

## THE 1960—1961 SCHOOLS' CRISIS IN CEYLON

*Analysed as a non-violent defence of human rights  
by the Christian community of Ceylon*

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The first Christian missionaries reached Ceylon in 1505 with the arrival of the Portuguese. Since that time, in terms of conversions to Christianity there has been no remarkable success. (At present the Christian population is about 7.7 % of approximately the 13 million inhabitants of Ceylon). But Christian institutions have played a significant role in the development of the country. The present article seeks to study an event where the Christian community reacted in the face of a threat to one of the Christian institutions — namely the denominational schools — which the government of the day wished to take over in view of the „national interest“.

The main thrust of our article is to provide a critique of the schools' struggle in terms of available knowledge, so that if and when a future crisis in regard to one of the institutions of Christianity were to occur, these viewpoints will have to be taken into consideration. But we are well aware that the actual decision of the means to be used and the expectations to be formulated will depend on several factors which are unknown to us at present, as for example the variable factors in the situation at that point in history, the options available, the qualities and defects of those who wish to defend their right and those who oppose it and so on.

In our presentation, we shall first present the facts about the schools' crisis and then analyse the issues involved. Then we shall try to offer a few theoretical reflections flowing from and elaborating our conclusions on the actual reflection.

### *I The schools' struggle — The facts*

Presuming that the reader may not be familiar with the succession of events in the struggle, the present chapter aims at providing a framework of indisputable facts about the struggle<sup>1</sup>. It is on the basis of these facts that the reflections on the struggle will be made.

Dates:

28th July 1960: The daily papers report a statement by the Minister of Education (BADIUDDIN) that the new (S. L. F. P. meaning *Sri Lanka Freedom Party*)

<sup>1</sup> Besides personal knowledge, the sources for which we rely in enumerating the facts contained in this chapter are: T. BALASURIYA, *Reflections on the Nationalization of the Private schools in Sri Lanka*, in: *IDOC Bulletin*, No. 10—11 (August-September 1973), p. 7—22. F. HOUTART, *Religion and ideology in Sri Lanka*. Colombo, 1974. C. LAWRENCE, *Work and Working of the Archdiocese of Colombo in Ceylon: 1947—1970*. Colombo, 1970.



government is to proceed immediately with the „take-over“ of all assisted schools.

12th August 1960: Throne Speech outlining the policy of the government makes mention of the proposed take-over.

12th October 1960: A bill (proposing the Act) is tabled in the House of the Representatives.

24th — 27th October 1960: „Committee Stage“ of the Bill.

28th October 1960: The third reading of the Bill is passed.

8th November 1960: First and second reading in the Senate.

15th November 1960: Committee stage in the Senate and third reading of the bill is passed.

17th November 1960: Royal Assent is given making it into law (that is the bill is signed by Sir OLIVER GOONETILLEKE, Governor General).

1st December 1960: The ordinance takes effect.

#### *The struggle in preparation:*

1. Catholic newspapers endeavour to dissuade the government from the step.

2. Legal action to prevent the implementation of the first act. But this proves unsuccessful.

3. The hierarchy meet on several occasions to review the situation and to direct the intervention of catholic spokesmen with the government.

4. The hierarchy issue statements against the legislations. (The statements are dated 30th September, 16th and 27th October 1960).

5. Interviews and discussions of the Government with the Catholic Bishops.

#### *The struggle in action:*

1. The Catholics of each parish resort to passive resistance by occupying the buildings and precincts of the schools earmarked to be taken over.

2. There are also prayer meetings, processions, demonstrations, sit-in by youth close to the House of Representatives.

#### *Reaction of opponents:*

In general, a policy of unit and see (besides the interviews and discussions spoken of above).

#### *Leadership of the resistance:*

Primarily the hierarchy and secondarily those who cooperated closely with them — the members of the Catholic union.

#### *Participants in the resistance:*

The Catholics, but generally the ones involved most openly were the poor. The resistance was strongest in the coastal areas. The leaders did not really lay themselves physically on the line of civil resistance.

