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X

NO. 32

THE REVISION OF THE CONSTITUTION

X: A Modified Form of Federalism Will Suit Us Best

(BY STUDENT OF POLITICS)

There are two difficulties which stand in the way of establishing the normal type of federalism in Ceylon.

One is the opposition of the Sinhalese to any structural change in the present Constitution. The other is that the proposed autonomous Tamil State will be too small in relation to the rest of Ceylon.

In regard to the first difficulty, we must bear in mind that there are two separate issues involved here. One is the establishment of a Tamil State willing to federate with the rest of Ceylon. The other is the establishment of a Sinhalese linguistic state on par with the Tamil State, quite distinct and apart from the general State for the whole of Ceylon. As for the carving out of a separate Tamil State from the existing unitary state, we consider that it is a matter primarily in the hands of the Tamil-speaking peoples. We may also take it that the offer to co-operate with the rest of Ceylon on certain specified subjects will be accepted by the Sinhalese, because the alternative would be the establishment of an Independent Tamil State. But can we proceed further and compel the Sinhalese, against their will, to establish a Sinhalese linguistic state. It will be a different matter if they perchance do it of their own accord. But we don't think it is possible for the Tamil-speaking peoples to compel them to do so. It is one thing to have our own way. But it is quite a different thing to compel others to follow our example. That is one difficulty.

We will now consider the other difficulty. Let us assume that there will be a Tamil State and a Sinhalese State, with a federal government at the Centre. Under existing

circumstances the Sinhalese State will be disproportionately larger and more powerful than the Tamil State. This would mean that the Sinhalese would dominate at the Centre and that the Tamils would continue to be at their mercy to a very considerable extent. Let us hear what Wheare has to say on this matter: "The capacity of states to work a federal union is also greatly influenced by their size. It is undesirable that one or two units should be so powerful that they can overrule the others and bend the will of the federal government to themselves. The example of Prussia in the German Empire shows how this factor can transform even a confederation into a unitary state..... The essential is as John Stuart Mill says, 'that there should not be any State so much more powerful than the rest as to be capable of vying in strength with many of them combined. If there be such a one, and only one, it will insist on being master of the joint deliberations if there be two, they will be irresistible when they agree; and whenever they differ everything will be decided by a struggle for ascendancy between the rivals'. The size of the units concerned — in wealth, area and population — is therefore of importance. There must be some sort of reasonable balance which will insure that all the units can maintain their independence within the sphere allotted to them and that no one can dominate the others. It must be the task of those who frame and work a federal government to see that no unit shall be too large and equally important, none too small".

In Ceylon the Sinhalese State will be too large and the Tamil State will be too small. Even if th

Sinhalese establish more than one State in the Sinhalese area they will be in a position to combine and make themselves irresistible.

It would seem that our federal structure has been erected on sand. Does this then mean that we will have to abandon our federal ideal? No; we need not. There is a way out. A modified form of federalism can be constructed to suit Ceylon conditions provided we can manage to borrow certain features from the constitutions of the United Kingdom and India. The special positions held by Northern Ireland in the U. K. and Kashmir in India give us precedents which we can use for our own benefit.

In the U. K. Northern Ireland has a separate Parliament for itself. Great Britain (comprising England, Scotland and Wales) has no such separate Parliament. The Parliament of the U. K. (including Northern Ireland in addition to Great Britain) is also the Parliament for Great Britain. Ceylon can adopt this model with advantage. In which case there will be a government for the Tamil State and a general government for the whole country, the latter of which will be also the government for the Sinhalese area. But the parallel stops here. The two governments for Northern Ireland, namely the government at Stormont and the government at Westminster are not co-ordinate. Although the Government of Ireland Act, 1920 — which contains the Constitution of Northern Ireland has powers to make laws for the peace, order and good government of Northern Ireland except in respect of certain enumerated subjects like defence, external affairs etc. it goes on to say also 'notwithstanding the estab-

