

Vibhasha

October 2011

A publication of the Centre for Policy Alternatives

Volume 1, Issue 1

The mother tongue in the rubbish heap within the domestic market

A new lineup for a solution

The majority Sinhala and Tamil consumers of this country, face a grave injustice as well as inconvenience as a result of the basic information on the packaging and wrapping of the bulk of products sold in the domestic market, being presented solely in English. Food and drug products are the most adversely affected by this situation. Almost all companies and organizations distributing these products print composition information and details regarding their products in English alone.

Though this is a grave violation not only of the Official

Languages Policy of this country, but also of consumer rights, no one has come forward to take an adequate course of action against it thus far. Even language or consumer organizations have failed to give sufficient voice to this problem.

Commenting on this issue Minister of National Languages and Social Integration Vasudeva Nanayakkara stated that his Ministry was only able to exert pressure on the Government sector with regards to problems related to the Official Languages Policy. The Minister added that though his Ministry was unable to exert direct pressure on the

private sector, he was taking steps to do so in the future via the Sri Lanka Consumer Protection Authority, setting up legal procedures against this situation.

While accepting that when issuing a food item or especially a medication to the market, the consumer has a right to receive the basic information related to it in their mother tongue, the Minister added that failing to do so and presenting the information in English alone was a violation of consumer rights.

Here, a responsibility falls

upon the Sri Lanka Consumer Protection Authority and other consumer organizations. There are at present a number of consumer organizations in operation within the country.

However, the Minister of National Languages and Social Integration stated that a program will be systematically set up in the future to motivate production companies and organizations to print the packaging and wrapping of their products in Sinhala and Tamil, and that legal action will subsequently be taken against those who violate these procedures. ■

Steps will be taken if complaints are received

Assistant Director of the Consumer Protection Authority says.

Assistant Director of the Consumer Protection Authority, Mr. Asela Bandara stated that his organization is ready to take action, if a complaint is received by a consumer who is inconvenienced as a result of information regarding the many imported food and drugs sold in the domestic market being presented solely in English on their related packaging.

Mr. Asela Bandara stated that a complaint regarding any other consumer right can also be made by visiting the Consumer Protection Authority at No. 27, Vauxhall Street, Colombo 02, or via the telephone on 011 2 321696 or 011 2 445897, and that his organization was ready to take legal action against the responsible trade organizations as soon as such a complaint is received. ■



Where is the mother tongue...



Language Rights: Moving Forward or Backward?

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“Young Tamil couples about to get married do not have the opportunity to have their marriage registration in their mother tongue. At the same time they face the unfortunate situation where they cannot even understand the vows they exchange at the solemn moment.

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New literature on Language rights has been on the increase regularly. Latest concepts and regulations are added with this regard. It seems that society is also taking a fresh interest in the topic. Comparatively, however, it is worthwhile to draw the attention of the Lankan society the issue of the extent of broadening of the language rights related to the daily life of the public at large.

A gauge to measure this could be found in a news item in an old news paper – Sunday Lankima of 28th March 1999. The news item penned by Ravi Rathnavale during the provincial council elections in 1999, is based on Kalutara area.

The news article dealt with the numerous issues related to language rights undergone by over twenty five thousand plantation Tamil population residing in the plantations located in the urban areas in and around Kalutara, Horana, Ingiriya, Bulathsinghala, Mathugama and Agalawatta.

The write up also contained several security issues with regard to the ongoing war at the time. Currently, at a time devoid of war, those concerns have faded away. If one looks carefully into the language rights issues mentioned, one

could clearly understand the status of affairs.

Tamil medium Schools

Although there are over 40 Tamil medium schools in Kalutara area, there is a lack of teachers for the most important subjects.

Due to this reason the number of students passing Grade five scholarship examinations and G.C.E. Ordinary Level examination remain at a very low level. Affluent parents are able to their children to the schools. But the children plantation community population do not have teachers in their schools even to teach Hinduism – a critical issue that should be brought to the attention of the Educational officials, according to the public in the area.

Language

Even though it is said that Tamil is used as a national language, there are not Tamil speaking officials in government offices, banks, post offices and courts which in turn put the Tamil speaking plantation community immensely inconvenienced in obtaining these services.

Employment opportunities

It is difficult for the plantation community population to obtain

vital documents such as birth and death certificates. This matter needs an immediate solution as without these documents many important necessities such as admission of children to school, obtaining National Identity cards and passports have become daunting tasks in the lives of the plantation population.

Young Tamil couples about to get married do not have the opportunity to have their marriage registration in their mother tongue. At the same time they face the unfortunate situation where they cannot even understand the vows they exchange.

Even though the situation is such in these areas, it is unfortunate that those who are fluent in Tamil language are not allowed to function as registrars of birth, marriages and death. In addition the article entails many hardships faced by the people with regard to their mother tongue.

It cannot be said that all those issues included in the write up still exists. Especially the problems pertaining to war has diminished with its end.

However, when the language rights issues are considered, the state of affairs is not that satisfactory. Certain problems are resolved to a certain extent while the state of some of the concerns is aggravated. Therefore, it seems that the people face the same issues more or less as before and the underlying issues have still not been resolved entirely.

The task at hand is to tackle these fundamental issues and ensure the establishment language rights and their proper implementation. Government bodies, community organizations as well as the Tamil and Muslim ethnic groups should get together to fulfill this endeavour. ■

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We have before us a journey that should be made collectively. It should be composed of all the parties concerned about the language rights of the country. Vibhasha newsletter will strengthen that journey.

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Forward march for Language Rights

We hear one of the historic memorable statements is heard frequently; “two languages – one country, one country – two languages”. This statement made by late Dr. Colvin R. de Silva implies many factors, but it is important to emphasize one aspect. That is ‘language’ has played a vital role in determining the fate of the future of the country. This was the main factor that prevailed in the background of the history of the thirty years of war which took the country to the brink of division.

This clearly indicates that language has played the role of the political factor, apart from being a tool of communication. Language instigated many political tensions post independence period from 1948 – 1977, before the war started.

Therefore it is crucial to identify language as an economic, social and political issue which is beyond considering it as a mere a tool of communication, in order to solve language rights related concerns. A well known Tamil political leader – late

Appapillai Amirthalingam has made an important declaration related to this. He has said that by not giving the Tamil language its right place in the country, the involvement of the Tamil speaking population has been evaded from the Economic, Social and Cultural Process in the country.

