

Volume 4

No. 11

Thursday

19th August, 1948



PARLIAMENTARY DEBATES

(HANSARD)

HOUSE OF REPRESENTATIVES OFFICIAL REPORT

PRINCIPAL CONTENTS

ORAL ANSWERS TO QUESTIONS [Col. 1677]

RENT RESTRICTION BILL

READ THE FIRST TIME

CITIZENSHIP BILL

SECOND READING DEBATE

Motion—[Hon. Mr. D. S. Senanayake—]

DEBATE ADJOURNED

PRINTED AT THE CEYLON GOVERNMENT PRESS, COLOMBO.

Annual Subscription Rs. 50, by post Rs. 56, and each part 70 cents, by
pcst 76 cents, payable in advance to the SUPERINTENDENT, GOVERNMENT
PUBLICATIONS BUREAU, P. O. Box 500, Secretariat, Colombo 1.

GOVERNMENT OF CEYLON

GOVERNOR-GENERAL

HIS EXCELLENCY SIR HENRY MONCK-MASON MOORE, G.C.M.G.

CABINET

Prime Minister and Minister of Defence and External Affairs—The Hon. Mr. D. S. SENANAYAKE, M.P.

Minister of Health and Local Government, and Leader of the House of Representatives—The Hon. Mr. S. W. R. D. BANDARANAIKE, M.P.

Minister Without Portfolio—The Hon. Mr. A. E. GOONESINHA, M.P.

Minister of Labour and Social Services—The Hon. Mr. T. B. JAYAH, M.P.

Minister of Finance—The Hon. Mr. J. R. JAYEWARDENE, M.P.

Minister of Transport and Works—The Hon. Sir JOHN KOTELAWALA, K.B.E., M.P.

Minister of Education—The Hon. Mr. E. A. NUGAWELA, M.P.

Minister of Justice and Leader of the Senate—The Hon. Dr. L. A. RAJAPAKSE, K.C.

Minister of Food and Co-operative Undertakings—The Hon. Mr. A. RATNAYAKE, M.P.

Minister of Agriculture and Lands—The Hon. Mr. DUDLEY SENANAYAKE, M.P.

Minister of Posts and Telecommunication, and Industries, Industrial Research and Fisheries—The Hon. Mr. C. SITTAMPALAM, M.P.

Minister of Commerce and Trade—The Hon. Mr. C. SUNTHARALINGAM, M.P.

Minister of Home Affairs and Rural Development—The Hon. Mr. E. A. P. WIJAYERATNE.

PARLIAMENTARY SECRETARIES

Parliamentary Secretary to the Minister of Labour and Social Services—Mr. M. D. BANDA, M.P.

Parliamentary Secretary to the Minister of Agriculture and Lands—P. B. BULANKULAME DISSAWA, M.P.

Parliamentary Secretary to the Minister of Justice—Mr. G. R. DE SILVA, M.P.

Parliamentary Secretary to the Minister of Food and Co-operative Undertakings—Mr. H. S. ISMAIL, M.P.

Parliamentary Secretary to the Minister of Finance—Mr. H. E. JANSZ, C.M.G.

Parliamentary Secretary to the Minister of Posts and Telecommunication—Mr. A. P. JAYASOORIYA, M.P.

Parliamentary Secretary to the Minister of Home Affairs and Rural Development—Gate Mudaliyar M. S. KARIAPPER, M.P.

Parliamentary Secretary to the Minister of Health and Local Government—Mr. V. NALLIAH, M.P.

Parliamentary Secretary to the Minister of Industries, Industrial Research and Fisheries—Mr. H. DE SIRIWARDANA, M.P.

HOUSE OF REPRESENTATIVES

Thursday, 19th August, 1948.

The House met at 10 a.m., MR. SPEAKER [THE HON. MR. A. F. MOLAMURE] in the Chair.

PAPERS PRESENTED

Supplementary Estimate No. 19 of 1947-48—[Hon. Mr. Dudley Senanayake.]

Ordered to lie upon the Table.

Rule made by the Minister of Home Affairs and Rural Development under Section 3 of the Public Performances Ordinance (Cap. 134) relating to the area within the administrative limits of Rakwana Town Council—[Gate Mudaliyar Kariappar.]

Ordered to lie upon the Table.

ORAL ANSWERS TO QUESTIONS

Discontinuance of Workers in the Rubber Commissioner's Department.

2. Mr. J. C. T. Kotalawela: Will the Minister of Commerce and Trade be pleased to state: (a) Whether he is aware that a large number of workers employed at the Mattakkuliya and McCallum Road Rubber Commissioner's Department have been discontinued in July, 1948? (b) Why they were discontinued? (c) Whether he would consider the question of having them re-employed?

The Hon. Mr. C. Suntharalingam (Minister of Commerce and Trade): (a) Yes. (b) The Rubber Commissioner ceased to purchase rubber in Colombo on and after 23rd July, 1948. This resulted in a reduction of the volume of work in the Rubber Commissioner's Stores, and a consequent reduction of staff was necessary.

(c) Yes, if the volume of work in the Rubber Commissioner's Stores necessitates an increase of staff.

Discontinued Minor Employees attached to the Textile Department

3. Mr. J. C. T. Kotalawela: Will the Minister of Commerce and Trade be pleased to state: (a) How many minor

employees attached to the Textile department were discontinued in July, 1948? (b) Whether he would consider the question of having these discontinued workers absorbed into other Departments functioning under his Ministry?

The Hon. Mr. Suntharalingam: (a) 69.

(b) The question of absorbing the discontinued employees in the departments of Government has been and continues to be under active exploration.

Mr. Dahanayake: May I ask by way of a Supplementary Question, when the exploration will end and the real work begin?

The Hon. Mr. Suntharalingam: When the discovery is made, Sir.

Allotments (Highland) under the Land Development Ordinance in Horowupotana Electorate

1. Poholiyadde Dissawa: Will the Minister of Agriculture and Lands be pleased to state: (a) How many allotments (highland) under the Land Development Ordinance there are in Horowupotana Electorate on which the holders have settled down and have become entitled to receive the subsidy of Rs. 150 each for a well? (b) How many of these holders have applied for the subsidy and how many of such applications have been complied with within the last two years? (c) What steps will be taken to grant the remainder their subsidy in the course of the coming financial year?

The Hon. Mr. Dudley Senanayake (Minister of Agriculture and Lands): (a) The total number of highland allotments is 1,119; but the number entitled to the Rs. 150 subsidy is not yet available.

(b) Twelve applied; 12 were given subsidies.

(c) The necessary instructions are being issued to the Revenue Officers.

BILL PRESENTED

Rent Restriction Bill

“to amend and consolidate the law relating to Rent Restriction”, presented by the Hon. Mr. S. W. R. D. Bandaranaike, Minister of Health and Local

Government; to be read a Second time upon Thursday, 25th November, 1948, and to be printed.

CITIZENSHIP BILL

Order for Second Reading read.

10.08 A.M.

The Hon. Mr. D. S. Senanayake (Prime Minister): I beg to move,

"That the Bill be now read a Second time."

Sir, it was my hope to be able to introduce four Bills in this House at one and the same time, that is, the two Bills that are now before the House, and the Indian Citizenship Bill and the Commonwealth Citizenship Bill. Unfortunately, discussions in regard to the Indian Citizenship Bill have not yet been concluded, but I hope they will be concluded before long when I will be able to introduce that Bill also before this House. In regard to the Commonwealth Citizenship Bill, as the Bill in England has not taken final form, we are unable to get that Bill ready till we know the attitude adopted in England; so that, the introduction of those two Bills has been anticipated in this Bill.

As you will see, Sir, Clause 2 (2) (b) of this Citizenship Bill says:

"by virtue of registration as provided by this Act or by any other Act authorizing the grant of such status by registration in any special case of a specified description."

So that, the mere fact of our introducing this Bill will not adversely affect any Bill that may be introduced in the future.

The necessity for us to have this Bill at the present time arose from the fact that after becoming a Dominion we have the right to determine our own citizenship and to enact our own laws for that purpose. Today we go as British subjects; but as we have become a Dominion, it has become very necessary for us to know exactly who the citizens of this country are. It is for that purpose that I am introducing this Bill, and you will notice that this Bill does not confer any privileges or rights, but only determines citizenship.

As far as this Bill is concerned, you will notice that in Clause 8 we have taken particular care to see that those who have undisputed Ceylon citizenship will be recognized as Ceylon citizens,

while those who are citizens of other countries will not be recognized as Ceylon citizens. Any privileges to be extended to citizens of other countries will be discussed in the Bills that are to follow:

Clause 8 reads thus:

"No person who is a citizen of any other country under any law in force in that country shall have the status of a citizen of Ceylon by descent unless he renounces citizenship of that other country in accordance with that law."

There is also provision in Clause 19 with regard to loss of citizenship.

Besides that, there is provision for the registration of citizens who are citizens of other countries under certain circumstances. I will refer to that later.

In Clause 2, you will find that citizenship of Ceylon can be acquired in two ways: by right of descent and by virtue of registration.

Hitherto, there has been difficulty in defining legally the nationality of a Ceylonese. Hence the provision of Clause 3. As stated earlier, another Bill will be brought up later on in connection with Commonwealth citizenship.

Clauses 4 and 5 are only for the purpose of defining citizenship, and the Bill divides Ceylonese into two classes—first, those born before the appointed date, that is, before the Bill comes into force; and secondly, those born after the appointed date.

The first category of people is dealt with under Clause 4.

Clause 4 (1) deals with persons born in Ceylon. The applicant and his father should both be born in Ceylon; or, if his father was not born in Ceylon, his paternal grandfather and paternal great grandfather should have been born in Ceylon. For instance, there are a number of our citizens who have settled down in Malaya and other countries, and it may be that the parents of the applicant may have been born in that country, but if his paternal grandfather and paternal great grandfather had been born in Ceylon, then the applicant becomes entitled to Ceylon citizenship. This provision extends no further than that.

Clause 4 (2) deals with persons born outside Ceylon. The applicant being born outside Ceylon, becomes entitled to

Ceylon citizenship if either his father and paternal grandfather had been born in Ceylon; or, in case his father also had been born outside Ceylon, if his paternal grandfather and paternal great grandfather had been born in Ceylon. This is applicable only as long as the applicant is not a citizen of another country.

The second category consists of people born after the appointed date, and are dealt with under Clause 5. They have to be descendants of Ceylon citizens. As pointed out earlier, the children may be born in Ceylon, or outside Ceylon, but Ceylon citizenship may be granted to them after the observation of certain formalities, which will be referred to later.

Clause 6 deals with persons who are by right Ceylon citizens but who have to prove it, in which case the birth certificate is all that has to be produced; but in the absence of the birth certificate, this Clause itself gives the right to confer citizenship.

Clauses 7, 9, 10 and 11 deal with exceptional cases, such as persons abandoned in Ceylon whose parentage is not known and people who are born after the death of the father. People like that are dealt with in these Clauses for the grant of citizenship rights.

Under Clause 11 provision is made for conferring citizenship by registration on a person whose mother or wife is or was a citizen of Ceylon, after satisfying the Minister in regard to certain residential qualifications.

There is also provision here in regard to citizens of Ceylon by descent who for some reason have acquired another citizenship but who later wish to be registered as Ceylon citizens, discretion, however, being vested in the Minister to disallow the application on grounds of public policy.

Clause 12 is in regard to naturalization procedure.

Clause 13 deals with the registration of minor children; but certain amendments are necessary to this Clause, which I will indicate later.

Clause 14 is practically the same as Clause 8, whereby a person, who not being a Ceylon citizen, has acquired some other citizenship, will lose his right of citizenship in Ceylon.

Clauses 5, 15, 16 and 17 deal with routine matters connected with registration, and so on.

Part IV. deals with loss of citizenship. It is an internationally accepted principle that a person who is the citizen of a country by birth or descent cannot be deprived of that status except of his own free will. On the other hand, he might have ties of attachment in another country which oblige him to renounce his rights of original citizenship, and we must make provision accordingly.

Clause 18 provides for renunciation of Ceylon citizenship.

Clause 19 provides against dual citizenship.

Clause 20 contains a special provision, dealing with young persons who get registered as Ceylon citizens before they reach maturity. It is provided that they should conform to Ceylon citizenship on reaching maturity at 21 years. It is my intention to move an Amendment to this Clause. According to the Bill as it stands, a child who had been registered as a Ceylon citizen would have to register again at the age of 21. The Amendment I shall propose would provide that this will not be obligatory on his part, but that if he does certain things, he will continue to be a Ceylon citizen. I shall give notice of this Amendment later.

The Clause as amended, would read as follows:

"(1) A person who, under sub-section (2) of section 5, is a citizen by descent and whose father is or was a citizen by registration shall, on attaining the age of twenty-one years, cease to be a citizen of Ceylon, unless, before the expiry of one year after attaining that age, he transmits to the Minister a declaration of retention of citizenship of Ceylon in the prescribed manner."

Clause 21 deals with residence outside Ceylon of a person who is a citizen by registration, for five consecutive years or more. To this Clause too I have an Amendment to propose. It is quite possible that a citizen by registration may find it necessary to absent himself from Ceylon for a fairly long period. If he resides outside Ceylon for five consecutive years or more, he would cease to be a citizen of Ceylon. The Amendment I propose will safeguard those who absent themselves for reasons of health.

[Hon. Mr. D. S. Senanayake.]

Clause 22 is rather important, and I want to draw the attention of the House to it. This Clause provides that a citizen by registration shall cease to be a citizen if he has (1) obtained Ceylon citizenship by fraud, or (2) has been guilty of war-like or similar operations against this country. This Clause also provides for the loss of citizenship by persons who have been found guilty of offences under certain sections of the Penal Code. This part of the Clause is to be modified in this way, by the substitution for the words:

" of any of the offences against the State specified in Chapter VI of the Penal Code." of the words:

" of any of the offences against the State specified in Chapter VI of the Penal Code, for which a sentence of rigorous imprisonment may be imposed."

As the Clause is worded now, a citizen by registration may cease to be a citizen of Ceylon by reason of his conviction for certain political offences. We want to exclude that possibility.

Those are the main features of this Bill. It is quite a simple Bill, but a very important Bill, and a very necessary Bill. We are not prejudicing the interests of anyone; we are only trying to confer Ceylon citizenship on people in Ceylon who are not citizens of another country. Today they all go as British subjects, and as a Dominion we would like to have our own citizenship laws.

It was agreed at these Dominion conferences that the Dominions can lay down their own citizenship laws. The House will realise that even within the British Commonwealth, certain Dominions confer very few privileges on British subjects.

For all these reasons, it is necessary that we should have our own citizenship laws. If hon. Members require any further information on this Bill, I shall be only too willing to give it.

All those who feel happy over the fact that we have achieved freedom, all those who feel that they belong to a country that has achieved freedom, would like to be citizens of this country, would like to feel that they should legally become citizens of this country.

Question proposed.

Mr. H. Sri Nissanka (Kurunegala): Can we ask questions?

The Hon. Mr. D. S. Senanayake: In the Committee stage you can ask questions.

10.22 A.M.

Dr. N. M. Perera (Ruwanwella): Mr. Speaker, I agree with the Prime Minister that this is a very important Bill indeed, perhaps much more important than one would have been led to believe by the manner in which he introduced it. In view of the importance of this Bill, one would have expected the Prime Minister to have given us on this occasion some indication of the reasons why he considered the Bill so very urgent that it should be introduced at this particular stage.

The Prime Minister informed us that two other connected Bills are being held up. Why those Bills are being held up, and the precise reasons why the Prime Minister cannot wait and bring up those Bills together with this particular Bill, the Prime Minister forgot to tell us, or refused to tell us—

The Hon. Mr. D. S. Senanayake: I gave the reasons. I said that we are not—

Dr. Perera: I can understand why the Commonwealth Citizenship Bill is not before the House. That Bill would merely "catch up" with legislation in the Dominions and would make the position uniform throughout the Dominions. But the Bill governing the grant of citizenship to Indian residents here is in a different category. That is a matter on which, as the Prime Minister knows, a substantial section of the population of this country feels very strongly. I shall have occasion to advert to that in a moment—

The Hon. Mr. D. S. Senanayake: Why not wait till that Bill comes up?

Dr. Perera: That is precisely what I am asking the Prime Minister. Why does he not wait and bring all these Bills together and place a comprehensive plan of legislation before the House with regard to citizenship?

The Prime Minister would make us believe that the Bill now before the House is an innocuous measure, that it conferred no rights whatsoever. We know that no Citizenship Bill by itself confers any rights in that sense—with regard to other accruing benefits of citizenship. They are incidental; they flow from a Bill of this nature. Once citizenship, the status, has been granted, then certain other rights follow. All the other Bills are subsequently introduced.

There is no one in this House, or outside it, who would not be prepared to accede to a Citizenship Bill. The question we have to ask is, does it conform to accepted standards pertaining to the grant of citizenship? There are certain well-known practices and principles throughout the world in regard to Bills of this nature. If this Bill does conform to those accepted practices and those acknowledged principles, I do not think any Member of this House would be inclined to oppose this Bill.

In the modern world, citizenship is not something peculiar to any one country. We must see to it that our legislation in this regard is in consonance with the practices of other countries.

Even if the Prime Minister is thinking in terms of the British Commonwealth, let us examine the citizenship rights that are conferred by this Bill, and see how far they are in keeping with the rights conferred upon subjects of other countries in the Commonwealth.

Reading through this Bill, I could not help feeling that the Prime Minister is harking back to the nineteenth century, back to the time when there was this conception of the exclusiveness of race, back to the time when people thought that their own particular race was something unique, quite apart from the rest of the world; that their own particular race could not, or should not, be "contaminated" by any other race!

I feel certain that the Prime Minister would gladly build a great Chinese Wall round this Island, if he could do it, to ensure that nobody from outside even peeped into this Island—

The Hon. Mr. Suntharalingam: What about the air?

The Hon. Mr. A. Ratnayake (Minister of Food and Co-operative Undertakings): What about Russia? You are not allowed to go there!

Dr. Perera: Are our Ministers anxious to follow Russia in this matter? If they are, so far as I am concerned, they are quite welcome to do it!

Here, in this Bill is embodied the principle of racialism and exclusiveness. I thought we had long passed that stage. I thought racialism of that type ended with Houston Chamberlain and Adolf Hitler. But no. Apparently my good Friend the Prime Minister of Ceylon is going to claim the distinction of being the last racialist in this world!

I was amazed at the terms of this Bill, at its contents. I must confess that I did not believe it possible for any person claiming to be a statesman, for any one who could be credited with human feelings, to ask us to accede to a Bill of this nature, to accept that narrowness of outlook which is embodied in this Bill. We cannot proceed as if we were God's chosen race, quite apart from the rest of the world; that we and we alone have the right to be the citizens of this country.

That is the only way one can interpret the terms of this Bill, which is narrow, which puts a good part of the population of this country in a "straight-jacket", which seems to say that nobody but a select few in this country shall be considered at all in this matter of citizenship.

I am amazed, I repeat, at the terms of this Bill. One thing is perfectly clear. This Bill is unique in the history of legislation relating to citizenship. I cannot think of any other country in the world where you can find such narrow and strict limits placed on those seeking citizenship.

It was only the other day that I was talking to an American friend of mine on this and allied subjects. He was amazed that it was possible for this country to consider seriously the introduction of a Bill such as this, so restricted in its scope.

It is generally agreed, I think, that there are, broadly speaking, four well recognized methods by which an inhabitant

[Dr. Perera.]

of a country can become its citizen. You will find them in most Acts dealing with citizenship. First of all, citizenship is acquired by birth. I should be glad if the Prime Minister would correct me if I am wrong when I say that Ceylon is the only country in the world where a person born in this country is told that he cannot claim to be a citizen of this country—

The Hon. Mr. D. S. Senanayake: As the hon. Member has asked me to correct him if he is wrong, may I ask the hon. Member whether it is his contention that birth alone should be a qualification for citizenship? What about dual citizenship? A man may be born in Ceylon but he may be of another nationality. There is the question of dual nationality and dual citizenship.

Dr. Perera: No. Sir—

The Hon. Mr. D. S. Senanayake: The citizenship of a person does not cease when he leaves one country and goes to another. The citizenship of a person does not end when a person, born in one country—

Dr. Perera: There are special provisions for the cases the Prime Minister has in mind. In America, where citizenship laws are perhaps more stringent than in most other countries, the law provides even for dual citizenship for a certain period of time. It does indeed provide that, but I am not claiming it. That can easily be avoided because the moment you grant citizenship to a person you can lay down as a condition that he owes no allegiance to any other country. As a matter of fact, that is already provided for in this Bill and that problem, therefore, does not arise. But the right of citizenship at birth, I think, cannot be denied to any person.

Might I refer to the British Nationality Bill on this question? I have not got the completed Act, but I think the completed Act is substantially the same as the Bill. I am informed on good authority that that is so. In Part II., Clause 4 of that Bill says:

“Subject to the provisions of this Section, every person born in the United Kingdom and Colonies after the commencement of this Act shall be a citizen of the United Kingdom and Colonies by birth.”

The Hon. Mr. D. S. Senanayake: That is restricted to the United Kingdom and the Colonies.

Dr. Perera: Yes. All that we are asking is that a person born in this country should be given that right. Surely, Sir, it is an elementary right that should not be denied to those who are born in this country? The question of dual citizenship does not arise because a child who is born here will not have any other citizenship at that stage except, apparently, the father's citizenship. It can be provided for, so that that child disowns allegiance to any other country.

Later on, in this very Bill, you will find provision to meet the case of persons after the attainment of the age of 21 years.

I would also like to refer in this connexion to the American Act. The American Act is equally clear with regard to those who are persons owing permanent allegiance to the State.

“A person born outside of the United States

Mark you, Sir, the American Act goes much further.

“—outside of the United States and outlying possessions, of parents both of whom are citizens of the United States”—
is a national.

No, Sir—

The Hon. Mr. A. E. Goonesinha (Minister without Portfolio): Why not?

Dr. Perera: Apparently the Hon. Minister without Portfolio has not read the Bill.

Mr. Speaker, it is specifically stated that there are only two forms of citizenship under this Bill—citizenship by descent and citizenship by registration. Citizenship by birth has been deliberately excluded, and I can think of a large number of people in this country who, as a result, will immediately fall outside the scope of this Bill and become Stateless subjects. I can think of people who have spent 50 years in this country, whose children will not be citizens of this country. Is that fair? I can give you one outstanding example. Take the case of Mr. Rock who is now dead and gone.

The Hon. Mr. D. S. Senanayake: This Bill does not provide for dead people!

Dr. Perera: I dare say; neither does it provide for their children. You could have at least provided for their children.

The Hon. Mr. D. S. Senanayake:
They come in.

Dr. Perera: Surely, Sir, we must consider those who are living. The only provision under this Bill is for citizenship by descent. The provision for citizenship by registration is, in point of fact, only another form of provision for citizenship by descent. And what does it provide for? In point of fact, it means that only in the third generation can people expect to be citizens of this country. And if they happen to be born outside, by chance, then it will be the fourth generation. In most countries, Mr. Speaker, the second generation is considered to be sufficient. That is my complaint.

