



could not hold out any hope that failure to accept the scheme of the Commissioners would in any way expedite the possibility of granting complete responsible government. This message roused the indignation of most of the unofficial Members (page 40, para. 57). The Governor invited them all to meet him in Queen's House to discuss the situation of affairs with him in a less formal manner than would be possible at an open meeting of the Council. The private conference ended in confusion (p. 41). A few days later, Party conferences took place separately, and it took the Governor five months to consider and conclude his despatch on the subject. It was dated the 2nd of June, 1929. Lord Passfield replied four months later. His despatch was dated the 10th of October, 1929. This was followed by the Acting Colonial Secretary moving in Council that it was desirable that the constitutional changes recommended should be brought into operation with the modifications indicated in the Secretary of State's despatch (p. 46).

The division on this motion took place on 12th December, 1929. It disclosed that 19 unofficial Members were for accepting the motion and 17 for rejecting it. I interviewed the Governor on the following day and submitted to him the desirability of his explaining to the Secretary of State that really and truly the majority of the Members were for rejection and a minority for acceptance, and that, if he did not do so, it would be my duty to make the explanation, through the Governor, to the Secretary of State in order that he might carry out the alternative course of action proposed by him in his despatch that, in the event of the Council declining to accept the scheme, he would proceed in due course with the election of a new Council under the Order of 1923 of His Majesty, to allow time for further consideration of the situation. He preferred that I should make this representation to the Secretary of State myself and said that my letter would be forwarded to him without delay. So I addressed my letter to the Governor on the 16th December, 1929, and he despatched it to the Secretary of State.

The Council adjourned for about three weeks during the Christmas and New Year holidays and resumed its sittings and worked busily until the Easter vacation began. No acknowledgment of my letter of the 16th December by the Secretary of State was communicated to me by the Governor. I determined to go to London in the same boat as that in which the Governor, at the request of the Secretary of State, was embarking on the 16th April. I announced my arrival in London to the Secretary of State in a letter dated 10th May, 1930, and informed him that I had come specially to



explain to him fully the grievances of the opposing Members and of the good and true citizens of the Island. He wrote to me a gracious letter on 27th June, 1930, in which he said, as regards my letter of the 10th May, 1930: "I hasten to express to you my regret that you should have felt that you have been treated with lack of courtesy. Your letter of the 10th May was formally addressed to the Secretary of State, and was not, unfortunately, brought to my notice. . . . As you say, my predecessors have at all times been ready to receive you, and I have been equally ready to do so.

"I hope that this explanation may remove from your mind any feeling that you have been shown any lack of consideration."

It is clear from this letter that subordinate officers in the Colonial Office are free to deal with, or put aside, important representations coming from unofficials and press forward public measures without troubling the Secretary of State for orders on such representations, howsoever vital they may be to the people concerned. The necessity for placing the affairs of the Dominions, the Colonies and the Dependencies thereof under one Secretary of State may have originated this practice and the consequent formula that the matter represented has gone too far to be amended or withdrawn. Judging by the fate pronounced upon my appeal for justice contained in my letter of the 16th December last, it is not unfair to conclude that the memorial forwarded by the Hon. Mr. E. W. Perera and others to the Secretary of State complaining of the division in Council was not placed before him and that it would be useless hereafter to appeal to him for redress or justice. This atrophy in the machinery of the British Government will surely bring disaster to the people and the Government itself. Some at least of the present rulers are quite sure that political judgments are inherently different from judicial judgments which are based on justice which gives to everyone his due, like the judgments of God, who rewards and punishes every man according to his works of loving kindness, or works of callousness and hate. The investigations of politicians rest on considerations of partisanship or what each Party wants its leaders to do. Reasoning in this way, they forget or fail to recognise the truth that the ever-changing and perishing things of the world, called Nature (or whatever appears and disappears), are permeated by the unseeable Power of God (like a thread which passes through and holds together pearls of different sizes and shapes), who is known as the "Most High," or Transcending Deity—higher than the highest, deeper than the deepest, broader than the broadest, and longer than the longest—who eternally exists



and rules the universe by the great Spiritual Law that peace and joy shall spring from purity of heart and works of loving kindness, and that trouble and sorrow, fear, fatigue and depression shall spring from pretended kindness, indifference and hate. Men who care for real progress should confess their inability to resist the evil of courting vanity and the estimation of fools, who shout hustle and smash, if their selfish ends are not gratified. They should pray devoutly for help. Politicians who are not willing to work laboriously and honourably, who fear the populace and prostitute the instruments of knowledge and action and the talents given to them by God for trying to conserve the interests of one set of people to the detriment of those of other sets, cannot be trustees of God, Whose work consists in the protection of all interests and of every soul according to the deserts of each. This is righteousness. Politicians who endeavour to utilize the State Council for exclusive purposes are a menace to the State. Unrighteous leaders will involve themselves and the country in serious trouble. They are blind to its general welfare, and the blind should not undertake to lead the blind, lest both fall into the ditch.

In my interview with Lord Passfield regarding the division in the Legislative Council, he appeared to have read carefully my letter of 16th December, 1929, and to be impressed with the arguments put forward in it, but said that, as the Government had sanctioned the proposals contained in his despatch to the Governor, and as much progress had been made in Ceylon towards carrying out the scheme, and as a provisional Order-in-Council had been made by His Majesty and despatched to the Governor, he felt his hands were tied. At the same time, he said that he would encourage me to meet such Members of the Houses of Parliament as were willing to study the merits of the whole case, and if a resolution for reconsidering the question afresh was passed, he would gladly give effect to it.

But the Premier's announcement that the Parliament would be adjourned about the end of this month, and that it was necessary to carry through the remaining urgent Government business during the next two weeks, made it impossible to get him to fix a day for discussing the reform of the Constitution of the Government of Ceylon. Important and urgent as this question was to the Members of the Legislative Council of Ceylon who opposed the recommendations of the Commissioners, the British Cabinet, afflicted as it was by disagreements among the Members of its own Party and by the antagonisms of the other Parties, could not consider our grievances as urgent enough to give precedence over its own urgent questions.



As to a day being fixed after resuming business in November next, there did not appear to be any probability, because things in Ceylon would have advanced much further, and the same answer would be given then. Indeed, under the provisional Order-in-Council recently published in Ceylon, men and women who desire to be registered as voters are asked to apply for registration between the 1st of August and 15th of September. Such is the hurry of the Government to persist in a policy conceived in ignorance of the facts of the case, and of the principles of Law and Equity.

So, the might of misguided politicians, who take pride in being the trustees of selfish suffragists, has been set against the Might of God which leads to the development of righteousness in the hearts of men and the peace and prosperity of all the inhabitants of the country. There is no doubt in the minds of the faithful that Justice will triumph in the end.

P. RÂMANÂTHAN.

LONDON,

18th July, 1930.



*Sir Ponnambalam Rāmanāthan's Memorandum on the Reform of the Constitution of the Government of Ceylon, as proposed by the Donoughmore Commission and amended by the Secretary of State for the Colonies.*

---

1. The people of Ceylon did not call for the appointment of a body of British Commissioners who had no experience whatever of its indigenous communities, to come to Ceylon and formulate a scheme of government to suit their real needs and aspirations. It was Sir Hugh Clifford who wrote a despatch to the Secretary of State for the Colonies (the Rt. Hon. Mr. Amery) and suggested an inquiry into certain impasse conditions which were alleged by him to prevail in and out of the Legislative Council of Ceylon.

2. This despatch was not laid before the Legislative Council, though an unofficial Member moved that it be tabled. Had it been produced, the unofficial Members would have considered them carefully and stated their views upon the points raised. But they were not given the opportunity. It will be remembered that His Majesty's Order in Council of 1923 declared by Article 62 that the Council elected in terms of it should endure for a period of five years only from the date of the publication in the *Ceylon Government Gazette* of the return of the first Member elected at the general election, and the Duke of Devonshire, who was then Secretary of State for the Colonies, explained to Governor Manning, in his Grace's despatch dated 22nd January, 1924, the reasons for this limitation of the Council's life, as follows: "It is eminently desirable that the constitution be stabilized for a period sufficient to enable the new Members to gain experience of its working and to form, after full inquiry, conclusions as to the lines best adapted for its development."

3. In view of this pronouncement, the unofficial Members of the Council naturally expected that, at some reasonable time before the end of the five year period, they would be called upon with all the experience gained by them of the working of the Council between 1924 and 1929 to state whether they were content with the existing constitution and, if not content, in what respects they would require it to be altered. In these circumstances, it would have been well if Mr. Amery had apprised them of the difficulties that were reported to have arisen in Ceylon owing to the conduct of some of their colleagues in the Standing Finance Committee.

4. Soon after receiving Sir Hugh Clifford's despatch, Mr. Amery appointed a Special Commission of Inquiry, consisting



of Lord Donoughmore, Sir Matthew Nathan, Sir Geoffrey Butler, and Dr. Drummond Shiels, to go to Ceylon and report upon "the working of the existing constitution, and on any difficulties of administration which may have arisen in connection with it, to consider any proposals for the revision of the constitution that may be put forward, and to report what, if any, amendments of the Order in Council now in force should be made."

5. Are these terms of Mr. Amery's reference to the Donoughmore Commission, dated 6th August, 1927, in accord with the promise of the Duke of Devonshire, or are they different? Mr. Amery is the best person to answer this question, because he was in possession of all the papers connected with it, including the despatch of Sir Hugh Clifford, (which he declined to lay before the Legislative Council). But, fortunately, we, too, are in a position to answer it, because Sir Hugh himself has disclosed its contents in an article on *Ceylon*, which appears in the fourteenth edition of the *Encyclopædia Britannica*. He states there why, having served as Governor of Ceylon between November, 1925, and June, 1927, he was obliged to "recommend the appointment of a Commission to examine the situation and to report as to the measures that could be best taken to surmount the impasse."

6. Comparing the terms of reference of Mr. Amery to the Donoughmore Commissioners with those suggested by Governor Clifford, we see that both violate the solemn promise given by the Duke of Devonshire (in his despatch to Governor Manning dated 22nd January, 1924) to the unofficial Members of the Council that, before the period of five years fixed by the Order in Council elapses, they would be given sufficient time to enable them, with all the experience they have gained of the working of the constitution, to form after full inquiry conclusions as to the lines best adapted for its development. This promise was upheld later by Mr. Amery himself by his telegram read in the Legislative Council (by the Colonial Secretary on the 5th of November, 1928) that he would not take any steps to give effect to the recommendations of the Special Commission until this Council had had full opportunity of placing its view.

7. In his article on Ceylon, Governor Clifford traced the development of the impasse situation in the island in 1927 to certain formidable causes which, if believed to be true, left to Mr. Amery no other alternative but to appoint a Special Commission as asked by Sir Hugh. The terms of reference, however, did not preclude the Commissioners from examining the unofficial Members as to the truth or falsity



of the causes which were alleged by him to have brought about the crux in the island. Nevertheless, they do not appear to have informed or examined them about the charges.

8. I enumerate the alleged causes urged by Sir Hugh for the appointment of a Commission, in order to show how very mistaken he was in regard not only to the standpoint of view of the unofficial Members but also to the sentiments of the people whom he maligned, owing to his deficiency in peace, poise and tactfulness. No one can accuse him of unworthy motives. He fully believed that his convictions were right, but the intensity of one's convictions is no proof of their correctness. It is my duty, as the elected leader of the unofficial Members of the Legislative Council of Ceylon, and as the Father of the House whose public services for fifty years were celebrated in June last (1929) by all its members, including the Governor, to respectfully submit to the British Parliament that the solemn promise of the Duke of Devonshire should not have been violated; that the appointment of the Donoughmore Commission was due to mis-statements made to Mr. Amery by Sir Hugh; that the recommendations of the Donoughmore Commission, being quite unconstitutional and unprecedented, should not be accepted and embodied in the form of an Order-in-Council; and that the Reform of the Constitution of the Government of Ceylon on Parliamentary lines should be made the subject of a Bill and laid before the Parliament for discussion, following the procedure adopted in the case of the reform of the Government of India and the passing of the Government of India Act of 1919.

9. I beg now to describe the mis-statements made by Sir Hugh Clifford to Mr. Amery which diverted the proper course of development of political reform in Ceylon, according to the new policy which was announced by Mr. Montagu to the House of Commons on the 20th August, 1917, as settled by a Coalition Cabinet and accepted by the British Parliament as a "pledge and assurance opened to India by Britain herself." His announcement was as follows: "The policy of His Majesty's Government, with which the Government of India are in complete accord, is that of the increasing association of Indians in every branch of the administration, and the gradual development of self-governing institutions with a view to the progressive realization of responsible government in India as an integral part of the British Empire." This resulted in the Government of India Act of 1919.

Such being the trend of political thought operating in the minds of His Majesty the King, the British Cabinet and the Houses of Parliament, the Duke of Devonshire, who was



Secretary of State for the Colonies, felt it to be his duty to help Ceylon to go forward in the same direction. From 1912 to 1921 the Legislative Council of Ceylon consisted of 11 officials and 10 unofficials, of whom 4 were elected and 6 were nominated. From June, 1921, to August, 1924, in pursuance of the imperial policy, the officials were 14 and the unofficials 23, of whom 20 were elected and 3 were nominated. But on account of the vociferous claim made by the different communities in Ceylon for a larger development of Home Rule, like the cry raised in India at that time, the Duke of Devonshire offered, in 1923, to Ceylon 12 officials and 37 unofficials, of whom 34 were to be elected territorially and communally, and 3 nominated, and promised that, at the end of five years, he would give the unofficials an opportunity to express their opinion on the necessity for a further reform with ministerial portfolios. In these circumstances, the Donoughmore Commissioners ought not to have declared that, "judged by the accepted standards of Parliamentary practice, a constitution as that of Ceylon provided in the Order-in-Council of 1923 is a *reductio ad absurdum*," a senseless proceeding. On the contrary, it was a natural and necessary development quite in accord with the imperial policy prevailing at that time.