(Continued on page 3)

THE PROBLEM OF T. B. IN JAFFNA

(By MUHANDIRAM E. P. RASIAH,
Secretary, C. N. A. P. T. Jaffna)

Having realised the magnitude of the T. B. problem, a few social workers, about 8 years ago, got together and organised a Branch of the C. N. A. P. T. in Jaffna with the object of working for the prevention and eradication of T. B. Accordingly, the Branch so inaugurated has been *inter alia*,

- (1) affording temporary relief in cash or kind to poor T. B. patients or their families.
- (2) disseminating knowledge to the masses and more particularly to the student-population regarding the various aspects of T. B.
- (3) and co-operating with the Medical Department and assisting it in the control and spread of T. B.

Although as a result of this, there has been a noticeable drop in the tuberculous mortality rate, yet the incidence of T. B. in Jaffna is said to be second highest in the Island. A careful examination reveals the fact that there are

- (a) about 1800 patients in receipt of monthly T. B. allowances from the Department of Social Services,
- (b) a further 2400 applicants are in the waiting list awaiting payment or disposal of their applications,
- (c) an equal number are perhaps living on the benevolence of their well-to-do relatives taking treatment at irregular intervals,
- (b) and it is also likely that for every known case of T. B. many more are lurking in the shadows of poverty or a false sense of shame.

The existence of a large number of undiscovered and untreated cases, constitute a tremendous threat to the health of other people and therefore intensification of measures to get at the now con-

Ostracism

Last year there occurred at Mandativu, an Island off Jaffna Town, a terrible tragedy resulting in the death of a T. B. family of four (including a girl of 20 years, who had passed the S. S. C. with several credits). Perhaps the fear that T. B. was an incurable disease or the frustration caused by the obvious signs of social ostracism by neighbours prompted them to decide to end their lives. Accordingly all of them took poison, and the Head of the family, a member of the V. C., to make death doubly sure, set fire to the house, after locking themselves inside it. Thus four precious lives were lost, including those of two young girls in the very prime of their lives. The wonder drugs recently discovered by medical science could have saved them, had they thought of taking treatment. How unfortunate!

Jaffna's Need.

Jaffna now has an up-to-date Chest Clinic with a highly qualified Medical Officer in charge. The next urgent need is a "Preventorium" or in other words a well-ordered Home in spacious and healthy surroundings, where young children of T. B. mothers could be boarded and nursed, where they could get balanced diets, baths at regular intervals, sunlight and exercise to build up their general powers of resistance against the T. B. bacilli and thereby escape infection. At the moment such a Home called the "Wilson Nursery" is being run at Puttur by a mission. Four children of T. B. mothers are being brought up at this Nursery

(Continued on page 4)



செந்தமிழ் நாளிதழ்

தமிழ்நாட்டிலே ஐயமாய் கல்வியும்
கமச்சிவாயவே நானறி விக்கையும்தான்
தமிழ்நாட்டிலே நானறி தெரிந்துகொள்கிறேன்
தமிழ்நாட்டிலே நானறி காட்டுகிறேன்
செந்தமிழ் நாளிதழ்

Hindu Organ

FRIDAY, NOVEMBER 21, 1958

Treasure These Thoughts

"I seek refuge in the Almighty, who is mightier than the mightiest, who is the terror of all-devouring Death."

THE ONLY WAY TO UNITY

The idea of convening the Fifth Parliament of Religions and Yoga in Lanka has been opportunely conceived. Participation in an Assembly where the imperative importance of religion becomes emphasised on behalf of all religions must necessarily create a suitable atmosphere, congenial to the various communities in their task of paving the way for communal harmony. It is gratifying to note that this solemn occasion in the interests of humanity has been arranged by a very representative body of organisers.