I wonder how many of the hon. Members sitting opposite to us can trace back their ancestry and find out whether their grandfathers or their great grandfathers were born in this country.

The Hon. Mr. D. S. Senanayake: I think you had better speak for the Opposition.

Dr. Perera: I certainly speak for myself. I am reminded of something that my good Friend the Hon. Leader of the House, who is not here, once said. On one celebrated occasion he was good enough to characterize me as an unknown son of a still more unknown father. That was once his characterization of me in the old State Council, and I am very proud of that.

I believe a large majority of the people of this country cannot trace back their ancestry to two or three generations past and find out their descent because, in the early days, there was no provision for registration of birth. My great grandfather may not have been registered at all, but is the Hon. Prime Minister justified in ruling me out?

The Hon. Mr. D. S. Senanayake:
No, there is no such ruling out.

Dr. Perera: But he will be ruling out a large section of the population of this country on that basis.

The Hon. Prime Minister knows that, ever since the coffee days, large sections of the Indian population were brought down to Ceylon much against their will perhaps, or even without their consent, and generations of them have lived in this country since. All those people will be excluded from citizenship rights by this Bill—people whose fathers laid down their lives, and whose bones lie buried here, apparently for the prosperity of the capitalist elements in this country. All those people will be excluded. Is it fair and just? On what basis can we justify a Bill of this nature?

The Bill provides for citizenship by registration under Part III., Clause 11. What does it really provide for? There again a person whose mother was a citizen of Ceylon by descent and whose mother, being married, has been resident in Ceylon for a period of seven years, is entitled to registration.

Mr. Speaker: Does that not catch up the question of Mr. Rock's children?

Dr. Perera: Perhaps it does because Mr. Rock had married a Burgher lady, but there are a number of others who are excluded under this. It was good for Mr. Rock that he married a Burgher lady, but supposing Mr. Rock had married a foreigner—a European lady, for instance?

The Hon. Mr. D. S. Senanayake:
That would be a case of two foreigners marrying each other.

Dr. Perera: If he did that and lived here for 30 years or 40 years or even 50 years, his children would have been excluded under the provisions of this Bill. That is what I am pointing out to the Hon. Prime Minister. In no country in the world are they so restrictive with regard to citizenship.

I was referring to Clause II and I wanted to state that this really provides for descent from the maternal side. In other words, this registration clause actually provides for citizenship by descent. Let us look at the provision in the United Kingdom Bill on this matter of citizenship by registration. It says that any person belonging to any of the countries enumerated in

[Dr. Perera.]

Part I, Sub-clause 3, such as Canada, Australia, Africa, India, Pakistan, Southern Rhodesia, Ceylon—it also includes Ceylon—and so on, who satisfies the Secretary of State that he is ordinarily resident in the United Kingdom and has been so resident throughout a period of 12 months, is eligible. Even where the period has been shorter, the Secretary of State can, in the special circumstances of any particular case, except immediately preceding his application, grant an applicant citizenship rights. Those are the provisions under the English Act.

The Hon. Mr. D. S. Senanayake: If he is entitled, opportunity is given to the Secretary of State to admit him.

Dr. Perera: Not merely an opportunity given to the Secretary of State. Sir, It says—

“ . . . shall be entitled, on making application as aforesaid, to be registered as a citizen of the United Kingdom and Colonies. . . . ”

The provision under the United Kingdom Bill is far less restrictive in its scope than our Bill. The provision that we find here under Clause 11 is far more restrictive than similar provision in any country that I can think of.

The Hon. Mr. J. R. Jayewardene (Minister of Finance): What is the Bill that you were referring to?

Dr. Perera: The British Nationality Bill.

The Hon. Mr. D. S. Senanayake: It is not in operation yet.

Dr. Perera: It is a new Bill which has just passed through both Houses.

I come to the next point. This Bill provides for no naturalization at all, although the Hon. Prime Minister referred us to a so-called naturalization provision. The naturalization provision in Clause 12 that he referred to is, in fact, a joke. It provides for the registration of not more than 25 people a year, and such registration is entirely at his discretion. This Clause is very narrowly worded and it applies to a person who has rendered distinguished public service or is eminent in the professional, commercial, industrial or

agricultural life of the country. The claims of the workers are left out—they are not eminent men.

The Hon. Mr. D. S. Senanayake: Yes, they are not eminent men. They are only doing, or have done, useful service.

Dr. Perera: That is what I am saying—that they have rendered very useful service to the country.

The Hon. Mr. S. W. R. D. Bandaranaike (Minister of Health and Local Government and Leader of the House): This is not intended for them.

Dr. Perera: The Hon. Leader of the House is quite correct. This is not intended for them, although they have rendered useful service to the country. This is intended only for the elite, chosen by the Hon. Prime Minister, such as the Mamujees or the Adamalys, and so on—a mere handful of people—and also perhaps the few Europeans who have been of some service to the U. N. P. Actually this Bill provides for no naturalization at all.

As against that, let us look at the provision in the British Bill. Clause 10 of that Bill says:

“ The Secretary of State may, if application therefor is made to him in the prescribed manner by any alien or British protected person of full age and capacity who satisfied him that he is qualified under the provisions of Part I of the First Schedule to this Act for naturalization, grant to him a certificate of naturalization ”

Of course he has to take an oath of allegiance. That, one can understand.

The American Act is equally clear. The United States Act provides for five years' residence, in point of fact, with regard to naturalization. Five years' residence is all that is required under the United States Act to apply for naturalization papers. It is so stated in Section 301.

Why are we making it impossible for any person who has been in this country for a number of years, worked in this country, slaved and toiled in this country—there are thousands and thousands of workers—to obtain citizenship rights? Why should not a person

who has been here for a number of years, an ordinary citizen, who wants to continue to be a citizen of this country, be excluded from this right? I cannot understand this. I think this Bill is a monstrous injustice to a large section of the population of this country. As soon as this Bill becomes law, all these people will become citizenless, Stateless. They will be Dr. Nansen's subjects. Dr. Nansen it will be remembered, after the last war had a scheme of his own for protecting all the children without a state. That is what the position will be.

The Hon. Mr. Bandaranaike: No.

Dr. Perera: The Hon. Leader says "No". Apparently he is thinking of the Indian Citizenship Bill that will follow.

The Hon. Mr. Bandaranaike: The Franchise (Special) Ordinance is not affected by the provisions of this Bill unless that is also amended.

Dr. Perera: Why not? What about the citizenship right?

The Hon. Mr. Bandaranaike: This is the chief right of citizenship.

Dr. Perera: That is an argument that strengthens my case. On the statement of the Hon. Leader, if it is good enough to grant these people the franchise, why are you denying them the right of citizenship.

The Hon. Mr. Bandaranaike: I am sorry I interrupted the hon. Member. What I said was that the mere passing of this Bill does not drop it.

Dr. Perera: That statement only strengthens my case that these people should not have been treated in the way they are now being treated as Stateless subjects although they have the right of franchise under the Constitution.

The Hon. Mr. D. S. Senanayake: They are not Indians.

Dr. Perera: Of course not. The Hon. Prime Minister can insist on their surrendering their Indian right of citizenship.

Mr. Speaker: Please do not interrupt the hon. Member. It means a break in his speech. We can deal with all these points in Committee.

Dr. Perera: The Bill is important enough, I think, for us to get a clear idea of the position. The Hon. Prime Minister can insist on the Indians giving up their other citizenship rights, Indian citizenship rights. That reminds me to advert to a point, to which the Hon. Minister also drew attention, that unless a citizen who is supposed to have another citizenship right gives it up he will not be granted citizenship in this country. Clause 14 says:

" . . . unless he renounces citizenship of that country in accordance with the law".

That is a curious position. Take the case of the Indians here. They are utterly ignorant of what the precise provisions of that law are, how they are to give up that citizenship right, and so on. In point of fact the Indians there are on the same footing as those in Ceylon with regard to citizenship rights. To the best of my knowledge there is no Citizenship Bill there. It will only be caught up as a result of the new position that has been created by the Commonwealth Citizenship Bill. Why should this provision be in our Bill asking the Indians to renounce their citizenship "in accordance with that law"? I think hon. Members will find that in England also they are asked to make a declaration that they will not owe allegiance to any other country. I think in America also the same position applies; they renounce their right of allegiance to any other country. All these provisions give me the impression that this Bill has been fashioned in a way to preclude people who have the merest chance of becoming citizens of Ceylon from so becoming.

I would like to ask the Hon. Prime Minister a pointed question. He has had a number of conversations with Pandit Jawaharlal Nehru. Could he not have, when introducing this Bill, given this House some idea of the nature of those discussions and what the present position with regard to those discussions is? Can the Hon. Prime Minister tell this House that Pandit Jawaharlal Nehru has acceded to this Bill, definitely acceded to the provisions of this Bill?

The Hon. Prime Minister will remember that, when the Soulbury Constitution was being discussed in the State Council, he gave a specific undertaking to the

[Dr. Perera.]

Indian Members who were then in the State Council that he would discuss this matter with Pandit Jawaharlal Nehru and arrive at a satisfactory solution of the problem. He assured those hon. Members that everything will be all right so far as their rights were concerned. And now that apparently those discussions have been concluded, the Hon. Prime Minister without informing this House what the exact position with regard to those discussions is, is trying to rush this Bill through. Hon. Members will notice the haste, the hurry in which this Bill is being rushed through. Some of us wanted this Debate to be postponed because we were anxious to study all the relevant literature. It has been difficult in this short space of time to find the relevant documents relating to countries outside the United States and the British Commonwealth. But the Hon. Prime Minister is very anxious to see the Bill through, as if a delay of 3 months will make such a tremendous difference to the people of Ceylon. Would a delay of three months have made any difference to the people of Ceylon? No, Mr. Speaker.

I must say that I cannot help feeling—and in this matter the Hon. Prime Minister has been consistent—that the Hon. Prime Minister suffers from two diseases: one is Indophobia and the other, I think, is Anglomania. I want the Hon. Prime Minister to deny the statement that I am going to make. It will be remembered that some time back there were two delegates who were sent to Ceylon by the Indian National Congress—Mr. Ramachandra and Mr. Ariyanayakam. They had a number of discussions with the Hon. Prime Minister. I had just been released from prison, and I remember discussing with Mr. Ramachandra the conversations he had with the Hon. Prime Minister. He gave me the impression that he had been shocked at what the Hon. Prime Minister had told him. He is supposed to have been told—it is a pity if this is true—that we depend upon Britain to fight India.

The Hon. Mr. D. S. Senanayake:
I never said anything of the sort.

Dr. Perera: That is why I wanted the Hon. Prime Minister to deny it. I accept that denial.

The Hon. Mr. D. S. Senanayake:
Never in my life did I say that.

Dr. Perera: I accept it.

The Hon. Mr. Jayewardene: Who is this chap?

Dr. Perera: Ramachandra is the person with whom he had the discussion. I am accepting the position taken up by the Hon. Prime Minister.

Mr. G. G. Ponnambalam (Jaffna): Go on, go on.

Dr. Perera: But this is a very short-sighted policy that the Government and the Hon. Prime Minister are following. There is a feeling among sections of the Government and the U. N. P. that we have to safeguard ourselves against India, that we have to fight against India, and that therefore it is necessary that we must lean upon Britain for the purpose. There is a feeling like that throughout the country among certain sections of the population. I say that it is political myopia of the worst type. It may be that India at the present moment is going through troublous times. But hon. Members are oblivious of the fact that fifteen or twenty years hence India will like a Colossus bestride this narrow world, and it is important that we live in amity and have amicable relations with India, and not create Sudetanland problems for Ceylon by leaving so much hatred and bitterness among a large section of Indians with connections in Ceylon. It is much better statesmanship to come to terms and settle this matter amicably. I know that there are some people who seem to be frightened, who dread the idea of these 500,000 people being granted this citizenship—

The Hon. Mr. Jayewardene:
800,000.

Dr. Perera: I will accept the figure of the Hon. Minister. There are 6,000,000 of the rest of the population of Ceylon. Do they seriously believe that 800,000 Indians are going to drown 6,000,000 Ceylonese? These 800,000 Indians are helpless workers.

Mr. P. G. B. Keuneman (Third Colombo Central): Four hundred thousand are small children.

Dr. Perera: A good number of them are small children.

Mr. Speaker: I think all this is utterly irrelevant.

Dr. Perera: Why?

Mr. Speaker: Because no such statement has been made in this House. The hon. Member is canvassing what somebody said somewhere else. There is nothing definite.

Dr. Perera: I am canvassing the position taken up by the whole—

Mr. Speaker: No such thing has been done. The hon. Member will remember that no such statement was made.

Dr. Perera: I am talking of the position of the Indian population.

Mr. Speaker: The hon. Member is now saying that this is designed against the Indians, that the Government is frightened of the Indians or something of the sort. The hon. Member is trying to create something for which I must call the hon. Member to Order. The hon. Member may reply to anything that is said by the Government Benches or by any person in the Government, not to any irresponsible statement made by somebody else.

Dr. Perera: I am not concerned with the irresponsible statement.

Mr. Speaker: That is not the way in which the hon. Member should make a speech in this House.

The Hon. Mr. Bandaranaike: The hon. Member is, in fact, anticipating another Bill.

Mr. Speaker: The hon. Member has created something for himself and is knocking it down.

The Hon. Mr. Bandaranaike: The hon. Member is anticipating something that is coming.

Dr. Colvin R. de Silva (Wellawatta-Galkissa): We do not believe that this Bill is coming.

Mr. Speaker: I must tell the hon. Member that all he says will not be fair—

Dr. Perera: I am trying to be fair. In point of fact it cannot be denied by

the Government that this Bill will exclude a large section of the population of this country from citizenship rights. I am entitled on that basis to argue that that is a short-sighted policy. I say that by excluding that population in this country from citizenship rights you are creating a certain sense of bitterness throughout India in this matter, and that is a terrible political short-sightedness. We may lean upon a decadent British nation now. But ten years hence what have you got to lean upon? It is much better to come to friendly terms with the country that is near to you.

It is said that hon. Members are frightened that they will be swamped by these people. To assume for a moment that 800,000 Indians can over-reach 6,000,000 people is a confession of weakness, of cowardice. I am quite confident that these 800,000 people will live like very good citizens of this country and work—

Mr. Speaker: The hon. Member will remember that to attribute cowardice to the Government is not fair.

Dr. Perera: Cowardice to the whole population; it is a challenge to the population.

Mr. Speaker: I understand that.

Dr. Perera: Surely to assume that 800,000 people are going to swamp—

Mr. Speaker: The hon. Member says that the Government is frightened.

Dr. Perera: No; it is an attribution of cowardice to the majority of the population who believe this.

Mr. H. W. Amarasuriya (Baddegama): Including the hon. Member.

Dr. Perera: There is one question we are tempted to ask. I think the Hon. Prime Minister is quite prepared, for instance, so far as the Indian capitalists are concerned, to help them. There is no problem there. The Hon. Prime Minister is prepared to wine and dine with them and grace their functions and satisfy them all. But the whole difficulty arises when it comes to the question of the Indian workers. That is

[Dr. Perera.]

what the Government kicks against. They are not prepared to grant these workers citizenship rights. One is tempted to ask, why is this? I can fairly understand the position. After all, I think these people form the main core of the proletariat in Ceylon and India. The Government is frightened that a possible unity—it is a feeling—of the Sinhalese proletariat, and the other sections of the population, with the Indian sections here—the Indian proletariat—will be the death-knell of the local bourgeoisie in Ceylon. That is the real reason why they are so frightened of granting citizenship rights to the Indians here.

The Hon. Mr. Bandaranaike: That is probably the reason why you are supporting it.

Dr. Perera: We are supporting it, Sir, we are supporting this case with certain reservations.

The Hon. Mr. Jayewardene: Are you supporting this Bill?

Dr. Perera, No, we are opposing the Bill, but we are supporting the position of the Indian proletariat here.

Mr. Speaker: I want the Hon. Minister not to interrupt, please.

The Hon. Mr. Jayewardene: I interrupted because the hon. Member said he was supporting the Bill.

Dr. Perera: I am not supporting the Bill, I am supporting the position that I am taking.

I am not asking them to be internationalists. That is too much to expect of the Ministers. I am asking them to have an elementary sense of human justice. People who are born in this country should have the rights of citizenship. People who have been here as residents, as ordinary citizens, who have carried on for years in this country, and who are desirous of continuing to live in this country, should have the right to be citizens of this country. That is what I am asking.

Sir, we hear so much of Buddhism and the *Pali* text; I am referring to the *Pali* text the Hon. Minister of Finance is always so fond of quoting. I await his

Pali quotation which would justify his support for this Bill! This quoting of the Pali text to justify the Government—

Mr. Sri Nissanka: You mean misquoting?

Dr. Perera: Surely, Sir, people who talk about the compassion of the Buddha should also be prepared to treat these people as human beings, as citizens. Why should there be this separate treatment for another section of the population of this country? Is it fair? No, Sir. I cannot but recall to my mind the celebrated saying of Edmund Burke: "Great governments and small minds go ill together." This is one typical example.

11.02 A.M.

Mr. Keuneman: Mr. Speaker, Sir, I think in dealing with a Bill of this type it is very necessary that one should, at the very outset, state one's position.

As far as I and the other members of the Communist Party who are Members of this House are concerned, we are opposing this Bill of Citizenship of Ceylon which has been brought up by the Government for the consideration of this House. The Hon. Prime Minister, in introducing this Bill, really gave us no information whatsoever on the subject. The Hon. Prime Minister's speech would have been of considerable use to any hon. Member who had not the time to read the provisions of the Bill, because the Hon. Prime Minister did give us the relevant provisions, and he gave us a very fair and a reasonably accurate summary of what those provisions were. I can quite understand, Sir, that the Hon. Prime Minister should have felt it necessary to proceed in this manner. After all, we have been given this Bill during a very important Debate which we were carrying on for a long time, and it is possible that the Hon. Prime Minister felt sorry in a way that he had not given more time to hon. Members of this House to study the Bill, and therefore, thought it necessary to give a brief summary of the position. However, I do not feel that the speech made by the Hon. Prime Minister is one which will convince this House or this country that we can support this Bill even for the reasons adduced by the Hon. Prime Minister. I

listened very carefully to his speech, as I always listen to any speech of the Prime Minister. As far as I could see, the only people who are really going to benefit by this Bill are the abandoned infants to whom the Prime Minister referred. These seem to be the only people who, without any trouble whatsoever, are going to be the citizens of Ceylon. Perhaps, the Prime Minister will open a bureau opposite "Temple Trees", where all the infants can be dumped.

Sir, we of the Communist Party are opposing this Bill, not because we say that this Bill is aimed only against any particular racial group in this country. We do not wish to oppose the provisions of this Bill from a racial point of view. We are opposing this Bill because of certain class considerations involved in it, which I want to bring before this House.

We have three main charges to make in relation to the Bill. The first charge is that the central idea behind this Bill is the idea of limiting and restricting the citizenship of Ceylon. That is the fundamental concept and it is not a new idea either to the Hon. Prime Minister or to the hon. Members of the Government. Secondly, we see that in the operation of this process of limitation there is a definite class bias in the interests of the richer people, the educated class and the capitalist class of this country. The third objection we have is to the discretionary powers, the absolute dictatorial powers which are given to the Prime Minister under this Bill.

In actual fact, in the next four years, which will be the determining years during which the provisions of the Bill will come into operation, there will be given a free hand to the United National Party to determine the social composition of the nationals of this country and to determine in that way the political complexion of large sections of the people and also to determine, through that, the nature of the State. That, in short, is the charge that I want to make against the Government, and that is the reason why we, of the Communist Party, are opposing this Bill. I want to make it clear that I do not think that any useful purpose would be served in approaching this matter from any other point of view, from the point of view

of racial considerations, because it is my belief that even in the case of the hon. Member for Ruwanwella who spoke about a bias against the Indians, the real bias is against the working class Indians—.

Dr. Perera: That is not what I said.

Mr. Keuneman: It is far more a class question than a racial question that arises in this Bill. Now, Sir, the first point that I made was that the underlying concept of the Bill is the theory of limitation, the theory of restriction, and that is the theory which I want to challenge. I think it is very necessary that that point should be debated because that is the essence of this Bill.

I see the Hon. Prime Minister smiling. Very well. I have said that this is not a new thing as far as the United National Party and the Members of the Government are concerned. We have seen it for a long period, ever since the introduction of the Donoughmore Constitution and the grant of adult franchise to this country. This question of citizenship is not a very simple question. It is not a formal matter. The Hon. Prime Minister in his speech suggested that after all there was nothing very much in this Bill, that we are in a peculiar position, that we have got to have Ceylon citizens.

The Hon. Leader of the House in one of his interjections said that it is true that the passing of this Bill would not immediately affect the question of the franchise which is at the moment, as everybody knows, under another Ordinance. But I think it is necessary for us to realize that when we pass this Bill of citizenship, in future, this question of non-citizenship of Ceylon is going to determine very substantially the claims of people who enjoy, or do not enjoy, the franchise right.

The Hon. Leader of the House referred to the fact that the question of franchise is determined under an entirely different Ordinance. Of course, nothing is going to happen to that Ordinance immediately we pass this Bill, but is it the position of the Hon. Leader of the House, or any other Member of the Government, that once citizenship is established and put into practice, the franchise is going to be granted to persons who are not citizens? I see the

[Mr. Keuneman.]

Hon. Prime Minister shaking his head. Obviously, once citizenship is brought in, then the question of the franchise will also come in later.

The Leader of the House referred to the fact that the greatest gift according to him, the greatest privilege according to him, is the right to vote. It is indeed a great privilege of a citizen, and therefore this question of citizenship right, the right to vote, the right to determine what type of laws are passed, the right to be a Member of Parliament is a substantial right, not merely a formal right.

I would refer to the whole question of employment, employment under Government, under the departments of the Minister of Transport and Works. There is a policy now in existence in every Government Department that only persons who are Ceylonese can be employed, particularly as unskilled labour and in the lower grades of the Service. Once this Citizenship Bill comes into operation, the right of a man to be employed under Government will be determined by the fact whether he is a citizen or not. Is that not a substantial right, Mr. Speaker? That is not a mere formal right. There is already legislation being mooted that even in the non-Government establishments there should be only a definite proportion of persons who can be non-Ceylonese. I cannot say whether this suggestion will be accepted or not, but the idea is there. The right of a person to be employed at all will be determined by this question whether he can qualify for Ceylon citizenship. I regard it as a very substantial right.

There are various other rights referred to which concern far more the richer, capitalist class than the poorer class. The number of people who can support themselves, or who can start industries, is usually very much smaller than the wide mass of people of whom I should like to speak on this occasion.

So I say that this question of citizenship is one which will affect the fundamental rights of the people who live in this country. The Government has no right whatsoever to follow a restricted and limited policy. But, however, this United National Party Government has followed such a policy,

and is continuing to follow such a policy. We saw it after the Donoughmore Constitution; when it came to purging the electoral rolls certain persons who, in the opinion of Government, were not qualified to vote were debarred from voting. We also saw it in the so-called Bajpai-Senanayake talks where the policy of restriction was put forward by the Ceylon Delegation as a definite policy.