#### *Visible results of the struggle:*

1. Cardinal GRACIAS of Bombay (India) offers to mediate. On his firm assurances, persuaded of the futility of further resistance the Hierarchy of Ceylon on 19th January 1961 calls on Catholics to desist from the occupation of the schools.

2. „Supplementary Provisions“ (Act No. 8 of 1961) gazetted in May 1961 vesting in the state the immovable property of the school with retrospective effect to 16th July and the moveable property of the school with retrospective effect to 21st July 1960.

## *II The schools' struggle — The facts analysed*

The aim of our study is to answer the question which we have posed ourselves in the light of the facts enumerated in the last chapter. There-



fore, it is necessary first of all to understand the notion of the human right which was defended and the nature of the non-violent action employed. Since we are dealing with a very definite case, it would be naive to believe that these notions can be considered in the abstract. Rather they were, as will be seen conditioned by historical circumstances. It is in the light of these that we are able to understand what the struggle was all about.

### 1. *Human right.*

#### Background:

Already fifteen years before the struggle, the hierarchy of Ceylon in a joint pastoral had set forth their views on Catholic education. This pastoral is dated 7th October 1945:

It is evident that no system of education can be acceptable to Catholics, if it is outside the influence of the Church. And as education is primarily a work of environment, this influence must pervade the home, the school where the child grows up and animate the parent and teacher alike in their relations with the child . . . . Hence arises our persistent demand that Catholic children must be educated in Catholic schools under Catholic discipline. To compel us directly or indirectly to accept a system of education which does not conform to these principles is to deny us the right to bring up our children according to the tenets and precepts of our religion<sup>2</sup>.

This is repeated in several ways throughout the pastoral letter. Then it goes on to say:

The most striking proof of the soundness of the denominational system is the fact that it has persisted these seventy five years in spite of constitutional changes and in the face of violent and repeated attacks by the advocates of state monopoly . . . . With genuine pride we can say that we have managed our schools to the satisfaction of all fair-minded people<sup>3</sup>.

On 10th October 1955, there was another joint pastoral on „*Human rights*“. In regard to education, the line of argumentation was not substantially different.

#### In the struggle:

In the struggle, the basis of argumentation was the same as that used in the pastoral letter which we have cited at length. This argumentation was set forth in the statements of 30th September, 16th and 27th October 1960. Fr. HOUTART makes a careful analysis of the terminology and content of these statements and he concludes that the point of departure of the argumentation is a twofold postulate — the one doctrinal and explicitly bound up with revelation („religious education is indispensable for

<sup>2</sup> *On Catholic Education*: Joint Pastoral of the Catholic hierarchy, Ceylon. Colombo, 1945, p. 5—6.

<sup>3</sup> *id.*, p. 14, 20.



the transmission of the revealed message“) and the other social (the necessity of specific institutions to perform this function)<sup>4</sup>.

It is not the scope of this paper to make a critique of the first of this postulates. But we deal with the second, for the struggle was immediately concerned with the second namely that the school is the privileged place of the Christian formation. We would like to point out that this statement is at least questioned by catechists today, for example P. BABIN<sup>5</sup>.

#### The right as defended:

In 1945, the hierarchy had spoken of the system of education which had endured for seventy five years<sup>6</sup>. Hence what they intended to speak of was the denominational school system which was established by Catholics in 1869. It should be remembered that the British took control of Ceylon in 1796 and held Ceylon as a crown colony until 1948. But it was only seventy three years after they came into power that Catholics were allowed to have their schools and this after agitation led by Fr. BONJEAN OMI. During the period 1869 to 1959, Catholics made a tremendous effort to build up the school system. By 1958, there were schools (about 775 in number) sufficient to provide for 93 % of the Catholic children in need of education. Obviously this situation gave the Catholics a considerable advantage over others in Ceylon<sup>7</sup>.