This statement is valid not only about the Tamil language but all the other languages. Thus language rights are not conformed to a specific ethnicity or a community. So it is vital that a common solution is sought to this issue considering its inclusivity of all ethnicities and communities. In this instance it is crucial to respect the concerns of not only Sinhala, Muslim and Tamil ethnicities but the whole diverse range of communities.

Even amidst many hindrances Sri Lankan society has been able to retain its diverse heritage till now. Even though some of the historic obstacles have faded away, there are many hardships to overcome. The prevalence of many provisions with regards to

the language rights in the legal system is a proactive indicator.

These entitlements enshrined in the constitution, and stipulated in various acts and circulars pose problems in their implementation. The government has set up a system of institutions to regulate the implementation and has introduced the relevant processes.

Especially, the establishment of the Ministry of National Languages and Social Integration, Department of Official Languages with the mandate of implementing the Official Languages Policy and the Official Languages Commission and Official Languages Education, Training Institute which are under the Ministry performs a significant role in this regard.

However, the responsibility held by the community and various organizations in tackling this complicated challenge is crucial. In this context it is essential that the communities possess a broad awareness of their rights.

They are entitled to enjoy these rights in their day today life.

A right that is limited to a paper is quite useless to a community. Many issues with regard to the language rights crop up at the level of implementation.

Although there is a method introduced to overcome the problems, its practice needs guidance and a organisational strength to an extent. That is how the grass roots level community leadership and community based activism becomes central at this juncture.

It should also be remembered that provincial councils and the local governing bodies hold a specific responsibility in ensuring language rights. Even the private sector could also play a significant role in this instance. Therefore, we have before us a journey that should be made collectively. It should be composed of all the parties concerned about the language rights of the country. Vibhasha newsletter will strengthen that journey ■

Language Policy in Sri Lanka

Fundamental Rights and Language Rights

This article entails the language policy as it is enshrined in the constitution.

A majority of the population in Sri Lanka uses Sinhala or Tamil. A few uses English language and a small number speaks other languages. All these people have a right to use their languages and protect them as well. However, the government states in the constitution the languages that are used in the engagement with State and the government has a responsibility to uphold these processes. These are called language rights.

Provisions for language rights as mentioned in the constitution.

Chapter iv of the constitution is essentially on language. The provisions in this chapter have been amended from the 13th amendment in 1987 and 16th amendment in 1988.

Official Languages

Articles 18 (1) and 18 (2) in the constitution explain the legalities with regards to the language. According to that,

18.1 The Official Language of Sri Lanka shall be Sinhala.

18.2 Tamil shall also be an official language.

18.3 English shall be the link language.

18.4 Parliament shall by law provide for the implementation of the provisions of this Chapter

Thus articles 18 (1) and 18 (2) delineate Sinhala and Tamil are Official languages in Sri Lanka. English is not an official language but a link language according to the constitution.

Articles 18 (4) of the constitution assigns the parliament a crucial responsibility. That is to create laws in order to implement the policy.

National Languages

Article 19 of the constitution stipulates that Sinhala and Tamil to be the national languages of Sri Lanka.

Accordingly members of parliament, representatives of the people in governing bodies have the right to function in Sinhala or Tamil medium in these institutions.

Medium of education

Article 21 (1) of the constitution stipulates that any one has the right to study in Sinhala or Tamil medium. At the same time the constitution declares that in the instance of a higher education establishment holds study programmes in a language which is not a national language, no one has the right to request the relevant study programme to be run in any of the national languages.

Article 21 (2) enshrines an important right on the medium of instructions in the universities and higher educational institutes. Thus in such institution offers a study course in either of the national languages, it has to offer the same course in the other national language. However, in case another higher educational institution holds the specific study programme in the other official language that is different from the previous medium of instruction, relevant students can be directed to these venues, which is a responsibility of the education officials. This way constitution provides equal treatment to all using both national languages.

Language of the administration

Article 22(1) of the constitution articulates that Sinhala and Tamil are the two administrative languages all over the island. According to the constitution, the government offices in the Northern and the Eastern provinces Tamil is to be used in documentation and doing all the other functions, whereas Sinhala is used as

“Articles 18 (4) of the constitution assigns the parliament a crucial responsibility. That is to create laws in order to implement the policy.”

The place your language holds in the country

Language as a fundamental right

This brief note indicates how the right to language of a Sri Lankan citizen is ensured by the constitution.

Two fundamental rights relating to the function of the language rights are enshrined in chapter iii of the constitution:

1. No citizen shall be discriminated against on the grounds of language
2. The freedom by a person or in association with others to enjoy and promote his/her own culture and to use his/her own language

1. No citizen shall be discriminated against on the grounds of language

Article 12 of the constitution stipulates right to equality. Accordingly, article 12 (1)

delineates that all persons are equal before the law and are entitled to the equal protection of the law. Further, it explains that the languages used should never be a hindrance in equal protection to the law.

article 12 (2) states No citizen shall be discriminated against on the grounds of race, religion, language, caste, sex, political opinion, place of birth or any one of such grounds.

However, if the proficiency of a specific language is required to carry out a government's task, the State could demand the acquisition of the proficiency.

At the same time this article delineates that access to public

restaurants, hotels, places of public entertainment should not be restricted due to language.

Any person no matter which language they speak has the right to go anywhere in the country.

2. The freedom by a person or in association with others to enjoy and promote his/her own culture and to use his/her own language

article 14 (1) of the constitution focuses on the freedom of expression through speech and publication. Article 14 (1) (e/f) mentions:

"the freedom by himself or in association with others to enjoy and promote his own culture

and to use his own language"

As a result, the constitution recognizes that all the citizens have the right to use the language, learn it and promote it is a fundamental right.

Thus article 14 (e/f) delineates clearly that language rights are not merely to be used in the function of communication but it is a fundamental right of the Sri Lankan people.

Every government servant holds the responsibility of abiding to the fundamental rights mentioned in the constitution.

Consequently, if these rights are violated through an executive or administrative act, the victim can go before the Supreme Court or Sri Lanka Human Rights Commission to obtain relief and redress.

Language Policy in Sri Lanka

From Page 4...

the administrative language in the rest of the island. However, depending on the population density of the ethnic group living in a division secretariat President could direct the policy of establishing bi-lingual divisional secretariats to operate in both languages.