10. It is now time to consider the imaginary and far-fetched causes alleged by Sir Hugh Clifford in justification of his desire that a Commission should be appointed "to examine the situation and report on the measures that could best surmount the impasse." A careful study of them will convince any thoughtful reader how difficult it is for the central authorities in England to govern a distant country, situated thousands of miles away, by relying too much on the man at the spot to do his duty discriminately and efficiently, of observing the true condition of affairs and reporting the real causes that created it. The conclusions of Sir Hugh as to how the supposed impasse condition arose were as follows:—

(1) The revival of Buddhism in the last twenty years for political rather than religious purposes.

(2) The substitution of vulgar abuse of the tenets of other creeds for the toleration of ancient Buddhism.

(3) The acquisition of wealth by the *Karâwa* caste [the tribe living along the seashore] and their endeavour to break the monopoly which the highest caste or Goigama aristocracy had till then enjoyed of representing the Sinhalese interests in the Legislative Council.

(4) The ill-feeling based on caste prejudices and upon the angry passions which such prejudices aroused, and



the consequent racial animosity which then began for the first time.

(5) The first scheme of Reform worked out in 1909 by Colonel Seely, then Under-Secretary of State for the Colonies, and accepted by Governor McCallum, in spite of the protests of his Executive Councillors and the obvious inapplicability of Mr. Seely's scheme to local circumstances.

(6) The first election of a representative of the Educated Ceylonese, which was fought purely on caste lines, when a high caste Thamil was chosen, with the aid of the high caste Sinhalese votes, and from which time caste prejudice proved to be a stronger passion than racial bias.

(7) The growth of unrest thus created and maintained with vigour during the world war.

(8) The outbreak of the riots in all the districts occupied by the Sinhalese in 1915, owing to a religious fracas between the Buddhists and Muhammadans at Gampola.

(9) The misapprehension of the situation by Governor Chalmers and the Colonial Secretary who, through want of Colonial experience, failed to deal promptly and firmly with the disturbances by using their trained civilian officers and the police, allowed martial law to be proclaimed, surrendered their responsibility to the General Officer Commanding the Troops, who had been in the island for only one month, and suffered him to adopt measures for the suppression of the riots, which have left behind them a bitter legacy of grievance and hatred.

(10) The strengthening of the hands of the local politicians by mismanagement of the riots and by grant of a series of legislative reforms during the Governorship of Sir William Manning, the final instalment of which in 1924 definitely vested all financial control in the hands of thirty-six unofficial Members, and the administrative responsibility in the hands of the Governor only, who could not discharge it save by the good will of the unofficial majority in the Legislative Council, or by the exercise of his power of veto, which could be easily countered by a refusal to vote supply, in which case the constitution would be practically suspended.

11. It is singular that in this narrative of the causes which, in the opinion of Sir Hugh Clifford, had brought about the alleged impasse condition of our Government, he does not



speak at all of the Standing Finance Committee of the Legislative Council of Ceylon, which was the *fons et origo* of all the troubles between the Government and some of the unofficial Members ever since it was introduced in 1912 by Sir Hugh himself from Jamaica. At the time he moved its introduction into the Rules and Orders of the Legislative Council of Ceylon in 1912, I doubted its suitability to our country, but he was sure it would work well. So, the Rules and Orders Committee adopted it. I called attention to this great source of danger at a full meeting of Council and did not find a supporter. It was evidently a thing of joy to some of the Members who love to poke fun and to sport the free lance. Why did not Sir Hugh, when he returned to Ceylon twelve years afterwards as Governor and found what troubles had been caused by some Members, candidly acknowledge his grave errors? Why did he labour hard in his despatch of 1927 to shift the blame on to others—the King and his Privy Council, the Secretary of State and the whole body of Cabinet Ministers? Why did he not tactfully bring round such Members of the Legislative Council as were given to speaking too openly and wounding the feelings of the heads of departments who had to appear before that Committee to support the Budget proposals or to object to the proposals of the elected Members? It is generally believed that he was afraid that the irate Members would hold a public meeting in the Town Hall and move for his recall, following the example of the sturdy men who in 1913 adopted at a public meeting and forwarded a memorial to the Secretary of State praying that he be not permitted to return to Ceylon as its Colonial Secretary or Governor.

12. It is not true that the revival of Buddhism was undertaken for political rather than religious purposes some twenty years before his article in the *Encyclopædia* was written. In my speech delivered in the Legislative Council of Ceylon on the 5th December, 1888, forty-two years ago, on the "Better Management of the Buddhist Temporalities of the Island," I dwelt on the condition of the Buddhist clergy and the endowments as they were in 1717, when the kingdom of the Sinhalese passed into the hands of a Thamil dynasty, and showed how careful the new rulers were in maintaining inviolate the endowments made by the Sinhalese kings and by themselves, for supporting the Buddhist priests and their *dāgobas*, *vihāras* and *pansalas*, and for teaching the principles of the Buddhist religion and other Shâstras to the people in every village school, and how Governor Mackenzie refused in 1840 to sign warrants as provided in the Treaty between the British Government and the Kandyan chiefs of



1815 (for appointing Buddhist incumbents and lay officers to manage temple affairs), and how Lord Torrington, the Governor of Ceylon, in his despatch dated 10th May, 1849, to Lord Grey (which is to be found among the Parliamentary Papers laid before the House of Commons Committee in Ceylon) summarised the situation in these terms: "For a long time various petitions have been presented to me from priests in some of the Temples complaining that they were utterly unable to obtain their dues, or indeed any of their rights to property; that they were suffering great distress and hardship; that their property was being ruined and their temples going to decay, simply for the absence of any power to control or command their people or receive their presents." Owing to these complaints, the Secretary of State, Sir John Parkington, by his despatch of 4th December, 1852, requested the Ceylon Government to relinquish its right to appoint the Buddhist incumbents, and authorised the appointment of a Committee of Buddhist chiefs to elect their own President and supervise the management of the Buddhist Temporalities.

13. The revival of Buddhism under the British Government thus began nearly eighty years ago, and was still further strengthened by the Ordinance which was passed by the Legislative Council in 1888 under the Governorship of Sir Arthur Gordon, afterwards Lord Stanmore. In the meanwhile, Colonel Olcott, the founder of the Theosophical Society in India, arrived in Ceylon in 1882 and electrified the Buddhist clergy and laity by lectures in different parts of the country, none of which was concerned with political affairs. They were all about improvement of national schools, restoring of temples and monasteries for the priests, and the avoidance of the five great sins—killing of man and animals, theft and misappropriation, consumption of intoxicating liquor and other stuffs, fornication and adultery, and telling of lies. All the Buddhist inhabitants in Sinhalese districts were jubilant and resolved to reduce these vices and make straight for *Nirvâna* or Freedom of the Soul from corruption, as taught by Gautama Buddha 2,500 years ago. Great meetings were held in the larger villages of the Western Province, to which long processions of men, women and children, holding flags and showering flowers, went, headed by caparisoned elephants, and eagerly heard the lectures of eloquent speakers who denounced the establishment of arrack and toddy taverns and opium booths and the deriving of incomes by the sale of licences on the part of the Government. The civilians who flourished in 1927, including Governor Clifford, the Members of the Executive Council, and the Agents of the Government who knew little or nothing of the measures of uplift which



had been organized from the days of Lord Torrington, believed that the revival of Buddhism was mainly for political purposes and was hatched by emissaries from Germany. So, when the great European War broke out in 1914, and was followed by the riots in the Sinhalese districts, they jumped to the conclusion that the crusade against drink and the income derived by the Government from drink was an anti-Government move, and they ordered about forty leading Sinhalese gentlemen of high rank, literary attainments and religious fervour to be arrested in their bedrooms before dawn and shut up in the prison cells reserved for the criminal classes. Sir Hugh Clifford was at this time in British Guiana lording over its primitive tribes and chiefs. When he was offered the Governorship of Ceylon in 1926, he avowed that he felt like "Rip Van Winkle" who had been sleeping for years. When he awoke he found himself in Colombo, where he heard of the ten gossipy causes of the unrest and of the dead set against the Government, and dished them up as true history for the benefit of the Colonial Office in London and the readers of the latest edition of the *Encyclopædia Britannica*. It was all false history from beginning to end, due to his want of knowledge of Sinhalese and Thamil, which did not permit him to hold intimate intercourse with the natives of the country in their respective homes, his desire to be in constant touch with the British in their exclusive clubs, playgrounds and bungalows, and his fatal habit of romancing for writing novels to amuse people who hate solid literature.

14. As regards his allegation that the first election of a representative of the Educated Ceylonese was fought on purely caste lines, when a high caste Thamil was chosen, and that from that time caste prejudice proved to be a stronger passion than racial bias, I am able to state, from long continued observation and personal experience, that this cause, too, is quite fallacious. I was the first "Educated Ceylonese Member" elected in January, 1912, for reasons other than considerations of caste. Dr. (now Sir) Marcus Fernando set about canvassing for this seat soon after the Order in Council of 1910 came into effect. Five years earlier, I had retired from the Solicitor-Generalship of Ceylon, and was busily engaged on educational work, which had for its object the conversion of the people from denationalisation and from the consequences of too slavishly following the ideals of modern times which were being inculcated in almost all the schools of the island, to the exclusion of faith in God, ethical conduct, loyalty to the King and respect for elders. Irreligion, unrestrained indulgence in the pleasures of the senses, ridicule of ancient traditions, and constant cultivation of the



spirit of controversy had gradually undermined the sanctity of home and society to such an extent that lectures on the higher aspects of life, and the establishment of schools and colleges, equipped with responsible teachers sufficiently able to stem the current of materialism, agnosticism and atheism became vitally necessary. All my time and resources were devoted to this work. In this state of things, good and true men, who had for many years observed the growth of evil generations in our midst and the decline of the power of the Legislative Council to find suitable remedies, were compelled to ask me to resume the leadership of its unofficial Members which I had held since 1879 with complete satisfaction to every community. I informed them that I was not prepared to abandon my educational work and enter the field of competition with opposing candidates, unless they stood together and carried on the campaign against all comers. They agreed to this course and requested me to deliver lectures in certain centres on political subjects of general interest, such as the History and Nature of the Franchise, the Duties of Voters, Candidates and Elected Members, the Different Methods of Governing a People, and the Goal to be reached by means of Sound Administration. I readily assented to this educational work. The people's recollection of my past life, of the work I was carrying on after my retirement from the Solicitor-Generalship of Ceylon, and the illumination which they professed to have received from my political lectures, did not prove beneficial to my friend Dr. Marcus Fernando, though he had obtained the signatures of a large body of voters several months before my name was advertised by a large and influential committee of members in the principal newspapers of the island. As between me and my only opponent, the voters in my favour, who numbered about one thousand in excess of those who voted for my opponent, were not ruled by considerations of race or caste. Indeed, Mr. (afterwards Sir) James Pieris, who belonged to the same religion and caste as Dr. Fernando, eschewed these biases when he wrote to the Secretary of State for the Reform of the Legislative Council as early as 1909. How, then, could Sir Hugh say that, from the time of the election of the Educated Ceylonese Member in 1912, caste prejudice proved to be a stronger passion than racial bias?

Now that I have exposed the falsity of the causes assumed by Sir Hugh and adduced to Mr. Amery, in support of his application for a Commission of Inquiry, it must be admitted that it ought not to have been granted. Besides being irrelevant, the causes set forth matters which were purely imaginary and had no foundation in fact.



15. But unfortunately the application was granted, and the Commission went to Ceylon, examined witnesses, and returned to England, without informing the unofficial Members what they had heard and read of their conduct towards the Government officials who were obliged to appear before them in Finance Committee, and without asking them whether they would offer any explanation about these grievances. They chose to give judgment against them, assuming as correct the statements made by Sir Hugh Clifford in his confidential despatch, and those made by certain officials also in confidence. They have all been disproved, and therefore the recommendations made by them for improving the present constitution of the Legislative Council should not be taken and read as a State document, nor be embodied in an Order-in-Council, as announced by the Secretary of State for the Colonies.

16. The Commissioners assert that the unofficial Members had reduced the existing constitution to an "unqualified failure" (p. 28 of their Report).

17. Governor Stanley repudiated this statement in his despatch to the Secretary of State (Mr. Amery) dated 2nd June, 1929, in the following words: "I am not sure that the term failure is properly applicable at all. . . . The conclusion which I have formed from a survey of the conditions and facts as they present themselves to my mind is that, considered comprehensively, the operation of the present constitution has proved a qualified success, rather than an unqualified failure" (para. 7 of Governor's despatch).

18. Equally unjust was the supposition of the Donoughmore Commissioners that the Executive Council, "once supreme in practice and in public estimation, now finds itself of less importance than the Finance Committee of the Legislative Council" (p. 26). His Excellency the Governor emphatically disproves this conclusion also, as follows: "The Commissioners seem to me to have been misinformed in their statement that, in the last five years the tendency has been for the Executive Council to be less frequently consulted than formerly. I have before me figures showing the number of references to the Executive Council for each of the years from 1923 to 1928. They are, in 1923, 1,047; in 1924, 1,101; in 1925, 1,257; in 1926, 1,545; in 1927, 1,850; and in 1928, 2,237. The Executive Council is very fully consulted by me, and it exercises a very potent influence on the Government's policy and decisions. I am not aware of the grounds on which the Commissioners base their conclusion that all important business has been diverted from the Executive Council. . . . I



cannot recall a single instance in which I have caused the Finance Committee to be consulted before I referred a question to the Executive Council, and in papers which have come before me I have seen nothing to indicate that such a practice was habitually or ordinarily followed by my predecessors" (para. 11 of the Governor's despatch to Mr. Amery).