You will forgive me, Sir, for quoting from that Report. These are my notes:

"Ceylon has already reached a point, it was observed, where she cannot support a reasonable standard of living for her people. Her population is rapidly increasing with all the attendant economic problems and difficulties. Placed in this situation, Ceylon has no alternative but to restrict the number of non-Ceylonese to whom full rights of citizenship can be extended."

Now, Sir, that is a very fair and just summary of the position of the Government. This is an old theory of economics expounded by a man called Malthus who said years ago that the basic cause of poverty was that too many people were born in the world, that unemployment was due to overpopulation. This discredited economic theory, which works in the interests of the capitalist class, is naturally followed up and maintained by a discredited Government which also works in the interests of the capitalist class. I think these economic ills which are being referred to are the result of the economic system in this country, the backward colonial economy, the lack of development of resources, the capitalist system which the U.N.P. maintains in this country—these are the real reasons. Therefore, it is a fallacy for the Government to proceed from such a basis to the theory that we must follow a policy of restriction in determining the question of nationality. I argue it is economically and politically unsound—this theory of restriction, which is the fundamental theory underlying the Citizenship Bill, which the hon. Members of the Government have placed before this House.

Having agreed to the theory of restriction, how does the Government proceed to put it into operation? Who is going to be restricted? And here comes my second charge, that the Government is restricting it in a way which operates in favour of the rich

and educated and militates against the poor people, against the working people of this country. I go on to establish that charge, although the Hon. Prime Minister shakes his head.

The hon. Members of the Government, first of all, in this Bill present us with the fact that there are going to be two classes of citizens: there are going to be the star class citizens, citizens by descent, and the ordinary class of citizen, citizens by registration. And there is going to be an appointed day, which will be determined, I presume, by the Government, when all these things will come into effect.

Now, the first point we have to realize on the question of restriction is that after the appointed day no one can become a citizen of Ceylon, unless, in actual practice, it is through the line of descent. Certainly those who are now in Ceylon and those who are capable up to the appointed day of claiming citizenship through registration, can claim that citizenship. But after the appointed day, no other person is going to be allowed to claim the citizenship rights of this country. In perpetuity, after that, descent is going to operate, except in the case of twenty-five persons, who for distinguished services to industry and various other things, may be granted citizenship rights, people who are well-known capitalists, and who may even go to the Senate under these very qualifications. Only those twenty-five—

The Hon. Mr. D. S. Senanayake:
Or by any other Act—

Mr. Keuneman: But, unfortunately, we do not know what these 'any other Acts' are. We are concerned with the particular Act, with the only Act that is before the House. Under this Act, the Naturalization Act is repealed. The powers that the Governor had, powers which were given to him under the Colonial Government by Letters Patent to grant naturalization after residence for a certain period, are removed, and no provision, as far as I can see, is made for naturalization, unless at some future date there may be some provision. But there is at present and under the existing rules, no provision for naturalization. The hon. Member for Ruwanwella pointed out that that is something

which we do not have in other countries. Even America, a country which operates one of the most restrictive forms of naturalization, has a quota basis, but even naturalization on a quota basis is ruled out under this Citizenship Bill. So in actual practice it is only certain persons immediately affected by this Bill who can become citizens.

Then we come to the star class and the ordinary class, the "A" class and the "B" class, citizens by descent and citizens by registration—

The Hon. Mr. Bandaranaike: "A" class Burghers, and "B" Class Burghers!

Mr. Keuneman: The same theory operates throughout the Bill. In the case of citizens by descent, the onus of proof is going to fall on the person claiming citizenship. There is no indication that any other method is going to be followed,—[Interruption.] The shaking of the Hon. Prime Minister's head is hardly evidence in court, however much it may be appreciated in this House. The provisions specifically lay down that the onus falls on the person claiming citizenship.

As the hon. Member for Ruwanwella pointed out, the very burden of proof and the methods of proof are such that it is going to be extremely difficult for those persons who have not descended from a so-called educated class, from the richer classes, for people who were born here prior to the Registration of Births Ordinance of 1895, to establish descent. Even now, after the compulsory registration of births was introduced, there are a large number of people who cannot prove that their grandfathers or great-grandfathers were born in Ceylon, even though the normal presumption is that they must have been born here, because they are people who cannot possibly have been born anywhere else. I know, in regard to securing employment, a large number of people get challenged and are unable to prove where their fathers were born. Naturally this law even in regard to "A" class citizens, is going to operate in such a way that those who have come from families which are richer, which are educated, would find far greater ability to prove their descent if challenged, than the vast mass of the

[Mr. Keuneman.]

citizens of this country, whether they happen to be Indians, or whether they happen to be Sinhalese, Tamils, Moors or Malays, or any other race. The very operation of this is unfair. That is why I accuse this Government of class discrimination.

I do not want to go into the question of proof through the mother, proof through father, and so on, for it is not strictly necessary for the central argument I am trying to make. I do not want to go into details. I wish to refer to the question of registration, the "B" class citizens.

The Hon. Mr. Bandaranaike: The brown Hollanders.

Mr. Keuneman: The Government is not in any way following the simple principle that persons who have been resident in Ceylon for a prescribed period, whose normal domicile is Ceylon, who have been associated with Ceylon, who show in everything that they want to live in Ceylon, should, on the basis of repudiation of past citizenship of other countries and acceptance of allegiance to Ceylon, be given citizenship. I can understand, appreciate and support such a proposition. It would make a very easy test, a test which could be applied without the discrimination which was envisaged in the speech of my hon. Friend the Member for Ruwanwella.

The Hon. Mr. Bandaranaike: The Leader of the Opposition.

Mr. Keuneman: Your Friend the Leader of the Opposition; my Friend the hon. Member for Ruwanwella.

I want to point out that in the case of registration, even here there must be some relationship, some connexion with a person who is a Ceylon citizen by descent. A person who is not in any way connected with a Ceylon citizen by descent cannot apply for registration.

The Hon. Mr. D. S. Senanayake: He can.

Mr. Keuneman: No, Sir. The point is this. If the person is married, he has to prove the following things: that his mother was a citizen by descent, and that he had seven years' residence.

Mr. Keuneman: In the case of a person whose parents were unmarried, he has to prove that the mother is a citizen by descent, and that he has ten years' residence. I cannot understand why there should be this particular penalty—three extra years' residence which have to be established merely because a marriage has not been legalized. The Hon. Prime Minister knows that the registration of marriages in this country is not very effective; so I do not understand why this particular clause should be there.

Then you can claim citizenship by registration if you are the spouse, or if you are the widow or widower, of a citizen, and even there you have to prove one year's residence. Now in most other countries, it is perfectly normal as soon as a person marries a national of another country, for her immediately to take that nationality. So it is under the British Nationality Act. Any non-British subject, on marriage to a British subject, immediately becomes a British subject, unless she chooses to operate some law of her own country, which allows her the opportunity of maintaining her own citizenship. The Bill of the Hon. Prime Minister and the Members of the Cabinet ask that in addition to that there should be an extra period of residence—extra caution, an extra attempt to keep the restriction.

There is no particular provision, now that I am on this point, for female Ceylon citizens, if they marry non-Ceylonese, to maintain their right to Ceylon nationality. There is no provision for it, though recently in an Amendment of the British Nationality Act they have followed the American model and allowed female British subjects who marry non-British subjects to maintain their British nationality, unless it is specifically revoked. That is the only way you can do it. So in actual practice, even on the question of citizenship by registration, you can claim this status only if you are in some way connected with a Ceylon citizen by descent and you have the residential qualification. There too, the principle of restriction is being carried out.

Now I want to pass on to the third and last point, and that is this, that this Bill gives the right to the United National Party and this Government to

Dr. Perera: Quite right:

determine the social composition of the people of Ceylon. And that is not a blank cheque which we can give from this side of the House, however much they, with their majority, may take it. This Bill, when it is passed, is going to come into operation very soon. After the appointed day, there is going to be no possibility for any further people to come in. So what is determined by this Government will be the foundation for the future citizenship of this country for ever and ever, unless that very happy day comes when the Government will be thrown out of power and another comes into power. But in the meantime the mischief can be done. Now not only is the power given to the Hon. Minister—I presume it is the Minister of External Affairs, though I was never able to find out why it should come under the Minister of External Affairs; it comes under the Minister of Home Affairs in other countries; however, I presume it is the Minister of External Affairs in this case—to determine in cases of doubt whether citizenship should be given or not, but the Hon. Minister's decision is absolute and cannot be questioned in any court of law. On this vital question, whether you are a citizen or not, if the Hon. Minister does not agree, you have to become one of Dr. Nansen's subjects.

The other point I have to make is, in the case of persons who are citizens by registration, there is always the sword of Damocles, or rather the sword of the Hon. Prime Minister, hanging over their heads to see that they subscribed to those political principles which are approved by the United National Party. The Hon. Prime Minister—whether from a sense of guilt or not, I do not know—in the course of his speech, moved an Amendment to Clause 22 (b). Clause 22 (b), which in the unamended form, reads:

“A person who is a citizen by registration shall cease to be a citizen of Ceylon if he is convicted by a court of competent jurisdiction of any of the offences against the State specified in Chapter VI of the Penal Code.”

The Hon. Prime Minister, whether owing to pressure from the back benches or for some other reasons—

The Hon. Mr. D. S. Senanayake:
The pressure from the back benches has not come yet.

Mr. Keuneman: I do not think your back benches have yet grasped the vicious implications of this Bill.

The Hon. Prime Minister has brought in an Amendment to add the words: “for which a sentence of rigorous imprisonment may be imposed.”

This is the section of the Penal Code which deals not only with treason, not only with the question of waging war against His Majesty, but also with the very interesting provision about causing disaffection, bringing into hatred or contempt the government which is established by law in this country, or creating feelings of hatred and contempt and enmity between the different classes of His Majesty's subjects—now the Governor General's, or even the Hon. Prime Minister's, subjects. In other words, any person who becomes a citizen by registration is liable to lose his citizenship for taking part in any agitation against the capitalist classes, against the Government in power, for urging the defeat of the Government in power, for working up hatred for the Government maybe, bringing this Government into contempt, as it should be brought—such a person is liable to be sentenced to rigorous imprisonment under this Ordinance. So there is a permanent pistol pointed at the heads of all persons who become citizens by registration: Either you keep quiet, apart from secretly putting a vote against the Government in the ballot box, or else you will have your citizenship taken away from you and you will become a Stateless person. That is why I say that over this very large section of people who will become Ceylon citizens by registration the Government is trying to exercise permanent political control. I do not think any Member of this House will agree to that position.

I do not want to go any further into this matter. I have made three main objections which I feel should be most vigorously brought against this Bill. I wish to say that we will never get at the root of this problem if we approach it from the purely racial point of view. Hon. Members of the Government have been accused of racial discrimination. I do not want to comment on that matter but it is my experience that the discrimination shown by the hon. Members of the Government affects the working classes of all races. I accuse them of

[Mr. Keuneman.]

discriminating in this matter by bringing in a class-biassed Bill, which should be rejected by this House. The very fundamental theory of this Bill is false. The way it is applied is to discriminate against a class of the population of this country; and to see that the political structure of the U. N. P. Government is maintained under the plea of giving citizenship to the people of this country.

As I said before, this question of giving citizenship is one which we have to solve. Till quite lately we were British subjects, and even though I think we are still under British control, the legal possibility exists for us to become Ceylon citizens. [Interruption]. I am glad to see that other important Members share this point of view.

The point I want to make is this: if we are going to get rid of one citizenship and get another citizenship, then the most practical test would be to take residence to start with—there are certain people living in this Island and who have been living in this Island—and see whether they have been resident for a certain number of years, for a prescribed number of years.

The Hon. Prime Minister is very worried about dual citizenship. If anybody proposes dual citizenship, I will fight it in this House as I have fought it outside. I do not agree with dual citizenship. If a person has a certain prescribed period of residence, if he is prepared to renounce his past citizenship and all obligations and allegiance to other States and put himself at the disposal of this Ceylon State, under its allegiance and is determined to carry out both its rights and obligations, then I feel it is possible for us to draw a distinction on the only possible equitable basis, in view both of our past history and the mixed, heterogenous population of this country.

However, the Government is quite definitely not prepared to accept this position, and that is why I, and the Members of my Party, will be voting against this Bill.

11.33 A.M.

Dr. Colvin R. de Silva: I have chosen on behalf of the Party which I represent, to speak early, without waiting for the courtesies of debating exchanges

with the Front Bench of the Government, because the subject that has been brought up before the House in this Bill is of the most fundamental importance and deserves treatment, not only from the negative point of view of critical analysis of its provisions, but also from the positive angle of what should be, and not only of what is thought to be correct.

When I came into this House on this occasion I did expect the Hon. Prime Minister, who is never lacking in language, to give an adequate introduction to this important enactment which he has placed before the House. To read somewhat inaudibly some of the provisions of the Bill before the House, to make an occasional comment, which is not sought to be given logicality by being strung together with principle, and to apprise us of certain Amendments, is certainly not the way for those who believe in democratic Parliamentary forms to introduce a Bill of this importance. This is not the first time that I have had to point out through you, Mr. Speaker, that the Government in its attitude to this House betrays a certain lack of consideration for the very institution which it purports to defend. To produce a Citizenship Bill and not to accord us even an adequate explanation of its political motivation, its legal implications and the status of the structure to which it is supposed to be attached, is to rely completely upon the steamroller capacity of a machine-like majority, and not, certainly, upon any persuasive powers, or even justice of the measure that is put forward. After all, a Citizenship Bill is a fundamental Bill, and we in this House are entitled to know why the principles which we can deduce from the provisions of the Bill were adopted by the Government.

I have noticed that this Government is progressively adopting a new tactic of debate. I trust that it is only a simple accident that the new tactic has tended to coincide with the appointment to the Cabinet of a new Minister without Portfolio. However that may be, I would say that this is a tactic which, although the Government will find handy in temporary and incidental matters, will yet be a tactic which will turn upon the Hon. Minister himself and upon the Government, and in due course not only bring discredit on the Government but also bring discredit on

the very Parliamentary system of capitalism which it purports to defend. This Government will be responsible for that by the tactic it is now adopting.

Two hon. Members of the Front Bench of the Opposition have spoken. Why is this House not granted by the Front Bench of this Government even the courtesies of the normal exchanges of debate? I do wish to take this opportunity, even if it be not exactly relevant to this Bill, to say, if I may be permitted, that it is the duty of the Government not only to govern through majorities, but to debate on the basis of equality with an Opposition that has so far prodded it on to perform certain actions which, otherwise, it would not even have contemplated.

Leaving that protest aside, let us come to this Bill. Everyone of us knows that the conditions of citizenship is determinative of the very fabric of the State. It has been said that every State has a right to determine its structure and its composition. But I think, first of all, we should start from recognizing a very simple fact that this abstract right of a State to determine the composition of its citizens—that is to say, the nature of its human structure—is not absolute. It is relevant in that it must be determined, on the one hand, by historical circumstances and on the other hand, by the relationships that exist between that very State and other States on this human planet. If we approach the question in that way, it will be found that the huzzas and hurrahs that last February accompanied the achievement of a supposed freedom, will not suffice to make such a watershed in history as will entitle us to determine entirely that the rivers which flowed in one direction in the past must be held to have flowed in another direction. [Laughter.]

I always find that from a particular direction, at a particular juncture, we are always treated to the loud laughter that bespeaks the vacant mind. I do not propose to be led away by that interruption.

I will return to my argument, and since, Mr. Speaker, it must be put in simple language sometimes for the advantage of the simple, let me say this. This country, whether it has achieved

Independence or not—as the whole House knows, in the opinion of my Party, we have not achieved Independence—cannot roll back the wheel of history. Whatever this new status may be that was achieved by this country, by whatever methods the Government would like to aver it, this much is certain: we received, not only a colonial legacy, but also a legacy of population which has been within the four corners of this Island and which we cannot overlook when we wish to decide on the question of the composition of our State. It has been said that this matter should not be approached from a communal point of view. Certainly. But I would also like to stress that to discern a communal attitude in the Government responsible for this Bill is not to lapse into communalism oneself. It is necessary to recognize the fact in order to avoid it. I say, that if you look at the background of this Bill—the political motivation and the social objectives of this Bill—it will be found that it is a classic piece of sustained reactionism.

When I was reading through this Bill during the last week or so, with the care which should be given to it, I noted the principles which are supposed to be operative and underlying it, and as I read it, the feeling was thrust on me that, perhaps, under the influence of shortsighted theories, the Government was really trying to face a certain aspect of the problem of unemployment. How? In this way: that it was seeking to provide ample occupation for genealogical researchers and family-tree constructors.

The operative principle of this Bill is principally descent. It says that if you have descended in a certain way from certain people, then you are entitled to be called a Ceylon citizen; you will be entitled to the status of a Ceylon citizen. Then, by way of exception, complementation and supplementation of advantages, it brings in certain other restricted principles, in order to add a certain other class. So, the first point in an analysis of the Bill, what would be clear to anybody, is this, that instead of the principle that birth in a given country provides a *prima facie* claim to citizenship in that country, it is descent from certain people in that country that would provide that claim.

[Dr. Colvin R. de Silva.]

It was the duty of the Hon. Prime Minister in his introductory speech at least to inform this House why the Government chose one principle in preference to the other.

I do not propose to crack any jokes on the subject of paternity and maternity for the consequences themselves are too serious for mere humour and jocularity. Apparently, the aim of the Government is to restrict citizenship to a certain social group which can claim a certain genealogical tree. If I may be permitted to say something incidentally, this is likely to encourage a certain pastime which, at least on the occasion of a certain election in a certain electorate to the old State Council, resulted in a manifesto which put out a genealogical tree, the accuracy of which competent historians have challenged. I do not know whether that sort of pastime, the encouragement thereof, I mean, is one of the incidental purposes of this Bill. I have no doubt it will certainly be a by-product, and, to that extent, this Government will be responsible, I fear, for encouraging a thoroughly immoral habit of acquiring to oneself royal instincts which sober historical research is not ready to concede. Why is the principle of descent to be chosen in preference to the principle of birth, coupled also with certain principles of race?

I submit that one must look at this question not merely legally but politically also, and, when we look at it politically, one has to look at the consequence in order to deduce the objections. Even in law it is a common proposition, as you know, that a person must be held to intend the normal manifest consequence of his action. So must the Government be! If it can be shown that one of the manifest consequences of this Bill will be to decitizenize whole sectors of the population, which has a right to citizenship and were regarded as citizens under the old law, then, inasmuch as this Government has not, simultaneously with this Bill and within this Bill, brought other provisions which would cover those sectors of the population, we are not entitled, at least, for the present, and until we see the provisions of the Bill which we are told will come with the objects of this Bill, to decitizenize those sections even temporarily. That is

easily manifest. Much reference has been made to a sector of the population.

Up in the plantations, for instance, there are lakhs and lakhs of men who were imported into this country by the powers-that-be for their own economic purposes. They have been held there on certain special conditions, conditions so favoured that they who refuse to leave their little huts are subject to the normal criminal law and criminal prosecutions. They have been held there on special conditions. As a result, they have been intended to be separated from the rest of the population, and ever since the supporters of the principle of descent, as the basic foundation for citizenship, began to have the slightest hand in the administration and legislation of this country.

That section, even as it began to acquire the slightest minimum of political rights which would enable them to struggle for their democratic rights in the State, that very section has been, in other ways, economically, socially, legislatively and the like, treated in a manner that would inevitably segregate them from the rest of the indigenous population of this country. That section of the population, everybody in this House and in the country knows, has been the subject of tremendous political controversy and political agitation in the past.

I do not propose to go into any recapitulation of pronouncements that have been made by distinguished personalities, including the Hon. Prime Minister, in the past on this subject. I may only say this much, that, after the Hon. Prime Minister sat down on the conclusion of what we think, out of courtesy, was his speech on this occasion, there was upon his face a smile of complacency and self-satisfaction which was, remarkably comparable to that of a cat after it had eaten some cream. Therefore, I can only come to the conclusion that, psychologically, he was having the feeling that one of the great objects of his political life-time was achieved, through the instrumentality of this particular Government. And, what was that objective? That, under the appearance of seeking to impress those who, in the past, were trained minions, he was seeking to crush them in the vice of his legislative enactments.

Now, Sir, I do not think the Government itself will deny that by introducing the present principle of citizenship, it has, as far as the status of Ceylon citizenship is concerned, decitizenized a considerable section of that sector of the population. It is, on the contrary, irrelevant that this Government should say that its intention is to deal with that in a subsequent Bill. The whole House, and the whole country just like the Government, are well aware that the subject of citizenship rights, the very political and civic status of those people in this country, is still the subject of negotiations between the present Government and another Government.

Let us now look at the meaning of the present legislation in the light of that admitted fact. I am glad to see the Hon. Prime Minister nodding agreement that there were such negotiations. On the one hand, we are told negotiations are going forward with another Government as to the civic status of citizenship; on the other hand, we are told that not till those negotiations reach a satisfactory conclusion can a Bill relating to that section of the population be brought in. In the meantime, it will no doubt be argued that Ceylon cannot stay without a citizenship principle and enactment. This, in fact, is a complete *non sequitur*.

In the first place, I, for my part, see absolutely no reason for this rush and sense of urgency. I know it has been argued, at least, in private conversation, which I am not entitled to utilize, that the passage of the new British Nationality Bill rendered the passage of a Citizenship Bill in Ceylon urgent. So, our independence, apparently, is still controlled by other people's activities in other people's countries. But that is purely by the way. Nevertheless, I do not think that that argument will hold water or bear examination. What that Bill determines—I have a copy of the British Nationality Bill—and what it purports to determine is as follows:

First, on the one hand, it seeks to bring into line the present position within what they now like to term the British Commonwealth, but which men in the past termed the British Empire. That is, that anyone who is a citizen of any dominion, by reason of the very fact that he is a citizen of that dominion, is entitled to what is called the

status quo. Now, I think the common word "citizen" was in the original Bill and meant a British national of the status of a British subject.

Secondly, it has also determined the conditions for British nationality; how you acquire it and what are the conditions. The point I wish to bring out here, from the point of view of a personal analysis, is that the British Bill adopts the principle of citizenship by birth as the fundamental principle. If you are born in Britain, you are *prima facie* entitled to be a citizen of Britain unless it can be shown that you manifestly fall within certain classes of definitely stated exceptions. Now, why is that position adopted in that manner? It is for this reason, that, in the first place, it is extremely simple of operation. Secondly, that from the very time a person comes into being within a given State, on the one hand, the State takes responsibility for him, and, on the other hand, he acquires a responsibility towards the State. These are desirable considerations. But, if the principle adopted in this Bill were going to create a situation in which a whole class of people will have no rights in the State in certain respects but will have obligations towards the State, decided by the State, which itself expressly states that it is not right to include it within the term of citizenship, then it is undesirable.

Now, Sir, I went on along that line for this reason: it is to me, and to my Party, manifestly clear that here we have by this Government not really an effort to define citizenship but initiation or launching of a gigantic political manoeuvre.