Further article 22 of the constitution specifies a citizen living in an area where Sinhala is considered the administrative language has the right to function in either in Tamil or English media when dealing with the government offices. This is also valid in the case of this citizen needs any quotation or a certificate.

The same right is applicable to a citizen living in an area where the administrative language is Tamil.

A candidates sitting for an selection examination or facing an interview to serve the government, court, local government, provincial governing bodies, hold the right to use either of the national languages they prefer at these instances.

But in cases where the candidates need to acquire specific language efficiency, they can be directed to acquire the skill within an adequate time period.

Legal language

All the laws should be publicized in Sinhala and Tamil with an English translation as stipulated in article 23 (1). Thus, all the bills as well as the regulations presented to the parliament are in all the three languages.

Consequently, the parliament decides when the law is passed, the specific document in specific language to prevail in an instance of a discrepancy in the law. Article 23 (3) demands that the laws pertaining to the provincial council and local governance (municipal councils, town councils, pradeshiya sabha) and laws, by- laws, proclamations, regulations, notifications, subordinate legislation stipulated by these bodies and circulars released by government offices should be

in the specified administrative language with English translations.

Language in the court

Article 24(1) of the constitution articulates that the language used in the courts should be either Sinhala or Tamil. Accordingly in the courts situated in the areas where the administrative language is Sinhala, courts will function in the same language. Likewise Tamil will be used in the courts where the administrative language is Tamil in the specific area.

A person not being able to understand the specified language can be provided with translation facilities.

The minister of justice with the approval of the cabinet could make a directive that particular court functions in English.

Therefore, the language rights stipulated in chapter iv of the constitution has provisions to allow citizens to enjoy them as rights pertaining to language, but as fundamental rights. ■

Taking language rights to the village: bilingual divisional secretariats

Creation of bilingual divisional secretariats could be considered as an effort to realize the bilingual policy at village level.

As a result, in a divisional secretariat in an area has a considerable population which uses language which is not the administrative language in that area, the president can make a directive that both Sinhala and Tamil should be administrative languages in the area.

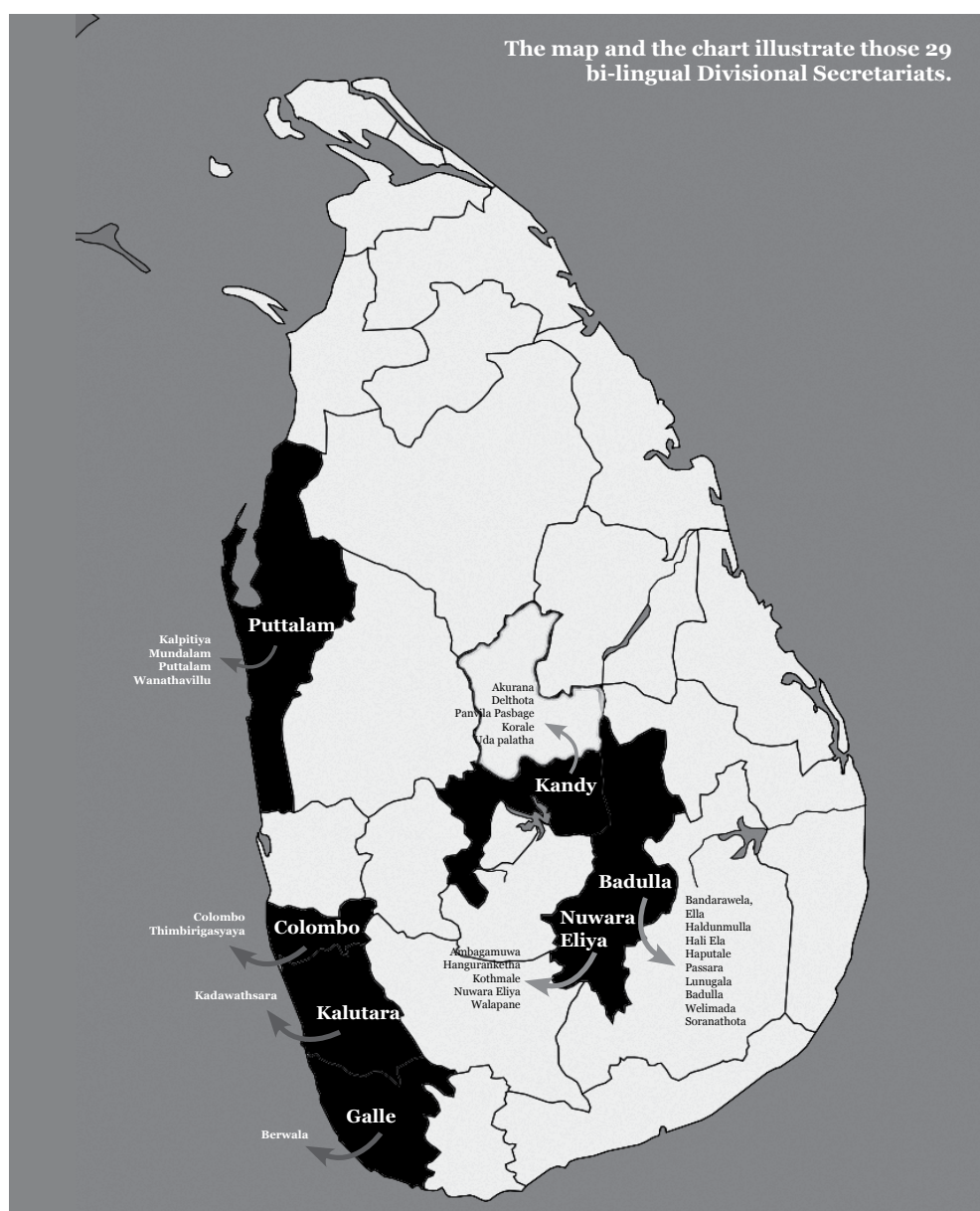
It is stipulated in article 22 (1) in the 16th amendment of 1988 to the constitution. Consequently, President Chandrika Bandaranaike Kumarathunga created 29 bi-lingual Divisional Secretariats through the following gazettes:

1. Extraordinary gazette no. 1105/25 of 12th November 1999
2. Extraordinary gazette no. 1171/15 of 14th February 2001
3. Extra ordinary gazette no. 1283/3 of 7th April 2003

All these bi-lingual divisional secretariats are located in the areas where constitutionally the administrative language is Sinhala. This move has been taken by taking into consideration the large Tamil population living in those areas.