19. Nor could the Governor agree with the criticism of the Commissioners that "not only was the Finance Committee permitted to concern itself with details of administration which were outside its legitimate sphere, but it was definitely encouraged by the Government to do so."

The Governor "is convinced that it was not the intention of the unofficial Members," as stated by the Commissioners, to "undermine executive authority in the country, or discipline in the public service." And as regards "the sense of uneasiness and insecurity created among officers of the higher ranks of the public service," he pointed out, that "their apprehensions in so far as they related to material terms of employment, were caused rather by things which were said, than by things which were done, and that no class of public servants had in fact suffered any loss of pay or of leave or of pension rights through any action of the Council, but on the contrary, these conditions of service, where they had been altered, had generally speaking, been improved" (para. 16).

20. His Excellency moreover said: "Knowing the Ceylonese, as I do, to be by nature a courteous and kindly people, I should find it difficult to believe that the unofficial Members in Finance Committee could have intended to treat heads of departments with the 'grave discourtesy' attributed to them on p. 23 of the Commissioners' Report. . . . So far as I have been able to ascertain, such incidents have been of comparatively rare occurrence. . . . Experience has shown that, for the purposes of most of the business which now comes before the Finance Committee, the requisite explanations can be given by the official Members of the Finance Committee, and the attendance of heads of departments is necessary only when technical or very intricate questions are involved" (para. 17). And he observes: "The Commissioners' description of the general attitude of the unofficial Members towards the Government has been too sweeping. That attitude has been critical always, perhaps hypercritical, but not continually hostile. On balance, I should say that co-operation had outweighed opposition, and I should be ungrateful if I do not acknowledge this" (para. 18).

Lord Passfield, in his despatch dated 10th October, 1929, and addressed to Governor Stanley, admitted in para. 3



thereof, that the Special Commissioners had "laid undue emphasis on the difficulties of working the existing constitution, and that the sum-total of achievements during the preceding four or five years reflected credit on the enthusiasm and good will of the Members of the Legislative Council to co-operate with the Government."

Thus ended ingloriously the frontal attack of the Commissioners on the unsuitability of His Majesty's Order-in-Council of 1923 owing to the supposed hostility of the Members of the Standing Finance Committee to the Government.

21. Their second attack against that gracious Order was as regards its concession to different majority and minority communities by means of adequate representation to each of them in such a balanced manner that a majority community might not dominate over the rest. It was wisely provided that the Legislative Council should consist of 37 unofficials, of whom 3 should be nominated by the Governor and 34 elected, of whom 23 are territorially elected, and 11 communally elected, namely, 3 elected to represent the Europeans, 2 to represent the Burgher community, 2 the Indian community and 3 the Muhammadan community and 1 the Ceylon Tamil community in the Western Province. And on the official side, 12 heads of departments took their seats to protect the power of the Government in regard to legislation, administration and finance jointly with such of the unofficials as were in sympathy with it. There were 220,000 voters registered as properly qualified by literacy or possession of property or of income to return Members; and the 23 territorial constituencies were distributed among the nine Provinces of the island as follows: 5 constituencies being assigned to the Western Province, 3 to the Southern Province, 5 to the Northern Province, 2 to the Eastern, 2 to the Central, 2 to the North-Western, 1 to Uva, and 2 to Sabaragamua Provinces, and the Members they elected were generally as able and courteous as any found in the better classes of legislatures in the western world.

The Commissioners readily acknowledged their worth in the following terms: "The distinctive features in their case have been their keenness and enthusiasm, and their determination to acquire at all costs a real knowledge of all that concerns the machinery of Government. Their industry and the appreciation which they have so markedly displayed have been most praiseworthy. . . . Their general ability and their keen grasp of affairs made a deep impression on us, and we have no hesitation in saying that the *educated element of the Ceylonese people*, of which they are



typical and representative, *provides as fine a material as could be wished, for the realization of the country's political progress* " (para. 29 of Commissioners' Report).

After this loud praise of the fitness of the different instructed electorates to choose their respective representatives for the realization of the country's political progress, and the full acknowledgment of the ability, industry and enthusiasm of each and every one of the members whom they had territorially and communally elected to serve in Council, under His Majesty's Order of 1923, one would expect the Commissioners to stand by the system of territorial election for the majority communities, and communal election for the minority communities, of Ceylon. But they projected two interlaced novel ideas for the consideration of the Secretary of State, which, though seeming real to them, were in fact as fallacious as any that had been flaunted before in their Report. These assumptions were that, though the constitution created by the Order-in-Council could work efficiently in an atmosphere of mutual assistance and good will (pp. 19, 20), yet the belief of the unofficial Members that they regarded themselves as a permanent opposition to the Government (p. 20) "left them on the horns of a dilemma," which in logic means an argument in which the adversary is caught between two difficulties presented to him, each of which is conclusive against him.

In explanation, the Commissioners said: "Had the unofficial Members been divided into two or more parties, each with clearly defined principles, they would naturally have tended to vote against each other, and on the majority of issues the Government would doubtless have been able to secure support. . . . But the elected Members were individualists, untrammelled by party ties and free to vote as their judgment at the moment dictated. Their attitude therefore could not be calculated in advance. . . . Thus, in an atmosphere of uncertainty and instability, the only constant factor was the general desire to make *political capital out of the short-comings of the Government* and to add to its embarrassment. . . . Apart from their responsibility to their constituencies, they were free agents who possessed, if called to account for their actions, *a convenient scapegoat ready to hand*" (p. 21), namely the Government.

22. The Commissioners' reading of what was in the minds of the unofficial Members was altogether wrong. It was not only inconsistent with the great certificate which they had given to them, but also contrary to the national standpoint of view of Hindus, Buddhists and Muhammadans. In Ceylon as well as in India, where *Dharma* or Righteousness is the dominant note of life and the standard by which thoughts,



speech and acts should be governed and marked off, some as injunctions and others as prohibitions, the people have been always taught from their childhood upwards, that they should avoid partisanship, and cultivate open-heartedness, in order that their judgments and works may be in accord with the godly attribute of Righteousness. The Commissioners and their forefathers have been in the habit of idolizing the party spirit which manifested itself in the 17th, 18th and 19th centuries in the form of Toryism, Whigism and Radicalism, now known as Conservatism, Liberalism, and Labourism. It is consoling to find that, in the British Isles and in many other lands of the western world, devotion to truth and to one's conscience is still preferred to party cries and fetish bonds, and that the words "Britons never shall be slaves" are interpreted not as subjection to foreign rule, like that of the Romans of old, but as Freedom of the Spirit from unrighteousness or wickedness. The Commissioners are no doubt grandees of the British Empire, but they do not appear to know definitely the principles and practices that lead to the attainment of Eternal Life, and infinite Love and Peace, when only misunderstandings and misinterpretations, differences and antagonisms, will cease. Then only will fumbling rulers realize that they are Trustees of God and dare not misuse His power for obstructing and crushing the right of smaller nations, races and communities, to live according to their own laws and customs.

As one who has sat and served in the Legislative Council with the present Members and with the fathers of some of them, I beg to state that I can bear testimony to the fact that not one of them ever made or desired to make a "scape-goat" of the Government of Ceylon, for the reason that they have been under its protection for over a century and have been always deeply loyal to the British Throne.

23. The other horn of the dilemma, which was stated to the Secretary of State as conclusive against the unofficial Members of the Council, was as follows: "If they acknowledged their co-partnership [with the Government in the Finance Committee], would they not be regarded as having abandoned their claim to management? If they refused their co-operation, would they not lose that education and training in the arts of government which made so strong an appeal to them, and forfeit that confidence which His Majesty's Government had clearly shown in their moderation and sense of responsibility? . . . . To accept an instalment only [of the reform proposed by the Secretary of State] even under protest might weaken their case in public estimation, and might even deprive them of the right to continue their



campaign which was based largely on the deficiencies of the Government."

The answer to these "dilemmas" is that the assumptions put forward by the Commissioners are ingenious figments of their brain, for never did the unofficial Members entertain the thought that, as members of the Finance Committee, they were co-partners with the Government in the administration of the country, or could be regarded as having abandoned their claim to a more enlarged reform of the constitution of the Government of Ceylon.

24. These inconclusive dilemmas are the foundation on which the Commissioners desired the Secretary of State to grant universal suffrage to the people of Ceylon, in order that the uninstructed masses, numbering two millions of men and women of 21 years of age may compel the 65 Members chosen by them to own their mastery and be answerable to them for their conduct in the State Council.

*The Times*, published in London on the 30th October last, had a trenchant editorial on the scheme offered to Ceylon, which has been widely appreciated by disinterested thinkers in Ceylon, India and England. It is as follows :

"The Commission, which included the fresh and adventurous mind of the late Sir Geoffrey Butler, looked elsewhere (than in the British Parliamentary system) for a model, and, finding guidance in the practice of the London County Council, recommended that, instead of a ministry and an opposition, the Ceylon Legislature should divide itself up into a number of committees, each of which would be concerned with a particular public department.

"Subject to safeguards vested in the Governor and to reservations in the constitution, these committees, acting through their chairmen, would find themselves in charge of the Government, and, being responsible, they must be responsible to some body.

"Taking the bull by the horns, the Donoughmore Commissioners decided that they should be responsible to the whole population, and recommended adult suffrage for women as well as for men, on the ground that to give people votes is to provide an incentive for other people to take an interest in them!"

25. Under the existing system, an elector must know how to read and write English, Sinhalese, or Thamil, and must be in the possession or enjoyment of a clear annual income of not less than Rs. 600; or must be the owner of immovable property, either in his own right or in the right of his wife, of the value of not less than Rs. 1,500, after allowing any mortgage debt



thereon ; or must be the occupant as owner or tenant of any house or other building situated within the electorate of the annual value of not less than Rs. 400, if situated within the limits of any municipality, local board, etc., or Rs. 200 if situated elsewhere.

26. These registered voters in 1924 numbered 205,000. But the adult males in 1928 were approximately reckoned at 1,200,000, and the adult females at 1,000,000, making a total of 2,200,000 possible electors, of whom 200,000 may be said to be literate and possessed of property qualification. The remaining 2,000,000 adults in Ceylon fall within the category of ignorant persons, who cannot think, speak, or act rightly, and who may be easily misled and urged to evil deeds by crafty men.

These crafty professional politicians are poor and needy, and live by their wits. Most of them have only a smattering knowledge of English. Since 1924 their number has grown vastly. Eyeing eagerly the monthly allowances payable to the unofficial Members of Council, they are awaiting the day when they and their henchmen may enter it and seize its machinery for their own selfish ends. They are the men who are travelling to many parts of the Island, trying to collect ignorant and impassioned people for taking possession of meeting places arranged by men of light and leading for the special purpose of conferring with voters on the existing register. Having gained mastery of the situation, they hope to succeed in drowning the voices of the legitimate electors and getting their own resolutions forcibly carried as the "opinion of the country." Notwithstanding the police protection sought by the promoters of the meetings of the lawful electors, it has been found impossible in some places to conduct the meetings towards the end for which they were called. False reports have been often prepared and sent to the newspapers about the "opinion of the country" being in support of the recommendations of the Commissioners.

27. The prevalence of mob mentality is now a serious question. It is the same as "the bawling, hustling and smashing class" which Matthew Arnold in his *Culture and Anarchy* spoke of as "the populace" in the British Isles and the rest of Europe. Its menace in Ceylon in the near future will be much greater than it is now, and if the new register of voters on the basis of universal suffrage is ordered and published in due time, it will enable them on the polling day to bring by thousands the profane crowd to the booths and outvote those who are possessed of literacy and property qualifications, for, while it will take a whole day to transport in motor cars and other conveyances about two thousand of the present voters, the



newly enfranchised ones will gladly walk in companies from midnight to morning many miles to register their votes in support of their plausible friend, in the expectation of his putting through Council shorter hours of work, higher wages, relief during unemployment, old age pensions, etc., irrespective of the financial condition of the Island. the ability of employers of labour to bear the charges sought to be imposed on them, or the inequity of taxing the people generally for such purposes. The day will soon come when many of the present Members will themselves be turned out and their seats filled by mob leaders who have unthinkingly held up the universal suffrage as "the birth right" of every man and woman of 21 years of age.

The *birth* right of every man is the *land* or country in which God has caused him to be born, the *family* in which he should live and learn his *language* from his parents and other teachers and should receive his lessons in *worldly knowledge* and in *religion* or the principles and practices that relate to the extrication of the soul from its entanglement in vain desire. The *birth* right of every human being is the territory, the family, the language, the tribe, the society and the religion into which he has been ushered by God. But he has no right to select the rulers of his country in his 21st year, unless he *acquires sufficient knowledge* to befit him for that duty.

28. It is not known to professional politicians nor, alas ! even to men like the Donoughmore Commissioners, that universal suffrage should be granted only after elementary education has been universally established by means of free schools built by the Government and staffed by trained teachers, and that, if such suffrage be given before such education has benefited the masses, it would be impossible to carry on good government, except by drastic measures, which will be resisted in Council by the crafty representatives of the masses, and outside it too in many places by disturbances which the limited number of the police cannot quell. The operations of agriculture, trade, and industry would suffer by the terrorism of fiends flourishing their clubs, knives and pistols. Universal suffrage in the hands of the two millions of uneducated, undisciplined, and reckless people will be the ruin of Ceylon.