India is well known to have come up against certain obstacles. Everyone of us, and certain Members who went with the Hon. Prime Minister, after his last visit to Delhi, came back and, at least, said publicly that certain broad agreements as to principle have been arrived at, and of these, that the main agreement was that there shall be no dual citizenship. Namely, if there are any people called Indians in Ceylon who have at present anything called Indian citizenship, that the Indian Government accedes to the position that the Ceylon Government is entitled to demand that

[Dr. Colvin R. de Silva.]

these people, in acquiring Ceylon citizenship, shall give up and forgo any rights in the Indian State to which they may have been held entitled in the past. That, however, was one of those broad statements of principle on which even the principled Opposition to a reactionary Government may be able to agree. The test of a principle is just as in the case of a pudding. The proof of the pudding is in the eating; the test of the principle is in its application and the working of it. And it is clear that it is precisely in trying to work out how this principle shall be brought into application that the differences between the Ceylon Government and the Indian Government have come into being.

I submit that, from any political point of view, in the light of the historical background, it must be held out only that there is a racialism commonly dealt with in this Bill, but that this Bill is brought forward precisely at a situation in order that this Government may have in its hand a new stick or club with which it hopes to beat the Indian Government. Can we not see, and this House not see, as I submit, the whole country can see, that if you produce a Citizenship Bill in which you decitizenize the very section of the population which is the subject of negotiations with India and then, turn round to India and say, "Until we come to an agreement, we shall leave these people in this helot civilization", you are bringing upon the Indian Government a special form of pressure, namely, that out of a humanitarian consideration and urgency it shall allow an invasion upon a principle which it is otherwise not ready to permit? The present Government, in this aspect, shows that it is a collective Dr. Malan.

Mr. Speaker: The Sitting is suspended until 2 P.M.

Sitting accordingly suspended until 2 p.m., and then resumed.

Dr. Colvin R. de Silva: I think, Sir, I ended up in the forenoon with the point that the Government has taken on the stature of a collective Dr. Malan. I made this reference in order further to show that the idea that a State has a right to decide upon the composition

of its citizenship, is not in fact as absolute as Governmental spokesmen seem unconsciously to assume.

Sir, let us for a moment take the case of South Africa. We know that over there there is a strong move to confine citizenship to people of a particular colour; in other words, to proceed on the principle that the South African State is entitled to confine its citizens to a particular sector of human society. Now, Sir, I think it is not only India, which is the State primarily concerned, but every Asiatic country, including our own, and I trust also our own Government which has actively resented the effort of the South African State to lodge that principle at the basis of its State structure. By the very fact that we resent it, by the very fact that we approve of retaliatory measures in order to bring pressure upon the South African State to abandon so heinous, unjust and indefensible a principle, by the very fact, in other words, that we deny to the South African State, and that is to say, in particular, to that section of the population of South Africa which today happens to constitute its Government and to dominate its State, the right thus to limit citizenship—by that very fact we are conceding that the right of a State to decide the composition of its population is not an absolute right, but a relative right.

When we say a relative right—I have already dealt with the question of the historical consideration—that is to say, when a State at a given stage in its history sets about the task of determining upon the principle of citizenship, the status for the citizens of that State, it cannot overlook the consequences of previous historical development. That is to say, it must not discriminate between various sections of the existing population of that country on grounds of race, colour, creed, caste and all the other illogicalities and improprieties to which the present state of society is the historic heir. If that be not conceded by this Government, then this Government would have to accept that the "white Australia" policy is defensible, that the "white South Africa" policy is defensible, that one group of people with blotched skins are entitled eternally to repress another set of people with swarthy skins and the like. We, I take

it, at least on the basic principle of the natural rights of man, are ready at least to hold that distinctions like colour cannot be permissible in the question of citizenship.

There is another angle to it. Is it the aim of this Government—and I think it is the aim, as I shall show—to reduce one section of the people of this country to a permanent position of established helotage? Over in Germany, in the days before the last war when Herr Hitler came to power, he too decided upon a certain citizenship principle, and that was not a colour principle but a race principle such as in fact is lodged at the base of this Bill, as I shall show. Herr Adolf Hitler, holding the theory that the Nordic Whites are an intrinsically superior race destined by history, by birth, by tradition and by the Gods of Valhalla to rule over the swarthier and the lesser breeds without the law, turned to a position in which he denied the basic rights of citizenship to the Jews. It is precisely in Germany that, in recent history, it has been most flagrantly proved that no State can reduce one section of its people to the position of semi-slaves and helots, and remain immune from the consequences. The poisoning of the atmosphere with anti-Judaism resulted in the strengthening of the reactionary Fascist State, and one of the thoughts that my Party and myself are unable to rid ourselves of in relation to this Bill, is that this Government is seeking to introduce a party principle into our social and political life for its own reactionary reasons. Just as in the international field this Bill is a political weapon, and in the field of State relations it brings an improper pressure on the Government of India in respect of the pending negotiations, I submit, in the field of internal domestic national relations too, this Bill constitutes a gigantic political manoeuvre directed now, I say, against a section of the population, which primarily is proletarian, and consequently capable of the intensest class hostility to the present Government and regime.

When a citizenship Bill operates on the principle of descent in a country where there is a considerable immigrant population, then it is impossible for the Government that introduced that Bill to deny that the principle of descent, in preference to the principle of birth

and the principle of residence, has been chosen precisely in order to point the spear against that immigrant section. That is why I say that this is a combination of manoeuvres and not simply a manoeuvre against the Indian Government.

When we take it thus on the national scale, I think I am entitled to ask you to bear with me a couple of minutes if I recall certain facts of recent history. I mean thereby the agitation that arose in this country in relation to the grant of universal adult franchise under the Donoughmore Constitution. It is a singular fact that on the one hand it was not till universal adult franchise was proposed to be laid at the base of our parliamentary and legislative structures that the question of the Indian immigrant population and its rights took on so acute a turn and appearance. It is also a singular and a necessary fact to remember, in view of the present composition of the present Government, that this question also was given a new colouring and rendered acute in a new way only as the position in relation to employment slumped in the country in the last depression.

Racialism is a handy weapon of reaction. But I would remind this Government, even though the reminder may prove historically useless, that there are weapons which reaction has handled in the past and which have been ultimately destructive of the reaction itself. And this racial principle will, I say, even though my prophecy may be Cassandra-like, prove at some future date to have been the first step of this Government in dealing its own doom. The moment you turn to the fact that this Citizenship Bill has this relationship to the working population on the plantations, you come to a different fact, that behind the appearance of racialism and communalism is, what my hon. Friend, the Third Member for Colombo Central, referred to, the class fact.

There has been, ever since the introduction of universal franchise, by all the main political sections that today have combined to constitute this Government, a sustained and intense agitation against it. Realizing however that universal adult franchise could not be successfully made the subject of an open direct head-on onslaught, it has been itself made

[Dr. Colvin R. de Silva.]
the subject of a series of partial, side and flank manoeuvres as a total result of which it is hoped that universal adult franchise itself will be undermined.

On a previous occasion I referred to the fact that in my opinion the Hon. Prime Minister, although he does not stand by the principle of overthrowing structures, has shown himself a past master in the art of undermining. I submit that this Bill is another dig with a racial spade to make a future grave for this universal adult franchise.

Now it may be said that this Bill does not deprive us of the franchise. That is correct. I concede to this Government that this Bill, by itself, does not deprive that section of the population, which today has the franchise, of the franchise; but I think it is a relevant and appropriate argument to put forward that, once you have established citizenship, it will be easy for a Government to say that none but the citizens of a State shall determine the future, the policies and the method of Government of that State. Thus having first created in this way a foundation, it will have opened the road to a different kind of superstructure.

Again there is another aspect of the argument. It is pointed out that, although you de-citizenize by this Bill, you are not entirely depriving people of certain civic rights. You, for instance, have pointed out that the franchise is available to them, but there is no more dangerous principle in any country, in any nation, or in any State than to separate citizenship from civic rights. If you have a section of the population whose civic rights are dependent, not upon the automatic consequences of established citizenship, but upon the principle of concession by the State of special rights to special groups, you are perpetuating in one group an eternal right of priority, preference and a right to hold the other section to ransom on supposed good behaviour.

If we approach the question in this form it will be seen that this Bill embodies another vicious principle, namely, the principle that the Government of the day has the right, for its own political objectives, to impose upon a section of the population various

political claims, demands and conditions which otherwise it would not be in a position to impose. Consequently, Sir, even from that angle this Bill is vicious.

There is a further fact. If there is any political philosophy underlying this Bill, that is to say, if this Bill is proceeding along certain assumptions, it is clear that the basic philosophical or political or sociological principle, which this Government is unconsciously operating, is that the State must be coevalled with the nation and the nation with the rest. There can be no other meaning and no other philosophy from which can flow the principle of descent as the primary principle for citizenship. This is an out-moded idea and an exploded philosophy. The modern State, whatever be its class nature, we can see from innumerable examples, is no longer the classical nation-State of old where the aim was, and the fact which ought to be established was, that the State was coevalled with certain nations. It is precisely in the present period with the breakdown of this capitalist system that, for purposes of subserving reaction, this old and out-moded theory has been revived; and it is precisely under Fascism that the nation was sought to be made coeval with the rest, the Government factor, in the composition of the State.

There seems to be underlying this Government's approach to this problem then, what is euphemistically termed, the indigenous population, namely in principle, the Sinhalese race, which has a vested right to a certain superiority of status in this country. It may be replied that, for instance, the Jaffna Tamils do not come under this allegation but, Sir, the moment a Government starts applying an anti-racial principle against a particular group, from that to the positive racial principle in relation to a particular racial group is not only a short but an easy step. No Government, and certainly not this Government, is going to risk at one and the same time the universal displeasure of every racial group in the Island. If, therefore, today a person discriminates in favour of what may be termed an indigenous racial group, that should not be taken either by them or by the country or by us or even by the back-benchers of this House as an indication that, in future, this principle will not lead also to discrimination as amongst racial groups

which at least today are accepted as worthy of the common denomination, Ceylonese. The status of Ceylon's citizens thus runs into the danger of being reduced to the position of a racial status, and that too is a principle that needs to be fought.

There is yet another aspect of this matter to which I wish to come, and that is in relation to certain contents of the Bill relating to what I will call the ancillary principles of citizenship embodied therein. In the morning I dealt with the question of the principle of citizenship by descent and shall not repeat myself. We find a part of this Bill specially providing for the principle of citizenship by registration. Now I note that, as far as Clause 11 is concerned, if certain conditions are satisfied by certain people who happen to be born outside, and so on, then there is an obligation created upon the Minister to issue a certificate of registration. In other words, if the conditions are satisfied, there appears to be no discretion in the Minister, which is all to the good. But when it comes to Clause 12, I think it is necessary to make one or two rapid remarks. Clause 12 would appear—if you read it casually and without adequate thought—to have as the background against which it is set all the air of an impartial and desirable principle. The Hon. Prime Minister, or whoever the appropriate Minister will be, if he is satisfied that a person has rendered distinguished public service or is eminent in professional, commercial, industrial or agricultural life, or in certain cases of naturalization, may, in his discretion grant a certificate of registration to a number of people who shall not exceed 25 for a given year.

When reading that paragraph, one cannot help but evoke in mind another paragraph of a Constitutional document which relates to the composition of what, I believe, is the custom in this House to term "another place", where also we are to have, I think, 15 nominated people who shall have attained, not merely maturity, but the ripe age of 35 years and who, by precisely this kind of qualification, have to climb the stairs to those upper regions.

Well, Sir, we have already an example and a precedent before us of what in the view of this Government is distinguished service, loyal service, eminent in the

professions and the like. If one studies the appointments made on the advice of this Government, one is compelled to the conclusion that the idea of distinguished public service in the mind of this Government is coincidental with service to a particular political party and a particular social class. It is not an accident that, out of the very racial group which this Government or some of its members in other spheres are fond of attacking on racial grounds, within that racial group itself there are men belonging to their own class who have been chosen to adorn those higher places. Is it an accident that, as if indeed by some form of sudden interpolation, there has come in this Clause 12 which enables this Government to give the mantle of citizenship to certain members of the upper strata of that racial group for its own reasons? I believe, Sir, there are big business men of Indian birth who are supporters of this Government in that other place.

Here is the road to citizenship for them; but will this Government consider, for instance, why a man of the type of Govindan who was shot on Mooloya Estate in 1940 is not given this right? He was one of those men on the plantations who stands up for the rights of the down-trodden, men who stand foremost in organizing their fellow-men as workers in the trade union and political field, men who will fight even unto death against their class for their own. Will this Government by any stretch of imagination be considered capable by us of appointing and choosing such people for distinguished public service? That is undoubtedly a distinguished public service. No, Sir, here is the cloven hoof of the class approach peeping from under the mantle of an impartial citizenship principle, and it is here in particular that it has to be absolutely clear that, in defining the principle of citizenship, what this Government has kept in the forefront of its mind is neither human justice nor social justice, but precisely restriction in the interests of a particular class.

There is still another aspect of this matter. In regard to a Bill of this fundamental nature it is necessary to expose before this Parliament, and through it before this country, all its repercussions and aspects. If this principle continues

[Dr. Colvin R. de Silva.]

to operate over a period, the result is that this country can only be, not a democratic State, but an oligarchic State in which a particular section of the population will oligarchically, though democratically as within that section, rule over a whole section of the Island amongst the population.

Finally, with regard to these matters, it is also necessary to bring to the notice of this House not only the implications of this Bill but what positively, from our point of view, the citizenship principles that prevail in a contemporary progressive country ought to be. I have by implication already indicated that, in the view of our Party as distinct from and opposed to the narrow principle of descent, the principle of birth in the country should be one principle. But that does not exhaust the problem from our point of view. We approach this just as the Government does, from the class angle, and it is necessary to say that forthrightly. If this Government approaches this question from the angle of the capitalist class, our Party—we of the Fourth International—approach this question from the angle of the proletariat—the working class. That is to say, we approach it from a class angle independent of racial questions and above racial questions. We are not ready as amongst the labouring population of this country to distinguish between man and man on the ground of his racial origin. We say a worker is, first and foremost, a worker.

If one remembers that labour is the basis of human existence, labour is the basis of the very State itself and labour is the productive factor out of which all wealth ultimately is created in application to nature, then you will see, Sir, that, whatever else is permissible, one thing is not, namely, that people who do the labouring amongst the inhabitants of a country should, by a principle of citizenship, be denied the rights of citizenship. Consequently, I do not propose to make any exposition of that now, but I wish to state it categorically that our Party abides by one principle, which it has previously publicly stated, namely, that wherever the labour power of a person is utilized by the economy of this country at any stage either in the past, the present or the future, by the very reason that that

labour power of that person was thus utilized, that person must be entitled to the right to citizenship if he claims it on the basis of that simple test alone. And if the Government says that this is to lay the road open to dual citizenship, Sir, this is a new idea. I do not think any country need be alarmed over this question.

In fact, anyone who carefully studies this Bill would see that it is perfectly arguable on the basis of Clause 8 that the actual objection which governs this Bill is not the definition of citizenship but the definition of dual citizenship. Clause 8 says:

"No person who is a citizen of any other country under any law in force in that country shall have the status of a citizen of Ceylon by descent unless he renounce, citizenship of that other country in accordance with that law".

You will see that two burdens are cast upon that person—one, that he has already the burden of proving the right to citizenship by descent; two, that he has another burden, the burden of providing the negative, that he is not entitled by some law in some other country to its citizenship.

Now, this is not merely a vicious principle; this is an indefensible principle, for it means that a section of the population in this country is to be penalized by reason of the legislation of some other country. Sir, it is not within the power of this country to insist that the citizenship laws of some other country shall be as narrow as our own. If there is any country in this world which is ready to accept any man, woman or child who comes within its confines as a citizen of that State, who are we to deny that right? And who are we to contest it? But who are we also, Sir, because another State is liberal, because another State is ready to accept many people whom this country would wish to exclude from the principle of citizenship, who are we, therefore, to say that people who are thus absorbed or absorbable by that State shall not have citizenship with us?

No, Sir. This is the principle which, in relationship with the descent principle, will actually work the major hardship in the working of this Bill; and that is why I say that whatever else be there, unless the principle we referred to is included in the Bill—that is, unless the

right of the worker to be a citizen in the State in which he labours, unless the right of the worker not to be a helot, not to be subjected to special legislation, but to have every right of every other citizen of that country is recognized—to us on this side of the House, no Citizenship Bill can be acceptable in principle.

Finally,—I mean finally in relation to my whole speech as distinct from an aspect of the matters I was dealing with—I wish to make, just as I did at the beginning, one or two general remarks.

Sir, I said when I started, that the conditions of citizenship are determinative of the fabric of the State. I meant thereby not merely its social composition. In the long run it will be found that if you limit citizenship to a particular section of the population, be it a class, or be it the adherents of a creed, or be it a caste, you will thereby in the long run also determine the nature of the legislation, the sort of social policy that that State will follow.

Consequently, a Citizenship Bill, and this Citizenship Bill in particular, is, in our view, far more important even than that so-called Independence Bill with the Debate on which, early in the life of this Parliament, this Parliament set out. No, Sir. We may be free. We may be unfree. But it is necessary, free or unfree, that every labouring man in this country has a right of participating, not only participating in the decisions of the State, but also participating in the advantages that flow from the positive, economic and other policies of that State.

That is a basic principle. This Government has thrown it overboard, and by throwing it overboard it has once again illustrated, as its whole policy in this Parliament has illustrated, that it is the instrument of a class functioning today, not unconsciously, but consciously, as the instrument of that class. If the struggle between that class and the workers has taken the shape of legislative measures in this Parliament, let us remind the Government, as I had occasion once to remind the Minister of Transport and Works, that it will not be ultimately and finally decided within the arena of this House alone; for, with this Government building for itself outside by legislation of this nature, a tremendous

volume of social hostility and discontent, its very aim of building a stable, social and economic structure for exploitation by its own class will be endangered.

If they will not listen to our reminder from our class angle, let them at least look at it from the angle of their own interest.

I say, Sir, it will be found that we of the Opposition, in voting against this Bill, will not only have taken the first step in the struggle against that campaign of racemongering that has disgraced the political life of this country, but that it will also have taken another step towards that ultimate consummation, namely, the ending both of this Government and of the system which it represents and defends.

2.36 P.M.

The Hon. Mr. Jayewardene: Mr. Speaker, I do not intend to follow the hon. Member for Wellawatta-Galkissa into the maze of political, economic, social, philosophical, Marxist and neo-Marxist theories which he propounded to the delight of the House today; but I do agree with him in one statement which I was able to remember, and that is, that a Government, though it has the power to determine the composition of its population, in giving effect to that power, must be guided by certain considerations and must be limited by certain qualifying factors.

We, as the Government, cannot bring forward legislation which will confer citizenship only on, let us say, members of a certain political party, or on citizens or members of a particular race. In bringing citizenship laws, those laws must be conditioned by local factors, by economic considerations, as well as international reactions.

Therefore, I do agree with the hon. Member for Wellawatta-Galkissa that in bringing forward citizenship laws, you are conditioned by certain factors. That is also the point at which he as well as those who follow him disagree with our policy; that is where the Government and they differ. I will show, in the course of my speech, what factors have conditioned the Government in bringing these particular citizenship laws.

[Hon. Mr. Jayewardene.]

The hon. Member for Wellawatta-Galkissa also criticized the Government for not speaking through its Members prior to leading Members of the Opposition taking part in the Debate. The reason is that there is no one Leader of the Opposition. After the Hon. Prime Minister has moved his Bill, we must know exactly what are the views of the Opposition or the various groups of the Opposition. Is the Opposition going to attack this Bill according to one set line of attack, or are they going to place before this House and the country three lines of attack, as placed before us by the three different Leaders of the three Opposition groups?

Therefore, we thought it better to hear these three Leaders of the Marxist groups before a Member of the Government decided to reply to some of those criticisms.

It would have been easier if some of these hon. Members who oppose the Bill had maintained a consistent line of attack on what should be the composition of our population, and what should be the rights enjoyed by those who are immigrants in this country. But, Sir, the hon. Member for Ruwanwella, although he said today that we should be careful of the attitude of India, that India is a great colossus bestriding this narrow world and we should beware what she will do in a few years hence, yet that was not the attitude he adopted in 1939,—

Dr. Perera: Why not?

The Hon. Mr. Jayewardene:—when in this House—

Dr. Perera: Not this House.

The Hon. Mr. Jayewardene:—a Resolution was introduced for sending away certain non-Ceylonese who were in Government Service.

Dr. Perera: On economic grounds.

The Hon. Mr. Jayewardene: The hon. Member for Ruwanwella said, "We do not care what India does".

Anticipating, Sir, a temporary lapse of memory, I have fortified myself with a copy of the *Hansard* of May 24, 1939. When the Hon. the Financial Secretary (Mr. H. J. Huxham) moved a Supplementary Estimate for the payment of monies to a large number of non-Ceylonese who were employed in Government establishments in order to send them back to India, the two Members of the Lanka Sama Samaja Party who were in Council then, the hon. Member for Avissawella, Mr. D. P. R. Gunawardena, whose spouse today is a Member of this House, and the hon. Member for Ruwanwella, Dr. N. M. Perera, strongly supported that Resolution.

The hon. Member for Avissawella said that a serious illness requires a desperate remedy. The actual words were:

"Dangerous diseases require desperate remedies. We are in favour of total prohibition of immigration into this country, and the repatriation of those who have not been in this country for at least five years; legislation should be introduced without delay."

He said:

"It will undoubtedly give a certain amount of relief if we repatriate those in Government Service with under five years' service, but, Sir, so long as the big commercial houses and industrial establishments continue to employ non-Ceylonese, the position of Ceylonese in this country, their standard of living, their ability to organize trade unions and their capacity for fighting to raise their standard of living, cannot in any way be improved."—OFFICIAL REPORT, May 23, 1939, Vol. II., C. 1759.]

Those words may have come from the mouths of this reactionary Government!

The hon. Member for Ruwanwella said that he had discussions with Pandit Nehru when he was in India. He went on:

"Certain Members have raised the question of antagonizing Indian interests. I am not afraid of that."

Let me tell the hon. Member that, following his example, this Government is not afraid of antagonizing India.

He further went on:

"What worried and pained him (Pandit Nehru) was the attitude adopted by some people in this country who were anti-Indian and who raised the racial issue. That I repudiated as strongly as I could. I said that the attitude we adopted was purely based on economic reasons,"

Dr. Perera: Quite right.

The Hon. Mr. Jayewardene:

"in order to safeguard the nationals of this country" [OFFICIAL REPORT, May 24, 1939, Vol. II., C. 1783.]

Why do you not say "Quite right" now? That was a far more dangerous and a far more detrimental measure against the Indian interests than this Bill, because certain people who had come to this country and were employed by this Government were asked to go away from this country with all their belongings; they were given a return ticket to go to India; and Pandit Nehru strongly criticized the action of this Government, saying: "You should not have taken unilateral action; you should have consulted us." What does the hon. Member for Ruwanwella do? Not only does he support the action of the Government, but he does it in the interests of the people of Ceylon, in the interests of the Ceylonese, in their economic and national interest, and says not only that these people should be asked to go away with the payment of a certain amount of money for a railway pass, but also that we should stop immigration altogether and repatriate the people who had been here for less than five years. He says, "Don't you be afraid of India; we are doing this for economic reasons and in the interests of the nationals of this country; and the step taken is quite right."

