

THE REVISION OF THE CONSTITUTION

III. Stigma of Legal Inferiority Attaches to an Order in Council

(BY A STUDENT OF POLITICS)

The Constitution of a country is its fundamental law and source of power. It provides the basis upon which law is made and enforced in that country. It is a prerequisite of law and order. A constitution creates the organs of government such as the legislature, the executive and the judiciary. From its very nature it is superior to these organs. Its function is to regulate these organs, to govern government.

But for many people a constitution is something more than a selection of supreme legal rules. It is often and sometimes first, a political manifesto, a creed or testament. As such it evokes the respect and affection and indeed obedience of the people in a way which no exclusively legal document can hope to do.

If this is true, some important questions arise. How does a constitution derive its authority? Who gives it authority? and so on. It will be admitted that the basis—both legal and moral—upon which a constitution can claim authority should be unassailable.

Ceylon claims to be independent and self-governing. Yet the structural part of her constitution is contained in a number of Orders in Council collectively known as the Ceylon (Constitution and Independence) Orders-in-Council, 1946 and 1947. The only British Act of Parliament which specifically applies to Ceylon, the Ceylon Independence Act, 1947 which is only a small document of two pages, confers certain additional powers on the Parliament of Ceylon.

What is an Order in Council? An Order in

Council is the legal instrument by which the Privy Council of the United Kingdom gives expression to the measures determined by the Crown on the advice of its Ministers. The Privy Council whose members are all nominated by the Crown never meets as a body except for ceremonial purposes. A formal meeting to pass an Order is attended only by a few Councillors, generally Ministers or officials, three of whom form a quorum. In other words as far as colonies like Ceylon are concerned an Order in Council is the work of the Colonial Office whose political head is the Secretary of State for the Colonies. It is an accepted law that legislation by the Privy Council is subordinate to legislation by Parliament and that the latter can override the former.

While Ceylon's Constitution in the main, derives its authority from Orders in Council, the Constitutions of the older Dominions are all contained in Acts of the British Parliament. The New Zealand Constitution Act, 1852, the British North America Act, 1867—the Act applicable to Canada—the Commonwealth Australia Act, 1900 and the South Africa Act, 1909 are all Acts of the British Parliament.

The use of one type of legal instrument for Ceylon and another type for the older Dominions is presumably due to the fact that Ceylon was a ceded or conquered colony where—as the older Dominions were colonies of settlement which had enjoyed representative government for a long time. Though it has been the practice to use parliamentary legislation

for establishing a constitution in the colonies of settlement and to use conciliar legislation for conquered territories there is nothing in law forbidding the use of parliamentary legislation for conquered or ceded territories.

Why the Ceylon Ministers did not insist on an Act of Parliament to give effect to the Soulbury scheme is not known. Very probably they must have thought that it was easier to get things done by the Colonial Office than by the British Parliament. Even credit may be claimed for the late Mr. D. S. Senanayake for his preoccupation with the substance of the constitution to the disregard of its form.

Whatever may be the reason or even justification ten years ago for the use of the Crown's prerogative to frame a constitution for

(Continued on page 4)

University Commission

1. The Council of Management of the Vivekananda Society, Colombo, refers to its earlier resolution regarding the appointment of a University Commission, passed on 3-9-57, which reads as follows:-

"The Council of the Vivekananda Society, Colombo, welcomes the reported decision of the Government to appoint a Commission to examine and report on the matter of University education in Ceylon.

The Council is further of the opinion that the cause of education, culture and national welfare would be best served by-

(1) inviting the public to offer suggestions in the first instance regarding the terms of reference of the Commission.

(2) including in the personnel of the Commission eminent persons with experience of University affairs from countries such as the United Kingdom, India and Switzerland and representative Ceylonese educationists of the various denominations and linguistic groups in order to enable the

country to have the benefit of informed, balanced and comprehensive recommendations on the subject."

2. The Council welcomes the reported provision for the examination of the religious and cultural aspects of the University in the Commission's terms of reference.

3. The Council regrets that representative Ceylonese educationists of the various denominations and linguistic groups have so far not been included in the Commission contrary to past practices and earnestly urges on the Government the inclusion in the Commission of an adequate number of outstanding Ceylonese educationists of the various denominations and linguistic groups in view of the national importance of the subject to be investigated by the Commission.

4. The Council demurs at the inclusion in the Commission of Mr. L. J. de S. Seneviratne, whose past record of linguistic predilections would prove to be a severe handicap to him and the other

(Continued on page 6)

RELIGIOUS CONVERSION

(A VILLAGER)

For a person to give up one's belief and adopt a new one is not easy unless one's belief sits as lightly as one's coat which could be discarded at will and a new one easily put on whenever wanted. Belief affects not only the conscious mind but also the subconscious mind as it has its roots in tribal customs and practices going back to several generations. Hence the behaviour of new converts explains the conflict in their minds. They con-

demn their old faith ruthlessly and extol their new faith in altogether unnecessary proportions. Sometimes the new convert delights in sadistic treatment of his erstwhile 'unbelievers' or takes delight in suffering. These manifestations are seen only in those who take an emotional view of religion and are unable to go beyond the apparent outward forms of name and form and see the real self-existing, unalterable uni-

versal religion behind all these phenomena.