However, in 2005, Official Language's Commission has stipulated any divisional secretariat which has over 20% of the population using the minority language, should be named as a bilingual divisional secretariat. According to this recommendation the number of bilingual secretariats should be more than the current number. But it has not yet been implemented. ■

Administrative district	Divisional secretariat
Nuwara Eliya	Ambagamuwa, Hanguranketha, Kothmale, Nuwara Eliya, Walapane
Badulla	Bandarawela, Ella, Haldunmulla, Hali Ela, Haputale, Passara, Lunugala, Badulla, Welimada, Soranathota
Galle	Kadawathsara
Kalutara	Berwala
Kandy	Akurana, Delthota, Panvila, Pasbage Korale, Uda palatha
Puttalam	Kalpitiya, Mundalam, Puttalam, Wanathavillu
Colombo	Colombo, Thimbirigasyaya





Fading memory of a heritage: The Cafeers in Sirambiady

This brief note is about a fabulous heritage that brought a difference to the linguistic diversity of Sri Lanka. This extract taken from a study on several marginalized communities illustrate the Cafeers of the African origin who currently live in the village of Sirambiady in Puttalam.

'We do not have drinking water. There is a water spring owned by a Muslim businessman. He sells a gallon for Rs. 6. We cannot drink water from our wells. There is a powder like graffite mixed with the water. We notified the MOH about it and but nothing happened.'

Peter Louis's statement blends into the breeze that shakes the dried leaves in the branches. His little grocery shop indicates the lack of a good life. He is a 53 year old Cafeer with a child living in Sirambiady. He only let out one problem his community was facing. Even though Sirambiady is well known to be the ancestral place of the Ceylon's Cafeers, a few groups live in Colombo, Kandy and Batticaloa. During the Colonial times, Africans were brought in first by the Portuguese and the English.

The mixing with the Sinhalese for generations has faded the African heritage of the Cafeers. They possess a few words in their language and some 'Mangna' songs. Instead of tall, hefty and dark physique with thick curly hair now these community has physiques with middle stature with fair complexion and vague African facial features.

There are 20 Cafeer families in Sirambiady. Hugh Medico institute has built them 14 houses. Apart from Sirambiady, some families live on Good shed road in Puttalam. They work as wage labourers in hotels, coir mills and various places.

'I work in a restaurant in Poruwadanda on Ingiriya road. I am married to a person from our community. Since we do not have suitable jobs in our village, we go out to work and return to the village.' Pradeep Rangana (30 years)

Peter Louis's wife Ranmenika is a Sinhalese. She talks with sadness about the disappearing quality of the language. "Only our oldest person knows a bit of our language. The others do not know. If they spoke to us in Cafeer language, our children

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Only our oldest person knows a bit of our language. The others do not know. If they spoke to us in Cafeer language, our children could also learn the language. But they spoke in Sinhala. We have an association through which we teach Cafeer language to the children.

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could also learn the language. But they spoke in Sinhala. We have an association through which we teach Cafeer language to the children. We value the ancestry of Louis who came here from Mozambic in Southern Africa.”

This extract taken from a study on several marginalized communities conducted by Community programme Unit of CPA.

By Thimbiriyagama Bandara.



Given below are some news items on bilingual language rights extracted from Sinhala and Tamil News papers. This is an effort to explore the interest of the Sinhala and Tamil news papers about language rights issues faced by the people.

A lack of Tamil teachers in schools in Rathnapura

Dinamina, 20th August 2011,
by Ajithlal Shantha Udaya

The issue of lack of Tamil teachers in Rathnapura has aggravated. According to some parents in certain primary schools there are only the principal and a teacher.

These parents further complain that in these primary schools which has classes from Grade 1 from Grade 5, does not give a proper education to the children.

The education authorities of the Sabaragamu Provincial Council state that the reason for the lack is because there are not adequately qualified candidates. The council also says that after doing the difficult service period, the teachers tend to opt for transfers through inter provincial transfer procedure which causes a lack in Tamil teachers is inevitable.

25000 government servants receive language proficiency training. Already there are 12,000 trained

Lankadeepa, 5th July 2011, page 13
Jayantha Samarakoon

Ministry of national languages and social reintegration has decided to train 25,000 government servants.

Mr. Prasad Herath, Director General, National language training institute has said that already 12, 000 officials have been trained. At the same time there is a decision to set up training centres covering all the areas in the country.

In the provincial centre in Kurunegala, 3 English courses and 3 Tamil courses have started according to the Director General. He further stated that recently public relations officers in the police stations in the Sabaragamu Province were trained under district and provincial level training.

Opportunity to complaint violations of language rights

Lankadeepa, 05.07.2011, page 13
Ariyaratna Ranabahu

Official Languages Commission requests the public to complaint about any language right violation occurring in a public office.

These complaints will be investigated by the Commission and will direct the verdict to the accused. If the accused admits to the violation he/she is liable to pay a fine which is not more than Rs. 1000 or imprisonments not less than 3 months.

Chapter iv of the constitution illustrates that the complaint could be made against any person or institute by the person whose language rights were violated.

Ministry of national languages and social reintegration has launched a process to have the public transport name boards in three languages – Sinhala, Tamil and English. However, this procedure has not been implemented properly and due to this reason the public has faced inconveniences. The Secratry to

the Commission, Mr. J.C. Ranepura has requested the public to extend complaints with regard to this issue.

These complaints can be made in writing or verbally. Written complaints should be directed to Chairman, Official Languages Commission, 4th floor, Bhasha Mandiraya, 341/7, Kotte Road, Rajagiriya. These complaints could also be sent to the fax no. 0112 – 871 378 or email ID – olc@sltnet.lk. Verbal complaints should be directed to telephone no. 0112 – 871 378.

Action needed to accord due status to Tamil Language



Weerakesari 26th August 2011

Language, it is said, is an exceptional tool of communication and accumulation of knowledge. It is one of the most important creations that human being ever made. Therefore, the language right should provide for and facilitate for everybody to express oneself in his or her mother tongue, to communicate and to get things done in it easily.