It is true that the Catholics built up the material structure of the schools. But for the most part, it was the government which financed their running. When the situation of the Catholic schools was compared for example to that of the Buddhist schools, there was the picture presented of a minority being in a position of privilege. On the eve of the schools struggle, the situation was that the 1257 Buddhist schools in the island received a government grant of Rupees 20 million, while the 735 Christian schools received a grant of 28 million. A pupil in a Buddhist or Hindu school cost the government an average of Rupees 64, while one in a Catholic school cost Rupees 118. Of the teachers, 86 % of the graduates were in denominational schools and 14 % in government schools<sup>8</sup>. These statistics were inflammatory, particularly at the time when a group which for the most part had not enjoyed the benefits of denominational education came into power through the election of 1956.

<sup>4</sup> F. HOUTART, *Religion and ideology in Sri Lanka*. Colombo 1974, p. 286—294 for analysis, esp. p. 293.

<sup>5</sup> P. BABIN, *Audio-visivo: svolta e speranza*, (Gestetnered) Rome, 1975.

<sup>6</sup> The Catholic school system actually goes back much further. There were schools established under the Portuguese regime which first brought Christianity to Ceylon (1505—1658). Then the system was disrupted during the Dutch period (1658—1796) when Catholics were under persecution.

<sup>7</sup> T. BALASURIYA, *Reflections on the Nationalization of the Private schools in Sri Lanka*, in: *IDOC Bulletin*, No. 10—11 (Aug. — Sept. 1973), p. 7—8.

<sup>8</sup> J. E. JAYASURIYA, *Education in Ceylon before and after independence* Colombo, 1969, p. 2, 3, 59.



At this time, there was the revival of Buddhism as a religion and of the old argument that in order to be national, Sinhalese should be Buddhists<sup>9</sup>. As Fr. C. FERNANDO says: „At the time of the Sinhale-Buddhist revival in the late 1950s, it was common to indicate one or other religious group as privileged“<sup>10</sup>. The expression of this problematic is found in the report of the Buddhist commission which highlighted especially the „privilege“ of the denominational school system and of the Catholic one in particular<sup>11</sup>. Thus one can say that those who wanted to take over the schools in terms of the privilege it gave to those who controlled them.

The Catholic group however viewed the situation in terms of a human right, which she had exercised during the past seventy five years and had built up at the cost of sacrifice into a truly viable system which proved acceptable. It had given Catholics who profited from it by right and non-Catholics who benefited from it by sufferance the opportunity to climb the social ladder. So in reality, the struggle for the Catholics, was not of a human right as such, but of a human right as exercised in the historical situation of the past seventy five years. However this distinction did not appear in the struggle, as we have already seen in the analysis of the statements of the hierarchy on the right. They defended the human right to the denominational school system viewing it in the light of practical truth, while the opposition saw the human right as exercised in terms of privilege. This, they were unwilling to permit to a minority who formed only about nine per cent of the total population.

Here, it would be well to make a very brief excursus on the human right to schools as it had been exercised by Catholics.

In the first place, in Catholic schools, there were at the time of the schools struggle nearly 120,000 Buddhist and non-catholic school children<sup>12</sup>. But there was no provision to provide them with an education in the tenets of their own faith<sup>13</sup>. Tied to this there were strong accusations that the Christian schools were being used for proselytism or at least alienating Buddhist pupils from their own faith<sup>14</sup>. The teachers in the schools too were

<sup>9</sup> S. ARASARATNAM, *Nationalism, Communalism and National Unity in Ceylon*, in: P. MASSON (Ed.), *India and Ceylon: Unity in diversity*. London, 1967, p. 260—278. — B. H. FARMER, *Social Basis of Nationalism in Ceylon*, in: *Journal of Asian Studies* 24 (1965) p. 431—440.

<sup>10</sup> C. FERNANDO, *How Buddhists and Catholics of Sri Lanka see each other*, in: *Social Compass* 20 (1973) p. 332.

<sup>11</sup> *Betrayal of Buddhism*. Balangoda, 1956, p. 49—98.

<sup>12</sup> T. BALASURIYA, art. cit., p. 10.