In the history of Saivism we see religious conflict only after the advent of expansionist faiths such as Buddhism and Jainism in the early middle ages when kings changed their faith and expected the people to do the same in keeping with the ancient tradition that the King was the spiritual head of the community just

(Continued on page 6)

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Saiva Paripalana Sabha.

Vannarponnai,
28-2-58.
(M. 229 21)



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Hindu Organ

FRIDAY, MARCH 14, 1958

Treasure These Thoughts

Conditions vary During spells of misfortune it is necessary to rely on God with even greater fervour. There is no knowing through what mishap He may wipe out peril.

COLLECTIVE CONDUCT

In sheer desperation and as a last resort, Premier Bandaranaike has decided to insist on a code of conduct for his colleagues. It is gratifying to note that the Prime Minister has indirectly acknowledged that indiscipline in the Governing Group is reaching menacing proportions. The people, however, discovered this glaring weakness in the M. E. P. Cabinet within a few weeks of its formation. And events have deteriorated so disgracefully that in the eleventh year of freedom from foreign yoke, the P. M. has been reluctantly compelled to admit the incompetence of his Ministers to understand, without being instructed, their obligations to the State and to Society. If the Premier has realised that his Ministers have been found wanting in the fundamental requirement of rowing together, he has only one course of action before him and that is to

tender the resignation of the Cabinet, for, we do not think that a 'code of conduct' can effect any desirable or appreciable change in the attitude of the M. E. P. Ministers who have made a hobby of maligning one another in public meetings.

Politics has been defined as 'that part of social science which treats of the foundations of the State and the principles of government'. The high concept of good government indicates that politics is necessarily conditioned by ethics. If it is true that the State has to exist for the sake of the good life of Society then the law-givers must be examples of good conduct and great discipline. The common man who has been induced by the frequent commotions in the Cabinet to watch the conduct of Ministers and follow their utterances is able to see that no legislation of the M. E. P. has been enacted with the full and free concurrence of all Ministers. The irresponsible utterances of some of the Ministers in public, particularly when Ministerial policies are criticised, clearly show that collective responsibility has ceased to be of import in the Democratic Socialism of the M. E. P.

Premier Bandaranaike may do well to remember before enforcing his code of conduct for M. E. P. Ministers that discipline consists in removing faulty outlook. The impurity of the mind has to be cleaned by a strong sense of responsibility. The emotions and passions that direct and compel the mind must be educated. In this respect the various utterances of the Ministers including the P. M. on vital questions such as the Sinhala Only may be scanned and studied by the author of the Code of Conduct with a view to reminding the Ministers that the dictates and demands of morality must be followed at all levels.

Emergency Machinery

To Fuel Essential Services?

The 'Oil' strike continues. So does the 'gas' strike. The Premier is understood to be ready with emergency machinery to fuel the essential services. Only the Minister of Labour will have to suggest this to the P. M. and the military will be ordered to man the installations at Kolonnawa and Bloemendhal.

'BATTLE OF LANGUAGE' IN BHARAT

Rajaji For Retention Of English

In the course of his speech at the All India Language Conference held at the University Institute, Calcutta, Shri C. Rajagopalachariar said:—

The vital question of all-India language for official purposes was not a political one and should be treated at the same level as other important subjects such as the food question.

After the attainment of independence they had the option to reject English but the reason why they did not do away with English during the last 11 years was that it suited them to keep it for various purposes.

The time had now come when people should not yield to threats or coercion but have the courage and conviction to face the "battle of language" squarely. He pointed out that no amount of parliamentary majority could ever force a language down the throats of people who were unwilling.

Let Hindi protagonists first introduce Hindi as the State language in the predominantly Hindi-speaking areas like Uttar Pradesh and Bihar before advocating its use as an all-India official language.

Referring to the criticism levelled against him for his association with the Dravida Munnetra Kazhagam, Master Tara Singh and several others as of being reactionary in outlook, I say that although I do not agree with them on the political plane, I agree with them on the language issue which was non political.

It was bad, to raise slogans like "English is a foreign language". It might be of foreign origin but we are encouraging many things of foreign origin like foreign aid, Commonwealth, legislative procedure and our political and democratic institutions. English has served us well during all these years. It did not create any trouble in the country as Hindi is creating to-day. It is one of the finest languages of the world. If we want to acquire modern knowledge we must not give up English.

One of the reasons for anti-Hindi feeling in the South, was this talk of English as a foreign language. If the Hindi protagonists had not referred to English as a foreign language, possibly the opposition to Hindi in the South would have been less.