In this sense, one cannot turn a blind eye to the prevailing situation about the Tamil language in Sri Lanka. Although Tamil is a recognised National Language, the implementation of it in everyday life is less than satisfactory. On the other hand, practical hindrances in using Tamil language in everyday public life have made the use of it for public life a difficult task and discouraged those who use it.

The 'Sinhala only' act of 1956 shook the ethnic harmony in Sri Lanka quite severely. When it was the role of a language to unite and to discipline a nation, what this act brought about was division of people from one another. Political leaders of that time had foreseen the tragedy that language policy

invited and had warned about its consequences. Leslie Gunawardena cautioned that it would lead to ethnic conflicts and the country will lead to a disaster. He also emphasised the minorities may even think of separation when they realize that they are treated unfairly.

The 'Sinhala only' act brought about unexpected outcomes. Competency in Sinhala became compulsory for all public officers and those officers under 50 years of age had to pass a Sinhala competency test.

This policy was not only a discriminatory policy measure that aimed to displace the use of Tamil language from the position it occupied previously. But, as Appaipillai Amirthalingam had once said it was a policy to dispel the Tamil speaking community in the country from its political, economic and cultural activity.

Constitutions of 1972 and 1978 reinforced the status of Sinhala by making it the State Language. It was emphasised for a long time that Tamil should also be made a national language and given it the due status.

Tamil became a national language as a result of the Indo-Lanka peace accord in 1987.

This gave many hopes to the Tamil people, who expected wide ranging progressive changes with regard to language policy. However, the national language status accorded to the Tamil was limited only to the letter without a real practical implementation. This situation does not seem to have been changed much even today.

NGOs are insisting for a long time that Tamil language should be practically implemented as a national language. The intelligentsia of the country too has responded to this need quite positively. Governments that came to power from time to time have taken some steps to implement the national language policy with more fairness. Present government too seems to be taking some action in this direction.

Only those who are fluent in both Sinhala and Tamil are recruited to the public service positions. Government states that those who are not bilingual will not get government jobs. The ministry for the implementation of the national language policy boasts it has received the aids from the Canadian government for the implementation of the policy.

In the meantime, government

is determined to establish 5000 bilingual societies and emphasises on the importance of the support and the discipline of the citizen when it embarks on implementing both Sinhala and Tamil as national languages more methodically and with more reach.

However, the language problem is dragging on without a clear solution. Many parties complain that most government and private institutes send their letters only in Sinhala. Some regional educational offices have conducted training workshops for Tamil teachers in English. Coordinating officers appointed to government institutes are already obtaining the assistance of Tamils for their work. Yet, those who are bilingual have been used for other office duties instead of benefitting from their language competencies for coordination. In this situation, the average Tamil speaking people find it difficult to get things done with any ease from government institutes.

Many concerned parties raise the question why the government cannot implement a solution to this question even after having obtained a clear majority in the parliament. The proper and strong implementation of the state language policy will strengthen ethnic harmony in the country. However, it is noteworthy to take into account the recent criticism by the Uva provincial councillor K. Velayutham, that the government has no intention to implement the language policy properly.

Despite this less than satisfactory situation,

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The recent most census conducted in 2001 has recognised that there are 30 languages spoken by a community larger than a million people, and 122 more languages which are used by a community larger than 10,000. Apart from this, there are more than 1000 living languages spoken by small communities. In this sense, India boasts, like in many other ways, to huge language diversity.

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If a country where two languages are spoken had to face the threat of being parted, what could be the fate of a country where more than 100 languages are used?

This brief article discusses the remarkable way in which India has managed its 122 languages and more than 1000 languages of small communities by assuring the respect and rights of all language communities in order to solve language bound problems.



Considered to be the largest democracy on earth, India is home to nearly 840 million population. The recent most census conducted in 2001 has recognised that there are 30 languages spoken by a community larger than a million people, and 122 more languages which are used by a community larger than 10,000. Apart from this, there are more than 1000 living languages spoken by small communities. In this sense, India boasts, like in many other ways, to huge language diversity. India has adopted its language policy to maintain unity within diversity and to provide for varying cultural aspirations. The following is a brief description of how Indian language policy is articulated in the provisions of the Indian constitution.

Official language of the central government

Section XVII of the Indian constitution is dedicated to the provisions on language use. Clause 343 of it mentions that the language of the Indian Union (central government) is the Hindi language written in *Devanagari* script. Therefore the central Indian government should carry out its functions

in Hindi.

At the same time, the constitution states that the government's legal functions can be carried out either in Hindi or in English.

Official Languages of the States

Paragraph two of Section XVII of the constitution is dedicated to the use of regional languages. Clause 345 of it states that the state legislature should pass a law as to which should become the official language of that state. In this way, the constitution states that one state is able to have more than one official language. It also clarifies that until such states identify one or more languages as its official language, English should be considered as the existing official language. However, all states and union territories have identified and declared their official languages. In this constitutional framework, it is expected to maintain and foster the dual Indian identity, i.e. common Indian identity and the regional identity.

Official Languages Commission

Indian constitution states that the President should

appoint the official language commission for a period of five years. The commission should comprise of one person representing each language mentioned in the appendix 08 of the constitution and the commission should make recommendations to the government on development of those languages. At the beginning, appendix 08 listed 12 languages. However subsequent reforms to the constitution enlarged that list to include 22 languages. That is how India is working progressively to assure language rights and dignity of a nation, where more than 100 languages are in use. Though all are not official languages, all of the languages are accorded with high dignity.

In comparison to India, there can be no reason why Sri Lanka cannot solve the problem of its two languages. In a country where literacy rate is high and the population is educated, language diversity cannot be an issue for conflict. Instead, we should be able to make language diversity a rich resource for us.

Adopted from the Indian Constitution and the Internet
Jagath Liyana Arachchi
(LLB)

The Language Policy; Then and Now

S.G. Punchihewa

In 1815, though notoriously or famously done, the Kandyan Convention was written in both English and Sinhala Languages. But there was no reference to the language in which the administration would be carried out. By that non-reference the signatories to the convention silently endorsed that English should take the pride of place. Obviously, there was sufficient experience in performing the matters of government in Sinhala as well as in Tamil. However, English happened to be the official Language. Virtually most of the civil affairs had been conducted in English. The certificates without which, one cannot be a citizen, were in English, e.g. birth, educational, marriage and death certificates. Not only that, but also the natural resource and even human lives they kept in control using English Language as a weapon.