The world needs today leaders who by their selfless service can point out the way to peace. Religious Organisations possess the capacity for leading the people along the path of truth. And if only the statesmen of the world would devote their time and energy, in a pious endeavour, to a search for the higher mind, no longer would there be any insurmountable difficulty in discovering the path. Heads of Governments, the world over, are all agreed that the way to unity has to be found; but they have failed to realise the fact that they will not be able to find the path unless beams of light, from the guiding star of spiritual teachings, enable them to crawl out of the consuming darkness of menacing materialism. Hence the need for religious assemblies that can summon the different resources of various faiths together in one forum and reiterate the memorable messages of peace and harmony that were delivered by spiritual leaders of the glorious past.

Let those leaders from

the political camp who proclaim that their striving is for the greatest good of the people remember that their pretensions cannot take the world towards that goal. The practice of religion alone can prepare the human mind for noble purposes. And what other noble purpose there is than the striving for the common good. The confusions and conflicts of the immediate past in this little Island require the helping hand of a Parliament of Religions to raise the people from the valley of prejudice to the firm ground of mutual understanding and tolerance. We are confident that the fruits of the labours of this commendable undertaking will be availed of and utilized for the highest good of humanity.

Letter to the Editor

Clarification

Sir,

The writer of the article in question was all along taught that in Varnashrama Dharma, the Bramins, Kshathiyas, and Vaisyas become an investiture, during the Upanayana Ceremony of the sacred thread, twice born (dvija). It is said that by birth one is Sudra by Sangskara (Upanayana) dvija (twice born); by study of the Vedas one attains the state of Vipra; and that he who has knowledge of the Braman is a Brahmana.

Janmana Jayati shudrah
Sangakarad dvija Uchiyati
Veda pathat bhavati viprah
Brama jarati brahmanah.

The division of Varnas is not identical with the castes obtaining among the Tamils especially in Jaffna; hence the confusion in the minds of teachers who think that Bramins are the only dvijas. Among the North Indians the Bramanas, Kshathiriyas and Vaisiyas are regarded as dvijas and have the authority (adikara) to study the Vedas. Philosophers and seers think that Varna exists among all races and is based on Guna or aptitude and temperament. Sankrapandithar of Ceylon was a great Vedic scholar though not a Bramin. The writer of the article will be happier if the necessity or the need for an adeenam is appreciated or dismissed than the question of "dvija" is debated. Everyone who turns a new leaf or reforms one's own life towards a true spiritual way of life is reborn and can be called a "dvija" if one so desired.

A Villager,

MAHAVIDWAN BRAHMAMASRI S. GANESHA IYER

By KALAI PULAVAR K. NAVARATNAM

The passing away of Mahavidwan Brahmamasri Ganesha Iyer, the renowned Tamil Scholar of Ceylon, on the 8th of November 1958, removes from our midst the last of the great scholars who lived up to the ideals of the Tamil revival started by the Great Aramuga Navalar.

Brahmasri Ganesha Iyer, was born on the 15th of Panguni, in the year 1878 as the son of Brahmamasri Siniiah Iyer of Punnalai-kadduvan. He began his school education at the Sriva Vidyasalai of Punnalai-kadduvan founded and conducted by his father's brother Brahmamasri Kathirgama Iyer. After passing the eighth standard, he went and lived with his sister at Vanner-pennai for the sole purpose of studying Tamil Literature and Grammar under the celebrated Tamil Scholar

also wrote a biographical study of 101 Tamil poets and scholars of Ceylon under the title "Ilanaddu Tamil Pulavar Chitram". He paid his tribute to his teacher Sri Kumarasimulpulavar by writing a separate book on his life and works. His critical notes and commentary on the commentaries on Tholkappiam is considered by competent scholars as a work of vast erudition. It will be a standard work of reference for all times. At the time of his death he was writing a critical commentary on Aha Nannoru, one of the Sangam Classics.

The public of Jaffna in recognition of his great scholarship and devoted service to Tamil, presented him with a purse on his 80th birthday. The Oriental Studies Society of Jaffna conferred on him the Title of "Vidva-

SAIVA PARIPALANA SABHAI JAFFNA

The 70th Annual General Meeting of the above Sabhai will be held on Sunday the 23rd November 1958 at 9.30 a. m. at the Ashrama Navalar Mandapam, College Road, Neeravindy.