It was emphasised, that Hindi was essential for the unity of India, but what they actually found was that instead of unity, this Hindi movement was producing disunity in the country. The same argument, he added, was put forward by the British rulers when the people of India launched their struggle for independence. They said there must be one religion and one language to form a nation and without national unity, they asked, how freedom could be granted? To day, India had attained freedom although she had many languages and many religions.

A recent speech of Prime Minister Nehru in which he had stated, without mentioning any name, that he (Mr. Nehru) wondered how some people could advocate the continuance of English which was a foreign language. Obviously he was referring to me but I never advocated that English should be the national language of India. What I suggested was that, English can be the official language at the top level. That will create unity between the people of the States all over India."

If there were two languages in a State both could be the official languages. "Marathi and Gujarati are in one State—Bombay (God bless that one State) and both will have the official status. Similarly, in the Punjab, Gurmukhi and Hindi had been agreed upon to be the official languages and I hope there will be no further trouble in that State on the issue. But it is a lesson for all of us. We should understand the danger of errors which we may commit in regard to language. Here Hindi is being made the Union official language in

spite of the feelings all over the country, specially the non Hindi speaking areas, like Bengal and southern States".

If Hindi was imposed—I would not use the word 'imposed' (but I do not know what else they are doing, as our leaders do not like the word 'imposition—they think we all agree to this. Today, whether we agree to this or not they had their agencies in the various States and they all belong to one party and cannot escape the party discipline. If, therefore, Hindi is pushed like that we must look at what is happening in the Punjab. There is trouble in spite of the fact that the State Government had been a party to the agreement. I do not want to forecast but God alone knows what will happen if Hindi was pushed like that. We should all learn a lesson from the Punjab.

If unity was to be produced by the official language he did not understand its meaning 'Does it mean there is no unity in the country? Then we have to wind up our business. But so far as I know the present unity is very good and I do not know why we should try to improve upon this unity. It may ultimately spoil the whole thing. We should have commonsense to see what is happening in the country. If the all-India official language is to be Hindi whether in 1965, 1970 or 1990, then of course preparations are necessary from even now and you all know the President himself is interested in doing all these. We should not therefore, go to sleep but we should have to say that our consent is not there and we are against it, not merely in principle, or in the matter of time and preparation, but in every respect.

If Hindi was accepted as the official language of India, the vast majority of the people would automatically be reduced to an inferior status whether they were bold about it or not whether the laws were changed or not.

There was some argument about Hindi language that it was inefficient.

(Continued on page 5)

RHUTHUS OR SEASONS

(By DR. S. RAMANATHAN)

The period of penance (Tapas) that began with Deepavali came to a close with MahaSivarathri. Both these fall on the fourteenth night of the waning moon in the months of 'aipasi' (oct - nov) and masi (February-March) respectively, the former is at dusk and latter at dawn of the arctic night of the Gods with the auspicious hour at moon rise when the last streak of the waning moon adorns the sky in the early hours of the morning. The dawn of the night of gods ushers in the Holy festival which is observed in North India with much amusement as it is the harbinger of Vasanta (spring) when the sun enters the northern hemisphere following the vernal equinox on 21st March.

With the advent of Vasantha Rhthu there is a general resurrection of life in the northern hemisphere after the cold winter when life was dormant. It is worth noting that the divine child Saint Gnana Sambandar resurrected Poompavai by singing his famous devarams in which he mentions some of the festivals then current in Tamil Nad and asks Poompavai, whether she does not want to witness them. Of these festivals Thiruvonam in apasi which coincides with Skanda Sashti, the Vilakedu in Karthigai Deepam, the Markali Thiruvathirai, Thai Pooam, the sea bathing festival in Masi (following Sivarathri) which along with Pankuni Uthram and the Ashtami in the bright half of Chittrai are all held sacred by Hindus even at present. Pankuni Uthram is the day when Siva celebrated his sacred marriage to Parvathi the daughter of Himavan. As Siva had already promised to Parvathi that her dead husband will be resurrected at His own marriage with Parvathi, the god of love Kama, who had been reduced to ashes by Siva's look, resurrected on this sacred day of Pankuni Uthram which often coincides with the full moon that is called Kama Pooruna. But the resurrected Kama was visible only to his wife Parvathi and not to others hence he is called Ananga.