When the English adventurers arrived in this island the people were suffering under Kandyan chiefs. They imposed heavy taxes and cruel and inhuman punishments on the people. At the time of signing the Convention the English rulers seemed to be comparatively liberal than the king and the chiefs. As the time goes on they realized that they had to be free from British rule. By the time their domination had taken root through out the country.

On the Colebrook commission report Ceylon came under a

single central government in 1831, for the "convenience" as they argued, English language maintained the position of the language of government. Sinhala and Tamil Languages took their refuge in the villages. Until 1948 for 117 years of British rule, along with the supremacy of their language; the indigenous people lost more than what they gained. The indigenous people who were competent enough to rule the country were English educated. They were more English than Sinhalese or Tamil. English was more convenient to them than their own languages. That was one reason for local languages to fall behind. The legislative and executive councils established under the recommendation of the Donoughmore Commission, conducted their procedures in English only. In this situation a member of the council for Matara, Mr. G.K.W. Perera put forward a motion to the effect that, under the Standing Order No: 105, procedure if the council should be conducted in English, but a member, under permission, can speak in either Sinhala or in Tamil. Although, the committee rejected it, the council passed it with a majority vote. That occurred in 1932. He made further submissions on the language issues. Even after 80 years now, they seem still more significant. The submissions were:

knowledge in either Sinhala or Tamil should not be promoted"

"The officers in civil or clerical services should not be given promotions unless they acquire efficiency either in Sinhala or Tamil

"if any person who is unable to conduct court proceedings and reporting either in Sinhala or Tamil should not be appointed as a judge of the police court or of a higher court."

"The Lawyers should be allowed to carry out case proceeding in Sinhala or Tamil"

These submissions were referred to the Secretary of State and the Attorney General, for implementation. By the time, in 1935, the State Council was dissolved and the historical evasion of issues of the language started from then. It was never taken up again even by the new Council in 1936.

In 1937, the member for Avissawella, Mr. Philip Gunawardene moved that, to avoid the inconvenience caused at the courts when translating the questions and answers, the proceedings in the Municipal courts and Police courts should be conducted in "Swabhasha".

This motion was opposed by the legal secretary. But council passed it with a condition that it should be implemented within

"Those who do not possess a higher

continued page 12

“
Until 1948 for 117 years of British rule, along with the supremacy of their language; the indigenous people lost more than what they gained.
”

from page 11

3 years. Sometime later the same member moved further that, the complaints made at the police stations were taken down in English, leaving lots of mistakes. Consequently the litigants faced serious troubles. Therefore, the police should take them down in the same language in which complaints were made. The motion was passed by the Council on 09th February in 1939.

The third attempt on the language issue was made by then member of Kelaniya, by J.R. Jayawardene. He stated, "because of the strong opposition to make Sinhala as the official language I make these submissions":

- In schools, the medium of instruction should be Sinhala
- Sinhala should be made compulsory in all the government examinations
- A Provision be made to the effect that the proceedings of the State Council should be in Sinhala
- A commission should be appointed to select books in other languages to be translated into Sinhala.
- A Commission should be appointed to take necessary steps regarding the process of transition from English to Sinhala language.

Mr. C.W.W. Kannangara brought in an amendment that the word "Sinhala" be replaced with mother tongue"

V. Nallaiyah moved that along with the words "Sinhala language" the words "Tamil language" be included. That amended motion was passed on 04.05.1944. A select committee was appointed consisting of Philip, J.R and Secretary of the State Council. The committee's

recommendation was that 'Sinhala and Tamil both be made the official languages' subsequently, the State Council approved the submissions below:

- The medium of instruction in primary schools be made the mother tongue, and English be made compulsory.
- The medium of instruction of post- primary schools may be English, Sinhala or bilingual

"Medium of instruction in all the schools be made the mother tongue" was the proposal by Mr. J.R Jayawardene, which was defeated.

The examples so far given will clearly show that there had been a continuous battle between English and local languages. The public opinion supported the struggle. But regrettably, Sinhalese and Tamil politicians worked out in English. Thereby English enjoyed the position of "permanent link language". In this background generation of half educated people emerged who had no affection towards any of the three languages, But either Sinhala or Tamil was used to kindle the racial hatred. Nevertheless, the resistance against British rule and English language continued until obtaining political freedom in 1948. But it was a superficial freedom not an inwardly change, evidently, the differentiation manifests up to date. Who were the people working hard to obtain even the limited Independence. They were Sinhalese, Tamils and Muslims. Their sole idea behind the events was to obtain self-rule. But even with the limited space the later masters could have turned the limited Independence to fuller freedom. But an unfortunate event occurred. The majority Sinhalese leaders forgot that Sinhala and Tamil should have been the official languages and made it 'Sinhala only' The Act 33 of 1956 was a great historical mistake.

The illustration will show the nature of change that took place after 1948

Subject	Before 1948	After 1948
Official Language	English	Sinhala [unofficially English]
Administration	English	Sinhala
Executive	English	Sinhala and English
Law	English	Sinhala
Higher Education	English	Sinhala
Army	English	Sinhala
Police	English	Sinhala

Would not Tamil and Muslim People, who fought together to do away with English, have had considered to forget them later was an ingratitude as well as an injustice towards them. Tamil should have been in the same position with the Sinhala. The mistake was seriously paid back. Sinhala and Tamil languages had been humiliated under the British rule. Was it not the same attitude towards the Tamil under the local leadership?

Laws, regulations and circulars as to the implementation of them are in abundance now. But surprisingly they remain dormant. This inactivity has become a feature of national culture at present. People have been conditioned by way of education, law and politics resulting them to think that violation of an obligation is not an offence. Further, the government does not supply the necessary resources and facilities and does not think it is a wrong doing. In a society like this how could one expect that national integration or peace could be brought about?

To be continued...