Things are not so in Great Britain. Universal suffrage was granted there some years ago after many generations of compulsory education and discipline taught in schools, workshops, stores, offices of traders, merchants, and professional men under the careful supervision of business men, so that the advice and example of many millions of good and true men



and women will hold in check the smaller array of lawless creatures. Since the grant of universal suffrage, compulsory education in government and private schools has been steadily kept up. It must also be remembered that in Great Britain the vast majority of the people live in towns which are well equipped with the forces required to keep order and maintain peace, not to speak of the huge territorial and regular troops who may be utilised at a moment's notice by means of the grand railway system and other transport services available there.

In the 23rd Volume of the *Encyclopædia Britannica* will be found an article on "Representation in relation to Education." The following words in it deserve our best consideration :

"It is noteworthy that John Stuart Mill, the philosophical radical whose work on Representative Government is a classic on the subject, and who regarded the representative system as the highest ideal of polity, made a good many reservations which have been ignored by those who frequently quote him. Mill's ideal was by no means that popular government should involve a mere counting of heads, or absolute equality of value among the citizens. While holding that 'no arrangement of the suffrage can be permanently satisfactory in which any person or class is peremptorily excluded,' he insisted on 'certain exclusions.' Thus he demanded that universal education should precede universal enfranchisement, and laid it down that, if education to the required amount had not become universally accessible, and thus a hardship arose, this was 'a hardship that had to be borne.' He would not grant the suffrage to anyone who could not read, write, and perform a sum in the rule of three. Further, he insisted on the electors being taxpayers, and emphasised the view that, as a condition annexed to representation, such taxation should descend to the poorest class in a 'visible shape,' etc.

"He was in favour of a form of plural voting, so that the intellectual classes of the community should have more proportionate weight than the numerically large working-class. 'Equal voting,' he repeated, 'is in principle wrong, because it recognises a wrong standard, and exercises a bad influence on the voters' mind. It is not useful, but hurtful, that the constitution of the country should declare ignorance to be entitled to as much political power as knowledge.'"

Our educational situation at present in Ceylon gives compulsory education to about 400,000 pupils. About 600,000 more of the school-going age are standing out altogether, because the Government has no money to build Government schools for them, and no trained or even certificated teachers to teach them. It will take about thirty years more to besit the people of Ceylon for universal suffrage.



29. The introduction of universal suffrage even in countries like Australia, where compulsory education has been kept up efficiently and where such students have always sought a living in well-conducted farms, workshops and offices, has been followed by most unwholesome situations, owing to causes not connected with universal suffrage, but to a heavy rise in wages and taxes. When the British Government found it necessary to introduce conscription in England for the purpose of raising an army large enough to face the Germans, the Australians resolved that they should not submit to conscription in their country without a referendum to the people. A vast majority preferred the more patriotic course of going voluntarily to the battlefield and playing their part in most dangerous situations, such as Gallipoli and in the very front of the joint armies in France. They returned home covered with glory and decided to pay out of their own resources the full cost of the army they had raised and equipped in defence of the mother country and themselves. They introduced universal suffrage amongst themselves long before it came into force in England, but unexpected consequences arose from the compulsory increase of wages and taxes, which threatened seriously the prosperity of their States.

30. By the laws which their Governments had to make at the dictation of the labourers in power, the employers of labourers were compelled to pay "basic wages" to their employees. A common labourer on a farm had to be paid £2 12s. 6d. a week together with board and lodgings, and the sheep-shearer received about £2 a day. In the towns, a labourer got £4 5s. a week without board and lodging. The universal suffragists next demanded that white labour should be substituted for coloured labour. So the Chinese, the Japanese, the Indians and the South Sea Islanders, who helped the owners of farms and industrial workshops, stores, quays and ships with cheap labour, had to go. In this way, the profits of agriculturists, industrialists, merchants, traders and others who need the services of common labourers, skilled artisans, clerks and other assistants, have greatly diminished, while the Government, who had borrowed many hundred millions of pounds to pay the war expenses, have found it extremely difficult to meet their engagements in London, especially as the Home Government was unwilling to accommodate the Australian States with further loans on account of interest, transport of produce to England for sale, customs duties payable there, storing of goods, agency charges, etc., which the owner was unable to pay, and which therefore had to be arranged through the Agents-General of the different States. These financial troubles have for some years been causing



great trouble to Australia, which has never stinted money on the education of the masses and classes and the training of them to business.

What then would be the fate of the different races in Ceylon, where only a very small percentage of the people have received elementary education, where the vast majority of the people have not learnt to manage their own affairs properly, and where the public revenue does not permit the Government to build and equip schools for six hundred thousand children of the school-going age, who are now idling away their time or amusing themselves in the streets? Universal suffrage for a people who have not been given universal elementary education and sound training in business methods will assuredly lead to the filling of the Legislature with speculators and schemers, skilled in robbing Peter to pay Paul.

The Donoughmore Commissioners have sinned before God and man by urging the Secretary of State to declare to the world at large that Ignorance is entitled to wield as much political power as Knowledge.

31. Among the many other reasons for rejecting the recommendations of the Commissioners. I would now submit that they have failed completely to visualise *the great danger that will accrue to the British Empire and to Ceylon alike if its present economic and strategic situation is allowed to be disturbed by the political power of the ignorant multitude.*

The capital of Ceylon is Colombo, which lies along its western coast for about ten miles. The harbour ranks as the third port in the British Empire in regard to the tonnage of the ships that call there from different parts of the world. It affords security not merely for the British ships carrying merchandise and passengers from north to south and east to west, but also for the warships which ply between the great bay of Colombo, which is protected by breakwaters, and the naval bases established at Trincomalie, which is a natural harbour on the east coast of Ceylon, and the bases established at Madras and Singapore for guarding against possible invasions by Japan and China, urged by the intrigues of Russia and by the States of North and South America, and for protecting the Federated Malay States, Australia, New Zealand and the Pacific Islands in the east, and for helping Aden, Bombay, Suez Canal, Zanzibar, Mauritius and South Africa in the west. From this point of view, the strengthening of the naval base at Singapore is of the highest importance.

What would happen if the merchant ships and warships which frequent the harbour of Colombo find that the Govern-



ment of Ceylon has passed into the hands of a vulgar crowd of uninstructed and passionate body of voters following the lead of professional politicians who are bent on getting themselves returned to Council? Will not the mercantile ships avoid the port? Will it not cease to be a transhipment port or a distributing centre for the east and the west? Will it be possible to maintain the economic and strategic position of Ceylon, if the rabble were allowed to assume charge of the machinery of the Government?

Might not the coming Government say that the methods hitherto adopted for stemming the growth of unemployment have not been successful, and that, as claimed elsewhere, the true remedy is for the State to provide shelter, food and dress for every family in the country, and education also up to the eighteenth year, by compelling other people who are in a better position to pay the taxes imposed by the new legislation?

The richest country in the world cannot afford to keep up this system of relief. It would make the recipients of such help to pander to idleness and the lusts of the flesh. The work of improving ourselves and our fellow men by the diligent use of the limbs and instruments of knowledge and action given by God should never be slackened, for, right work done hourly and daily under the guidance of godly men leads to the development of righteousness, purity of reason and will, readiness to face calmly any contingency, clear understanding, and the power to convince gainsayers. The real remedy for unemployment is the inculcation of love of the life simple, less use of machinery, more work for living hands, the transfer of such peaceful people to rural districts with the means necessary for cultivating an area of land and maintaining a draught bull, cow and calf. This process of redemption is slow, but in course of time it will be rich in results.

Just as Christianity rose from small beginnings and brought within its fold many hundred millions of devotees, those who love the life simple will have the blessing of God, but those who adopt the saying, "eat, drink and be merry, for to-morrow we die" must be prepared to meet the doom which befell the Corinthians and the earlier Chaldeans, Assyrians, Grecians, Romans and other epicureans. India alone of all nations has continued to live for millions of years through faith in God and the life simple practised as a fine art. In Ceylon, among the English-educated natives, the conditions which the gentler classes of the British deplore here, have prevailed for several decades, but a large proportion of them, hearing and understanding the ancient traditions, have gladly returned to their simple national ways.



32. I would add here that Lord John Russell, who introduced the Reform Act of 1832 in the House of Commons, expressed the hope, in his *History of the English Government and its Constitution*, that those who would grant further reforms, as time progressed, should bear in mind the great danger of granting universal suffrage without the necessary qualifications similar to those adopted in the appointment of judges and juries for the disposal of criminal cases. His words were as follows :—

“ A man’s life and liberty are as valuable to him as his property, yet no one contends that the judicial body and the jury in criminal trials should be selected by universal suffrage. On the contrary, the greatest care is taken to place on the judicial bench men qualified by learning and experience, and to form the list of the jury out of a portion of the community whose station in life affords some security for their average intelligence, information and honesty. Similar care ought to be taken to entrust to a portion of the community, qualified by honesty and intelligence, the mighty power of selecting the House of Commons.”

So far of the illegality and dreadful consequences of introducing universal suffrage in Ceylon.

33. Equally illegal and sorrowful is the political extinction, recommended by the Commissioners, of the Burgher, Muhammadan, Indian and the Western Province Tamil constituencies.

The three European constituencies were also extinguished. Sir Thomson Broom and Messrs. Wright and Philpot signed the Memorandum, dated 21st February, 1922, which was presented by all the minority communities to Governor Manning, and in which they prayed for communal representation. Their wishes were acceded to by the Secretary of State. The present three Members, Messrs. Villiers, Cary and Brown, accepted their seats in the Council on the basis of communal representation. The Commissioners have recommended that these three seats also should be extinguished.

When asked why these three Members did not demur to the political extinction of their respective communal constituencies, the answer given was that the Commissioners had suggested, of their own accord, that the Europeans ought to have at least six nominated seats, and that they, the Members, felt assured that the Governor’s nomination would be exercised in terms of the wishes of the Ceylon Chamber of Commerce, the Planters’ Association, and the Union of those of the Europeans who were not planters or



merchants. An adroit move to obtain the general support of the Europeans to the novel and experimental scheme of the Commissioners!

What offence have the Burgher, Muhammadan, Indian and Western Province Tamil constituencies committed to deserve their ignominious treatment—to be deprived of the work of winning the love and esteem of the people by unceasing devotion to their welfare? These communities and their trusty leaders have always been loyal to the King and helpful to the Government in its endeavour to administer the country soundly. It is wholly unjust to abolish their constituencies and enable indifferent men, versed in the art of currying favour, to get themselves foisted into nominated seats. Such calamities happened in the days of Governors Ridgeway (1896-1903) and MacCullum (1907-1912) and have intensified the cry for electorates, territorial and communal.

Communal representation was granted to these communities by the Order-in-Council of 1923, which provided that there should be 12 officials and 37 unofficials, of whom 23 should be elected territorially and 11 communally, and 3 nominated. This constitution placed the Ceylon Legislative Council on a par with the House of Commons, which has the power of proposing legislative measures and making the Government answerable to it for the executive acts of the Cabinet appointed by the King to carry out the administration of the country. The then Secretary of State, the Duke of Devonshire, as the mouthpiece of His Majesty's Government, gave a distinct pledge, in his despatch to Governor Manning dated 22nd January, 1924, in the following terms:—

**“So long as the several communities in Ceylon remain convinced, as they appear now to be, of the divergency of their interests in many important matters, so long must some provision be made for the maintenance of communal representation in the Legislative Council.”**

In an earlier despatch to Governor Manning, dated 11th January, 1923, his Grace said:—

**“I am in accord with the opinion expressed by you that, in view of existing conditions, and of the grouping of population in the Colony, representation must for an indefinite period be in fact communal, whatever the arrangement of the constituencies may be; and that, if all elected Members were in form returned by territorial constituencies, they would none the less be in substance communal representatives. *It appears to me to be clearly established that in Ceylon the organisation of society is communal, and that, if this fact is***



*not clearly expressed, one of the essential considerations on which my decision must be based might be obscured.*

"It is also clear that the principle is generally accepted in Ceylon that the time has not come for the creation of a system under which all elected Members of the Legislative Council should be returned by territorial constituencies. Under such a system, communities which, besides being considerable in numbers, play an important part in the political, economic and social life of the Colony would run serious danger of either not being represented at all or of being most inadequately represented.

"The Ceylon (Legislative Council) Order in Council of 1920, under which the existing legislature has been constituted, provides that it shall consist of 23 unofficial and 14 official Members. The selection of these 23 unofficial Members has been so arranged that, while every community shall be represented in the Legislative Council, and while there is a substantial unofficial majority, no single community can impose its will on the other communities if the latter are supported by the official Members.

"If, on the other hand, *these unofficial Members had been elected by purely territorial constituencies, the Sinhalese community would almost certainly have been in a majority (disproportionate even to their numerical superiority in some respects) over all other sections of the Legislative Council, including the Government.* It would therefore appear to be clear that adherence, pure and simple, to the territorial basis of representation would be strongly opposed by all communities except the Sinhalese, and I am satisfied that the former are sincerely persuaded that their vital interests require serious limitation of the territorial basis of representation. Careful perusal of all the materials submitted for my consideration goes to prove that it will be many years before the mass of the electorate develop a political instinct sufficient to rise superior to racial and religious divisions, and this fact appears to have been fully recognised in the course of the debate on the Hon. Mr. James Peiris's resolution."