It is significant that this resurrection of Kama is in the same season with the

resurrection of Christ who too was not visible to all but to a selected few. He is the only son of God, so was Kama the only son of Vishnu and the season was spring when in nature we see dormant life coming to activity. No wonder the Ancient Vedic seers selected this season for their yagnas and utsavas or festivals when nature was at its best. Sceptics cannot understand the beauty of nature as God's handiwork and the ignorant label it as paganism. Perhaps the new reformed Calendar brought out by the Indian Government makes the first day of spring as the new year in keeping with ancient usage in which the Spring solstice and the Autumn Solstice played important parts in North India. But to those in the South the Rhthus or seasons were not so clear cut and easily differentiated. For them rainy season and the dry season were the most easily discernible ones and they called the former Mari and the latter Kodai. Seasons or Rhthus occur in regular periodicity and are of great use in the economy of nature. Poets have gained inspiration from these seasons. Kalidasa the Sanskrit poet has written his work on them Rhithu Sankara. In Hindu rituals when making the Sam Kalpa the prevailing season or Rhithu is mentioned always. From the vernal equinox to the Summer solstice is the best period for yagnas. The Sun being in the northern hemisphere gives light and warmth for agriculturists to grow their crops. Sowing of grains takes place in spring and plants grow in summer and are harvested in autumn by which time the Sun would have crossed the equator and entered the Southern hemisphere. The crossing of the equator by the Sun is of great significance and lights are lit on these days (Badra deepam). Time, place and circumstance control our activities and feasts and festivals are observed in relation to natural phenomena. In our Panchangams the year is divided into six seasons of two months each-whereas in the Temperate zones there are only four seasons of three months each and in the Arctic region one day of six months and one night of six months can be

Astrological

WEEKLY FORECASTS

'SRI PATHY'

FROM 16-3-58 TO 22-3-58

ARIES Aswini, Barani, Kartikai 1st part [Medha Rasi]

There will be much progress in your personal as well as professional affairs this week. Friends will be very helpful. Gains through lands and landed properties also promised.

TAURUS Kartikai 2, 3, 4, Rohini, Mirugasirisha 1, 2 [Idapa Rasi]

Some improvements in your financial position promised this week. But all is not well on the domestic side. There will be troubles through scandal mongers. Health too must be given particular care.

GEMINI Mirugasirisha 3, 4, Thiruvathirai, Punarpusam 1, 2, 3 [Mithuna Rasi]

The first two days must be spent with care. Domestic affairs will be unsettled. Financially a good week. Friends will be very helpful. Success in romance also promised. But beware of scandal mongers.

CANCER Funarpoosa 4, Poosa, Ayilya [Kataka Rasi]

There will be much misunderstandings in the family circle this week. You will have no peace of mind. But financially a good week. Professional success and triumph over enemies promised. Spend Monday evening Tuesday and Wednesday with care.

observed. As the Sun never sets for six months in the Arctic regions one can see the midnight Sun there. What made man to think is the regular periodicity of the seasons and the "rhythm of life" that he observed around him. This gave rise to the thought of law and order in the Universe or Dharma that upheld everything; hence the idea of unchanging Dharma or Sanatama Dharma. As man grew in his moral stature he discovered that moral Laws too governed the world. Laws that governed his body, his mind and spirit became harmonised into Religion. When these Laws were codified and handed on to successive generations they

LEO Maha, Poora, Uttira 1, [Singha Rasi]

Work will be heavier than usual this week. But you will stand to gain much. Certain friends may betray your trust. Do not place much confidence in a hurry. Troubles through secret enemies also shown. The last three days must be spent with care.

VIRGO Uttira 2, 3, 4, Atta, Chittirai 1, 2 [Kanni Rasi]

You will find it difficult to come to any decision in important affairs this week. Conflicts and clashes likely. But professionally a good week. Financial gains promised. Spend Saturday evening with care.

LIBRA Chittirai 3, 4, Swati, Visaka 1, 2, 3, [Thula Rasi]

A week in which you will find it difficult to get things done without clashes. But you are sure to come out triumphant at the end. Maternal relatives likely to cause you some annoyances.

SCORPION Visaka 4, Anusha, Kettai [Vrischika Rasi]

You will be quick to pick up quarrels. Financially a good week but you will spend whatever money you make. Brothers and sisters will be very helpful. Health must be given particular care. Abdominal complaints likely.

Chairman Human Rights Commission

The U. N. Human Rights Commission opened its 14th session by unanimously electing Ambassador R. S. S Gunawardene of Ceylon as its Chairman.

INSURANCE COMPANY AGENTS

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were incorporated into smrthis which gained sanctity by time, custom and usage.

SAGITTARIUS Moolam, Pooradam, Uttiradam 1. [Thanu Rasi]

Financially a good week. Gains through lands and landed properties promised. New ventures will bring in good results. But health will not be very satisfactory. Clashes with relatives also shown.

CAPRICORNUS Uttiradam 2, 3, 4. Thiruvonam, Avittam 1, 2. [Makara Rasi]

An unsettled week. You will have no peace of mind. Professionally a fairly good-week. You will be able to steer clear of obstacles and triumph at the end.

AQUARIUS Avittam 3, 4, Satayam, Pooraddati 1, 2, 3 [Kumbha Rasi]

A favourable week again. You will be able to enjoy life with ease. Financial gains promised. If your periods and sub-periods (தேசமுத்திரை) are also favourable some unexpected rise promised in the near future.