That is exactly the attitude we take today—for economic reasons, not for racial reasons; in the interests of the nationals of this country, and not in the interests of India. We should not be frightened even if the whole world were ranged against us.

I said it is rather difficult for us to immediately follow upon one Member of the Opposition until we know what is the collective view of at least those Marxist groups, because the Indian Congress undoubtedly will have a different attitude; it will be undoubtedly racial in its context.

Mr. G. R. Motha (Maskeliya): No!

The Hon. Mr. Jayewardene: I do not know what attitude the Tamil Congress will take because, on the previous

occasion, Mr. G. G. Ponnambalam opposed the Supplementary Estimate and took a view contrary to that of the hon. Member for Ruwanwella. We must, as far as the Government is concerned, wait until certain Members of the Opposition have expounded their views, so that we may reply to them for a proper Debate to be conducted. Now that we know the views of the Leaders of at least three Opposition Parties, I take upon myself to reply to some of their criticisms.

First, I may say that this Bill is only a Citizenship Bill. It does not confer any rights; it does not confer any duties on anybody in this country. It merely creates a status. This Bill has been introduced by the Government as one of the first fruits of our freedom. Many years of agitation were carried on by the Leaders of this country. One of them, the Prime Minister as the hon. Member for Wellawatta-Galkissa pointed out, must be very proud indeed that his desires have been consummated in his lifetime.

So long as we were in the British Empire, under the common laws of England, all persons born within the British Dominions, with certain exceptions, were natural born British subjects. The citizens of India, of Burma, of all the colonies in the British Empire, the citizens of England, and the citizens of Ceylon—I am using this term purely in the sense of human beings—became British subjects. Indians, therefore, had the right to come to Ceylon without any hindrance whatever; Britishers had the right to come to Ceylon without any hindrance, and occupy any post, buy any land, enter into any employment, and carry on any trade.

But when we became a free country, as all free countries have the right, we have the right to decide who should be citizens of this country. Once that question has been decided, once this Bill is passed, it will be time then to introduce the other Bills which confer rights, and impose duties, on citizens of a Free Lanka.

This Government, I have no doubt, will, in course of time, introduce Bills ensuring that certain forms of employment should be given only to citizens

[Hon. Mr. Jayewardene.]
of Ceylon. The hon. Third Member for Colombo Central, in the course of his speech today, rather suspected that such a Bill would be introduced and spoke in a strain of opposition to it—

Mr. Keuneman: Citizenship rights mean the enjoyment of—

The Hon. Mr. Jayewardene: I am glad to learn that he does not oppose it, because I have here certain documents to prove that when he was a member of the Ceylon National Congress, he, in very good company, supported a resolution to the effect that legislation should be introduced conferring citizenship rights on people who are qualified to be citizens of Ceylon, that all non-Ceylonese who started commercial, banking, agricultural, industrial and other enterprises, should raise 50 per cent. of the capital in this country, that they should appoint half the directorate from Ceylon citizens, and employ in all their businesses 75 per cent. Ceylonese personnel.

That was the view of the hon. Third Member for Colombo Central when he was a member of the Ceylon National Congress. We are only putting that idea, that hope, that aspiration, into legislative form. Before we introduce quota legislation with regard to employment and with regard to other conditions, commercial and social, in this country, the first thing to do is to define who is a Ceylonese, who is a citizen of this country, who are the persons upon whom we are going to confer these rights and impose these obligations.

Once we cease to be British subjects, with our freedom, we cannot live in a vacuum. Somebody must be there to take the place of the British. Therefore this legislation has been brought in.

I have looked up the legislation of other countries—of America, England, Canada,—I do not know whether India has enacted citizenship laws—of Russia, but nowhere did I find any meeting ground, any common principle that one could say was consistent in all these Nationality Bills. It seemed to me that each country introduced its citizenship laws according to the economic and other conditions prevalent in that country.

If hon. Members will look at this Bill carefully, they will see that with regard to certain aspects we are in complete agreement with certain other free, democratic countries.

In Ceylon it is contemplated that three types of people will become citizens of Ceylon: there will be citizens by descent, citizens by registration, and persons on whom citizenship is conferred—certain distinguished people who will not number more than 25 a year. We need not worry about that 25 a year.

With regard to citizenship by descent, there are two important factors to be considered. Under this Bill, an "appointed day" is to be nominated. There may be people who are entitled to citizenship rights, who were born in Ceylon before the appointed date; then there may be certain other people who are entitled to citizenship rights who were born after the appointed date.

With regard to those born after the appointed date, there is very little difference between the legislation proposed in Ceylon and the legislation in England: our legislation says that on or after the appointed date, a person, whether he is born in Ceylon or outside Ceylon, if his father is a citizen of Ceylon, is entitled to citizenship rights. If he was born before the appointed date, different considerations arise, according as he is born in Ceylon or born outside Ceylon. If he was born in Ceylon, he will have the status of a citizen of Ceylon by descent if his father was born in Ceylon, or if his paternal grandfather and paternal great-grandfather were born in Ceylon.

If the person is born outside Ceylon, similar considerations arise.

With regard to those who were born in Ceylon before the appointed date, and also with regard to those who were born outside Ceylon before the appointed date, hon. Members would be quite right if they maintained that our legislation, our conditions, are different from those obtaining in other parts of the world.

It is different because the environment in Ceylon, the economic conditions in Ceylon, are different from the conditions that exist anywhere else in the world.

With regard to citizenship by registration, there are three main groups.

A person who claims to become a citizen of Ceylon by registration must be of full age and of sound mind.

I do not think anybody would object to that condition. Then, the applicant for registration as a citizen of Ceylon must be a person whose mother is or was a citizen of Ceylon by descent or would have been a citizen of Ceylon by descent if she had been alive on the appointed date, and who, being married has been resident in Ceylon throughout a period of seven years immediately preceding the date of the application, or, being unmarried, has been resident in Ceylon throughout a period of ten years immediately preceding the date of the application.

The other group would include a person who is the spouse, or the widow or widower, of a citizen of Ceylon by descent or registration, and has been resident in Ceylon throughout a period of one year immediately preceding the date of the application.

Then we have provisions dealing with cases of people who have been Ceylon citizens but who have lost that citizenship by acquiring another citizenship and who want to regain Ceylon citizenship.

The easiest way of becoming a Ceylon citizen, under Clause 11 of this Bill, is to marry a Ceylon citizen! That way is open to every Indian in this country, to every Englishman in this country. Marry a Sinhalese or Tamil, Burgher or Ceylon Moor, and you immediately become a Ceylon citizen! Clause 11 of the Bill makes that quite clear—whoever is the spouse of a Ceylon citizen becomes a Ceylon citizen. You do not require residence except for one year, nor any of these other qualifications, that your father, or grandfather, or great-grandfather should have been a Ceylon citizen. All you need is to marry a Ceylon citizen and you become a Ceylon citizen with all its implications, with all its rights and obligations.

Hon. Members naturally wish to know why we have rules different from those obtaining in other countries, and why we have made stringent rules regarding

those who were born in Ceylon before the appointed date. That is a crucial part of this Bill, which hon. Members have attacked. The reason is this. I do not think it is necessary for us to hide it.

In this country we have an immigrant problem. That problem was not created by this Government. It was not created by the Sinhalese. I remember a former Member of the State Council representing Narammala (the late Mr. Siripala Samarakkody) citing in the State Council certain dispatches sent by British Governors to England to the effect that they deliberately introduced Indians into Ceylon so that the Sinhalese race may be crushed and destroyed.

Whatever the reason for the influx of Indians into Ceylon may be, today we have in our midst 730,000 Indians, a large number of whom can be said to be immigrants, who have one foot in Ceylon and one foot in India. When the first Japanese bomb fell on Colombo, these people shut up all their shops in Colombo and ran away to India, because Ceylon was not their mother-land.

This problem covers the whole Island. Hon Members may be interested to know that when the Supplementary Estimate I spoke of was introduced in the State Council, the number of people employed in the Public Works Department was, Ceylonese, 7,540; Indians, 4,225. In the Railway, Ceylonese, 7,639; Indians, 3,119. In the Post office, Ceylonese, 1,496; Indians, 1,360. In the Municipality of Colombo, Ceylonese, 1,401; Indians, 2,981.

The figures relating to business houses in Colombo tell more or less the same story. In Main Street of 150 business houses, only 32 belong to Ceylonese. In Second Cross Street, of 117 business houses, only 14 belong to Ceylonese. In Keyzer Street, out of 117 business houses, only 14 belong to Ceylonese. The vast majority of the rest belong to Indians.

We do not mind if there are in this country Indians, by race, or Europeans, by race, or Germans, or Russians, by

[Hon. Mr. Jayewardene.] race, provided they are citizens of this country. This is not a racial Bill; it is an economic Bill.

When we say that those who were born before the appointed date must fulfil these conditions before they can become citizens of Ceylon, those conditions apply to Indians as well as to Europeans. We do not make any distinction so far as race is concerned.

It may be that the Opposition, at least the three Marxist Groups, when they object to this Citizenship Bill, are guided by motives other than purely ethical or economic—

The Hon. Mr. Goonesinha: Definitely they are.

The Hon. Mr. Jayewardene: The hon. Member for Ruwanwella is well aware that in his electorate, out of a population of 73,000, Indians number 20,000. He is also alive to the fact that he is a member of a Party whose main headquarters are in India, the Bolshevik-Leninist Party of India. His Party is, I take it, only the Ceylon Branch—the L. S. S. P. of Ceylon.

The hon. Member for Wellawatta-Galkissa, I am sorry he is not here now, gave an interview—

Mr. W. Dahanayake (Galle): We are here!

The Hon. Mr. Jayewardene:—gave an interview to the "Hindu" of Madras on November 27, 1945, in which he stated that his Party, the B. L. P. (India) stood for the unrestricted immigration of Indians into Ceylon, and for the conferment upon them of full citizenship rights—

Mr. Dahanayake: Read the full thing. Do not take one sentence and twist it.

The Hon. Mr. Goonesinha: It is a "fool" thing.

The Hon. Mr. Jayewardene: The full thing will be much worse,—

"We are opposed", he said, "to any restriction that takes away or limits the rights of Indian workers. We do not regard the Indian working classes as aliens."

There was an incident some time ago—about January 1947—when the hon. Member for Ruwanwella and his colleague, the ex-Member for Avissawella, were expelled, or perhaps when there was an attempt to expel them, from the Bolshevik-Leninist Party of India. Why? Because they did not follow the decision of the Central Committee which exists and operates in India.

Dr. Perera: From where did you get all this information?

The Hon. Mr. Jayewardene: There was a meeting of the Regional Committee, and at the meeting of the Regional Committee the hon. Member for Ruwanwella moved an amendment "that the Regional Committee, whilst acknowledging its duty to this Central Committee" which operates from India, "desires to restate its original resolution and urges that the Central Committee should agree to give the L. S. S. P. Ceylon Unit, B. L. P. (I) Section of the 4th International an opportunity to consider the full implication of the decision of the Party Court". The Central Committee is an Indian Committee with Headquarters in India.

That resolution was not passed, and the hon. Member for Avissawella was expelled from the B. L. P. (I), and the L. S. S. P. section, led by the hon. Member for Ruwanwella was characterised as an "unconstitutional caucus."

What I am trying to emphasize is that these three political parties, without exception—the L. S. S. P., the B. L. P. of India, and the Communist Party—are not interested in the nationals of this country. They are Indian Parties, financed by Indian money and are subject to the directives, control, and the decisions of their Party Heads in India. When, therefore, they come into this House and have to consider legislation which undoubtedly—I do not want to hide the fact—will affect the Indian immigrants in this country, one cannot expect them to take into consideration

the interest of the Sinhalese, Tamils, Muslims or the Burghers, who call Ceylon their Fatherland.

Mr. D. B. R. Gunawardena (Kotte): You do not call it!

Mr. Speaker: Order, please!

The Hon. Mr. Jayewardene: The hon. Third Member for Colombo Central attacked the Government for seeking to create racial conflict. My submission—

Mr. Keuneman: I said "class conflict".

The Hon. Mr. Jayewardene: My submission is that this Bill, once it is passed, will solve the problem of racial conflict in this country. The reason why racial conflicts arise, the reason why there is animosity between Ceylonese and Indians, is because we feel that if there is unrestricted immigration into Ceylon from India—we are aware, Mr. Speaker, that India is a vast country with a very low standard of living—their labour will be exploited, and the people of Ceylon, who are used to a much higher standard of living, will not be able to compete with them. For instance, in India a school teacher was paid only Rs. 15 a month before the Congress Government came into power. Since then, their salary has been increased three or four times, but the salary of a Ceylon school teacher is Rs. 100 per month. In the Government schools, at any rate, the minimum salary which a teacher gets is Rs. 100 a month.

With regard to peons, labourers, &c., in every way the conditions of life in India are, unfortunately, much worse than in Ceylon. I do hope, and I have no doubt, that when the Congress Government has been able to rectify these mistakes there will be no necessity for immigration of Indians into Ceylon. These men have come here in the past because of better salary conditions and better climatic conditions. We have not only got to rectify the errors of the past; we have to look to the future also. That is the main purpose of this Bill.

We are seeking, first of all, to create a Ceylon citizenship. In seeking to

create a Ceylon citizenship we cannot hide from ourselves certain facts that exist today. There is the problem of 700,000 people who owe allegiance to another country, whom we cannot possibly absorb into our permanent population. A certain number of them we can absorb, and must absorb, if they satisfy the conditions that we have laid down. We do not say: "Because you are an Indian or an Englishman, you cannot be a citizen of Ceylon". We say: "We will welcome you with open arms if you satisfy the conditions that are laid down in this Citizenship Bill. In the future too, whatever your race may be, whatever your creed may be, whatever your other factors may be, we are prepared to accept you as a free citizen of Ceylon, provided you satisfy these conditions". I therefore say, on behalf of this Government, that this Bill has not been introduced in any petty spirit, nor has it been introduced for the purpose of racial discrimination; it has been introduced purely in the interests of the people of Ceylon and not, as the hon. Member for Ruwanwella and his colleague said when the Bill was introduced, to ask certain non-Ceylonese to leave their employment in Government Service.

I do not think that this Government will be intimidated into not carrying out what it thinks is its very prime and fundamental duty to the people of this country by introducing this Bill. We do not wish to quarrel with India. We want to be on the friendliest terms with India not only because we realize that India is a powerful country, but also because we realize that we owe our heritage to the great Indian leaders. That does not mean, however, that we are going to bow down to India or any other country if they seek to poke their fingers into our internal affairs. We want to remove from our national life this blot of conflict between Ceylon and India. Once this Bill is passed, and once other legislation—other concomitant legislation—is passed by this House, I feel that the citizens of Ceylon, to whatever race they may belong, will welcome Indians as citizens of this free Ceylon. To whatever race they may belong, the citizens of Ceylon can be the friends of the citizens of India and citizens of the whole world.

3.08 P.M.

Mr. I. M. R. A. Iriyagolla (Dandaga-muwa): සහාපතිතුමකි, මෙයි මාත්‍ර ඩුම්ස් පුරවැසි භාවය පිළිබඳ ඉරණම විසඳෙන මේ වැදගත් අවස්ථාවේදී මෙයි මාත්‍ර භාජාවෙන් කරා කරන්නට ඉඩ ලැබේ ගැනීම ගැනීම මම ඉතාමත් ම ආඩම් බෑර වෙමි.

අප මෙහිදී කළුපනා කළු යුත්තේ ඔමකි
පැමිණ සිටින ඉත්දියන් කාරකින සිම් කිරීමෙන්
අපට පාර්ලිමේන්තුවේ පැමිණීමට බාධා
වක් එවි ද ආධාරයක් එවි ද යන්න නොවේ සි.
මේ ප්‍රශ්නය විසඳිය යුත්තේ ඒ කරුණ උඩ
නොවේ සි. මේ ප්‍රශ්නය විසඳිය යුත්තේ හිත
අතිත බලා එහි මහු වන සත්‍යය, අව්‍යා
හැඟීම උඩ බව මත මෙහිදී කියමි.

സംഘാതനിനുംബിനീ, ലോകയേ ആര്തി ചിയല്ല മാർവ്വല് അക്ക മ രഥക്ക് വീ ദാർ, ലോകയേ ആര്തി ചിയല്ല മ ശത്രീനീ ലക്ക മ പുത്രയുക്ക് വീ ദാർ, ലോകയേയുമില്ല ബാക്ക് ആഞ്ചും തിരുവിനാൽ ലേ ആഞ്ചും ചിയല്ല മ അക്ക മ ആഞ്ചുംവുക്ക് വീ ദാർ, മേഖല കുഹനമി നിന്തി അവക്കാം വഞ്ഞേന്നേ നൂറു. തുമ്പിക്ക് തേണി ലോകയേ ആര്തി രഥവല്ല അക്ക മ രഥക്ക് നോവന ബാക്ക്, ലോകയേ ആര്തി തിരിവ ആഞ്ചും അക്ക മ ആഞ്ചുംവുക്ക് നോവന ബാക്ക്, മേഖല കുഹനമി നിന്തി തീനിയ മുഖ്യ ദാവി ലംഗു ക്രസ്തവാദി. അതു കൈക്കേം വുവിത്ത്, മേഖല നിന്തി പൂഞ്ഞവീര കുട്ടിയുംനുംനേ രഖി തേരവായാണ്, ശത്രീയും സമിഖാവി നിയ ഗൗരവയാണ് ജൂഡക്കലാവി തിയ യന ദി.

ජනික ගැහැලි ගැන මා දින්නා සිසා ඔම සම්බන්ධව පුදුදු අදුම්ජ් ක්‍රියා කරන බවට මට කිසේ සැකයික නැහැ. නමුන් මා එකක් කියන්ව කැමති යි. එක් ගොවයක් පමණක් බලා අනික් ගොවය නොදුකා බව නම් මේ පනාකට එකඟව අනා ඔසවන්නට නොහැකි බව යි.

The Hon. Mr. Goonesinha : The word “கக்கவி திசைகள்”—I rise to a point of Order, Sir. I may say that the Hon. Minister of Finance made reference to those words—

Mr. A. Reginald Perera (Dehiowita): That is your imagination.

The Hon. Mr. Goonesinha: Not my imagination. It is yours. Please allow me to speak. The Hon. Minister made use of those words—that he was not afraid. The hon. Member in his speech refers to persons who use such expressions as “**නුකුකුඩි මේසිස්ස්**.”

Mr. Dahanayake: "තක්කවියා" means diplomat.

The Hon. Mr. Goonesinha : It may apply to the hon. Member for Galle.

The Hon. Mr. Jayewardene: May I say that I was quoting the words of the hon. Member for Ruwanwella.

Mr. Speaker: I must make my Order. I do not think there is any point of Order, because the hon. Member, when speaking, did not refer to any hon. Member of the House. He made a general statement.

The Hon. Mr. Jayewardene : That is so.

Mr. Iriyagolla : සහාපතිතුම් මේ, ඔබගේ සාධාරණ මිනිනිය ගැන ඔම ඔබට සුති කරමි.

සහාපතිතුමෙන්, මහජනයාගේ කිසින්
මුම්පතික්ක භැංච් අප් ජර්මැනිය අංශ සතුරු

කර ගන්නෙමු. අපේ මහජනයාගේ කිසින් අවසරයක්, කැමුණ්තක් නැතිව ජපන් රට අපේ සතුර කරගන්නෙමු. මහජනයාගේ කිසින් අවසරයක්, කැමුණ්තක් නැතිව රුසියාව අපේ සතුර කර ගන්නෙමු. මේ අවසානව ඉන්දියාව දැඟේ සතුර කරගන්ට අපි කැමුණ්නෙමු දී එසේ නම්, එයින් අපට ලැබෙන ප්‍රයෝගනය කුමන් දී දැනට ගර වැට්ටෙන යන එංගලන්තයේ පිහිට ම සොයන් නට යාමන් අපට සිදුවන ලාභය කුමන් දී? අප ලෝකයේ සියලු ම රටවල් සමග සම්බන්ධ සිටිය යුතු යි. අපේ ආස්‍යා පස්තය මේ අන්දමින් කළුනා කළා නම්, ඉන්දියාවේ නායකයන් සහ අපේ නායකයන් එකතුවී යාකුවත් කොට දෙපසුනට ම ගැලීපන පරිදි මේ ප්‍රයෝග සමාදුනයෙන් මිසැඳුගන්ට තිබුණු නමුන් ඒ අන්දමින් විසඳුගන්නා. එසේ නොකර මේ අවසානව ඉන්දියාවෙන් ගන්නේ සියලු විදෙනින්ට ම මෙරට රටවලැසිහාවය අසිම කොට තුළුනා ගුළු යි. එයින් ප්‍රයෝග මේ මෙහෙම නොකළාන් උඩිලාට කරන වැඩි බලපළා'ය යි කියා පසුව මුළුව රටවැසි හාවය දීමට නම් එය තුවන්ට තුරු වැඩිය කියා මා කිසිසේන් සිහුන්නේ නැහැ.

Mr. Speaker: There is no threat from the Government side at all. That is a wrong word to use.

The Hon. Sir John Kotellawala (Minister of Transport and Works): Let the hon. Member speak English, Sir.

Mr. Iriyagolla: එහෙන්, ඉන්දියාව හෝ වේවා, ආයෝජ්‍ය අනෙක් රටවල් හෝ වේවා ලංකාව සමග සම්බන්ධ විය යුත්තේ ඒ රටවල පමණක් ප්‍රයෝගනය පිශීය නොව ලංකාවේද ප්‍රයෝගනය පිශීය යි. එය ජනි-මධ්‍යමය ඇති, ජනි-වාත්‍යලුය ඇති හැමදානා විසින් ම අපේසා කරන දෙයක්.

එය කොසේ වෙනත්, මේ ප්‍රයෝග විසඳුමින් අප රට මිනිසුන්ගේ—මේ රටවි ඉපිදි, පරමිපරාගණනක් මෙහි ම ඇට ඒකීකොට මේ රටවි ම මැරෙන්නට සිටිනලා-කිකුමිසුන්ගේ—තෙවිය විශාල සැලකිල්ලට හාජා කර ආරසා කිරීම ගැන නම්, අයලුතිනුමාට මෙයි ගෙරවය සිම් වෙනවා. මිශ්‍යාපනයන් ම උඩිවට ප්‍රසාද්‍යාවල ඉ-ල්‍රිස් මිනුකාරයන් විසින් සිකියාපන්ම් භූමියේ සිටි නැහැ. මේ පහත අැනුම් සම්බන්ධ විවිධ නැති අනාදරය නිසා නොව මේ රටව ඇති ආදරය නිසාම යි.

කනාගාවූ දැයක යි. යුතු හමුද ගෙනා ගොස් බයින්ත්තුවේ බලයෙන් දුෂ්පත් මහජනයා මුළුන්ගේ ඉඩම් වලින් එලවා දමා, ඉන්දියන් කාරයින් මෙහි ගෙන්වා, ඒ ඉඩම් ඉ-ල්‍රිස් කාරයන්ගේ යහපත පිශීය වටා, ගැනීමෙන් උඩිවට මිශ්‍යාපනයන් අද අනාථ ව සිටින බව පමණක් මෙහිදී ඔබ විසින් මනකකර දිය යුතුයි.