A. Thanabalasingam,
Secretary.

lar Vidva Siromani Pon-nampalappillai, nephew of the Sri La Sri Aramuga Navalar. He also underwent a course of study in Tamil and Sanskrit from Sri Kumaraswamy Pulavar of Channokam. Later he obtained the Third Class Teacher's Certificate and qualified himself to be a teacher.

He was appointed Headmaster of the Saiva Prakasa Vidyasalai at Nainativu. Leaving this school after a short period, he worked as the Headmaster of the Mallakam Saiva Vidyasalai for five years. From 1916 to 1924 he was in charge of the Tamil Pandit Classes at the Oriental Studies School at Channokam conducted by the late Brahmamasri J. T. Sathasiva Iyer. The Sanskrit section of this school was in charge of Brahmamasri Sribamperasastrigal who entertained a very high regard and respect for the erudition of Ganesha Iyer.

His earliest literary work was a commentary on the Tamil Raguvams of Nallur Arasakesai. He

Siromani". Arrangements were made in the early part of this year to celebrate his 80th birthday in a fitting manner. But the celebration was postponed owing to the "Emergency Regulations". Because of his continued illness for the last three months, the organizers were not able to proceed with their plan. The appreciations and congratulations received for the occasion from the Scholars of South India and Ceylon will be used in a suitable manner.

Sri Ganesha Iyer, after the death of his wife, devoted more of his time to religious sadhana and practically lived the life of a recluse at his ashrama by the side of the Ganesha Temple at Varnathala Vilan, Tellipalai. His religious fervour and devotion to Ganesha is well reflected in his book "வருத்தலை விளக்கம் மருதடி விளக்கம்" published in 1951. The life he lived can be known from what he has written about himself in the pre-

Wanted A Temporary Clerk For The Northern Division Co-operative Federation Ltd. Jaffna.

Qualifications English S. S. C. or equivalent examination with sound knowledge of Tamil. Candidates should give their age and state the subjects in which they have obtained Credit Passes. Preference will be given to candidates who have had office experience together with knowledge of Accounts and Type-writing.

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(M.185 21 11)

face to the booklet. "அவ்வுரை அடைந்து வசித்த காலம் தொடங்கித் தினமும் அவ்வாயத்திற் சென்று யானும் அக் கடவுளை வழிபட்டு வருவது வழக்கம். அவ்வாறு வழிபட்டு வரும் போது, அப்பெருமான் தன்னை வழிபட்டு வருபவர்களுக்குச் செய்யும் திருவருளை யானுஞ் சிறிது அனுபவித்து அறிந்தனளேன் ஆகவே, அக் கடவுளுடைய திருவருளைப் பூர்ணமாகப் பெற்று, இனிப் பிறந்திறந்து இளைய திருக்கலெண்டுமென்ற கருத்தை யுட்கொண்டே இவ்வந்தாதியை அக்கடவுளின் மேற் பாடியுள்ளேன்".

The following stanza found in the Anthathi very clearly portrays his attitude to book-learning:

"அறியாமை நீக்குந்
கல்வி யென்
நெண்ணி யுலகென்ற யான்
சிறியார்கள் செய்த மனந்
சொறது வெனத்
தேர்த்து கொண்டேன்
செறியா மலர்சொர் மருதடித்
தேவரின் சேவடியே
அறியாமை தன்னை
மகற்று வ தென்ப
தறிந்த பின்பே".

He was an embodiment of Tamil and Saiva Culture and lived a life of inner peace and detachment. He kept aloof from the controversial polemics of the Jaffna Literary world and steadfastly applied himself to Self-Realisation. He lived above sectarian dogmatism and radiated peace, goodwill and understanding among those who went to gather knowledge from him.