34. In his Grace's despatches of 1923 and 1924, the distinction between the Kandyan Sinhalese and the Sinhalese who occupy the maritime districts does not appear to have been recognised. These two sections have been assumed to be homogeneous. The Kandyans complain that in the Order-in-Council of 1923 they should not have been classed together with the seaboard or low country Sinhalese who had been subject to the Portuguese and Dutch rule. The Kandyans claim separate constituencies for themselves in the Kandyan territory.



According to the census of 1921, the Kandyan Sinhalese numbered 1,088,000 persons, and the Sinhalese on the sea-board numbered 1,929,000 persons. The distribution of the maritime Sinhalese and the Kandyan Sinhalese in the different provinces of Ceylon, according to the Census of 1921, is given in the following table :—

Provinces.	Maritime Sinhalese.	Kandyan Sinhalese.
Western ... ..	1,006,000	12,200
Southern ... ..	631,000	1,800
Central ... ..	56,300	316,000
North-Western ... ..	165,000	255,000
North-Central ... ..	6,000	67,000
Uva ... ..	12,200	125,000
Sabaragamuwa... ..	48,500	304,000
Northern ... ..	1,640	2,500
Eastern ... ..	2,400	4,500
TOTAL ... ..	1,929,040	1,088,000

The figures given in this table have to be increased by about 10 per cent., for, nearly ten years have elapsed since the Census of 1921 was taken. The present total of the maritime Sinhalese may be set down at 2,000,000, and the Kandyan Sinhalese at 1,200,000.

The table shows that the Kandyan Sinhalese predominate in five provinces, and the maritime Sinhalese in two provinces only. In the Western and Southern Provinces there are about 1,700,000 maritime Sinhalese and 14,500 Kandyans. In the Central, North-Western, North-Central, Uva and Sabaragamuwa Provinces there are about 1,063,500 Kandyans and 229,000 maritime Sinhalese.

The Kandyan Sinhalese are the descendants of the people who had been ruled by a line of Indian princes, the first of whom, Vijaya, came with 700 followers from Simhapura in the north-east of India, and settled at Anuradhapura in north-central Ceylon about 500 years before the Christian era. The later kings, owing to the invasion of the Thamils from South India, described in the *Maha Vamsa* as "the dreaded Thamilar," shifted their capital to several places, and the last king, Shri Vikrama Raja Simha, reigned in Kandy until he was taken prisoner by the British Government and sent to Velur in South India. From Vijaya down to Rajasimha, the kings, their wives, their relations and other members of the royal household were all Hindus, worshipping the Hindu deities and preserving the same customs as to dress, jewellery, social and religious observances. They spoke



their own language, which was Thamil and Telugu, and in addition the Sinhalese, which is a mixture of a Prākṛitha language spoken at Simhapura with Elu, the ancient language spoken in the land of their adoption. Necessarily, the Kandyan Sinhalese and the Thamil had many things in common with each other. The masses of the Sinhalese in the Kandyan districts have been Buddhists since the establishment of Buddhism in Ceylon, about 250 B.C., by two great missionaries from India, who were the son and daughter of Emperor Asoka. But as all Hindus in Ceylon and India consider that Gauthama Buddha is an *Avathāra Purusha* of Mahā Vishnu (the second of the three divinities of the Hindu Triad), and make offerings to Him in the Buddhist Vihāras or temples, as willingly as liberal Buddhists go to Hindu temples and make offerings to the Thrimurthis, the brotherly relationship between the Hindus and Buddhists has always been well maintained.

The Kandyan Sinhalese refuse to be called "Ceylonese." This term originated with the circumstances which led in 1912 to the establishment of "the educated Ceylonese seat" in the Legislative Council, reserved for the representation of diverse native communities, as distinguished from the European community which had the Planters' Association of Ceylon and the Ceylon Chamber of Commerce to protect their local interests. The Kandyans say that their history, their traditions and their aspirations constitute them as a distinct nation, even as Wales is at the present day, of which Mr. Hamilton Fyfe said: "There is all over this little country, which is more distinct from England than Scotland or Ireland, a recognisable Welsh appearance and manner. Seven-tenths of the nation speak Welsh in spite of the attempt to supplant that language by English, and only use English when they are obliged." The Kandyans ask, what is the language, the history, the religion and the culture of the heterogeneous communities which have been recently called "the Ceylonese nation?" Mere occupation of land and living to eat, drink and be merry is not nationhood. Its principal feature is deep attachment to a glorious past and the preservation of its precious memories and possessions, by which a corporate self-consciousness is kept alive and invested with a peculiar dignity. It is this mental attitude that will successfully resist the invasion of foreign ideals and degrading practices.

And, as to the suppression of the three electorates granted to the Europeans by the Order-in-Council of 1923, the explanation given in Council that the three European Members consented to this proposal of the Donoughmore Commissioners for two reasons: firstly, because they had been offered at least six seats to be filled by the nomination of the



Governor; and, secondly, because they felt assured that such nomination would be in terms of the recommendations made by the Chamber of Commerce at Colombo, the Planters' Association at Kandy, and the union of the general body of Europeans domiciled in Ceylon.

35. Sir Cecil Clementi, the much-esteemed Colonial Secretary of Ceylon, who afterwards became the Governor of Hong Kong, addressing the Council of the latter Colony, spoke as follows on the unsuitability to Hong Kong of a scheme like the one which the Donoughmore Commissioners proposed for Ceylon: "I am firmly of opinion that universal manhood and womanhood suffrage, general elections, by-elections, party-politics, the wiles of the demagogue, and the arts of the hustings could do nothing but harm in Hong Kong."

36. And General Smuts, in one of the Rhodes Memorial Lectures delivered at Oxford, said that Africa wanted to-day a wise and far-sighted native policy, and that if a policy could be evolved which would promote the cause of western civilisation in Africa without injustice or injury to what is typical and specific in the African, a great service would be rendered to the cause of humanity. Nothing could be worse, said he, than the application of principles which would de-Africanize the African and turn him into a pseudo-European. If Africa was to be redeemed and was to make her own contribution to the world, *she must be made to preserve her unity with her own past*. That should be the new policy which would be in line with the traditions of the British Empire. *This great Empire did not stand for the assimilation of its peoples into a common type, and for standardisation, but for the fullest and freeest development of its peoples along their own specific lines*, and this principle applied not only to its European but also its Asiatic and African constituents.

And he further observed that this new orientation of African policy had its origin in South Africa, and that *its author was Cecil Rhodes*, the father of the celebrated Glengrey Act. Gradually the system of native councils and native self-government, through their own tribal chiefs and elected councils, had been extended from one native area to another in the Cape Province, until to-day about two-thirds, or roughly over a million, of the Cape natives came under this system and managed their own affairs according to their ideas under the supervision of European magistrates. They amended their customary native law, and found useful expression for their political energies. After the new system had worked successfully in the Cape for 25 years, he thought the time ripe in 1920 to extend it to the whole of the Union, wherever the advance of the natives might justify the step.



It was confidently expected that before many years passed, the whole native population in the African continent would be in charge of their own affairs under the supervision of the Europeans, and that the several European nations which had formed settlements and appropriated different parts of it by force of arms, would cease to look upon the natives as enemies, but would treat them as allies, without having to maintain expensive establishments of military and civil officers.

37. In India the old Panchâyatha system, or bodies of five (pancha) elected officers for settling disputes on the spot and regulating the affairs of the village, speedily peacefully and inexpensively, was adopted by the Moghal Government, which was satisfied with the collection of the customary taxes through its native revenue officers. But the new system propagated by the Portuguese, French and English in Indian territories acquired by them, first as traders and then as fighters and winners, led to the centralisation of all affairs of administration in the hands of the alien rulers, and so snapped the chain of authority and shattered the responsibility of the headmen and left the people of the country leaderless, discontented and unruly. The tanks and irrigation channels, which had been maintained voluntarily under the call of the village authorities fell into disrepair, and the paddy fields, for want of sufficient water, did not yield the required quantity of rice for consumption. Nor could the heavy taxes imposed by the new rulers, for maintaining large civil and military establishments, be paid by the people, except by drawing on their savings or raising loans.

38. The protection of existing communities and their respective customs is indeed the prime duty of government; and now that the people have realised by bitter experience that many of the officers recruited from abroad for Ceylon have misunderstood the wishes and needs of the people, and proposed measures of so-called improvement which did not at all suit them, they have been crying for many a long year to be entrusted with self-government, and the King, with the advice of his Ministers, has graciously offered them a Legislative Council with a large majority of elected members to pass laws and to catechise the Executive Government as regards their conduct of public affairs. He has also given communal representation as the only remedy available at this period for the wise administration of the country.

39. Nevertheless, the Donoughmore Commissioners have the hardihood to despise the Orders of the King, the written instructions of his ministers, the opinions of great practical governors like Sir William Manning and Sir Cecil Clementi, and



of imperial statesmen like Cecil Rhodes and General Smuts, and to assert in cold blood that communal representation is a "canker" which must be rooted out.

Have they not heard of or read the famous statement made by Prime Minister Gladstone in one of his Midlothian campaign speeches, which I was fortunate enough to hear in Edinburgh nearly 45 years ago, while seated on the same platform with him, that he expected every Englishman to be an Englishman, every Scotchman to be a Scotchman, every Welshman to be a Welshman, and every Irishman to be an Irishman? And why did he say so? It is because, in the history of progress among nations, it is found that each nation has been given its own leaders to guide them to the highest developments of love, light and patriotism, that the story of a country is the story of its leaders, and that unless the leaders and the led function in their own appointed circle, it would be very difficult to move the people forwards. In the home, our parents are our dearest leaders. In schools and associations and in society, those who have best served us face to face are our safest leaders whom we delight to follow. Even so, unless each of the communities, which are blessed with ancient traditions, rare lingual and literary treasures, and with a series of doughty deeds done with amazing ability and honour, bear in mind the glorious past and imitate their great sires, they will sink into insignificance.

40. It is refreshing to remember that the British Parliament has provided for communal representation in the Government of India Act of 1919 and that the statutory Commission, presided over by Sir John Simon, recommends the continuation of such institutions.

41. It now remains to show the unworkability of the scheme proposed by the Donoughmore Commissioners. This needs a clear statement of the scheme itself.

Instead of the present constitution of the Legislative Council, they recommended the establishment of a State Council, consisting of 65 members elected for territorial constituencies, 3 *ex-officio* members, performing duties as Chief Secretary, Attorney-General and Treasurer, and certain members to be nominated by the Governor up to a maximum of 12, if he should consider such members necessary to make the State Council more representative.

The State Council, thus composed of 3 *ex-officio* members, not more than 12 nominated members and 65 elected members, aggregating 80, were to be invested with the dual functions of making laws and administering executive affairs. To deal with legislation, the State Council was empowered to hold a



legislative session, and to deal with administration it was empowered to hold an executive session.

The Departments of Government, instead of being supervised by the Colonial Secretary, were to be divided into ten groups, and 3 of them were to be left in charge of the Chief Secretary, the Attorney-General and the Treasurer, who would be called "Officers of State," and would have the status of Ministers, but their functions would be advisory in respect of the 7 groups of Departments placed in charge of elected Ministers.

On the opening of the State Council, the Speaker of the House would be elected by the members who have been elected for each constituency, and under his direction, the elected and nominated members would divide themselves into seven Executive Committees, one for each group of Departments, and each committee would elect its chairman for appointment by the Governor as a Minister. And these chairmen were to be responsible individually, not collectively, for the administration of the Departments assigned to them, but they would be collectively responsible for financial measures.

The executive duties of the Government was to be carried out by the standing committees, and their reports would be submitted to the State Council sitting in executive session, for confirmation. In the same way, legislative measures will be reported to the Council sitting in legislative session, by the chairman of every executive committee, at whose instance they were prepared.

Both the legislative and executive actions of the State Council would require the assent of the Governor, and the Governor would be specially charged by Royal Instructions to refuse or reserve assent to measures which infringe certain well-defined principles.

The activities of the seven Ministers with their standing committees were to deal with the following subjects: (i) Home Affairs, (ii) Agriculture, (iii) Local Administration, (iv) Public Health, (v) Education, (vi) Public Works, and (vii) Communications.

(i) The Department of Home Affairs was to deal with the management of the police, prisons, fire brigades, mines, factories, labour (including Indian immigrants), workmen's compensation, insurance, statistics and all matters of internal arrangement not allotted to other Departments.

[The words, "workmen's wages" and "insurance," have not been explained, but they are of portentous importance, because the system of "basic wages" and "doles" payable by the Government in Great Britain, Northern Ireland and the Australian States has produced great financial difficulties in these countries, as shown at page 18, para. 29.]



(ii) The Department of Agriculture was to deal with agriculture (or food production), irrigation, forestry, veterinary services and fisheries.

(iii) The Department of Local Administration was to deal with local government, lands settlement, survey and local option as to sale or prohibition of intoxicating drink and other pernicious stuffs.

(iv) The Department of Health was to deal with medical and sanitary services and research, medical education, hospitals, asylums and charitable institutions, public analyst, quarantine and housing.

(v) The Department of Education was to deal with elementary, secondary, technical and university education; museums, libraries and galleries, archæology and printing.

(vi) The Department of Public Works was to deal with public works and electrical undertakings.

(vii) The Department of Public Communications was to deal with railways, posts and telegraphs, ports and harbours.

In addition to these seven departments to be managed by the Ministers and their respective standing committees, there would be three departments under the Chief Secretary, the Treasurer and the Attorney-General.

(viii) The Department of the Chief Secretary was to deal with external affairs, Maldivé Islands, defence (including volunteer corps), drafting of legislation, public service administration, discipline, appointments, transfers and audit.