මේ පුරවැසි හාවය පිශීබද ප්‍රයෝග විසඳුමින්ද උඩිවට මැසියන් අපේ වැඩි සැලකිල්ලට හාජා මිය යුතුන් ඉන්දියා ජ්‍යෙෂ්ඨයන්ට දැක්වන අනාදරය නිසා නොව අපේ රටවි මිනිසුන්ට අප එසින් අවකාශයන් ම දැක්විය යුතු වැඩි ආදරය නිසා යි.

කොසේ හෝ වේවා, දැනට මෙහි සිටින සම්බන්ධ ඉන්දියන් කාරයන් නම් නමන් ලාංකිකයන් වියයෙන් ප්‍රාග්‍රාමා කරන බව සහස්‍යකි. නුමුන් අනෙකු අය? ඒ අය ලාංකිකයන් වියයෙන් මෙහි සික්‍රා පදිංචියට සතුවූ නැහැ. ඒ අයට ඉන්දියාවන් තිනු; ලංකාවන් තිනු; නිදිශීනයක් වියයෙන් දැක්වනාවා, නම්—දැන් මෙහි “ලංකා-ඉන්දියන් ජනික සංගමය”, “ඉන්දියානු වනු කළිකරු සංගමය” කියා සංක්‍මී දෙකක් පිශීවාට, ගෙන තිබෙනවා. එවායේ නම්වලින් ම අපට පෙනී යන්නේ ඒවා ඉන්දියාවට අයිති, ඉන්දියාවට ගැනීම් සිටින ජ්‍යාවා, බවයි. නුමුන් මෙයි කළුනාවේ සැවියට නම් මොකක් හරි එකක් තිබිය යුතු යි. මානා තුමියේ, ඉන්දියාවේ එක පයක් භබාගෙන, මෙහි තිබෙන වැසින් ලබා ගැනීමට උත්සා, කිරීම මා සිනහවා අනුබල නොදා යුතු එදායක් ය කියා. මා මොසේ සියන්නේ තිබුන්ට ඇති අනාදරය නිසා නොව මේ රටව ඇති ආදරය නිසාම යි.

ඒ කොසේ හෝ වේවා, මේ පහත සම්බන්ධ යියන් අගමැතිතුමාට සිටිලැට වන් නැති බලතා පවත්‍ය තිබෙන නිසා රට නම් ම මිරුඩ් වෙනවා.

Mr. Speaker: To the Minister, not to the Prime Minister.

Mr. Iriyagolla: ඔවා, රට සම්බන්ධ ඇතිතිතුමා. ඒ ඇතිතිතුමාගේ සියවුමෙන් මොනා ම අධිකරණ ගාලාවකදිවත් විනිවිය කරන්නට මේ පහතට ඇතුළත් සම්බන්ධ අනුව සිටි තිබා නැහැ. මේ පහත ප්‍රයෝගනාවාදයට

[Mr. Iriyagolla.]

3.20 P.M.

එකඟ පනතක් නොවේ ය කියා මා කළුනා කරන්නේ මේ කරුණ තිසා යි. මෙය ඇත්තෙන් ම ප්‍රජ්‍යත්වාදීයට කිසිසේත් සැසඳුන පනතක් නොවේ යි. මේ තිසා මා මෙයට මිරු බව කියන්වකුමති යි. අභ්‍යන්තර කරුණ නම්, මේ පනත අනුව යම් කෙනෙනක් කොන් කරන්නට වුවමනා වූ මිට, මොහුගේ පරපුර මෙහි සිටින අයගෙන් පැවතා එන්නක් නොවේ ය කියා දස්වන්නට පුරුවන් කොටස යි. අනික්ත තුඩා, මේ කොටස අනුව වුවමනා නම් ගාල්ලේ එනුවරයා වූ දහනායක මහත්මයාට පවා, රටවැසි හාවය අනිමි කරන්නට පුරුවනි. ඒ මහත්මයාගේ පියා මිටා ජීවිතයට ඇතුළුවි නිඛෙන්නේ 1852දී යි. යම් කෙනෙනක්, ආණු පස්සෙයේ කෙනෙනක්, ප්‍රශනයක් ඉදිරිපත් කළයාන් ඒ මහත්මයා ලාංකිකයෙකු නොවේය කියා, දහනායක මහතාට තුව ලාංකිකයෙක් ය කියා අභ්‍යන්තර විධියට බැංසු කරන්නට ඉඩක් නැඟැ. ඔඡ්සු සිරීම පැවරි නිඛෙන්නේ දහනායක මහතාට කියා, එසේ ඔඡ්සු කරන්නට බැංසු වූ මිට, අමත්තුමාට කැමති නම්, ඔහු ලාංකිකයෙකු නොවීමේ එම් කරුණ උඩ පාර්ලිමේන්තු සභාවෙන් පවා ඉවත් කර දමන්නට පුරුවනි.

සහාපතිතුමෙන්, මේ පනත මට තේරෙන හැටියට එවැනි ගිනුවක්කාර බලකල නැඩි දෙයක් ය කියා කියන්ව පුරුවන් කමක් නැඟැ මේ පනතේ ව්‍යවසාය දෙය බලන මිට ඇතුළු තුමාගේ කන්තිය ඉතා ඔ බලවන් තන්තියක් බව නොකියා ම බැඟැ. සියයට සියයක් මහ ජනයා වෙනුවෙන් පෙනි සිටින ආණුවක් වන් නොගත යුතු තන්තියක් සියයට හතළියක් මහජනයා වෙනුවෙන් පෙනි සිටින ආණුවක් වන මේ ආණුව අරගෙන සිටින බව මෙයින් පෙනි යනවා. එය කිසිසේත් යුතුවී සහයක ය දි කියන්නට බැඟැ. එය ඇත්තේ විශයෙන් ම කිසිම ප්‍රජනත්වාදීරටත ත්‍රිතිය යුතු දෙයක් නොවේ යි.

සහාපතිතුමෙන්, තමුන්නාසේසේගේ කාලය මේ වඩා මා ගෙව යන්නේ නැඟැ. තමුන් මා අත්තිම විශයෙන් කියන්ව කැමැත්තේ, මේ පනත මිට ඇතුළත් අභ්‍යන්තරන් සමඟ ම ඉදිරිපත් නොකළ කියාන්, උට සඛ්‍යතා ඇත්තා නිසාන් මා මිට මිරු බව බවයි. [Digitized by Noolaham Foundation](#) [noolaham.org | aavanaham.org](#)

Mr. D. B. R. Gunawardena : ගරු කරා නායකතුමති, මෙබඳ පනතක් සඛ්‍යතායෙන් මට මෙය මානා හාභාවෙන් කරා කරන්නට පහසුකම් සලසා දීම ගැන ඔබනුමාට එ ප්‍රථමයෙන් සැක්‍රිති කරනවා. මෙබඳ පනතක් මේ විසි වැනි සතු ව්‍යිමේ ඉදිරිපත් සිරීමට මෙබඳ බනපති ආණුවකට අදහස් වූ යෙන් මානා කාරණයක් කියා ද කියාන් අපට මේ අවස්ථාවේදී තියම වශයෙන්, බෛඟයේ පහසුක්වන්, සේරුම් ගන්නට පුරුවන්. ඒ මින්හියා ද? මෙරට දැනට ඇති ආණුව අපුරුදු 130 ගණනක් සිස්සේ මුතානා අධිරුණු යට ඇතුවැඩිකම් කළ ආණුවක් කියාන්, මෙරට වැඩි කරන ජනතාව ගෙවා දකින්න් ප්‍රින්ස් ගුම් සක්‍රීය පැහැර —

An Hon. Member : ඒ මානාකක් ද?

3.20 P.M.

Mr. D. B. R. Gunawardena : පැහර ගැනීමට ඉදිරි කාලයට ද වැඩ සලසා ගැනීමට සුදුනම් වන ආණුවක් කියාන්, මේ බනපති ආණුවට මෙබඳ පනතක් ලේඛ හය නැඩිව ඉදිරිපත් කරන්නට පුරුවන් වුණ.

මේ සඛ්‍යතායෙන් මා විශයෙනෙන් කියන්නට අදහස් කරන්නේ, මේ පනත මෙරට බනපති ප්‍රකාශීයටත් අධිරුණු වාදීන්ට සේවය කරන්නවුවටත්, විරු බව නැඩි ගෙන එන මෙරට වැඩි කරන ප්‍රකාශීයේ මිපලුව සභාවය සංඛ්‍යාලියන් ම නැඩි සිරීම සඳහා, මිනා කිරීම සඳහා, ඉදිරි පත් කරන ලද පනතක් කියා යි. ඒ බව මේ අවස්ථාවේදී මා අප්‍රාමාන්‍යවරයාට තේරෙ ප්‍රකාශ කරනවා.

ඒ වාගේ ම මා කියන්නට සනුවුයි සොල්බරි ව්‍යවසායාවෙන් 13 වැනි වගන්තියන් මේ පනතට ඇතුළත් කර නිඛෙන බව — ගයෝල්බරි ව්‍යවසායාවෙන් 13 වැනි වගන්තියන් 'F' නොවය. බව, 'F' කොටස.

දැකුණ ආප්‍රිකාවෙහි ඇති එබඳ කැලු නිතියක් සොල්බරි වාත්‍යාවට අඩංගු කළා වාගේ අනුමානයනුමා කැලු සිට අවුන් මේ කැලු නිතිය, මේ ප්‍රජනත්වාදීය අනුව වැඩි කරන්නට සුදුනම් වන සභාවකට ඉදිරිපත් කිරීම ඉතා ඔ ලේඛ සහිත, කිඩු සහිත කාරණයක් යය මා මේ අවස්ථාවේදී කියනවා.

Mr. Speaker : Withdraw the word

Mr. D. B. R. Gunawardena : කිනු සහිත කියන වෙන අස්කර ගන්නවා. ඒ වෙනුවට ඉතාමත් ම ලැංඡ නැති ඉදිරිපත් කිරීමක් ය කියා කියනවා. එපමණක් නොවේයි. මට ප්‍රථමයෙන් කරා කළ ගරු මුදල් ඇමතිවරයා මේ පනත බොහෝ ලක්ෂණට වෙනා කළා. එහෙත්, මේ පනතේ ගැටුවට නම් මුදල් ඇමතිවරයාට වන් රටවැසි භාවය ලැබේද යන්හ මට සැක සහිතයි. ඒ වාගේ ම වැඩික් නැති ඇමතිවරයා—ඉත්තු වැඩ නැති ඇමතිවරයා—ඉපදුන පරපුරේ ස්වභාවය බැඳුවාම්, ඒ ඇමතිවරයාට් මේ පනත අනුව රටවැසි භාවය ලැබේ ද යන්න ඉතා ම සැක සහිතයි.

The Hon. Mr. Goonesinha : උගේ සොයාගාම ද?

Mr. D. B. R. Gunawardena : එම නිසා මෙබදු ලැංඡ නැති නිසිනු—

Mr. Speaker : You must withdraw that word.

Mr. D. B. R. Gunawardena : ඒ වාගේ ම

Mr. Speaker : You must withdraw—

Mr. D. B. R. Gunawardena : ඒ වෙනය ම, අස්කර ගන්නවා. ඒ වාගේ ම, මේ පනත අනුව, දුනට මේ සහාවෙනි පෙනී සිටින, දුනට බලයට පන්ව සිටින අග්‍රාමාත්‍යතාත්මකට වන් පරම්පර ගනව ඇ—

Mr. Speaker : Keep to the Bill. You need not dilate on every Member.

Mr. D. B. R. Gunawardena : පනත සංඛ්‍යාවයෙන් නම් කරා—

Mr. Speaker : This is quite irrelevant. Please keep to the Bill.

The Hon. Mr. Jayewardene : පනත ගැන කරනු කරනු.

Mr. D. B. R. Gunawardena : පනත ගැන නම්. පරම්පර ගන ව එන සිඩින් නිසා අග්‍රාමාත්‍යතාත්මක—[Interruption.]

Mr. Speaker : Sit down.

Mr. D. B. R. Gunawardena : හොඳයි ම, වෘත්තිවනවා. ඔබේ වෙනයට ම, කිරුවෙනවා. [Interruption.] ඒවාගේ ම මේ පනතින්, මේ පනතේ අංශ සංඛ්‍යාව ප්‍රතිඵලික කුරු.

නිසා, අග්‍රාමාත්‍යතාත්මක තිතුවක්කාර එවියට, ප්‍රථමයෙන් කෙමෙන් ම, යම්කිසි අයට මෙරට රටවැසි භාවය නොදී ඉන්නට ප්‍රථමයෙන් බලයක් ලැබේනවා. මිශේපයෙන් ම ඒබලය ලැබේන් නේ 8 වැනි—නැගැ—12 වැනි වගනතිය නිසායි.

එමෙන් ම තිකාල කළීමෙන් ඇත් සොයාටෙව, තිකාල වෙළුදුම් ඇත්ති උදින් උදින් තොටීනැන් කිරීමේ දසු උදින් ඇඟ් අග්‍රාමාත්‍යතාත්මක අවුරුදු 17 මුදල්ලේ ගොඩිනැන් සිර රටට කිසිම ප්‍රයෝගනටත් වැඩික් නොකළ නිසා, අභෙනක් කරුණු පැන්තක තිබියදී මේ කරුණ නිසාවන් එනුමාට රටවැසිභාවය ලබා ගන්නට බැඟැ—ගොඩිනැන් වලට අයිතිවාසිකම් ඇත්ති උදින් උදින් තිකාල වෙළුදුම්, බැංකු අයිතිකාර උදින් උදින්, ලිංකාංඩ් රටවැසි භාවය පරම්පර ගනව නොවේයි අභෙනක් පිවියසින් උවන් අග්‍රාමාත්‍යතාත්මක දීමට බලය තිබෙනවා. නමුත් මෙරටට පිටරවලින් අවුදින්, අවුරුදු ගණනක් තිස්සේ, පරම්පර ගණනක් තිස්සේ මෙරට පදිංචිව සිට නැත්තාම් මෙරටෙන් ම ඉපදි සිය කරිර ගෙනිය ගොදු මෙරටට වසුව උපදිව, දුන් අයට, මේ අධිරිය්‍යවාදී අභෙන පිසින් රටවැසි භාවය සිමා, කිරීම සඳහා මෙබදු පණතක් සැදුනමිකිරීම ලැංඡ නැති නිසිනු වැඩික්.

Mr. Speaker : ඒ වෙනය අස්කරගන්න තිනැ.

Mr. D. B. R. Gunawardena : වෙනය මම අස්කර ගන්නවා—එය ඉතාමත් නරක, අකාරුණීක වැඩික්ය සියා යොදානාවා.

ඒ නිසා, එවැනි පනතක් ඉදිරිපත් කිරීම් අප සම්පූර්ණයෙන්ම හෙඳු දකිනවා. ඒට අප කිකම් විරුධවෙනවා, පමණක් නොවේයි—මේ පාර්ලිමේන්තුව ඇතුළුන පමණක් නොව, මූර් රැවී සැමහුනැන ම ඒ විරුධකිය සියා පාන බව මේ අවසානවෙනිදී මම ප්‍රකාශනයම්.

හැඳුවෙනි, ‘අප හය නැගැ’ ය සියා මුදල් ඇමතිවරයා වෙනයක් දෙකක් පාලිවිච් කළා. නමුත් අද හයලී සිටින්නේ අභෙනක් රටවැසියා නොවේයි. ඇවැඩුකිම් කරන—

The Hon. Mr. Goonesinha : I rise to a point of order, Sir. The word *Attambiya* is unparliamentary.

The Hon. Sir Kotelawala : භාෂාව කැන ප්‍රතිතාවා.

Mr. Dahanayake : No, Sir, *Attambiya* means pupil, ගොලයා.

The Hon. Mr. D. S. Senanayake : I think indecent words should not be used here.

Mr. Speaker : What he meant was pupil—*Attambiya* means pupil.

The Hon. Mr. D. S. Senanayake : *Attambiya* means something else which I do not like to explain here.

Mr. Speaker : If it is objected to, the hon. Member must withdraw it.

Dr. Perera : Objected to by whom?

The Hon. Mr. D. S. Senanayake : I object to it because it is an indecent word.

Mr. Speaker : If the word is distasteful, the hon. Member must withdraw it.

Dr. Perera : Cannot I rise to a point of Order?

Mr. Speaker : Sit down. You cannot speak. A Point of Order has been raised. I have to give a Ruling. I have ruled that the word is unparliamentary and the hon. Member must withdraw it. The hon. Member must use a more suitable word.

Mr. D. B. R. Gunawardena : ඒ වෙනය මා අස් කර ගෙන්නට, ඒ වෙනය පාමිවිත නොකර විසාර වෙයෙන් එය අවිරුණවාදයට යම් ලෙඛින් යැදුළු අවස්ථාවේ—

Mr. Speaker : This is quite—

Mr. D. B. R. Gunawardena : පුරුණ කාලයේ සිවි සිංහල රජවරුන්ට ලෙඛින් යැදුන ලිට එය සුව කිරීමට කැදවන ලද වෙදවරුන්ට ඒ වෙනය පාමිවිත කළු. ගරු මූදල් ඇමති වරයා අපේ පස්සය ගැන කරුණ කිසිපයක් පෙන්නු බව මට මතකයි. ලංකා සමස්මාජ පස්සයේ යම් කිසි ක්‍රියා සියා, වැඩ පිළිවෙළවල කියා ලංකා සාඛාවට ඉන්දියානු කොටසින් වෙන් වන්නට වුණු. මූදල් ඇමතිවරයා, අවිරුණයට විශාල යෙවයක් කිරීම් පැහැදිලි රහස් පොලිසියේ බන්තුකාරයකු වෙයෙන් වැඩකළා ද කියා මා අසන්නට සනුවුයි.

The Hon. Mr. Jayewardene : May I explain? I have in my hand a document published by the Indian Secretary who came to investigate this meeting.

Mr. D. B. R. Gunawardena : කරුණකර වාඩුවන්න.

The Hon. Mr. Jayewardene : This is nothing about the Bill.

Mr. D. B. R. Gunawardena : එම සියා දිසි වෙයෙන් කළා, කිරීම අවශ්‍ය නැහැ. නමුත් මා අන්තිම වෙයෙන් කියන්නේ අපේ පස්සය, මෙරට වැඩකරන පඩික්‍රිය කියන්නේ අපිරුදු ගණනක් පටන් මෙරට වසුව උපද්‍රව,—

Mr. Speaker : It is a repetition. About three-fourths of this is repetition.

Mr. D. B. R. Gunawardena : මෙරට වසුව උපයා දී, මෙරට සැපවන් ජීවිතයක් ගෙනයුම්ව ආධාර උපකාර කළු වැඩ කරන ජනකාවට රටවැසි-හාවය පිළිබඳ අධිතිව, සික්මි නැති කිරීමට අනුමාත්‍යතාතුමා, සුදුනම් වෙනවා, නම්, ඒ කාල සීමාව ඉනා, ම කෙටි වන්නට පුරුවන් බව මේ අවස්ථාවේදී ම, අනුමාත්‍යතාතුමාව මකක් කරන්නට සනුවුයි.

Mr. Speaker : You have one minute more.

Mr. D. B. R. Gunawardena : එම සියා දිසි වෙයෙන් වැඩිදුර කළා, කරන්නට වෙලා නැහැ—

The Hon. Sir J. Kotewala : Say 'හාග වේලා,' and sit down.

Mr. D. B. R. Gunawardena : මේ බහපත් ආණුවෙම් අදහස මෙරට වැඩ කරන පස්සයේ අධිතිවාසිකම් නැතිකර ඒ පස්සය නව කවන් පාකා දමා තමන් සැප විදින්නට නම්, එය කළ දුවන් වැඩිකළු කරගෙන යන්නට ලැබෙන්නේ නැහැ. එමස් අදහස් කරන අය, සුදුනම් වන අය, මෙරට අනුගැර වෙන රටවල—අඩිසිනියාව වැනි වෙන රටවල—පුරවැසි හාවය අරගැනීමට යන්නට සුදුනම් වන්නටය කියා මා මේ අවස්ථාවේදී කියනවා.

The Hon. Mr. Goonesinha : ඒ මිනිහවයි යන්නට ඕනෑ.

Mr. D. B. R. Gunawardena : අවසාන වෙයෙන් මා කියන්නට කැමැත්තෙන්, මෙරට වසුව ඉපද විමට වැඩ කරන පඩික්‍රියට රටවැසි හාවය නැති කරන මෙබඳ උෂ්ණ නැති පනතකට අපේ පස්සය සම්පූජ්‍යයෙන් ම පිරුඩ බව් ප්‍රකාශකිරීම හා රටපුර ම ඊට පිරුඩ කියා කරගෙන යන බවයි. මෙතෙකින් මගේ විවිධ මිශ්‍රපය මා, අවසාන කරනවා.

3.34 P.M.

Mr. S. Thondaman (Nuwara Eliya): Mr. Speaker, not only we on this side of the House realize, but the Hon. Prime Minister himself realizes, that this is a very important Bill. That being so, why cannot the Government give either the hon. Members of this House or the country sufficient time to arrive at a considered verdict? I do not understand why there is all this haste and hurry. Perhaps the Government is satisfied that it is in a position to steer this Bill through, but I would ask the Hon. Prime Minister—this Bill being of national importance—to consider the question of giving all hon. Members a free vote. Such a vote given to all hon. Members would allow them to exercise their freedom of thought, and any decision arrived at on such a vote will be based on fair play and justice.

The Hon. Minister of Finance in the course of his speech said that during the war the Indians ran away from the City of Colombo. I do not know where the Hon. Minister himself was at this time—

Mr. Speaker: He did not say "during the war". He said, "When the town was bombed".

The Hon. Mr. Jayewardene: I was in Colombo.

Mr. Thondaman: The Hon. Minister says he was in Colombo. He has apparently forgotten the fact that the people of Colombo were asked by the Government to evacuate to safer places because they could not take the responsibility for people in Colombo.

The Hon. Mr. Jayewardene: I did not say they went away from Colombo. I said they went away from Ceylon.

Mr. Thondaman: If the Hon. Minister says that the Indians ran away from Ceylon, I would ask him how it is that the production of tea during those years was the highest! The Hon. Minister says that the Indians ran away. I am told that some so-called Ceylonese ran off to Kashmir!

The Government thinks that by this Bill they have completed the task of defining the status of a citizen of Ceylon. Do the Government think that they have found a solution to the

problem? I say, no. On the contrary, they have created more problems. They have created class helots. I admit that they have found a solution to the problem of the foundlings of this country. This Bill shuts out all the plantation workers in this country. Have they not contributed their mite to the development of this country? Have they not played their part in the achievement of the present political status of this country? If there is any crime they might be accused of, it is the crime of belonging to a group of those Indians who migrated to this country in the nineteenth century. If that is their crime, they have suffered enough for it. To allow these plantation workers to suffer any longer does not speak well of Ceylon in the eyes of the world or in the eyes of the public of Ceylon itself.