By his death the Tamil world has lost an outstanding grammarian and a scholar of critical acumen; Ceylon has lost her most eminent Tamil Scholar and the Hindu Community a devoted Siva-Bhakta.

May his life and work inspire us to do our bit to the study and revival of Saiva and Tamil Culture in Ceylon.

The Revision Of.....

(Continued from page 1)

blishment of the Parliament of Northern Ireland, the supreme authority of the parliament of the United Kingdom shall remain unaffected and undiminished over all persons, matters and things in Ireland and every part thereof. There is nothing in law to prevent the Parliament of the United Kingdom from passing laws for Northern Ireland not merely on the specified reserved subjects, but on any subject whatever.... Of these two governments in the United Kingdom, one only can be described as independent and that is the government at Westminster. The government at Stormont is a dependent government... and although great consideration is shown to Northern Ireland and no interference in provincial affairs occurs unless absolutely necessary, there is here no example of federal government.

The consideration shown to Northern Ireland is purely a matter of convention and not a matter of law. The Tamils will never accept a constitutional position for their state in Ceylon similar to that of Northern Ireland in the United Kingdom. They will never allow their future to depend on safeguards which will be partly only conventional in character. Nothing less than the substance of Independence and legal equality with the Sinhalese will satisfy them.

It is here that the precedent of Kashmir comes to our aid. Kashmir enjoys a special and unique position in the Indian Federal Union. Though India is generally regarded as a federal union, it is not so in strict law. India may be described as having a quasi-federal constitution. In the Indian Constitution the Central Government is given powers of intervention in the conduct of affairs of the State Governments which modifies the federal principle.

But as far as the State of Kashmir is concerned its position is different. Its relations with the Government of India are confined to only three subjects, namely defence, external affairs and communications. In all other matters the State Parliament has sovereign power. The constitutions of all the constituent states of the Indian Union were framed by the All-India Constituent Assembly. But the Constitution of

Kashmir was framed by her own Constituent Assembly. In the case of the other States, their Governors are appointed by the President of India. In the case of Kashmir, on the other hand, the Head of the State known as Sadar-i-Riyasat is elected by the State Assembly. He is also required to be a permanent resident of the State. Again Kashmir has a separate flag of her own. In the event of internal disturbance the President should have the concurrence of the state government for applying the Emergency provisions of the Indian Constitution. As a further example of the unique position enjoyed by Kashmir in the Indian Union we will quote the following provision in its Constitution: "No existing law in force in the State of Jammu and Kashmir and no law enacted by the State Legislature in future defining the classes of persons who are permanent residents of the State or conferring on them special rights and privileges in respect of employment under the State Government, acquisition of immovable property in the State, settlement in the State, or right of scholarships etc. shall be affected by any provision of the Union Constitution" This provision has enabled the Kashmir State Government to prohibit non-Kashmiris from settling, acquiring land or obtaining employment in Kashmir.

We can follow the example of Kashmir. The subjects allotted to the general government as far as the Tamils are concerned may be reduced to the barest minimum. The Tamil State should be given exclusive power over all other matters.

Under the scheme that has been proposed here, there will be only one regional state in Ceylon. But that state will not enjoy a subordinate status. Within its own sphere it will be independent of the general government. And because that sphere will include all the matters in which the Tamils as such are interested and because the sphere of the general government as far as the Tamils are concerned, will be confined to only matters of common concern, the risk of Sinhalese domination will be reduced to negligible proportions.

The modified form of federalism advocated here presupposes an agreement between the Tamils and

Astrological

WEEKLY FORECASTS

'SRI PATHY'

FROM 23-11-58 TO 29-11-58

ARIES Aswini, Barani, Kartikai 1st part [Medhurasirasi]

Your mind will not be at rest this week. Minor health upsets also shown. But professionally a good week. Ruin to enemies and success in new ventures promised.

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

Health will not be very satisfactory. Eye troubles likely. Domestic affairs will be unsettled. New ventures will have to be handled with care.