PISCES Pooraddati 4, Uttiraddati, Revati. [Meenu Rasi]

Things will be in a muddle this week. You will find it difficult to arrive at any decisions. Clashes with relatives also shown. Do not begin anything new. Week end will bring in some financial gains.

GOALS OF FREE MEN

"The Charter of the United Nations describes the goals of free men everywhere. It reflects a healthy appreciation of the necessity for peaceful change leading to a more orderly and productive future for mankind. It calls for the development of all peoples to govern and exert themselves to the fullness of their powers, and along with broad economic and social betterment must come a widespread responsibility for settling disputes in the spirit of amity and fair compromise."—U. S. I. S.

THE REVISION OF.....

(Continued from page 1)

Ceylon, the fact remains that a constitution contained in Orders in Council carries with it the stigma of legal inferiority. In this connection, it may be mentioned that the people of the United Kingdom gave up, long ago, orders in Council for legislation affecting themselves. It is only in regard to ceded territories they have permitted their use.

While we in Ceylon are content to erect our Independence on a legal instrument which is a pointed reminder to us of our having been once a conquered people. Some of the newer Dominions have dispensed with even Constitutions granted by the British Parliament and preferred purely "Swadeshi" Constitutions either deriving their authority from their own peoples or from elected constituent Assemblies.

The people of the Irish Free State, in 1937 enacted a constitution without reference to the British Parliament. It was a constitution which derived its entire authority from the people. The Constitutions of India and Pakistan were framed by constituent assemblies. None of these constitutions bear the label, "made in Britain". India and Pakistan have also repealed the India Independence Act, 1947, the Act of the British Parliament which conferred independence on them. The Irish Free State has not only repealed the Irish Free State Constitution Act, 1922 of the British Parliament but has gone further and revoked the Irish Free State Agreement of 1921 on whose basis the Irish Free State had been established. South Africa whose Constitution is contained in a British Parliamentary Act has by her Status of the Union Act, 1934 laid down that any Imperial Act in order to be applicable to the Union must be re-enacted by the Union Parliament. The provision of the Statute of Westminster, 1931 which had declared that any Imperial Act to be applicable to a Dominion should be previously requested by and consented to by that Dominion was not enough for her. She was anxious that all South African law must possess a local root.

Why have Eire, India and Pakistan not fol-

lowed the older Dominions and got their Constitutions also enacted by the British Parliament? Why was South Africa keen on producing a formal equality between South Africa and the United Kingdom? The explanation is that for these Dominions (Eire has now ceased to be a Dominion in the Commonwealth) it was not enough to be self-governing and independent in practice. They must be seen to be so in law also. They were zealous to demonstrate to the world that there was no mortgage whatever on their sovereignties. Moreover there is such a thing as national self respect and these countries were anxious to maintain it.

From what has been said above it follows that if Ceylon is to have not only the substance of Independence but also formal legal independence it is necessary that she should proceed to enact a constitution deriving its authority from her own people or a constituent assembly elected by her people.

Here arises a complication which takes us to the very heart of our problems. The fact is there is no such entity as the people of Ceylon. We have in Ceylon not one people but a variety of peoples. In other words, Ceylon is only a state and not a nation. A state in order to be a nation should contain one people animated by a sentiment of unity, a feeling of oneness. Instead of one nation, we have in fact at least two major nationalities. When a people usually of the same race resident in the same territory, sharing a common language, similar history and traditions have not yet organized themselves into an independent political body or state we call that people a nationality. In this sense we have, first the Sinhalese nationality, having a unity and history of its own going back to about 2500 years. Then there is the Tamil nationality which has as long if not a longer history in Ceylon. There are also other peoples but whether they can lay claim to be called nationalities is doubtful.

If this is the real situation in Ceylon, the people who have the right to give authority or force of law to any proposed constitution cannot surely be an arithmetical majority of

This is to inform that Share Certificates in respect of Shares numbered 211 of 22-4-42 and 1827 of 22-4-50 in favour of the late Karthigesu Thambiah of Sandilippay have been lost.

A duplicate Certificate will be issued unless objection is lodged within one month from date hereof by a person duly entitled to do so.

A. SUBRAMANIAM
Secretary,
The Jaffna Co-operative
Stores Ltd
150, Hospital Road, Jaffna
10 3 58
(M. 241 14 & 21)

the entire population of Ceylon. When we are dealing with nationalities and not one homogeneous nation, the idea of numerical majority has no place. The consent of all the nationalities will have to be obtained for any constitution. Numerical majority will come in only when we want to find out what the decision of a particular nationality is. In this matter, there is no need to go outside the Commonwealth for precedents. In Canada, Australia and South Africa the consent of the various provinces or colonies was considered as a condition-precedent for the acceptance and adoption of their respective constitutions. The case of Australia is of special interest to us. Australia has a homogeneous population. Before the first world war, 98 per cent of its population was of British migration. Yet a history of less than hundred years had created in that Dominion six separate communities each conscious of its individuality and intent on preserving it. In the event, the Australian Constitution was submitted to each of the communities, separately and the assent of each was obtained before the Constitution was finally adopted. That two-thirds of the Australian population was concentrated in only two of the communities, namely New South Wales and Victoria did not stand in the way of each of the other four communities claiming and obtaining an equal voice in the settlement of the constitution has also to be noted. If this was so in a culturally homogeneous country like Australia surely no one can reasonably object to the adoption of a similar procedure in Ceylon where we are dealing with historic and self conscious nationalities which have successfully preserved their individuality for milleniums.