(ix) The Department of the Treasurer was to deal with (a) such executive duties as the following: custody, collection and payment of all moneys derived from customs, excise and salt; preparation of annual budgets and estimates and of supplementary estimates, investment of state funds, management of the public debt, loans to local authorities, etc.; and (b) such of the supervisory duties as financial examination of all departments, including contracts, stores, financial regulation of public services, strength of establishments, leave regulations, salaries, pensions and allowances; and (c) advisory duties such as imposition of taxation and raising of loans, expenditure proposals of departments, exchange questions, financial relations with municipalities and other local bodies.

The Department of the Colonial Auditor was to be placed under the Chief Secretary, though as regards the auditor's work, he would be responsible to the State Council.

The present Executive Council was to be abolished and a Board of Ministers was to be instituted.

This Board would consist of seven chairmen of the standing committees and the three officers of the State. The



Chief Secretary was to be the *ex-officio* chairman of the Board. One of the Ministers was to be elected the vice-chairman of the Board.

The State Council was to elect from amongst its members a chairman and a deputy-chairman of committees, each of whom will be qualified to act as a deputy-speaker.

The Speaker must be responsible for the general administration of the State Council and for the management of the buildings. He will be assisted by a staff of officers who might be specially recruited, engaged and paid by the Speaker or by officers seconded from the civil and clerical services.

The Board of Ministers would be free to summon a legislative sitting of the Council by putting down bills as the first order on the paper, or an executive sitting by giving precedence to the consideration of reports from the executive committees.

The Speaker should be vested with power to regularise the length of questions asked or provide machinery for the censorship of questions (p. 59 of Commissioners' Report).

42. Under the head entitled "Division of Responsibility between Ministers and heads of Departments," the Commissioners recommended as a guiding principle that the head of a department should be supreme in the routine administration of his duties, but they added that, while routine might be left to individual Departments, certain general definitions common to the administration as a whole should be worked out and embodied in the "General Orders of the Government for the guidance of officers serving under executive committees"; that these definitions should apply not only to the measures for which the sanction of a committee should be obtained, but also to those measures which would require the confirmation of the Council and ultimately of the Governor; that the framing of the General Orders must be entrusted to persons who have an intimate knowledge and experience of the inner workings of the various Departments in Ceylon; and that the Government should at once (26th June, 1928) be invited to give this question their attention, in order that whatever rules might be considered appropriate might be defined and approved before the introduction of the new constitution.

43. But the Governor, having carefully considered for many months the proposed division of responsibility not only between the heads of departments, but also in their dealings with the State Council, and, through the Council, with the Governor, executive committees and their chairmen, came to the conclusion, set forth in his despatch of 31st March last, that it would be *undesirable and impracticable* to issue "General



Orders " on the subject, because neither the chairmen nor the members of the executive committees could be subjected to the disciplinary measures to which officers to whom "General Orders" now apply; that the matters to be dealt with were *so diverse that they could not be suitably covered by one set of instructions*, whatever the form of those instructions or the sanctions attached to them might be; that considerable revision of, and additions to, both the General and Financial Orders would be necessary; that the instructions to the executive committees as regards the conduct of their business should be laid down in the Order-in-Council itself, such as their supervision over the departments entrusted to each, the delegation of powers to each departmental head, the necessity for approval by the whole Council in executive session, and of the decisions of each of the committees; that it would be impossible at this stage to distinguish between matters of "major" and matters of "minor" importance; that the development of a sound practice in this respect should be left to the good sense of the Council itself; that, as to the procedure to be followed by the executive committees in the conduct of their own business, in the laying of business before the State Council and in the case of orders to heads of departments, the instructions might be issued in the shape of standing orders of the Council; that he, the Governor, would ask the committee which was now preparing draft standing orders for the Council as a whole to proceed with the drafting of standing orders for executive committees; and that they would be subject to amendment by the State Council.

The Governor further pointed out that the Commissioners appeared to have intended that "General Orders" should be issued defining the authority of executive committees over Departments and limiting the powers of interference by committees in matters of "routine administration." He said that this class of instructions or general orders presented to him the greatest difficulty, because the efficient working of the new constitution depended largely upon the proper framing and due observance of them.

44. He explained that the initiation and maintenance of proper relations between the committees and the departments under their charge would clearly depend very largely upon the good sense of the members of the Council, and in particular upon that of the chairmen of the committees; that to attempt by hard and fast rules to limit the powers of the committees to interfere in matters of administrative detail would be contrary to the spirit of the constitution, and would assuredly arouse feelings of resentment which would militate against its successful working; and therefore, while the



limits of the powers of the executive committees should be defined in the Order-in-Council, any attempt to regulate the exercise of those powers by definite instructions not susceptible of amendment by the State Council would be impracticable and impolitic.

45. The Governor therefore proposed to the Secretary of State that he would frame a statement of procedure for executive committees based upon, and supplementary to, the relative provisions of the Order-in-Council; that this statement would be issued in the first instance by the Governor but would be liable to revision by the State Council, though such revision would not receive the approval of the Governor if it infringed either the spirit of the letter of the Order-in-Council, and that a statement similar in nature to the Standing Orders in that it would ultimately depend upon the authority of the State Council.

This despatch met with Lord Passfield's approval and was ordered to be published for general information (Sessional Paper No. 10 of 1930).

46. Referring to the decentralisation of the Colonial Secretary's present control of all departments, the Commission pointed out that the grouping of government departments, the providing of office accommodation and secretarial staff for the chairmen of each executive committee and the multitude of minor questions, to which so comprehensive a transference of work and responsibility would give rise, should be carefully thought out, plans made and organisation for the change to the new system completed well in advance of its introduction. The Commissioners declared that, as they had been compelled to recommend the simultaneous adoption of measures of administrative devolution with those of constitutional reform, it was obvious that great risks would be run if these measures were carried out with incautious abruptness, and the conduct of public business handed over to inexperienced Ministers with secretarial staffs to whom the conditions would be, if not equally strange, at least sufficiently unfamiliar to cause embarrassment.

47. The Commissioners recognised the dangerous situations which would arise if important questions submitted by a Minister for the decision of his executive committee were opposed by a majority, in which case he might have to resign. Then another chairman would have to be selected by the committee for appointment by the Governor and the committee reconstituted.

In this connection, it is necessary to refer to paragraph 16 of Lord Passfield's despatch of 10th October, 1929,



where he suggests a modification of the method of electing members of Executive Committees, which was proposed by the Commissioners. According to his method, each member who may be returned to the State Council should nominate, in respect of each of the 7 committees, 3 members to serve on each committee, and such of those members as may receive the largest number of nominations, if willing to serve, shall be declared elected.

If out of the 58 members of the State Council, 35 agree to pull together, they can determine the composition of the committees in such a manner that there will be a majority of men belonging to their own circle in each committee, and when this is done, the Ministers of the Committees will necessarily be members of that circle, which will control the machinery of the Government; and if there is a sufficiently strong personality or a triumvirate who could command the return of 30 or 35 members to the Council, he or such triumvirate will have the mastery of Ceylon.

48. Coming next to the position and powers which the Commissioners wished to assign to the Governor, they said that the transfer of responsibility from the Governor to the representatives of the people must be safeguarded by (1) additional reserve powers being given to the Governor, and (2) the presence of state officers to offer expert advice and criticism to the State Council. The Commissioners proposed to retain in the new constitution the provisions of Articles 47, 48 and 49 contained in the Order-in-Council of 1923, and the provision of Article 13 of the Royal Instructions of 1920, and confer them all on the Governor, together with the following additional powers (p. 75) :—

(1) The power to refer back to the Council for further consideration any Bill, the provision of which may appear to him to be undesirable, and to suggest such amendments as he may deem expedient ;

(2) The power to certify a Bill which involves an "important question of principle," in which case the Bill shall not be deemed to have been passed by the Council unless it shall have secured the votes of two-thirds of the members ;

(3) The power to attach to his assent a condition that an Ordinance shall be withheld from operation for such period as he may prescribe, but in any case not exceeding six months.

They said that he might exercise these powers at his unfettered discretion, and that the constitution should provide that in each instance he should render a report of his action



to the Secretary of State, who would be responsible for advising His Majesty to accept or over-rule the Governor's decision. They proposed in addition that the Governor should be vested with power to enact laws himself, if the Council refused co-operation in matters which he might consider to be of paramount importance in the public interest.

49. The present Council has hotly contested this power which was included in Article 54 of the Order-in-Council of 1923. The Commissioners admit, at p. 76 of their Report, that the procedure indicated in the said article will not be appropriate to a Council in which the elected element has been enlarged and the official element reduced to three officers of the State. Nevertheless, they consider that the Governor should be given the power to enact legislation by himself absolutely, and that no voting on the Bill should be required.

50. As the present Executive Council, which the Governor is bound to consult, is to be abolished, the Governor will in future have no formal Council to assist him. The Commissioners say: "He will thus remain in the position of a supreme arbiter, impartial and independent." But what is the value of his judgment, if coming from a far-off country, or the nature and character of the man whom he occasionally meets at prize-distributions, dinner-parties, opening of hospitals, clubs and the like? The Commissioners seem to think that the knowledge of social and political conditions which prevail in England and which one is able to gather during a hurried tour through some parts of the British Empire, qualifies one to solve unerringly complicated problems of deep interest to native races in Ceylon. This is a delusion.

51. A British General, some time after his arrival in Ceylon, said that he felt no difficulty in deciding military questions, because his orders had to be obeyed, and that, possessing such experiences of military methods of action in different parts of the British Empire, he came to Ceylon and found himself in a new rôle as a member of its Executive Council, obliged to give his opinions to the Government upon questions of civic life, and did not know how to proceed to a right decision for want of actual experience of local circumstances. He said he had never realised before how difficult it was to govern an Eastern country like Ceylon, with a training which he had had previously. It was quite clear to him that he would have to wait for some years and to be in constant touch with the people in different parts of the country before being able to form correct opinions and confidently express them. It would not do for him, he said, to move along with his European



friends only, and accept as truth the statements made by them in regard to the problems of the day.

52. Sir Anton Bertram, who had been Attorney-General of Ceylon for many years and served with great distinction as its Chief Justice for many years, wrote in his work on *The Colonial Service* as follows, commenting upon the Donoughmore Commission's Report : " Under its scheme, the ordinary machinery of Colonial Office Government will cease to exist ; the Governor will no longer be responsible for the administration of the island. He will not have a Colonial Secretary ; he will sit apart with a private secretary of his own, exercising from time to time a power of veto or suspension, and not otherwise emerging into public affairs. The Colony will no longer have a Colonial Secretary, in whom administration is concentrated, but only a Chief Secretary whose function will be that of a political adviser to Ministers and standing committee Members. The Attorney-General will no longer draft legislation.

" Where, under this situation, does the Government of the island reside ? Not in the Governor. Not in the Board of Ministers. There is no Prime Minister. There is indeed a Vice-Chairman of the Board of Ministers, who is to be called the leader of the State Council and be its mouthpiece, but he has no control over his colleagues. Nor can it be said that the Government is in commission, distributed among the chairmen of the several committees. These committees decide by a majority vote, and a chairman may have to issue orders and put forward proposals with which he personally disagrees."

In his own humble opinion, he said, the proposed constitution would work better if the legislature were less numerous, if the committees were smaller, if the Board of Ministers were a real Cabinet, and if the Governor himself presided.

53. As regards the various objections raised against the committee system, Governor Stanley has admirably summarized them in his despatch dated 2nd June, 1929, as follows :

" The principal criticisms passed on the system within and without the Legislative Council may be said to take exception to it either as unworkable, or as likely to cause undue delay in the transaction of business, or as derogatory to the status and incompatible with the proper functions of a Minister, or as embarrassing to Heads of Departments in the discharge of their duties and in their relations with Ministers, or as conducive to the substitution of compromises and bargains for a clearly defined policy, or as unjustifiably



expensive, or as a check upon the development of a full sense of responsibility, or as an impediment to further constitutional evolution towards the desired goal" (para. 39).

And in para. 41 of the same despatch, he candidly admits that "he cannot guarantee success" in regard to the practicability of the system.

54. It is asked, wherever men of poise and sound judgment flourish, men who are not entangled in the meshes of their own fads and fancies, why these speculations and obviously wrong forecasts should be adopted by the Secretary of State? Why this loyalty to four "adventurous" men, who, however great in their own country, are subjecting the native races of Ceylon to a most dangerous "experiment," which Lord Passfield himself has characterised as novel and involving changes too far-reaching to be inaugurated in opposition to the consensus of public opinion? (Paras. 2 and 12 of his despatch, dated 10th October, 1929.)

In para. 24 of his despatch to Governor Stanley, Lord Passfield expressed as follows, his final intentions in the event of the present Legislative Council accepting or rejecting his proposals:—

"If the Council are prepared to accept my proposals, the drafting of the necessary Order in Council and other instruments will be put in hand.

"In the meantime you should proceed to appoint a Redistribution Commission, which should submit recommendations for dividing the island into the required number of electoral districts, to revise the General Orders so as to provide for the division of responsibilities between Ministers and heads of Departments and other correlated matters, and to appoint a committee for the revision of the Standing Orders of the Council.

"If on the other hand, the Legislative Council should maintain their opposition to the proposals of the Special Commission, the matter will require further consideration, and in that event, it would probably be desirable for the Council to be dissolved, and for a new Council to be elected under the existing constitution."