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

Some clashes with relatives likely this week. Domestic affairs also will not be very harmonious. But financially a good week. Gains through lands and landed property also promised.

CANCER Punarpoosa 4, Poosa, Ajilya [Kataka Rasi]

Brothers and sisters will be very helpful this week. Friends will go out of the way to help. Triumph over enemies and success in new ventures promised.

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

Quarrels and misunderstandings among friends likely this week. Health upsets likely. Conditions in the office will not be very satisfactory. Do not begin anything new.

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

Sunday Monday and Tuesday morning must be spent with care. Rest of the week will be fairly favourable. Financial gains and success in new ventures promised.

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

A good week for finances. Professional success promised. But be careful about domestic upsets on Tuesday evening, Wednesday and Thursday. Rest of the week will turn favourable again.

SCORPION Visaka 4, Anuradha, Kettai [Vrischika Rasi]

Some of your personal problems will be solved. Opposition will slowly melt away. Triumph over competitors also promised. The last two days of the week must be spent with care.

SAGITTARIUS Moolam, Pooradam, Uttiradam 1, [Thamir Rasi]

Personal affairs will be in a muddle this week. Expenditure will rise. Financially a good week. Friends will help you out of difficulties.

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

Minor clashes with superiors in the office likely. But you will be able to come out of them unscathed. Paternal relatives will be very helpful in your new ventures.

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

A good week again. You can go ahead in your affairs with confidence. Gains through lands and landed properties also promised.

PISCES Pooraddati 4, Uttiraddati, Revathi, [Meena Rasi]

Health a problem. Domestic troubles also likely. Expenditure will rise. Do not begin anything new for some time.

the Sinhalese. Considerations of security and defence demand that the unity of Ceylon should be preserved. But it is a matter which concerns the Sinhalese as well. If they do not realise that it is only by agreeing to the Tamil demand for autonomy that they can preserve the unity of Ceylon, the Tamils will have no alternative but to proceed to the establishment of an Independent Tamil Nad. The Tamils know what dire consequences the forcible partition of the country would involve. They know at what cost Pakistan and Israel were created. But they have tasted foreign rule and are not inclined to exchange it for Sinhalese mob rule. Let the Sinhalese pay heed to the wise words of Dicey, "a federal system sometimes makes it possible for different communities to be united as one state when they otherwise could not be united at all. The bond of federal union may be weak, but it may be the strongest bond which circumstances allow."

Pandit Kandiahpillai Passes Away

We deeply regret to record the death of Pandit S. Kandiahpillai.

Pandit Kandiahpillai was a lecturer in Tamil and later edited the religious journal Viththagam. The Pandit spent his life time for the cause of Tamil and Saivism.

WANTED

(1) Tamil Trained Teacher (preferably with English (S. S. C.) for Primary School.

(2) An Arts Graduate (Ceylon or London) for work in the higher forms in English, History and Government.

(3) Biology Graduate (Ceylon or London) Honours Graduate will be preferred.

Applications close on 25.11.58. Applications to be sent to the Manager through the Principal, Kokuvil Hindu College, (M.184 14 21 & 28)

Parliament of World Religions and Yoga

The Fifth International, Interlingual and Interracial Parliament of Religions and Yoga will be held at the Vivekananda Society Hall from November 22 to 25.

At the inaugural session, the Presidential Address will be delivered by Yogi S. A. A. Ramiah.

Presidential addresses on the 2nd, 3rd and 4th days will be delivered by Dr. T. Nallainathan, Dr. P. B. Jayah, Dr. A. W. P. Guruge and Anagarika Sugathananda respectively.

About 30 speakers belonging to different religious faiths will deliver lectures during the sessions.

There will be demonstration of scientific Yogic kriyas by Yogi Ramiah, Babaji Yoga delegates & Sangah Mother Rm, Solachi,

ORDER NISI

Editor: R. N. SIVAPRASAM.