NOTICE

NOTICE

GOVERNMENT GRANT FOR PROMOTION OF HINDU RELIGIOUS AFFAIRS

Information has been received by the Hindu Religious Affairs Advisory Committee appointed by the Hon'ble Minister of Cultural Affairs that Government has allocated a sum of rupees Ninety Thousand (Rs. 90,000/-) for the promotion of Hindu Religious Affairs through the medium of this Committee for the current financial year ending 30th September, 1958.

Suggestions from the Hindu public in Ceylon including Hindu Religious Organisations would be welcome on or before 31st March 1958, in order to assist the Committee in its work.

N. Navaratnam,

Hony. Secretary,

Hindu Religious Affairs Advisory Committee.

No. 35, 34th Lane,
Wellawatta.
(M. 240. 14)

Letter to the Editor

The University Commission

Sir

The University of Ceylon is one of the most important factors in the national life of the country. In view of its importance, the Commission that has been appointed occupies a very significant place among our current problems. Its findings will have far-reaching influence on the life of the country in all aspects.

It is a matter for congratulation that the terms of reference of the Commission are very wide and purposeful. Those who have had a hand in formulating the terms of reference have laid the country under a debt of gratitude.

The same feeling of satisfaction cannot however be expressed of the personnel of the Commission.

Firstly, the number of persons in the Commission is entirely inadequate.

Secondly, a greater number of foreign experts from countries like Switzerland, Canada, U. S. A. and Russia could have been well included with great benefit.

Thirdly, the omission to appoint an adequate number of suitable and competent Ceylonese educationists and experienced unofficials is a grave handicap. Previous Commissions like the Riddell Commission with lesser terms of reference and problems to solve had a much larger number of members in the Commission, I believe, nearly fifteen.

The choice of the Ceylonese member of the Commission, Mr. L. J. de S. Seneviratne, has not been a happy one

NOTICE

IN THE DISTRICT COURT OF
JAFFNA
No. P/235

Visalambal wife of Vallipuram Ariacutty of Nallore, Jaffna.

Plaintiff

Vs.

1. Sinnadurai Selvanayagam of Nallore, Jaffna.
2. Pathmavathy wife of
3. Sinniah Somasundaram of Temple Road, Nallore,
4. Ponnammah wife of
5. Sinnathamby Ponnambalam of Chetty Street, Nallore and
6. Vallipuram Ariacutty of Nallore, Jaffna.

Defendants.

It is hereby notified that action No. P/235 has been instituted in the District Court of Jaffna under the partition act No. 16 of 1951 for the partition/sale of the land/lands called 'Var-nakulasurian Valavu' 17, 1/2 Lms. V.C. but 21 1/2 Lms. V.C. according to possession with stone built house well etc. and situated Nallore in Jaffna.

The defendants in the aforesaid action are summoned to appear in Court on the 1st day of April 1958 at 10 O'clock of the forenoon.

By order of Court,
Sgd. R. E. M. Navaratnam
Clerk of Court
This 26th day of February 1958.

(O. 181 14 & 21)

for many weighty reasons.

It is trusted that Parliament and Government would give immediate attention to the matter and rectify the omission by enlarging the personnel of the Commission in an adequate manner even as the Salaries Commission has been enlarged.

S. Sivasubramaniam
156, Hultsderf Street.

Wayside Whisper

Strike Relay

Where the Harbour Workers return to work for a relaxation, there are others to take up the relay strike race. How faithfully the Harbour workers have helped the cost of living rise by delaying food cargo, so sincerely are the oil workers adding to the misery of the common man by denying him even the meagre transport facilities provided by C. T. B. One more day of 'oil' strike and the C. T. B will cease to operate. The C. T. B. chief who not long ago appealed to the people to use other modes of transport will now plead for 'back to the travel on foot days.'

Supporting Senate

With the passing of the Paddy Lands Bill by the Senate, the ruling party seems to have captured the support of the Upper Chamber. The Courts Record Bill was passed by the Senate by 14 votes to 11. The M. E. P. now stands fairly safe in the Senate with the Opposition depleted in numbers and spirit!

Not Awake To Nation's Troubles

The announcement as a news comment that the Prime Minister of Lanka has been able to sleep well in spite of the several calamities this Island has been experiencing, gives good ground for students of political science to study this strange situation.