<sup>13</sup> Prior to 1939, non-Catholics were obliged to attend religious knowledge (i. c. Christian doctrine) classes unless parents asked for a dispensation. But from 1939 onwards, the clause was altered to state that it was only on the explicit request of the parents that non-Catholics were to attend these classes. There was never any positive provision for instruction in non-Christian faiths.

<sup>14</sup> *Betrayal of Buddhism*. . . p. 62. K. M. DE SILVA, *Social Policy and missionary organisations in Ceylon*. London, 1965.



dissatisfied, since the management (priests or religious) kept for themselves the better-paid positions. Sometimes young priests and religious were appointed to senior positions over lay teachers of longstanding and outstanding experience<sup>15</sup>. Hence, we can say that there were certain deficiencies even in the very exercise of the right.

Concluding this section on the notion of human right defended, we can say first that the human right defended as a right was valid. But in the actual struggle, there was not the same concept of the human right among those who defended it and those who opposed it. Second, in the exercise of this right, there were certain shortcomings, which have to be admitted, prescindng from the fact of whether they were blameworthy or not.

## 2. *The non-violent action used*

In the schools struggle, the fact is that the Catholics used no physical force. Theirs was a passive resistance. But we have to ask by whom was this non-violent action carried out? Here we should recall two facts, namely that the leadership did not for the most part actually take part in the non-violent action. Theirs was a role of negotiation with the government and direktion of the non-violent action, and secondly that those who took part openly were for the most part poor<sup>16</sup>.

Here, it would seem to us two observations should be made. First, on the part of the leadership the struggle was not considered organized. It was supposed to be a „spontaneous“ one, which the hierarchy (the leadership) had to direct in their role as pastors. After the interview with the Prime-Minister, the hierarchy said:

As this gave us an opportunity of making the government re-consider the whole scheme of the take-over, the hierarchy agreed to persuade the faithful not to resist the change of management to be effected on 1st December 1960. We however insisted on our right to protest by all legitimate means against whatever was objectionable in the new legislation. We assured the Government we dissociated ourselves from any manifestations of violence and that at no stage were we a party to any subversive action against the government.<sup>17</sup>

This was on 29th November 1960. The occupation had not begun. So while the hierarchy here say that they agreed to persuade the faithful not to resist, it is known that instructions were given by the hierarchy to those who occupied the schools how to remain within the law and obtain protection when needed<sup>18</sup>.

<sup>15</sup> T. BALASURIA, art. cit., p. 21.

<sup>16</sup> Cf. for example the Circulara 136 b, c in the *Curia Archives Colombo*, in which detailed instructions are given how to say within the law and obtain protection against „thugs“ during occupation of the schools. Cf. also Statement by hierarchy in: *Messenger*, 29 Nov. 1960 on the interview with Prime Minister held on night of 25—26 Nov.

<sup>17</sup> *Statement by hierarchy*, in: *Messenger* 29 Nov. 1960.

<sup>18</sup> Cf. Circulars 136 b, c as in footnote (16) above.



The second observation which we make with some measure of hesitation and trepidation is that in the struggle we treat of, the hierarchy (leadership) and those who took part physically in the civil resistance were operating from two rather divergent ideological standpoints.

The hierarchy (which includes the priests) had a mentality that was similar to that of the Westernized elite, who would consider that the social structure and in the present case the favourable situation enjoyed as a result of the denominational school system was an expression of the will of God<sup>19</sup>. And they tended to justify this situation in a conceptual framework<sup>20</sup>, as we have seen was actually the line of argumentation employed by the hierarchy in their statements.

This resulted in the assertion of principles without sufficient cognizance of the lived reality. In their use of the premise from revelation („religious education is indispensable for the transmission of the revealed message“), they were too quick in considering that the school system was the best possible. They had a false clarity on the issue as J. H. WALGRAVE points out is the danger that is present when conceptual thought does not remain in very close connection with the existential reality<sup>21</sup>.

Those who were actually engaged in the struggle, we remarked earlier, were for the most part the poor and those along the coast. There were not many of the Westernized elite of cities who took part in the physical occupation of the schools. Under what aspect did this group view the struggle? We would say that for them religious belonging defined their identity<sup>22</sup>. Therefore the struggle was part of their religious commitment.