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”

Government Administration Circulars

that safeguard language rights

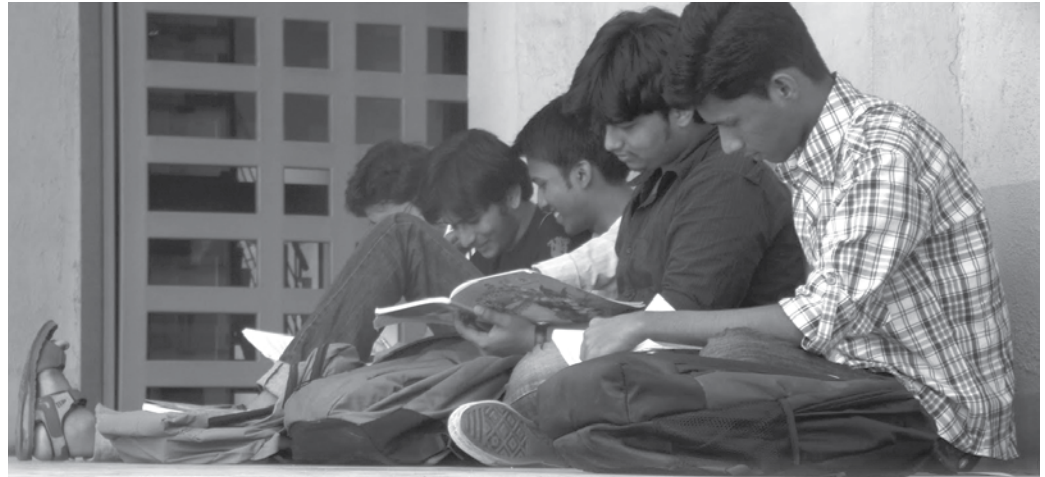
Sri Lanka's language policy underwent a drastic change when Tamil was recognized as a state language by 13th amendment to the constitution. Then the 16th amendment assured the right of Tamil language to be used and recognized in administration and many other areas of public life. To ensure that these constitutional provisions were practically implemented, a series of administrative circulars were issued to state departments, provincial councils and statutory boards. Presented below are the summary of some of the crucial of these circulars.

Circular Number	Date	Contents in brief
1. 25/89	1989.04.18	Clarifying the provisions of the Constitution on the use of Sinhala, Tamil and English
2. 36/89	1989.06.07	Revision of the Establishment code in line with the 13 th and 6 th amendments to the constitution.
3. 15/90	1990.03.09	National policies on future recruitment to public services, Instructions on how to consider ethnic ratios, district-wise distribution
4. 15/90 (ii) 5. 15/90 (iii) 6. 51/90	1990.03.15 1990.06.15 1990.12.07	Instructions on procuring the services of external parties for translations, obtaining equipment such as typewriters, and training of staff for implementing state language law.
7. 22/91	1991.06.17	Instructions that all forms in government institutions should be printed in all three languages on the same paper
8. 37/91	1991.08.23	Compensating public sector employees who were restricted by the administrative circulars released to implement the state language act (no. 33 of 1956)
37/91(i)	1994.09.27	
37/91(ii)	2003.09.09	
9. 36/92	1992.12.18	Instructions of fulfilling office requirements in institutions to implement the state language law
10. 31/96	1996.11.08	Advises to eliminate obstacles to implementation of state language policy by writing letters by hand in that language when institutes don't have typewriters even if there are translators.
11. 02/98	1998.01.23	Obtaining details about public sector employees according to the ethnic group and language competency.
12. 28/97	1998.01.27	Assigning responsibilities in implementing state languages, the role of state languages department, the role of the state language commission, implementation of state language policy in institutes and coordination with them.
13. 29/98	1998.12.30	Instructions on giving incentives to public service employees who are competent in more than one language
29/98 (i)	2004.06.23	
29/98 (ii)	2009.04.02	
14. 12/2003	2003.12.11	Revision of payment rates translation, interpretation and typesetting of languages
15. 5/88	1988.02.11	Teaching to state employees in Sinhala, Tamil, English languages and bonus paid to them

“

Although the main idea of this initiative is teaching Tamil to Sinhala people and teaching Sinhala to Tamil people, the language societies will involve in many productive social and cultural activities that will foster social integration, says the ministry.

”



Language Society: A star over the village sky

‘If you know my language, I feel close to you. If you speak to me in my language, my happiness blossoms. So, I sing in your tongue, speak our hearts with love.’

The above is an extract from the latter part of the message delivered by Hon. Minister of Social Integration and National Languages, Vasudeva Nanayakkara, on the occasion of launching a program to establish 5,000 language societies in the country.

In the same message, Minister Vasudeva Nanayakkara says the following: “It has become necessary that both Sinhala and Tamil communities are integrated into one nation that speaks and expresses in the language of the other with mutual respect and love. This can be considered as the most necessary social infrastructure for achieving economic prosperity, peaceful co-existence and becoming one unified nation.

In order to provide state services in both languages, the state sector employees are empowered first with bilingual and then

with trilingual language competencies. At the same time, as a helping hand to the developing and unification of our nation, everybody should lend their hand to the program that is launched today to provide bilingual language fluency to all Sri Lankan citizens.

With much respect, I invite all the citizens to form language societies all around the country. Through this program, it is expected that everybody will contribute to this national need by actively learning all national languages and thereby strengthening the national language policy. Making a further step, these language societies can enrich the local life with knowledge and mutual affection through activities to foster communal integration, cultural exchange, sports and games. With such high ideals in mind, I request everybody’s enthusiastic participation in this program. For this end, our ministry and the government are dedicated to make all possible resource available at local level.”

This is how, the ministry of Social Integration and National Languages has proposed another solution

to a problem that plagued the country since colonial times.

Nearly than 50 language societies have been formed around the country since this initiative was launched in early 2011.

Although the main idea of this initiative is teaching Tamil to Sinhala people and teaching Sinhala to Tamil people, the language societies will involve in many productive social and cultural activities that will foster social integration, says the ministry. It has listed the functions of language societies as follows.

1. Teaching of Tamil Language to Sinhala community and vice versa. Prioritizing speech (service of qualified teachers in the area can be obtained. However, all teachers have to pass a proficiency test. The ministry holds the final responsibility of providing teachers).
2. Given the largeness and the diversity of a certain area, a few language societies can come together to organize active programs including

cultural items.

3. It is a responsibility of the language societies to find out if the state institutes implement the national languages policy properly though making available their services both in Sinhala and Tamil languages.

Nine or more people can come together to form a language society. They have to appoint the president and the executive committee according to the statutes. These language societies are registered in the ministry of Social Integration and National Languages.

The ministry provides the service of a language teacher and other basic requirements such as books. Language societies can request necessary monetary provisions to launch project activities.