55. When the Report of the Special Commission was published simultaneously in England and Ceylon in 1928, the unofficial Members considered the proposals and resolved to oppose them in Council. The debate on the report was fixed for the 27th September, 1928, and the first motion on the Agenda related to the allegation of the Commissioners that the unofficial Members had treated Government officials very



badly. The following resolution was passed by a majority of twenty-eight :—

“This Council protests against the action of the Commissioners in recording a finding that Government officials were subjected to attack, ill-informed criticism and obstruction, and have been left bewildered and disheartened, and that not even a feeling of security in their own position is now vouchsafed to them, without giving an opportunity to Members of this Council to controvert or explain the particular facts and incidents upon which that finding was based, and they repudiate that finding as really groundless.”

In Group II were motions relating to government by committee, election of Ministers and divorce of administrative from legislative functions. The following resolutions were passed on these subjects :—

(1) “That the Council is of opinion that Government by executive committees of the State Council as proposed by the Donoughmore Commission is not suited to local conditions, and is unacceptable to the people.” (Carried by a majority of fifteen.)

(2) “That [the Council considers inadvisable the proposal to create an administrative as well as legislative State Council working by standing executive committees.” (Carried by a majority of one.)

(3) “That the Council recommends that all the duties and responsibilities proposed to be assigned to each committee and Minister should be assigned to a Minister elected by the Legislative Council.” (Carried by a majority of twelve.)

(4) “That in the opinion of this Council, Ceylon is fit for responsible self-government of the Dominion type.” (Carried by a majority of five.)

In Group III were motions relating to the powers of the Governor. It consisted of three motions. They were as follows :—

(1) “That the Council declares that the proposed addition to the subjects in the Royal Instructions in respect of which the Governor’s assent may be refused to legislation, except in so far as may be necessary to render discrimination against communities or religions impossible, is unnecessary and retrograde, and that the proposal should not be adopted.” (Carried by a majority of twenty-one.)

(2) “That the Council is further of opinion that the proposal that the power to enact legislation should rest



absolutely in the Governor himself, and that no voting on a Bill be required, should not be adopted." (Carried by a majority of eighteen.)

(3) "That provision for requiring the prior consent of the Governor or the Secretary of State for any class of legislation is objectionable in principle and calculated to subvert the authority of the Legislature and should not be adopted. (Carried by a majority of eighteen.)

(4) "That it is the opinion of the Council that the reserve powers of the Governor are too wide and are incongruous in a scheme purporting to grant a measure of responsible government." (Carried by a majority of seventeen.)

(5) "That the Council is of opinion that, as regards administrative and executive functions, the Governor shall occupy a position similar to what is obtaining in the self-governing Dominions, in respect of those Departments placed in charge of Ministers." (Carried by a majority of two.)

In Group IV were many motions relating to the franchise. They were as follows:—

(1) "That the Council accepts the recommendations of the Donoughmore Commission as regards the extension of the franchise to females, subject to the amendment that the age for qualification as a voter should be twenty-one and not thirty." (Carried by a majority of twenty-five.)

(2) "That the Council *accepts* the recommendation of the Donoughmore Commission as regards the extension of the franchise, *subject to the following amendment: that every voter shall be able to read and write one of the following languages, English, Sinhalese or Thamil.*" (Carried by a majority of three.)

(3) "That the Council urges the necessity for registration of voters being undertaken by Government, and that registration be not restricted to those who apply for it only, as recommended in the Report on the Constitution." (Carried by a majority of one.)

(4) "That in the re-arrangement and redistribution of the territorial electoral areas, every revenue district, though not possessing a population of 50,000, should form a unit for the election of a member, and similarly any area which by reason of its economic and social affinities might, with advantage, be constituted into an electoral unit." (Carried by a majority of seven.)

56. When the foregoing *thirteen* resolutions had been passed against some of the recommendations of the Commissioners,



His Excellency the Governor sent a message dated 14th November, 1928, to the Legislative Council informing it that the Secretary of State had authorised him by telegraph to lay before the Council certain observations regarding the resolutions which they had passed. The Governor candidly explained how it was that the Secretary of State interposed while the debates and divisions were going on. The Governor said he had been reporting to the Secretary of State the results of the voting in the Legislative Council upon the several motions grouped under heads II and III, and that he received the Secretary of State's telegram when the discussion of the motions grouped under head IV had been begun. He thought it desirable to avoid any semblance of intervention in that discussion, and was writing this message (dated 14th November, 1928) for presentation to the Council by the Colonial Secretary (Mr. A. G. M. Fletcher) as soon as the voting upon the motions grouped under head IV had been completed.

The Secretary of State's telegraphic message ran as follows :—

“In my opinion, the recommendations must be regarded as a whole, and while no doubt modifications in detail will be necessary when effect is being given to them, I shall not be willing to accept any amendments in principle which would destroy the balance of the scheme.”

“If it appears that a substantial majority of the inhabitants of Ceylon would not be willing to agree to a trial of this scheme as a whole, I might feel compelled to re-open the consideration of the whole question of any constitutional change at all. In that event, it would certainly be necessary to proceed in due course with the election of a new Council under the Order in Council of 1923, to allow time for further consideration of the situation.

“If effect can be given to the recommendations of the Commission, I should propose to take steps for a short extension of the term of the existing Council, if necessary, pending preparation of the preliminary measures.

“I fully concur in the conclusion of the Special Commission that the grant of complete responsible government is under the present conditions quite impracticable, and *I can hold out no hope that failure to accept the scheme of the Commission will in any way tend to expedite the possibility of such a goal.*”

57. This message roused the indignation of most of the unofficial Members. They asked, how could the Secretary of State rush into the House during debate and division time, after the manner of King Charles I, and try to interfere with



the exercise of their rights and privileges conferred by constitutional documents? Moreover, how could he ignore the body of voters registered in accordance with His Majesty's Order in Council of 1923 and ask them to consult *the inhabitants of Ceylon* with the view of ascertaining whether a substantial majority of them will be willing to agree to a trial of the scheme as a whole? Where was the machinery for carrying out this suggestion? It was possible for the unofficial Members to go to their constituencies for a mandate in which case the Government ought to have undertaken the trouble and expense of organising a referendum to the registered voters. The idea of a referendum to such of the inhabitants of Ceylon as were outside those in the list of qualified voters was wholly unlawful and unjustifiable.

This hint to the uninstructed and undisciplined people, who were naturally prone to "bawling, hustling and smashing," offered an excellent opportunity to a handful of professional politicians to obstruct or swamp duly qualified voters from holding their meetings in a few places.

58. Another unfortunate turn of affairs was given by the Governor himself. In his message about the cablegram of the Secretary of State, the Governor stated to the unofficial Members that it had occurred to him that honourable Members might perhaps desire to discuss the position with him in a less formal manner than would be possible at an open meeting of the Council. Should this be desired, he would be very ready to afford an opportunity to the unofficial Members to meet him either in a body or, if they should prefer it, by a small but representative delegation, on the understanding that the conversations which might take place would be confidential and without prejudice, and that any conclusion which might provisionally be reached would not be deemed to commit honourable Members, unless it were embodied in an unofficial motion and accepted by the Council.

Many Members, out of courtesy, went to Queen's House, and some who did not care for such tactics kept away.

The reasons for this informal conference at Queen's House, and its results for the day are described by Sir Herbert Stanley in page 9 of his dispatch to the Secretary of State, as follows :—

"It had seemed to be conceivable, though I was not sanguine, that even then some of the inter-communal disagreements which were the chief obstacles to a comprehensive consideration of the scheme as a whole might have been capable of adjustment through an informal and private exchange of views in the tranquil atmosphere of Queen's House. Presumably such a reconciliation or compromise of difference



was not felt by the unofficial Members to be feasible at that juncture. At any rate, the remainder of the debate took its course on the previous lines, and the conversations which I had afterwards with unofficial Members as individuals or groups were negative in result."

The results were indeed negative, for never before was the tranquil atmosphere of Queen's House so shaken as on that memorable day by vehement disputes between the Governor and his colleagues.

After this failure to adjust at an open meeting at Queen's House, the Governor received different parties of unofficial Members and others on different days, and had private conferences of a confidential nature, which enabled him to recommend, from a diplomatic point of view, certain proposals which would make the more ambitious of the Sinhalese leaders to compound with the main recommendations of the Donoughmore Commission.

59. In holding private interviews with different parties of unofficial Members of Council on different days in regard to matters about which they had already expressed their views publicly in Council, the Governor was unconsciously violating an important constitutional principle that he, as the representative of the King, had been deprived of the power of being present at ordinary sittings of the Council, lest he should restrain the free expression of opinion on the part of unofficial Members, or make them servile to him and untrue to their constituencies. Our constitution forbids the Governor to interfere with the performance of public duty on the part of Members, because such interference will assuredly lead to the demoralisation of political life and corrupt the manners of the people. Great writers on the English constitution have said that even the Sovereign is not entitled to ask or to know the individual opinions of members who are ranged under parties; and that Ministers of the Cabinet should not divulge the individual opinions of their colleagues to the Sovereign and he should not seek to know them.

60. How could the different communities in Ceylon, each speaking its own language, each worshipping God according to the traditions handed down by its sages, each enjoying its own prescribed shelter, food and dress and its own fasts, feasts and social customs—be commanded to throw everything into the melting-pot, and take the consequences as they come from day to day? What are to be their ideals? What are the injunctions and prohibitions as regards their conduct? What doctrines shall they teach boys and girls, young men and women? Who are the arbiters to standardise thought, speech



and action for one and all ? Shall we lead a God-less, soul-less life, making money anyhow to pander to the senses, to disregard the calls of duty, to love fun, frolic and mischief ? Or shall we labour hard under proper guidance and gain the ordained heritage of humanity, which is knowledge of God and devotion to works of loving-kindness, or heartfelt duty, as distinguished from pretended or hollow kindness ?

61. The Governor and Secretary of State seem to be greatly impressed with the demands of the self-styled "Ceylon National Congress" and the Ceylon Labour Union which desire to speak on behalf of all the races of Ceylon.

They claim the right to dictate to one and all, as if they knew the goal of life and the way to it.

The Ceylon National Congress came into being out of the spirit of admiration for the activities of the *Indian* National Congress, but owing to the excessive eagerness which the Indian National Congress displayed in its struggle for getting the Dominion Status, it has been declared this month (July, 1930) to be an unlawful assembly by the Government of India. The Ceylon Congress has done nothing to deserve this drastic treatment at the hands of the Government of Ceylon, but a few of its leaders have endeavoured to make political capital out of the fact that the Sinhalese-speaking communities—consisting of different tribes residing in the low-country and the up-country, and numbering about three millions of souls—are well spread out in seven out of the nine provinces of the Island. When these leaders saw the possibility of acquiring home-rule or self-government with Ministers, portfolios, plump salaries and abundant patronage, they attempted to exclude the minor communities from an adequate share of representation and administration. A great cleavage occurred between them and the leaders of the minority communities in 1920, which has not been healed up to date, and now in 1930 another split has occurred, but this time it was among the Sinhalese themselves.

62. The Kandyan Party, consisting of about one million souls, desire, as the oldest body of Sinhalese which had a Kingdom, to stand aloof from the Maritime Sinhalese. (See para. 34 in pages 24, 25.)

And the Maritime Sinhalese are split into many parties.

The largest of them includes the good and true Sinhalese who will not recognize the Congress leaders because they do not care for the clamour of people too ambitious to be able to appreciate the just needs of others, and prefer the peace and order which have come to their country through the rule of the British Government.



A smaller party is the one headed by Messrs. R. L. Perera and E. W. Perera, and which seceded from the party of the newly elected President of the Congress who accepted the Donoughmore Commissioners' recommendations subject to certain amendments proposed by it. Thus we have four Sinhalese parties now: the Kandyan, numbering about a million people; the good and true low-country Sinhalese, numbering about a million; the Congress party of last year (1929), consisting of 32 executive members and a few delegates from certain associations in certain townships, numbering about 150 people; and the Congress party of this year, numbering together about 100 people. It must be admitted that there are some individuals in the Congress parties of 1929 and 1930 who, apart from the Congress, have enjoyed the esteem of the public until they became partisans for personal reasons, such as those anticipated by the Duke of Devonshire quoted already in para. 33 at p. 23 of this Memorandum.

As regards the Ceylon Labour Union, it sprang up much later than the Ceylon National Congress. It consists mostly of "coolies" or hired labourers working at the Harbour of Colombo, and in the stores of the merchants who do business in the city of Colombo and ship their goods to different countries. Disputes between these coolies and their employers regarding wages and hours of work had created strikes and interfered with the sailings of the ships in due time for some years, when a man gifted with clear vision, tact, and the power of expressing himself lucidly was needed for mediation between the employers and labourers. Mr. Goonesinghe offered his services for a consideration, said to be at the rate of one and a half rupee per month payable by each coolie to the labour fund. It is estimated that there are about 6,000 coolies availing themselves of this arrangement. When leaders of the Labour Party like Col. Wedgwood and Dr. Shiels arrived in Colombo, this Labour Party greeted them heartily, and they departed with the impression that the Labour leaders and the labourers, whom they saw crowded together in certain places, are proportionately as large in Ceylon as the Labour Party in the British Isles. But the fact is otherwise. The labourers in the villages of the Island are controlled by their own leaders and may be reckoned by hundreds of thousands, standing apart from the labourers engaged in the harbour or stores of Colombo.

63. As regards accepting or rejecting the scheme as a whole, this suggestion came first of all from Col. Amery. It was communicated by a telegram to the Governor, which was laid before the Legislative Council on the 14th November, 1928.

Governor Stanley invited Members to Queen's House



to consider this proposal in a less formal manner at a private conference confidentially. They met, but the meeting broke up in confusion.