So here there was an exercise of non-violence in which unfortunately there was a conceptual process of argumentation which was not effectively communicated to those who actually took part in the struggle. If the motivation of the struggle was better communicated, we believe that the weariness to which we refer in the next section would not have been experienced so easily. Perhaps a more viable solution in regard to the schools which the hierarchy wished to retain could have been obtained. Nevertheless, there was some communication in so far as these latter in terms of their religious belonging obeyed the hierarchy as their spiritual leaders. In other words there was communication between the two groups

<sup>19</sup> F. HOUTART, op. cit., p. 388—390, who points out the facts that the priests have ideology of Westernized elite notwithstanding the fact that they did not for the most part originate from this sector of society and that they would consider the social system an expression of the will of God. The application of this to school issue is mine.

<sup>20</sup> L. NANAYAKKARA, *Results of survey from the bishop of Kandy to his priests*, 24 Aug. 1971 (gestatenered). From this survey it appears that priests speak of justice in very general terms without considering it in relation to concrete situations.

<sup>21</sup> J. H. WALGRAVE, *Unfolding Revelation: The nature of doctrinal development*. London, 1972, p. 353—358.

<sup>22</sup> F. HOUTART, op. cit., p. 333.



(leadership and participants) in terms of practical action (obedience), though not sufficiently at the level of understanding the point of the struggle.

We believe that if the point of the struggle was effectively communicated to the participants, then they themselves would have pointed out some of the deficiencies in the exercise of the right of retaining control of the schools and thus the struggle would have been conducted in terms of a more common basis between protagonists and opponents.

### 3. *The result achieved.*

#### Immediate Result:

We have already pointed out that there was a physical occupation of the schools during which the government adopted a „wait and see“ policy, while of course at the same time perleying with the hierarchy. Since the struggle was dragging on without an outright confrontation, the occupants seemed to weary. At this juncture, Cardinal GRACIAS, Archbishop of Bombay (India) offered to mediate. After holding further talks with the government, he advised that the occupation be called off. In their statement accepting this decision, the hierarchy of Ceylon wrote:

It is because of the faith that His Eminence the Cardinal Gracias and the Bishops have decided to place in the government that they are appealing to the Faithful to withdraw their „occupation“ in order to enable the schools to function in a normal manner<sup>23</sup>.

The government is also supposed to have given the Hierarchy the assurance that the new laws would be applied in such a way as to leave the Catholic schools for practical purposes under Catholic management<sup>24</sup>.

Viewing this result, prescinding from the actual consequences resulting from the implementation of the agreement, one can say that it was a „compromise“ solution in which the Catholics sacrificed most of their schools in order to fit into the general pattern of education in the country.

The human right to maintain the denominational schools as such was exercised by the hierarchy, who in terms of the provisions of the Bill decided to keep a total of 42 Catholic schools as private non-fee-levying schools. As the very term implies, the hierarchy had to find the maintenance costs of these schools (approximately \$ 1,696,000 per annum). But this decision was taken according to the report drawn up for the information of the Second Vatican Council to defend at least in principle the Church's right to run schools of her own, to have the possibility of re-starting to build up Catholic schools and to avert the greater danger to the Faith of Catholic children if the right were lost entirely<sup>25</sup>.

<sup>23</sup> Statement by hierarchy dated 18 Jan 1961, in: *Messenger* of 21 Jan. 1961.

<sup>24</sup> C. LAWRENZE, *Work and workings of the Archdiocese of Colombo in Ceylon: 1947—1970*. Colombo, 1970, p. 460.

<sup>25</sup> F. HOUTART, op. cit., p. 295—296.



One can say then that the right was defended at least in principle. But in practice, it became almost impossible to exercise the right in the manner in which it was originally defended.