Today I was told that the real difficulty of granting citizenship rights to Indians is because of the objection from the Kandyan class. For the information of hon. Members of this House, I would like to read a newspaper report of the utterances of Mr. B. H. Aluwihare, leader of the Kandyan community and former Member for Matale. This report appears in the "Times of Ceylon" of 18th August, 1948. It reads:

"Mr. Aluwihare referred to his experiences in India when he took part in the fight for her freedom. He advocated common citizenship for Indians and Ceylonese in both countries, as they both were one in many respects."

That is the opinion of the leader of the Kandyan community!

The Hon. Sir J. Kotewala: He married an Indian woman!

Mr. Thondaman: Yes!

The position that the Hon. Minister of Food and Co-operative Undertakings has taken up today was taken by the former Member for Matale. Even the Kandyan masses did not support him then. He has changed by experience, and I hope the Hon. Minister of Finance will also change.

The Hon. Minister of Finance stated in the course of his speech, when he referred to the Canadian, American and English Citizenship Laws, that there was nothing uniform about them. He said that they differed from each other.

[Mr. Thondaman.]

May I point out to the Hon. Minister that 'birth' is uniform in all those laws?

I trust the Hon. Prime Minister will, at least now, having heard all that has been said from this side of the House, consider—instead of bringing up another Bill which he says is under reference to the Government of India—giving this House more time to study this Bill and to make certain suggestions so that the Bill, which is of national importance, might be passed unanimously by this House.

3.41 P.M.

Mr. K. V. Nadarajah (Bandarawela): Mr. Speaker, Sir, after listening to the speech made by the Hon. Minister of Finance I felt that those who were responsible for this Bill were suffering from a fear complex. They did not mince words when speaking on the Bill. They were not suffering from Indophobia, as one hon. Member said, but from actual fear. The Hon. Minister did not mince words. He said openly, that, according to some ancient historical document, the Indians were brought here as a result of a conspiracy of the British to crush the masses of this country. That seems to be a fear, not merely of the hon. Members of this House, but also of a number of Sinhalese. They have that fear complex, and it is therefore not surprising that this Bill should have been drafted and presented to this House in this form. I would not even put the blame on the Government and say that this Bill is an ill-considered Bill. I say it is an unconsidered Bill because, in their anxiety to keep out and de-citizenize the bulk of the Indians here, the authors of this Bill have done a great disservice to the nationals of this country; that is, those Ceylonese who are settled in Malaya and other countries.

The Hon. Mr. D. S. Senanayake: Nothing will happen to them.

Mr. Nadarajah: I will now prove to the satisfaction of the Hon. Prime Minister that my statement is correct. I will first deal with Clause 4 of the Bill. Clause 4 reads:

"Subject to the other provisions of this Part, a person born in Ceylon before the appointed date shall have the status of a citizen of Ceylon by descent—

- (a) if his father was born in Ceylon, or
- (b) if his paternal grandfather and paternal great grandfather were born in Ceylon."

I would ask the Hon. Prime Minister whether it is not a fact that as a result of this provision, not merely Indians but even a number of Ceylonese who are settled in Malaya would be de-citizenized, would be actual strangers to Ceylon because it is possible that in a number of cases there are people who are settled in Malaya for three generations.

I say that a simple standard could have been adopted, as has been done in most of the civilized countries in the world, that is to grant citizenship rights to people resident in the country. In other parts of the world certain principles are followed in granting citizenship rights. I challenge any Member of the Government to say that such principles as are found in the Bills of other countries are found in this Bill which we are discussing. Even in England, which is a country we follow in many things, certain principles are followed. For example, in America or even in Germany, they follow certain principles in the granting of citizenship rights. That is a fundamental right granted to a citizen unless by choice that person wants to claim some other right.

A person who is born in a country has a right to be a citizen of that country. The numerous Indians who are born in this country, who have lived here for generations, who have no other home, who have burnt their boats practically, who have given of their best should not be deprived of citizenship rights. I do not think they can be allowed to be treated as foreigners and deprived of the rights of citizenship which are to be granted to the other citizens. I for one cannot be a party to such a great injustice being perpetrated on a large section of people.

The Hon. Mr. D. S. Senanayake: For my information I would like to know whether my hon. Friend would prefer that people who are not born here should be left out, allowing people born in Malaya to be considered.

Mr. Nadarajah: *Prima facie*, a person who is born on a British steamer on the high seas is considered a British citizen. That being so, I see no reason why a

person who sees the light of day and draws his first breath in Ceylon should not be treated as a citizen of this country unless his parent chooses deliberately—

The Hon. Mr. D. S. Senanayake: The same thing applies to Malayan citizens, Jaffna people.

Mr. Speaker: What the Hon. Prime Minister says is that that particular section refers to a person born in Ceylon or in Malaya whose father, paternal grandfather or paternal great-grandfather were born in Ceylon.

Mr. Ponnambalam: Application of the rule to those born in Malaya will make them Malayans.

Mr. Nadarajah: Those who are nationals by birth and those who are actual nationals of this country, who happen to be workers here, should not be discriminated against, or steps should not be taken which would militate against their interests and prevent their easy assimilation into this country.

I would respectfully make a suggestion to the Hon. Prime Minister, namely, that a Bill of such importance should be sent before a Select Committee of this House, and not a Standing Committee, because a Select Committee will be in a position to call for evidence from persons who would like to give evidence. That will help the Committee to come to certain conclusions which would be helpful. This is a Bill which not merely affects Indians and certain people who happen to live in this country, but also the very nationals of this country working outside Ceylon. If my suggestion is accepted, it will give everyone an opportunity of studying similar legislation in other countries. For my part I would like to know what the proposed law in Malaya is.

I made my suggestion because in the Bill placed before us there are anomalies and inconsistencies. I would like to point them out briefly.

Clause 5 says,

“ Subject to the other provisions of this Part—

—[*Interruption*]—I am only pointing out a glaring absurdity that is contained in this particular Clause—

“ Subject to the other provisions of this Part, a person born in Ceylon on or after the appointed date shall have the status of a citizen of Ceylon by descent if at the time of his birth his father is a citizen of Ceylon.”

Now let us take the case of a person called “ A ” whose father is a citizen of Ceylon. The earlier provision says that a person must either be born in Ceylon or his father, paternal grandfather and paternal great-grandfather must be born in Ceylon, in order that he may acquire citizenship rights. Supposing “ A ” is an Indian who is living in Ceylon, and a son is born to him before the appointed date, then only will he become a Ceylon citizen, but not if he was born after the appointed date.

The Hon. Mr. D. S. Senanayake: How?

Mr. Ponnambalam: Why?

Mr. Nadarajah: Because “ A ” was not a citizen of Ceylon. But the son, if he is born in Ceylon before the appointed date, will become a Ceylonese.

Dr. Perera: No, neither the son nor the father.

The Hon. Mr. D. S. Senanayake: This is Bandarawela law.

Mr. Ponnambalam: The son must be born.

Mr. Wilmot A. Perera (Matugama): They are both still-born.

Mr. Nadarajah: “ A ” is born in Ceylon, but “ A ” himself will be entitled to citizenship although his father is not entitled to citizenship. If a person is born before the appointed date—

Mr. Speaker: The hon. Member might take this question up in the Committee stage.

Mr. Nadarajah: Very well, I shall bring it up in the Committee stage. Clause 8 reads:

“ No person who is a citizen of any other country under any law in force in that country shall have the status of a citizen of Ceylon by descent unless he renounces citizenship of that other country in accordance with that law.”

I cannot understand why it is in this form, “ unless he renounces citizenship of that other country in accordance with that law ”.

Mr. Speaker: That is according to the law of that country.

Mr. Nadarajah: But, then, supposing that country has no provision for renunciation of citizenship? For instance, if a person is born in Malaya and is not a citizen of Ceylon and his citizenship is not renounced, then what is the position of the Ceylonese who are now in Malaya? The provision here is that the renunciation should be made according to the law of that land. I would suggest that it should be according to the law of this land. To cite an extreme case: some parents who are citizens of Ceylon are also citizens of Malaya. Out of pure mischief, or as a retaliatory measure, if that country passes a law to the effect that all the people of Ceylon who are resident in Malaya are citizens of Malaya, then does it mean that because there is a foreign law that has been passed by a foreign Government declaring that they are all citizens of a foreign country, they will be subject to certain disabilities in this country? So, Sir, this has no sense at all. I would earnestly request that this Bill be referred to a Select Committee, because it is a matter of such importance that the people would like to pay more attention to it.

Mr. Speaker: The Sitting is suspended until 4.30 P.M.

Sitting accordingly suspended until 4.30 p.m., and then resumed.

Major J. W. Oldfield (Appointed Member): Mr. Speaker, this is a Bill of such importance that I feel I cannot just give a silent vote, particularly in view of my connection with the Government of this country for the past twenty years.

Sir, I have examined this Bill to the best of my ability as a layman with a non-legal mind, and as to the legal side of the Bill I have discussed it with those who have a legal mind. I really fail to understand the various allegations of discrimination which we have heard about, and of racial legislation. It is true that this Bill has not exposed to us the whole of the Government's intention in that connection, but the Bill as it stands, to my mind, is completely innocuous. Whether the same can be said when the other Bill comes before us is a different matter. Now for many years past, when I was in the State Council, the question always was,

"Who is a Ceylonese?", because there are various technical points bearing on this question in certain Ordinances and certain regulations under those Ordinances.

It seems to me, Sir, this country having attained the status of independence, what it should do is to define who a Ceylonese is, to define the status of citizenship, and I am afraid I cannot see in this Bill anything more than that.

We have heard speeches from the chief speakers in the front Opposition Benches, and in one case it is alleged that Government is going to build a Chinese wall around the country; in another case it is alleged that it is discrimination against the Indian labourer. As I said before, I can find no discrimination in this Bill against the Indians, any more than against the Europeans; and having said that, Sir, I must say that the other legislation to follow will have to be examined more closely and in considerable detail. But so far as this Bill is concerned, the purpose is nothing more than to find what we have been trying to find many years ago, and that is who and what a Ceylonese is.

4.33 P.M.

Mr. S. J. V. Chelvanayakam (Kankesanturai): Mr. Speaker, Sir, this is a Bill that has given me the greatest amount of anxiety, not because I have had any difficulty in forming my opinion or deciding on my attitude towards it, but because I see that this Bill is another of a series of acts of the Government which go to show a very narrow attitude of mind. I shall endeavour to show you to the best of my ability, that such a narrow attitude of mind is harmful even to the very people who form that attitude of mind and that view as they contend, namely, to protect themselves.

But before I go to that, I wish to refer to the opinions expressed by the last speaker, the hon. Appointed Member, Major Oldfield. He says that there is nothing discriminatory in this. He followed it up by saying that this is nothing more discriminatory against the Indians than against the Europeans. The two statements are not reconcilable, one to the other. Either it hurts the Europeans, or it does not hurt the Europeans. But it has not hurt the Europeans; it hurts the Indians. I suppose, therefore, when the hon. Appointed

Member says that he sees nothing discriminatory about it, I can quite understand. The hon. Appointed Member says that even if it be discriminatory, this country has the right to pass that piece of legislation. But when he says that he sees nothing discriminatory against the Indians in this piece of legislation, I fail to see his intelligence.

Now, Sir, my chief complaint about this Bill is that the framers had been moved by a panic state of mind. The Hon. Minister of Finance has very frankly told us that it is their attempt to keep the Indians out,—

The Hon. Mr. D. S. Senanayake:
No, no.

Mr. Chelvanayakam:—but with a dexterity which might be attributable to very experienced lawyers, he illustrated the point with reference to the city trader of the Indian class, but omitted to refer to the estate labourer settled down in the plantations for decades together. He said that Indians ran away during the raid, but he did not say that the plantation workers did not run away. He said quite a number of things against the City trader or a temporary resident in the City coming from South India or North India being given citizenship rights.

Not one member of the Opposition benches who has spoken has pleaded for the grant of citizenship rights to such people. All the pleading that has been done on this side of the House has been for the grant of citizenship rights to such of those labourers as have worked and sweated for the advancement of this country in every way and who, by all notions of residence and nationality and subjection to the State, are part and parcel of the population of this country. It is to such people that the demand has been made for the grant of citizenship rights. It is against such people that there should be no discrimination. The hon. Appointed Member, whose existence in this country is due to the labour and sweat of those men, has stated here that he sees no discrimination against those people. The very introduction of those people into this country is due to the hon. Member and his people who started the plantations, and having brought them here they feel no qualm of conscience in not only

abandoning them, but justifying their attitude in voting against an elementary right. Their countrymen in England behaved differently in respect of a similar piece of legislation. They had a different standard of conduct. They conferred citizenship by birth and by descent. They had better moral standards there.

Now, Sir, the proposition is this: Nobody wants to see in this country hereafter a flood of immigrants which would swamp the permanent population. There is no dispute about that. Everybody is agreed that this country must control immigration into this country, that the nationals of this country, as at present constituted, must be protected by a suitable piece of legislation to control immigration. But to fear that these 700,000 people, existing in the midst of six to seven million of other people, will swamp these six to seven million nationals is to get into a state of panic, and this bit of panic produces a piece of legislation like the one before us for which there is no model in any other part of the world.

I stated that I felt sorry for the attitude of mind that produced legislation of this type. Now, Sir, it has been stated that in 1847 the British Government proposed to introduce into this country Chinese labour rather than Indian immigrant labour. What the condition today would be if all the 700,000 labourers were Chinese, one can only imagine. Why bring in Indian labour in place of Chinese labour? They have reduced the problem in that sense, especially because the Indian labour that has come here belongs to one linguistic group which is already, and always, part and parcel of this country. To that extent it has reduced the gravity of the problem.

Now, Sir, if all these 700,000 people will tomorrow get assimilated into the Sinhalese linguistic group, there would be no piece of legislation of this type, and that is one of the reasons why I say it is tantamount to discrimination against one linguistic group.

For years I had in mind the idea of a united Ceylon of a type different from that which the Hon. Minister of Finance has in mind. I have been dreaming of that until very lately. I went before the Language Commission, over which the Hon. Minister of Finance

[Mr. Chelvanayakam.]

presided, and gave evidence. I told him, "Let us make no difference where the two languages are concerned. Let us use these two languages in the Courts, in the State Council and in every other place where they can be used, and put them on an equal basis." I stated that in the Courts it would be possible for a Tamil accused person to be tried in his own language and a Sinhalese accused person to be tried in his own language and that this could be made possible all over the country, and that it would contribute towards the formation of one homogeneous nation, the only difference being that there would be two languages, languages which had a right to the protection of this country, and of any government of this country. But the Hon. Minister of Finance produced a different report. I am not angry with him for giving his opinion, for giving his views, but I must say that I disagree with him. He must be prepared to follow the logical results of that Report and the line of action he took. He said, "Let the Tamil language be adopted in the courts and in schools in the Northern and Eastern Provinces and the Sinhalese language be adopted in the courts and schools in all the other seven Provinces." He is the father of "Pakistan" in Ceylon. He wants a Pakistan in those two Provinces without sovereignty for those Provinces. I said, "Well, if this is the line of conduct the Government is going to pursue—

The Hon. Mr. Jayewardene: May I interrupt the hon. Member? The Report did not follow the lines which he says it followed.

Mr. Chelvanayakam: I am trying to show the relevancy. I am very sorry if people cannot see the relevancy. The relevancy will be seen when I come to the point. They will see it in a minute.

They divided the people into two linguistic groups, the Northern and Eastern Provinces into one linguistic group, and all the other provinces into another group.

The Hon. Mr. Jayewardene: We did not do that.

Mr. Chelvanayakam: I am saying that that was to be the procedure in the courts, that is, the examination, the cross-examination, and so on, of the witnesses in the two Tamil provinces to be carried out in Tamil, and the proceedings of the courts in all the other seven provinces to be carried out in Sinhalese. That was the recommendation of the Hon. Minister of Finance in the Committee's Report.

The Hon. Mr. Jayewardene: That is not so.

Mr. Chelvanayakam: I repeat that that is so. Now comes a piece of legislation where the Hon. Minister of Finance openly says, "We want to remove, step by step, the blot of the Tamil-speaking population inside the Tamil provinces."

Now you see the relevancy. That is why I said I am very sorry about this piece of legislation, because it indicates the mind of the Government, or the mind of some people behind the Government who want to divide Ceylon into two groups and to see that in certain provinces the political and other influences of one linguistic group come to nothing. Not that it is in such a position today. But I said that there are one or two possible logical consequences of this action. Crushing one of the groups is one of the possible consequences. There is quite a number of people who, in the language of the Hon. Minister, will not be intimidated, will not allow themselves to be crushed, but that is one possible consequence. The other possible consequence, over which not even the most powerful Government can have control, is to divide the people. He is a brave man who can prophesy the result. Now I say this. Nobody wants the Sinhalese race to be swamped. There is no fear of that race being swamped. History proves that the Sinhalese race cannot be crushed.

The Hon. Mr. Jayewardene: We have always fought back.

Mr. Chelvanayakam: I say the Tamil race also cannot be swamped. History proves that the Tamil race cannot be swamped. But what I say is: solve a modern problem in a modern way. Do not solve a modern problem in a mediaeval way. Do not try to solve a twentieth century problem in a fifteenth

century manner. Bring to bear towards the solution of a twentieth century problem a twentieth century mind. The twentieth century requires a twentieth century attitude. If the larger group in this country is panicky, is it not natural to expect the smaller groups to be even more frightened? It is true that the smaller group is utterly powerless. There is no denying—and the Hon. Minister of Finance has made no attempt to deny—that the effect of this piece of legislation would be to deprive the Indians of citizenship.

Now it is hardly necessary for me to take this Bill clause by clause and to show the ridiculous results that would follow by reason of the application of these provisions. One of those results the hon. Member for Bandarawela (Mr. Nadarajah) pointed out in this way: If "A", an Indian, was born in one of the estates Up-country and he had a son "B" born before the appointed day, "B" would be a citizen of Ceylon. If he had a son "C" born after the appointed day, "C" would not be a citizen, because he was born after the appointed day.

What I say is this. These people on estates may live here for another five hundred years. It is my knowledge and experience that a very large section of them do not have any other country but this country. They are in such a situation that even if they continue to live here for another five centuries, assuming that this Bill would be law for five centuries, they would not be able to acquire citizenship rights. This piece of legislation, says the hon. Appointed Member (Major Oldfield), is not discriminatory against those people who have contributed towards the prosperity of the plantations on which the European community has lived. There is no saying where this attitude of mind will stop. You start legislating against one group of people. Now I say it very openly and very frankly that that is a fear that we have. The Hon. Prime Minister would assure us that there is no such thing. Man to man I would believe him. But the Hon. Prime Minister can say that for himself, or as long as he has control over the Government. How can the Prime Minister—may he live long!—speak for anybody who may succeed him, or for any succession of people after him? That is the attitude of mind and principle

of legislation that will live and possibly grow to greater magnitude. What does that mean? You start legislation against one group of people, and that tendency of mind will make you legislate against your own class, against sub-divisions of your own class. And we have seen to what disastrous results legislation of that type has led the framers of that legislation in countries like Germany and other places. Ultimately when the catastrophe comes, the framers of such legislation shoot themselves and end their lives.

I say that not even for the protection of any sectional interests is this a wise method to adopt. By all means adopt methods like control of immigration. That is definitely agreed on by everybody as a definite piece of protective legislation. Grant citizenship rights to the imported population on a certain accepted basis. Grant it to such of them who, on a strict test, are found to be subjects of this country owing no allegiance to any other country. Require the strictest proof in that respect. Once you have done that, you have acted on the human principle of accepting everybody who has contributed towards the growth of this country. You must realize that such people are dependent on the protection of this Government, and therefore you must give them the rights of citizenship.

This matter has been debated so long that I do not think it is necessary to go into this piece of legislation clause by clause, but I wish to refer to one clause.

Now from the Jaffna Peninsula or the Northern Province, a large number of people have been migrating to Malaya in the last fifty, sixty or seventy years. There are now about 50,000 Ceylonese in Malaya, of whom 35,000 are Jaffna Tamils. Now a large number of people are born there. I was born there fifty years ago. If I have to prove my citizenship in this country, I have to prove that my father was born in Ceylon. I know that my father was born in Ceylon but he was born eighty-six years ago. And I have to go further and prove that my grandfather was born in Ceylon. That must have been at least, on the lowest computation, one hundred and sixteen years ago. These are all impossible things to prove. Now, of course, the Hon. Prime Minister would say, "In all well accepted cases, where a person is known to be a Ceylonese, we

[Mr. Chelvanayakam.] would have no difficulty." But it is a bad piece of legislation if you have to depend on administrative discretion, the discretion of a Minister for the grant of such a high right as the right of citizenship of this country.

Then, quite a number of people of my class, without any intention of returning to Ceylon, have got employed in Malaya and have got married and have become fathers of children. Those children are for all purposes Jaffna Tamils, and these people are living in Malaya as a Ceylon Tamil community. Now they will never be able to prove citizenship in this country, and their descendants will never become citizens of this country, if this piece of legislation, in this unadulterated form, becomes law.

The Hon. Minister of Finance said that the Government will not be intimidated. No one expected the Government to be intimidated; no one expects this Government to consist of such frightened people. But there is a difference between courage and bravado. Bravado is not the same thing as courage or bravery. We do not ask to be frightened or intimidated. We ask that this legislation be placed on some humanistic basis. That is the plea, that is the cry from this side of the House.

Now, Sir, speaking on behalf of my group, I strongly oppose this Bill, firstly, because it disqualifies a large number of people who would normally, for all practical purposes, be subjects of this country, and secondly, because it produces in the Government an attitude of mind that leads to legislation affecting groups, or classes, or races, of people.

4.55 P.M.

The Hon. Mr. A. Ratnayake:

Mr. Speaker, the hon. Member for Kankesanturai (Mr. Chelvanayakam) is a dreamer of dreams. He, in his dreams, sees certain visions of Ceylon according to his heart's desire. He, for instance, would like to see Ceylon divided into two parts: one part consisting of the Sinhalese-speaking population, and the other of the Tamil-speaking population, and he would like to federate the Northern and Eastern parts of Ceylon with India. I remember a speech delivered by him on one occasion. The whole trouble is that each of us has a dream about the future of Ceylon. Each one of us thinks that the Ceylon of the

future must be after such and such a pattern. So the hon. Member for Kankesanturai has his own dream, has his own vision, and so he draws his own conclusions with regard to this Bill.

Similarly, Sir, I appreciate the opposition of the hon. Member for Nuwara Eliya (Mr. Thondaman). He is an Indian. He would like to see every Indian given full citizenship rights. He would like to see the gates of Ceylon thrown wide open—

Mr. Thondaman: No, no!

Mr. Speaker: Order, please!

The Hon. Mr. A. Ratnayake: That is the vision of Ceylon that he is building up—a vision of Ceylon federated with India, dominated by India, overwhelmed by India. That would be a Ceylon after his heart's desire.

Now, the dreams of the dreamers wearing the red tie would have an entirely different picture of the future Ceylon.

The Hon. Mr. Jayewardene: The "Red" dream!

The Hon. Mr. A. Ratnayake: When they were pleading for the Indians, for the long-suffering Indians, they were pleading not merely for the franchise or to give citizenship rights for humanistic reasons, but for the larger and greater vision of a Ceylon that they are building up, of a Ceylon which will form part of a great federation, of a world union.