Premier Bandaranaike has not contradicted the implications of the comment. He has not taken up the position that he enjoys that famous 'vigilant sleep' of certain M. S. Cs in the pre-independence period. The inference is that the P. M. has chosen to be not awake to the nation's difficulties.

The lack of unity among the Ministers may not be anything serious to the seasoned S. L. F. P. statesman. But the frequent strikes that inflict a severe punishment on the people, for no fault of theirs, must certainly keep the P. M. thinking. Anyway it is not a good augury that the P. M. has good and uninterrupted sleep!

Hindu Religious Affairs Advisory Committee

A meeting of the Hindu Religious Affairs Advisory Committee was held on Sunday the 2nd March 1958, at the Vivekananda Society, Colombo. Sir A Mahadeva, the Chairman of the Committee, presided. The rules of the Committee were amended making provision for the appointment of 5 Trustees for the Committee. The following were elected as Trustees: Sir A Mahadeva, Messrs. S. Somasunderam, R. Sabanayagam, K. Mathiaparam and N. Navaratnam.

It was intimated that the Vivekananda Society had agreed to give to the Committee the use of a room in the Society premises free of rent.

The reports of the various sub-committees were considered. It was decided to invite the Hindu public including Hindu Religious Organisations to send suggestions on or before 31st March 1958 to the Committee indicating the manner in which the Government grant of Rs. 90,000/- could be usefully expended on various items of services relating to the Hindu Religious Affairs. The Committee decided to give a sum of Rupees One Thousand Five Hundred to the Jaffna Saiva Paripalana Sabha towards the expenses for holding the All Ceylon Hindu Conference in April, as an urgent requirement. It was also decided that the members of the Committee should visit various parts of the Island and assist the formation of Regional Committee to carry on religious work. The report of the sub-committee regarding the training of Hindu priests, inter-alia, tentatively recommended the assistance to schools for the present in Colombo and Jaffna, and also after due consultation, in Trincomalee and Batticaloa. It also considered suggestions for scholarships for training Hindu priests for Ceylon in India annually.

These matters were referred for further consideration. It was decided to hold the next meeting at the Vivekananda Society on Sunday 23rd March 1958 at 9.30 a. m.

Official Language For India

The proposals contained in the memorandum that was submitted by the Madras Government to the Parliamentary Committee on the report of the Official Language Commission were approved by the Legislative Assembly of Madras.

The D. M. K. Amendment that English should be retained as the Official Language of India without a time limit being imposed was rejected by 121 votes to 74.

BOOK REVIEW

Manivasagar Festival Souvenir

Manivacagar Sabhai, Karainagar deserves to be congratulated on the splendid Souvenir produced to mark the third Manivacagar Festival held at the historic Sivan Temple at Karainagar popularly known as "Eela Chidambaram". This publication is indeed a special feature of the yeoman service the Sabhai has been engaged in for almost two decades to the cause of Saiva Religion and the Tamil cause.

The Souvenir bubbles with supreme piety permeating the psalms of one of the greatest of Tamil mystics—Manikkavachagar. There is wealth of religious fare to satisfy the soul in quest of divinity. Great Scholars, Savants of the calibre of the late Sri Sivapathasundaram, Vidva. Siromany Ganesha Iyer, Sivakavimany C. K. Subramania Mudaliar, Pandithamani Kanapathippillai and a host of others have dealt with the various phases of Thiruvagasam and Thirukkavayar on a truly scholastic level. A deep study of it will certainly be fruitful and inspiring. Rajaji's message to the Sabhai,

'Battle Of Language' In Bharat

(Continued from page 2)

This argument was irrelevant. 'The main point is we are against any discrimination in favour of any regional language over other regional languages. Hindi may be a very good language and if you want to progress in commerce and trade, if you want to do business with Hindi-speaking people, you have to talk to them in that language and we should all learn the language spoken in a large area to the best of our capacity but it should not be made the official language. We should be clear in our minds as to what we can concede and what we cannot. We are not dealing with enemies. We are dealing with our own Governments and we should not be afraid of telling them what we feel about it'.

They could never allow Hindi-speaking people having greater advantage over others. They could not allow one regional language to be raised to a level in which other languages were not raised. There were in India fourteen major languages. English was also there like the oceans and

exhorting them to work for the development of the Saiva Religion and the Tamil language without being sidetracked by political issues is apposite. Cheaply priced at two rupees the copies of the Souvenir can be obtained at Sri Sanmuganathan Book Depot, Jaffna.

mountains in India's geography. Now could one give it up.