But we believe that the seemingly negative result of the struggle must not be attributed to the fact that non-violence was used. Rather, it is our opinion, that the result was because a concept of human right was defended was which not sufficiently understood in terms of the existential reality. The use of non-violence helped to achieve the long-term benefits, which we shall set out in the next paragraph. To our way of thinking, it would be impossible to imagine that these long-term benefits would have been achieved if some form of violence had been used in the struggle with results which were more positive in terms of the right as defended.

#### Long term results:

The struggle had many advantages in the long term from the point of view of the manner in which Catholics as a minority exercised their rights. An example of this would be the question of the government in 1966 wishing to substitute the weekly Sunday holiday by the Poya day (a day which Buddhists were to keep holy). The Catholics made no great issue of this and permitted the change without any struggle<sup>26</sup>.

The schools' struggle also marked an important step in the process of „cultural decolonization“. As is well known, in colonies those who identified with the colonizers had better opportunities to climb the social ladder. In Ceylon, Catholicism had been brought by colonizers into a predominantly Buddhist country and this was considered an imposition by the Buddhists. It has already been pointed out that the opposition to the schools was in terms of „privilege“. This can also be looked on as a step in the reaction against the colonizers themselves, who were looked upon as extending themselves through the school system. For here too, it was a minority group (who had been brought in and in the latter stages of British rule trusted and given responsibility by the British) enjoying a position of privilege denied to the majority who professed the pre-colonial religion of Buddhism.

But once the opposition refused to concede the right to schools in the manner in which it had been asked for — that is in refusing the Catholic school system to continue as before — they felt that they had asserted themselves sufficiently. Hence from this point on, we find no more religious issues as such being made „political“ issues. For example, when in 1968—1969 during a demonstration in connection with the use of two languages in Ceylon, a Buddhist monk was killed by the police. No one used the occasion to make it an issue. The same is true of the events of the insurgency of 1971.

<sup>26</sup> However after a few years there was a return to the Sunday holiday for economic rather than political reasons.

<sup>27</sup> T. BALASURIYA, art. cit., p. 15—17.



There have also been many subsequent advantages. Christians now have a deeper respect for non-Christian religions. Children receive a better national sense. Religious who tended to be tied down to the schools have now a greater mobility and flexibility to work in a more pastoral manner<sup>27</sup>.

#### 4. Conclusion:

Having analysed the schools struggle, how can we answer the question which we have posed ourselves: Are non-violent means themselves capable of effectively defending and promoting the rights of persons and communities?

In the first place, we would say that the protagonists start out from a divergent viewpoint about the notion of the human right which was the basis of the struggle. But in the process of the struggle, almost unconsciously, the viewpoints were purified and there arrived a compromise solution, which could be considered a defence of the right in principle — but a defence which was not practically viable. However the benefit of non-violence being used is seen in the long-term results.

In the long-term, the process of purification continued and Catholics while defending the right, no longer defended the modality in which it was exercised. On the one hand, Catholics have seen that their right has to be integrated with the rights of others. On the other hand, the opponents have lesser difficulty with considering the Catholics too „nationalists“. Religion is no longer a political issue. Human rights, therefore, can be viewed with fewer emotional overtones and they can be exercised with more attention to the rights of others.

Though it is speculation, it would seem to us that had the school struggle been conducted with violence, there would have been what HELDER CAMARA calls a „*spiral of violence*“ and these long-term effects would not have been achieved<sup>28</sup>.

The compromise solution which was achieved in the present instance we believe to be particularly significant in Ceylon. For in Ceylon the analysis of the suicide rates is said to conform more fully to DURKHEIM's „*egoistic*“ model rather than to the „*altruistic*“<sup>29</sup>. Hence in the solution that was in fact achieved, each side at least in germ could have the feeling of having obtained something of their demand — the Catholics in retaining a few schools and the opposition in having foisted on the Catholics a „*socialistic*“ solution of conducting these schools as private and non-fee-levying.

<sup>28</sup> H. CAMARA, *Spirale di violenza*. Milan, 1970 (3rd Ed.), p. 43—60.

<sup>29</sup> J. P. GIBBS — W. T. MARTIN, *Status integration and suicide in Ceylon*, in: *American Journal of Sociology* 64 (1959), p. 585—591.