Now I want to address myself to this problem, which is a very serious problem—the dream, the vision of the hon. Members who form the Leftist Parties in this country. They belong honestly and sincerely, knowingly or unknowingly, consciously or unconsciously, to an organization, a world-wide organization, which is engaged in creating what is called the "dictatorship of the proletariat". Now this dictatorship of the proletariat is being created already. It started with a group of nations, and that group of nations is being gradually enlarged, and new ones are being absorbed into this group. The object is by that process to absorb the whole world under one domination to be ruled by one country, and towards the realization of that object one country is planning and plotting—and successfully planning and plotting. That is the

problem of the modern age. That is the problem, the modern problem which we will have to face in a modern way. We cannot treat these hon. Members as an ordinary democratic Opposition, seated in front of us, arguing with us, discussing with us, finally compromising with our views and agreeing to disagree with us and to carry on a democratic Government of this country. Far from that.

I wish to refer to an article which appears in the "Time and Tide". It is quite relevant. I shall read it. It is the Programme of the Communist International of 1932, and defines the means to the prescribed end thus:

"The conquest of power by the proletariat does not mean peacefully 'capturing' the ready-made bourgeois State machinery by means of a Parliamentary majority. The conquest of power by the proletariat is the violent overthrow of the bourgeois power, the destruction of the capitalist State apparatus (bourgeois armies, police, bureaucratic hierarchy, the judiciary, parliaments, &c.) and the substitution in its place of new organs of proletarian power, to serve primarily as instruments for the suppression of the exploiters."

The "Time and Tide" follows this quotation with these comments:

"This quotation shows how impossible it is to regard Russia as merely another Power whose interests are somewhat different from our own and how absurd it is to regard the Communist Party in any country as merely 'another political party'. Russia is pledged to the destruction of the democracies and the national Communist Parties are pledged to help her by the betrayal of their own countries from within."

This is the new democratic age problem that this Parliament is called upon to face, a problem set by the Parties which are preparing and clamouring to serve the interests of a foreign country. They have succeeded in a number of countries. They have succeeded in Yugoslavia, in Czechoslovakia, in Rumania and in Bulgaria. They have succeeded in certain parts of the East, and I am sure they are beginning to succeed in other countries as well.

Mr. Keuneman: They will succeed in Ceylon.

The Hon. Mr. A. Ratnayake: You can never hope to argue and succeed in convincing these people; you might as well argue with a rock or a stone.

The "Time and Tide"—following up what I have already quoted—has further the following passage:

"In these circumstances, argument as to whether Russia wants war or whether she wants it now is beside the point. In all probability she does not want it now. From Russia's point of view the 'shooting war' is a thing not to be undertaken until the process of internal erosion in the democracies has reached a point where only the very slightest push from without would be necessary to topple over the whole structure."

That is the plan that Russia is now evolving. It is evolving a plan to deceive the whole world and bring about world domination; it is evolving a plan to build up an Empire over which the sun will never set, and, Sir, it is our misfortune that we have to deal with Parties which are engaged in this process of betrayal.

We have had this plea before. We had a B.L.P.I. in 1815, and we lost our sovereignty. The argument was so cleverly put that I was simply amazed with the intelligence and the acumen with which it was put before us, that this country has no absolute right to determine the composition of its population. We have come to that stage when our own nationals have the audacity to get up on public platforms and say that this country has no right to determine the composition of its own population. They always look up to Russia for inspiration.

Sir, I have a paper here which has something amazing to say. I shall read it:

"The mode of Russia today is—"

Dr. Colvin R. de Silva: Mr. Speaker, the Hon. Minister may be reading from 'Punch' on politics.

The Hon. Mr. A. Ratnayake: The hon. Member is very clever. He always wishes to show that he is a very clever man. He loves to demonstrate and make an exhibition of his intellectual arrogance, and we have nothing but sympathy for him that his talents are being directed towards a wrong cause—an unpatriotic cause.

What I want to show the hon. Member is this, that there is one country from which they draw their inspiration, and that is Russia. There not only are citizenship rights not given to foreigners but they are also not allowed to enter the country. There is a long article describing how foreigners are being treated in that country. If the

[Hon. Mr. A. Ratnayake.]

hon. Member will make an attempt to enter Russia, he will realize how Russia would treat him. We were told that Ceylon is the one and only country which is planning citizenship and bringing forward a Bill to restrict citizenship rights to certain sections. I ask, is that a true picture of Ceylon? Is that a true picture of what we are trying to do? On the other hand, the hon. Member had stated that we are inspired by a 'fear complex'. I am not certain about the Government, but I am myself inspired by a 'fear complex'. One of the first things that a person should be in possession of is freedom from fear. But believe me, we are afraid, and that is why we feel that we have to restrict the composition of our nationals—of our population in this country. It may be that we may not be able to follow the examples of other countries. We have to consider our own citizenship rights according to our own circumstances and according to the legislation we think is right in order to preserve our freedom—the freedom that we have won. I was simply amazed, and, not only was I amazed but I was also greatly alarmed that this country which had achieved freedom after such a long struggle, a country which has, due to the self-sacrificing efforts of so many leaders achieved freedom without much hardship or bloodshed, was again going to lose it. I fear that the freedom we have won is already in danger—in great danger. It is in danger from within. There is a Sinhalese saying which I should like to quote. It is as follows:

“ බැදේ වනාන්ට බැද්දේ ගහකම තිනු ”

I say that trees are now growing in this country which, in the end, will destroy the freedom that this country has won after nearly a century.

How are other countries treating foreigners? You look upon Ceylon and say it is a terrible country; you say Ceylon is a wicked country, its politicians are wicked people who try to ill-treat the Indians and other foreigners in this country. Is that a correct picture to paint of Ceylon? How is India treating her foreigners? 11,000,000 people have been shifted from one country to another. They have not merely been denied their citizenship rights, but they have even

been up-rooted from their own homes and despatched to other countries and other places. From Pakistan no less than 6,000,000 people have been moved to India, and very nearly the same number of people have been moved to Pakistan. They have lost not only their citizenship rights, but they have also lost their homes and their buildings which they possessed, not for a few generations, but for centuries.

Then, take the case of Burma. What is the plight of the Indians in Burma? Hon. Members are well aware of all that. When we visited Burma we did not see the large number of Indians that were there before. After all, Ceylon is a very small country with a population of 7,000,000 people who are deeply interested in preserving and protecting their freedom, the freedom which they obtained after so many years.

Mr. Speaker, most hon. Members of the Opposition Benches—the hon. Member for Ruwanwella, the hon. Member for Wellawatta-Galkissa, the hon. Third Member for Colombo Central, the hon. Member for Kotte—pleaded for and on behalf of the Indians. But I wish to make a plea on behalf of 2,000,000 Kandyans, who are peasants in this country, who, for three centuries have fought the most powerful nations of the earth for the preservation of their freedom. They fought for nearly three centuries, and, in 1815, when they did come to a treaty with the British people, they hoped that their safety or independence will be preserved. It is on behalf of the Kandyan people that I am speaking today because I represent a Kandyan constituency. When in 1815 the British took over the Kandyan Provinces, they solemnly undertook to preserve and protect the civil principles and the civil rights of the people in the Kandyan Provinces. One of those civil rights that the Kandyan people enjoyed was the right to possess their own lands. Their land was inalienable. No land belonging to a single person was alienable, and when the British came here in 1818, by a Proclamation land was made inalienable. But in 1821, by another Proclamation, that pledge that was made to the Kandyans was violated, and it was made possible for the people of the

Kandyan Provinces to alienate their land. The result was that within 50 or 60 years all the land in the Kandyan Provinces passed into various hands. In spite of all the Treaties, all lands which rightly belonged to the Kandyan people, the millions of acres which are now under tea and which once belonged to the peasantry of this country, passed into alien hands.

I shall give one example: My own village is about 1,200 acres in extent. It has a paddy field the extent of which is only 50 acres. 900 acres are now an estate. Fortunately, recently it has been acquired by the Hon. Prime Minister and the population has increased to nearly 900 or 1,000 people. These 1,000 people live on 50 acres. That is the position of the Kandyan Provinces. It has been stated that these estates were opened up by the Indian labourers. I wish to correct that statement. These lands, these beautiful tea estates which one sees in the Kandyan Provinces were not opened up by foreigners. They were all opened up by the Sinhalese peasants. All the jungle was cleared by the peasants; all the felling of the jungle, the clearing of the land, the holing, trenching and the planting were done by the Sinhalese. It is only when it came to the plucking of the tea that the poor Kandyan peasant was driven out and a large number of foreign labourers were brought in in order to exploit the situation. That is the present plight of the Kandyan people. Today the Kandyans are jobless and landless people. There are many thousands of people there, who, for the first time under this National Government, are hoping to get some kind of relief. It is on their behalf that I am pleading and saying that we do fear that any surrender of our rights, any domination of our independence, our hard won independence, will seriously affect them and them alone. I was one of the bitterest critics of the Europeans until we obtained Independence. But thereafter I feel that this great nation, because of their self-sacrificing conduct and the wonderful contribution they have made towards world democracy and world freedom, is entitled to our respect. Today they cease to be our enemy. They are acting in the friendliest possible way. That is why I appreciate the speech made by the hon.

Appointed Member. It is only by acts and not by declarations that you can show your *bona fides*. I am sorry that the hon. Indian Members and those whom they represent did not demonstrate to us during the last so many years that same cordiality, that same spirit of camaraderie which they should have demonstrated. On the other hand, what did they do?

Like mother India we were also engaged in a bitter struggle for the political freedom of this country. We Ceylonese fought at every turn for the amelioration of the living conditions of the Indians on the estates, we fought for their minimum wages, we fought to improve their living conditions. But what is the gratitude they have shown? At every turn the Indians opposed our fight for political freedom. In 1949, when the White Paper proposals were submitted to the State Council, only the Indians opposed them. The hon. Member for Galle was the other exception. He was opposed to Independence. They will oppose every patriotic effort on our part.

Russia, today has refused or vetoed Ceylon's entry into the U.N.O.

The Hon. Mr. Goonesinha: That is democracy.

The Hon. Mr. A. Ratnayake: I was amazed to hear an hon. Member of this House, a patriotic Member of this House, defending the conduct of Russia. While China was supporting us, while so many nations were supporting us, there were Members in this House who had the courage, the audacity to say that Russia's conduct was correct! We had Chinese friends, we had Indian friends, we had friends in all parts of the world—

Mr. A. Reginald Perera: He is not discussing the Bill.

Mr. Speaker: The Hon. Minister is going at a tangent now.

The Hon. Mr. A. Ratnayake: Certainly we feel that our interests are not safe in the hands of these gentlemen.

There is a feeling that we are introducing a very restrictive legislation. I have a letter from the Kanyan National Assembly and the Kandyan Youth League condemning me and my colleagues for this measure which will

[Hon. Mr. A. Ratnayake.]
endanger the interests of the Kandyan Provinces. That is the attitude of the more youthful members among the Kandyans!

I have to mention one other instance where the Indians failed to support us. That is in connection with the development of the Co-operative movement in this country. You will remember that when Ceylon was facing a great emergency we had to find some means of distributing our food equitably—

Mr. Motha: Wrong information.

The Hon. Mr. A. Ratnayake: I do not know whether I have succeeded in convincing hon. Members, but I do submit that we on this side of the House shall find who our opponents are and who our friends are. If the Indians by their conduct and by their attitude show us that they are our real friends, that their interests are in Ceylon, that they will not look to India for assistance, that they will not try to intimidate Ceylon by resorting to India at every turn, then we shall be confident that we are in the midst of friends. So long as we do not feel so, we will have to make legislation somewhat restrictive.

This is a simple piece of legislation. It provides for the attainment of Ceylonese citizenship. It is a Bill which has the approval of a large number of friends of all communities whom I met, and this fear is the fear on the part of politicians who are out for power politics and who are interested in building up their own dreams. I am sure this Bill will meet with the hearty support of all nationals and all races of this country.

Messrs. J. C. T. Kotalawela, A. Reginald Perera and Motha rose.

Mr. Speaker: I said I will not let hon. Members in that group to speak again. I have a definite understanding with the Leader that only one Member from each group will speak.

5.21 P.M.

Mr. Motha: It has been admitted on both sides, both by the Government and the spokesmen on the Opposition Benches, that this Bill is very important. The provisions of this Bill are so important that the comparable provisions of this Bill are contained in

the Constitution itself of other countries. In other countries these provisions are given equal importance with the fundamental rights of the people. It is a very important Bill. The Hon. Prime Minister emphasized the importance of this Bill, the Hon. Minister of Finance emphasized it; the hon. Appointed Member (Major Oldfield) emphasized it. But how is it that on this important question, which decides the rights of every individual of this country, this sort of piecemeal legislation is being introduced? The Hon. Prime Minister has apologized for it; the Hon. Minister of Finance repeated it and the hon. Appointed Member has followed.

Their only excuse is that this legislation does not confer rights or impose duties and that it merely creates the status of a citizen. There may be duties, there may be rights but the qualifications for the rights and the conditions of the duties are laid down by a clause that claims to define the qualifications of a citizen. It is that that this Bill does. In such an important matter a Bill is blindly produced which deliberately omits to take into account a very large section of the population.

In such an important matter surely, unless there are extraordinary circumstances of urgency, no responsible person can be justified in introducing piecemeal legislation, particularly because, as the Hon. Prime Minister has said, negotiations are going on between the Government of India and himself regarding the conditions under which Ceylon Indians will be granted citizenship rights. He confessed that it was his intention to bring all the Bills together.

Evidently there are some points of disagreement which require elucidation or more negotiation. We are not informed as to what stage the negotiations between the two Governments have reached, and yet we are asked to approve of this Bill. By this Bill the very population, which is the subject-matter of the negotiations, will be completely left out, will be Stateless, perhaps owing allegiance to no one in this world. It may be a grand idea of Independence but that is not what we want. Even for a short period when the others are citizens and we are not citizens, what is to happen? What is the reason for this hurry?

India has got other experiences, bitter experiences, prolonged experiences in regard to the condition and status of Indians in other countries. There were Dr. Malan and Mr. Duncan in South Africa who, when negotiations were being carried on in an attempt to revise or perhaps understand more accurately the implications of what was called the Cape Agreement, suddenly introduced Bills into the South African Parliament restricting the rights of land tenure and the rights of immigration, and thus did succeed in forestalling the negotiations and by-passing the negotiations. Pandit Jawaharlal Nehru may be too generous a man to speak of such things. He is certainly generous, and he wishes to be friendly with everybody, particularly those of the South-East Asian countries. But it cannot be denied that there will be justification for the people of India to take this attempt to be a deliberate manoeuvre to by-pass the negotiations that are taking place between India and Ceylon in regard to the citizenship rights of Ceylon Indians.

It has been said in a section of the local Press—I hope it will not be repeated—that we are going to Delhi and that we are getting our inspiration from Delhi. They are falsehoods. The Prime Minister of Independent Ceylon goes to Delhi; I go to Delhi but not because we essentially rely on Delhi to get our rights. We appeal to the people of this country for justice. We would like this matter to be settled by negotiation between the two Governments in a detached atmosphere. No doubt it is the duty of India to see that those who hail from that country are not humiliated, are not treated unjustly by other countries just because they are from India. That duty India has.

5.30 P.M.

Mr. Speaker: It is time to suspend the Sitting. Do hon. Members wish to go on till 6 o'clock?

Dr. Perera: Are we sitting tomorrow?

Mr. Speaker: Yes.

The Hon. Mr. D. S. Senanayake: It is certainly very much better if hon. Members will agree to sit for a little while longer.

Mr. Ponnambalam: Can we conclude the Second Reading if we go on till 6 o'clock?

Mr. Speaker: I think we can conclude the Second Reading.

The Hon. Mr. Bandaranaike: The whole purpose is to close the Debate at 6 o'clock and then go on with the Committee stage tomorrow morning.

Dr. Perera: No, Sir. We have already agreed to two hours extra today, and I am personally not agreeable to that.

The Hon. Mr. Bandaranaike: You opposed it.

The Speaker: Almost all the Members who wished to speak have spoken.

The Hon. Mr. Jayewardene: All the Parties have spoken.

Dr. Perera: We would certainly like to have another speaker from our group.

The Speaker: You have already had two. In a matter like this I do not think it is necessary for so many people to speak from one Party.

The Hon. Mr. Bandaranaike: There are a number of Members from the Government Benches who would also like to speak. If we go on now, I will probably say a few words and wind up the Debate.

Dr. Perera: I do not see why we should sit until 6 o'clock, and I do not know whether we can unless you suspend the Standing Orders.

Mr. Speaker: It is entirely the wish of the House.

The Hon. Mr. Bandaranaike: We would not have pressed for it if we felt that there was an injustice caused to the Opposition.

Mr. Speaker: I do not wish to suggest the Adjournment. What is the wish of the House?

Hon. Members: Adjourn, Sir.

The Speaker: Very well, we will adjourn until 10 A.M. tomorrow.

Debate adjourned. To be resumed Tomorrow.

ADJOURNMENT

Resolved: "That this House do now adjourn."—[Hon. Mr. Bandaranaike.]

Adjourned accordingly at 5.33 P.M. until 10 A.M. on Friday, August 20, 1948.

WRITTEN ANSWERS TO QUESTIONS

Central School, Passara

376/48. Mr. J. C. T. Kotalawela: Will the Minister of Education please state what steps are being taken to construct a building for the Central School, Passara?

The Hon. Mr. E. A. Nugawela (Minister of Education): A new site has been selected and action is being taken to initiate acquisition proceedings. When acquisition is completed, steps will be taken to have suitable buildings constructed.

MEMBERS OF THE HOUSE OF REPRESENTATIVES

FIRST PARLIAMENT—SECOND SESSION

Speaker—The Hon. Mr. A. F. MOLAMURE (*First Balangoda*)

Deputy Speaker and Chairman of Committees—Mr. R. A. DE MEL (Colombo South)

Deputy Chairman of Committees—Mr. J. A. MARTENSZ (Appointed Member)

Abeygoonewardane, H. D. (Matara)

Aboobucker, A. R. A. M. (Mutur)

Amarasuriya, Mr. H. W. (Baddegama)

Attygalle, C. E. (Ratnapura)

Banda, M. D. (Maturata)

Bandaranaike, The Hon. Mr. S. W. R. D. (Attanagalla)

Baudhadasara, P. L. (Polonnaruwa)

Bulankulame Dissawa, P. B. (Anuradhapura)

Chandrasiri S. (Moratuwa)

Chelvanayakam, S. J. V., K.C. (Kankesanturai)

Dahanayake, W. (Galle)

Dasanaike, Ivan T. (Wariyapola)

de Silva, Dr. Colvin R. (Wellawatta-Galkissa)

de Silva, G. R. (Colombo North)

de Silva, P. H. W. (First Ambalangoda-Balapitiya)

de Zoysa, G. A. W. (Second Ambalangoda-Balapitiya)

Ebrahim, Mudaliyar M. M. (Pottuvil)

Ethirmannasingham, S. U. (Paddiruppu)

Fernando, J. J. (Chilaw)

Fernando, W. Leo (Buttal)

Goonesekera, D. S. (Udugama)

Goonesinha, The Hon. Mr. A. E. (First Colombo Central)

Goonewardene, Cholmondeley (Kalutara)

Griffith, F. H. (Appointed Member)

Gunawardena, D. B. R. (Kotte)

Günawardena, Mrs. Kusumasiri (Avissawella)

Herat, K. (Nikaweratiya)

Hettiarachchi, D. F. (Niwitigala)

Ilangaratne, T. B. (Kandy)

Iriyagolla, I. M. R. A. (Dandagamuwa)

Ismail, H. S. (Puttalam)

Jayah, The Hon. Mr. T. B. (Second Colombo Central)

Jayasooriya, A. P. (Horana)

Jayasuriya, Mudaliyar D. P. (Ja-ela)

Jayewardene, The Hon. Mr. J. R. (Kelaniya)

Jayewickreme, Major Montague (Weligama)

Kanagaratnam, K. (Vaddukkoddai)

Kariapper, Gate Mudaliyar M. S. (Kalmunai)

Karunaratne, D. D. (Gampaha)

Keerthiratne, N. H. (Kegalla)

Keuneman, P. G. B. (Third Colombo Central)

Koch, Rosslyn (Appointed Member)

Kotalawela, J. C. T. (Second Badulla)

Kotelawala, The Hon. Sir John, K.B.E. (Dodangaslanda)

Kumarasiri, P. (Hakmana)

Kumaraswamy, V. (Chavakachcheri)

Kumaravelu, K. (Kotagala)

Mahadiulwewa, S. H. (Kalawewa)

Mathew, E. W. (Second Balangoda)

Motha, G. R. (Maskeliya)

Nadarajah, K. V. (Bandarawela)

Nalliah, V. (Kalkudah)

Nanayakkara, V. T. (Matale)

Nugawela, The Hon. Mr. E. A. (First Kadugannawa)

Oldfield, Major J. W., C.M.G., O.B.E., M.C. (Appointed Member)

Pakeman, S. A., O.B.E., M.C., E.D. (Appointed Member)

Panabokke, T. B. (Galah)

Peiris, M. H. (Panadure)

Pelpola, R. S. (Gampola)

Perera, A. Reginald (Dehiowita)

Perera, Dr. N. M. (Ruwanwella)

Perera, Wilmot A. (Matugama)

Peris, Albert F. (Nattandiya)

Poholiyadde Dissawa, T. B. (Horowupotana)

Ponnambalam, G. G., K.C. (Jaffna)

Premachandra, H. R. U. (Second Kadugannawa)

Rajalingam, K. (Nawalapitiya)

Rajapaksa, D. A. (Beliatta)

Rajapaksa, L. (Hambantota)

Ramalinkam, T. (Point Pedro)

Ramanujam, D. (Alutnuwara)

Rambukpota, J. A. (Haputale)

Rambukwelle Dissawa, H. B. (Minipe)

Ratnayaka, V. G. W. (Deniyaya)

Ratnayake, The Hon. Mr. A. (Wattegama)

Ratwatte, H. L. (Mawanella)

Senanayake, The Hon. Mr. D. S. (Mirigama)

Senanayake, The Hon. Mr. Dudley (Dedigama)

Senanayake, Mrs. Florence (Kiriella)

Senanayake, M. (Medawachchiya)

Senanayake, R. G. (Dambadeniya)

Silva, S. A. (Agalawatta)

Sinnalebbe, A. (Batticaloa)

Siriwardana, H. de Z. (Negombo)

Sittampalam, The Hon. Mr. C. (Mannar)

Sivapalan, S. (Trincomalee)

Spencer, E. E. (Appointed Member)

Sri Nissanka, H., K.C. (Kurunegala)

Subasinghe, T. B. (Bingiriya)

Subbiah, S. M. (First Badulla)

Sugathadasa, K. V. D. (Welimada)

Suntharalingam, The Hon. Mr. C. (Vavuniya)

Tenne, H. B. (Dambulla)

Thambiyah, A. L. (Kayts)

Thondaman, S. (Nuwara Eliya)

Vanniasingham, C. (Kopai)

Velupillay, C. V. (Talawakele)

Wickremasinghe, W. P. A. (Akureessa)