Madras Minister On Hindi

According to Mr. C. Subramaniam, Minister of Finance, the question of Union official language, should be decided with the consent of all. A solution to the question should be found, having consideration to two fundamentals. Any decision on the question should not retard the growth of the regional language and it should not result in any hardship to the non-Hindi people. It was true that only 42 per cent of the people of the country had Hindi as their mother tongue. However, as against that the people speaking any one of the other languages formed a very small proportion. It was but fair that, in the best interests of all and to avoid any breakdown in the administration, English should be allowed to continue as the official language till the people had gained proficiency in Hindi and it was found possible to have Hindi as the official language. It was not possible to say when that would happen. That was why the Government suggested that English should also continue to be the official language. They considered that it was a formula which would benefit the Hindi as well as non-Hindi people.

— Madras Hindu

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Religious Conversion

(Continued from page 1)

as he was the temporal one. Religion being a matter of faith, naturally there is bound to be conflict between the rulers and the ruled when their respective faiths differ. In the trials of Appar we see the triumph of faith over mere intellectual adventures. In Gnana Sambandan's conversion of the Pandyan King we see divine intervention at its best in the miraculous cure effected on the King after which he came back to his old faith Saivism. His erstwhile Jain preceptors had undertaken to self-immolate themselves by imputation and true to their word they impaled themselves showing their sincerity of purpose. To blame Gnana Sambandan is not only to do injustice to this divine child who never had any intention of inflicting pain on anyone but also still worse, to disparage the Jain masters who would not give up their self imposed martyrdom for the sake of their faith.

For a conversion to be brought out a good deal of preliminary brain washing is necessary and the agents of the new faith will succeed only when they master this art. But often physical conquest of the unbelievers makes it easy to impose the new faith by tyrants who believe, that they are doing an act of merit by forcibly converting the unbelievers and killing those not willing to be converted. There is no evidence to show that Saivism prescribes such treatment for those that do not believe in it though it prescribes acts of expiation (prayachittam) for lapses on the part of its believers but which have to be done voluntarily by a change of heart and not under compulsion as no one can be compelled to go to Heaven. If so it is an easy mechanical process.

Some Kings who happened to be born in the Saiva faith have committed many crimes through lack of understanding of the Religion for which Saivism cannot be blamed. Siva the Bengin having none equal to or superior to Him cannot be represented by a mere human being whether prince or peasant, prelate or priest. He can act without these agents in the hearts of His faithful. The great Saiva King of Ceylon, Ellala, never interfered with the faith of his Buddhist subjects and many Saiva Kings in India allowed people of alien faiths to

settle in their Kingdoms and even protected them. Siva being a Universal God (Iswara) His believers cannot do better. In more modern times religious conflicts have occurred owing to utter ignorance of the parties concerned. Expansionist ideologies are bound to come into conflict with established faiths and when adherents of one faith change over to a new faith those of the older faith naturally resent it. To see one's dear and near ones embracing a new faith after giving up their traditional one is most disconcerting especially if the new faith happens to be that of those who have been enemies of the people or have conquered them in war. Prisoners of war often change their faith merely for the sake of survival and not out of conviction. The faith of the ruler takes precedence over the faith of the ruled. It cannot be helped. Some prefer to die rather than give up their faith. What should never be forgotten

is that no Sivagama imposes on the faithful forcible conversion of others. Puranas describe cases where devotees of Siva have defended themselves by risking their own lives for the sake of their faith. As long as Siva is a living God no one can kill Him or His devotees. He is the life of all living beings. In whatever form man may worship Him He shows His Grace to them in that form. To the Siva Gnani Heal one exists and nothing else. The ideal of a religious imperialism is repugnant to Saivism. Imperialism whether it is religious, physical, cultural or linguistic is not conducive to the full development of human personality. Peace, tolerance and co-existence alone will ensure progress and prosperity. To live or progress at others' expense is to deny the universal goodness of Siva as exemplified in the lives of Saiva Saints. Indeed religion should not be a case of counting of heads or a war on others,

University.....

(Continued from page 1)

members of the Commission and who, by reason of being an employee of the Government, would normally be expected to emphasise the trends of Government policy and action to the detriment of an impartial enquiry on a subject like that of University education affecting the country with various religions, languages and cultures.

5. The Council is of the opinion that the Commission, as at present constituted without adequate representation of the various denominational and linguistic groups in Ceylon, will find it most difficult to grapple successfully with the various matters envisaged by the Commission's terms of reference requiring specialised knowledge in many spheres on the one hand and freedom from bias on the other.

beliefs. As long as people do not fear for their own faith, it will survive if it has truth. The war on so called paganism and false gods will continue as long as people cannot shake off their bigotry. Holy wars will continue to be wars of aggression as long as fanatics have their say in the Government of their people. If only these fanatics and bigots will listen to their inner voice they will realise that God does not need their services for these wicked purposes. All men and women, young and old are children of the same Father in Heaven though different people call Him by different names. That Siva can only be approached through love and people should love His creatures is the dictum of all Saiva Saints. If people realise this there will be no need for Holy wars and religious conflicts. Peace and good-will among all peoples of the world should be the aim of each and every one—Saivas especially.

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