Thereafter, certain Sinhalese Members went back to the Governor and speciously argued (1) that the enfranchisement of Indians in the same manner as the enfranchisement of the Sinhalese and other communities would be a menace to the Sinhalese, in that the immigrant coolies numbering about 700,000 would join hands with Ceylon Tamils numbering about 500,000 and weaken the political preponderance of the Sinhalese, and (2) that the enfranchisement of the Indians should depend not only upon five years' residence, as recommended by the Commissioners, but also on their being made subject to the duty of declaring, before registration, that they would adopt Ceylon as their home and renounce their Indian citizenship, the protection of the Indian Government, and the rights conceded to them under the Estate Labour Ordinances of Ceylon.

The Governor recommended to the Secretary of State the desirability of accepting these modifications, because he believed that the majority of the unofficial Members, who were Sinhalese, would agree to accept not only universal suffrage, which they had previously condemned as wanting in literacy qualification, but also the rest of the Donoughmore Commissioners' scheme. This was the *quid pro quo* compromise effected between the Governor and the Sinhalese Members at the conference.

64. But the Governor does not appear to have realized that such a proposal runs counter to the policy which His Majesty's Government had approved and laid before the Imperial Conference held in 1923, as follows:—

“In Ceylon, under a revised constitution about to be issued, qualified British Indians will be eligible for the franchise and for election to the Legislative Council *in the same manner as all other British subjects.*”

The Governor's proposal has been strongly criticised in the Indian Legislative Assembly as unjust, and the Government of India has informed His Majesty's Government accordingly.

65. Lord Passfield, who had his mind fixed on Mr. Amery's dictum that the Commissioners' proposals should be accepted or rejected as a whole, and who knew very little of the real needs and wishes of the people of the country, contentedly observed, in para. 10 of his Despatch, that the prospect of the general acceptance of the scheme would be remote if the modifications recommended by the Governor were not announced, and that those modifications appeared to him to



be not unfair in themselves, and to be likely to command a large measure of acceptance.

66. Apart from the unconstitutional inter-meddling of the Governor in public questions, it is worth considering whether there is any sense in the contention that the Donoughmore Commission Scheme should be accepted as a whole, or rejected as a whole, on the ground that any amendment thereof would destroy the "*balance of the scheme*." (See Mr. Amery's telegram communicated to the Legislative Council by the Governor.)

We know that the balance is an instrument for weighing bodies by means of two scales attached to a beam or lever whose needle in the middle, if it stands perpendicularly, shows the weight of any commodity placed on one scale to be even with a measure placed on the other. In terms of this definition, what does the phrase "balance of the scheme" mean? There is no comparison possible between the several parts of the constitution devised by the Commissioners. Accounts may be balanced, so anything weighable may be balanced.

There is also the well-known principle called "*balance of power*," which the Duke of Devonshire had in view, when he considered the question of adequate representation needed for the majority and minority communities, in order that one or two parties may not outvote the rest and dominate them. But that expression—"balance of power"—has been known to constitutional lawyers since the 17th century. "We see," said Fénelon, "that all nations are striving to outdo their neighbours. So each must be perpetually on guard to prevent the excessive aggrandisement of those that surround it. For the expansion of one nation beyond a certain limit disturbs the *balance of the system* of which it forms a member. Anything which upsets or disturb the *general system of Europe* is dangerous indeed, and drags after it infinite evil." This is the principle of *balance of power*, which the statesmen of Europe of the seventeenth century unconsciously used, and in modern times have consciously used.

But neither this expression nor the "balance of scheme" can be applied to the Donoughmore Commissioners' Scheme. For they have abolished communal representation, introduced territorial representation universally in terms of the rule that 50,000 to 90,000 persons should have a representative, and described one after another the provisions necessary for the reform of the Constitution of the Government of Ceylon. There is nothing in this scheme to balance. On the contrary, it has destroyed the fine adjustment of political power thought out by Governor Manning, the Duke of Devonshire and the Cabinet of 1923 and sanctioned by the King. In these circum-



stances, it is idle and unmeaning to say that the Donoughmore Commissioners' Scheme should be accepted or rejected as a whole for the fancied reason that any amendment of it would destroy its balance.

67. The present Secretary of State has incautiously taken up the error of his predecessor, repeated it as sober truth in his despatch to Governor Stanley, and instructed him to lay the scheme again before the Council for acceptance or rejection as a whole.

So, the Acting Colonial Secretary (Mr. F. O. Tyrrell) moved in Council as follows: "That it is desirable in the interests of Ceylon that the constitutional changes recommended by the Special Commission on the Constitution, with the modifications indicated in the Secretary of State's despatch of 10th October, 1929, should be brought into operation," and said, "I do not intend to speak on this motion, Sir, because it has been decided that official Members shall take no part in the debate, except in so far as it may be necessary to remove any misapprehension on points of fact."

68. The division taken on 12th December last (1929) disclosed that 19 unofficial Members were for accepting the motion, and 17 for rejecting it, and that most of the Sinhalese Members who had emphatically denounced the Committee system and other recommendations of the Commissioners at the meetings of the Council held in October and November, 1928, supported the scheme.

The division was very narrow. For altering the constitutions of private associations and mercantile companies a much broader division is usually required. In the case of political constitutions, like those of Australia, Canada and the Union of South Africa, a two-thirds and sometimes three-fourths majority is needed.

69. Lord Passfield himself said in para. 2 of this despatch dated 10th October, 1929: "It is clear that the success of the proposals must depend largely on the good-will with which they are approached by those who are likely to be mainly responsible for their execution. It would clearly not be expedient to inaugurate such changes in opposition to the consensus of public opinion." There was no consensus or unanimity in this division of the representatives returned by the 200,000 voters on the existing registered list. As already pointed out, the Secretary of State could not have meant that more than two millions of the people whom the Commissioners thought of enfranchising could be consulted



by the Government without an organization sanctioned by the Legislature for a proper referendum to them.

70. Supposing it is arbitrarily argued that if a bare majority is all that is needed for radically altering the constitution of the Government of Ceylon at the will of a Secretary of State or a Cabinet, and that, too, without any discussion of any amendments that any unofficial Member may propose, the answer is, that *really and truly there was a majority for rejection*, because the speech delivered by Mr. Corea in Council on the 11th December and the speech delivered in Council by Mr. Wickramanayake on the 12th December show conclusively that their votes for the acceptance of the scheme were not free votes, but were brought about by the coercion of the illiterate and unprincipled men who had forced themselves into meeting places intended for electors who are now on the register. Their speeches, together with the speech of Mr. Kannangara, expose the intimidation practised upon them. Notwithstanding this terrorism, Messrs. E. W. Perera and Kannangara voted for rejection, but Messrs. Corea and Wickramanayake declared that, though they conscientiously believed that the amended scheme would endanger the best interests of the country, they were obliged by the crowd of non-voters, who threatened personal violence, to vote for acceptance of the scheme.

Moreover, the late Vice-President, though willing to vote for rejection, did not vote at all because he said that he had not gone to his constituency to get a mandate from them as to how he should vote.

Further, three of the acceptors were Europeans, and the reason why they consented to the suppression of their communal electorates has been already stated in this memorandum. Besides these three European representatives, a fourth European, who had been returned to Council as a representative of the Sinhalese, Tamils and Muhammadan voters in the North Central Province, voted for the acceptance of the Reforms, against the mandate of his constituents.

71. Sir Anton Bertram, in his book on "The Colonial Service," pointedly said: "It will be thus seen that the scheme was carried by the votes of the representatives of the European Community, and that the majority of the representatives of the permanent population of the Island confirmed the misgivings which they had previously expressed."

72. On the strength of an illusory majority, measures are being taken to prepare a new Order-in-Council to give effect to the proposals of the Donoughmore Commissioners as amended in certain respects by the Secretary of State.



73. In closing this memorandum, I respectfully submit that the proper method of settling the reform of the Government of Ceylon is by the introduction of a Bill in the House of Commons as set forth at the end of para. 8 in page 3 of this memorandum, so that the merits of each proposal may be fully discussed and decided by the Parliament. I know of many Members in Parliament who are prepared to urge that this subject should not be dealt with as a party question at all. This booklet will help them to demonstrate the great dangers of partisanship in politics.

P. RÂMANÂTHAN.

LONDON,

18th July, 1930.



# Reviews of Sir Ponnambalam Râmanâthan's Work on "The Culture of the Soul Among Western Nations."

(Putnam's Sons, 1905.)

" 'The Culture of the Soul among Western Nations' is the clearest guide to spiritual enlightenment I have found. The author is unquestionably a man of great wisdom concerning the deeper problems of life and its ultimate purpose under God, and writes with a persuasiveness that shows the way to every soul, prepared through renunciation of the perishable things of the world, to peace and rest.

" He is a great teacher, one of those enlightened ones who see and feel God, one possessed with perfect love, the 'complete fellowship with God' of the apostle.

" His explanations of this condition of complete fellowship ; of the place of Jesus as a teacher ; of his Sonship and that of the enlightened ones of all time, including the present ; of the sameness of the truth of all religions, have a clearness and sweetness that seem inspired.

" Whether this message of or through Mr. Râmanâthan is seed that will bear fruit depends upon his readers. It will bear fruit bounteously in the hearts of those whose experience has prepared them to hear and understand.

" To all who are yearning for higher things, who seek spiritual insight, whose realize the emptiness and vanity of worldly pursuits and pleasures, I commend this little book, full to overflowing with spiritual discernment. Such a person will not find it filled with new or startling theories. Rather, there will be found the truths the heart knows, stated with the clearness and wisdom of the master."—HON. CHARLES H. ALDRICH, of the Chicago Bar, Ex-Solicitor-General of the United States.

" I find myself impressed with the catholicity of Mr. Râmanâthan's thought and with the felicitous manner in which he harmonizes the essential principles of the religions and writings of the East and West. It seems to me his mission to become a powerful factor in removing the antagonism so long assumed to divide the spiritual teachers of Europe and Asia. . . . His scholarly presentation of the dignified truths of the seers of past ages cannot but be of distinct benefit to those who are groping for more light in this age."—HON. S. G. BENJAMIN, Ex-Minister of the United States to Persia and to Turkey.

" Mr. Râmanâthan impresses me as a remarkable man. . . . His interpretations are simply wonderful. . . . The spirit of this man is Christly."—REV. WALTER A. A. GARDNER, Rector, Church of the Holy Comforter, N.Y. (Protestant Episcopal).

" I found myself deeply interested in these lectures because they presented an Eastern view of religion and emphasized truths which are too often neglected by Americans. Mr. Râmanâthan unites unusual keenness of intellect with beautiful simplicity and devotion of life."—REV. J. NEWTON BROWN (Congregationalist).

" For the cloth, for the layman, for the thoughtful, speculative reader who turns to the great problems of life and belief . . . this book has a compelling interest from the first line to the last word."—*New York Evening Telegram*.



"The spirit of Mr Rāmanāthan's teachings is admirable, and his use of the Scriptures for confirmation is ingenious. What he speaks from a profound spiritual experience is incontestable."—*Outlook*.

"In these chapters, Mr. Rāmanāthan displays a profound insight concerning things spiritual, and scores many telling points against present-day half-hearted ministers of the Gospel. To the laymen many seemingly incongruous passages in the Scriptures are made plain under the new light thrown upon them by this gifted teacher."—*Boston Transcript*.

"The volume is in no wise iconoclastic. It simply interprets to Western minds the religion that obtains in the West, doing it in a strikingly naive and original manner. . . . He has accomplished his mission so affably and clearly that he is sure of a considerable hearing."—*Globe Democrat* (St. Louis).

"In your letter of Nov. last, you requested me to give you my impressions of Mr. Rāmanāthan's book. I hesitated at the time, as I did not wish to commit myself to a hasty and ill-considered opinion; but after several months' reflection on the subject, I wish to say that the reading of that book and of the Commentaries of St. Matthew and St. John has quite changed the tenor of my life. It has given me a new rule of measurement, by which I find myself accepting or inflecting all other ideas.

"As I see things now, Mr. Rāmanāthan's utterances and views are substantially truth itself, and have inspired me with a determination to advance as far in that knowledge of life as my remaining years and opportunity will permit."—Dr. A. B. EADIE, of Ithaca.

"It is an admirably written and thoughtful book. . . . It is a valuable contribution to theological literature."—*Glasgow News*.

"This is a most important and interesting book, expressed in an English so pure and so clear that every lover of our tongue must be moved to admiration."—*The Evening Mail* (New York).

"To read it is to have borne in on one afresh the surpassing difficulty for the Western-bred missionary who would fain convert to Christianity, as he has learnt it, the worthiest adherents of faiths no more pagan than his own. . . . The book abounds in beautiful thoughts, set, we venture to say, in fundamental orthodoxy."—*The Literary World*.

"The thoughtful reader of this book will prove a genuine surprise. Love is the keynote of the method of its attainment is clearly set forth. The secret here is distinctively Oriental. No one but an Indian could have placed the matter before us in the form and of . . . . Many of the essential dogmas of what may be called Hinduism are skilfully put before the reader, and it is a matter of no small surprise to see what lofty ideals of spirituality the great religious teachers of the Orient keep before them."—*The Christian Guardian*.

"Mr. Rāmanāthan created a very profound impression by his lectures here and by his most interesting personality. . . . It is worth much to our students to realize how it is possible for a man to carry his religion into his everyday life, or, in other words, to make his religion a part of himself."—PROFESSOR T. F. CRANE, LL.D., LITT.D., Dean of the University Faculty, Cornell University.



