Ministry mentions that anyone interested in the program can obtain more details from the following address. ■

Social Integration and National Languages

No. 40, Buthgamuwa Road,
Rajagiriya,
T.P. – 0112 88 39 27

Department of Examinations violates Language Rights

It is reported that 65 Tamil speaking pupils who sat for the year scholarship examination at Munnehekulama Sinhala Maha Vidyalaya in the Nikaweratiya Edicational Zone had to face severe difficulty as no invigilator who could converse in Tamil had been appointed for that examination centre.

One parent mentioned that suspecting this might occur, she had inquired from a teacher the previous day if

there would be a Tamil speaking invigilator at the exam hall. When her daughter asked if it would be possible to clarify anything during the exam, this teacher has reportedly answered that a Tamil speaking teacher would be there to instruct and clarify things for Tamil speaking candidates. However, to the disappointment and discouragement to the Tamil speaking candidates, there hasn't been anyone who could

work in Tamil in the examination hall.

Last year, a similar incident has been reported from the examination centre of Sri Rahula School in Maradankadawala. No Tamil speaking teacher had been appointed to give instructions to Tamil speaking candidates. One girl is reportedly have lost almost half an hour since the invigilators could not understand properly when she said them that

she wanted go to wash room.

The gravity of negligence of the Department of Examinations was exposed when the results were announced; that girl was only four marks short of getting scholarship and the chance to enter a popular school.

(Adopted from the Vimarshana program telecast on 2011-08-21 on Sirasa News Network)

Asia on the lead in Language Use too

In a study on the diversity of language in the world, Asia has emerged to the top thanks to its rich diversity of languages. According to the study, Asia is home to 2322 languages, which is 33.6% of the total number of languages in use in the world.

Africa comes close with 2110 languages, which is 30.5% of the total. The pacific region boasts 1250 languages and it is 18.1% as a percentage. Americas homes 993 languages making it 14.4% of the total. The most homogenous region in terms of languages is Europe, where mere 232 languages are spoken. It is 3.4% contribution to the world diversity.

All languages in the world have been classified under six main families and there are 92 other languages families. Main six families share 4449 languages among them. 85% of the world population speak languages of these six families.

The rest of the world population speak 2469 languages belonging to the other 92 families. ■

Distribution of languages among the regions in world

	Region	Number of Languages	Percentage
01	Africa	2110	30.5
02	America	993	14.4
03	Asia	2322	33.6
04	Europe	234	3.4
05	Pacific	1250	18.1
	Total	6909	100

From Page 9.. status to Tamil Language ..

government is boasting that it is providing language training to public service employees in North and East in 700 language training centres. Government states that 140 centres in the North and East provide Sinhala language training, while 540 centres in the South teach Tamil. They are reported to have trained 22,000 officers till date.

Although 30 percent of the Tamils in Sri Lanka can comprehend Sinhala, only a mere nine percent of Sinhala people understand Tamil.

Although Tamil is a considered a national language in Sri Lanka, its implementation in the every field lags behind any satisfactory standard. Despite government warning that it's going to take legal actions against government institutes that violate the national language policy, the use of Tamil is still neglected or rejected in them. The situation with the official languages is not pleasing at all. ■

Write to us

We have discussed some things about language here. Yet, there is a lot more to be discussed. We believe that you have a lot to say about it too. Vibhasha News Bulletin is a forum to all your ideas in the future. Send us your ideas, proposals, responses, and problems **about Language Rights**

Editor,
Vibhasha New Bulletin
24/2, 28th Lane, Flower Road,
Colombo 07.

Tele: 0112 370804
Fax: 0112 370802





**This is your
street
Look
carefully...**

Did you know?

It is your right to have the name of your street marked correctly in all three languages on its signboard!

Be wakeful at all times as to whether this right is duly protected.

When it is marked only in one language, if it is your language, do not for a moment think "alright, my right is protected". Another's right has been violated therein. Think also of that.

Stand up against it.

The right lost to another here could be lost to you elsewhere.

It is not a right that should be lost to any of us.

It is all of our right.

Let us come together on behalf of it. Let us unite through the language right that we all own equally.

Let us walk down the same street together!

The circular regarding street signboards issued to the heads of all local government bodies by the National Languages Commission on 30.05.2003.

O.L.C Circular No. 01/2003

My No. OLC LO 14
Official Languages Commission,
4th Floor,
"Bhasha Mandiraya".
341/7, Kotte Road,
Rajagiriya.

30 May 2003

His Worship the Mayor of
Honorable Chairman. Urban Council
Honorable Chairman. Pradeshiya Sabha.....

Sir,



**Re-designing of Street Name Boards and other Sign Boards
in conformity with the Official Languages Policy**

I wish to bring to your kind notice that according to the provisions of the 13th and 16th amendments to the constitution of 1978. Sinhala and Tamil are the Official Languages and English is the link language in respect of all official activities of National Provincial and Local bodies at every level without exception. However it has been found that in some instances our cities and villages still have name boards either in one Language or two Languages only. Further. some are mis-spelt. incorrectly worded and lacking in uniformity where the letter size of each language is concerned.

Rectification of defects of this nature must be attended to urgently. Failure on our part to implement the Official Languages Policy in full and the consequent ethnic conflict that raged on for almost two decades and damage it caused to the physical resources and the development effort of the country are too well known to be repeated here.

Therefore as a step towards proper and complete implementation of the Official Languages Policy. I shall appreciate very much if you would kindly take immediate steps to re-design all the street Name Boards and other official sign Boards exhibited within your area of authority. in all three languages Viz. Sinhala, Tamil and English. taking particular care that they are correctly worded. correctly spelt and uniform in size of letters in all the three languages.

You may follow the following example.



Also please take necessary measures to have all name boards exhibited inside and out side your office premises and those in your affiliated establishments re-designed (if necessary) in all three languages as an added facility to the general public who visit them on official business.

Your kind co-operation in this effort for the effective implementation of the official languages policy will immensely help to stabilize the national unity and place the country on the path to development.

D.E.W.Gunasekara
Chairman
Official Languages Commission
Copies to : Commissioner
Municipal Council
Secretary,
Urban Council Pradeshiya Sabha

Please furnish a report containing particulars of street Name Boards and other Sign Boards that have been re-designed as per instructions above upto 30-06-2003