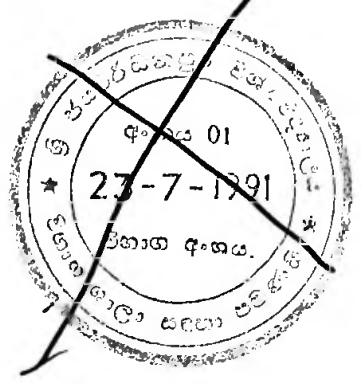


145562
02.06.98

Rs. 300/-

THE EVOLUTION OF HIGHER EDUCATION IN SRI LANKA :
STUDY OF THE IMPACT OF LEGISLATION ON THE UNIVERSITIES



THIS IS SUBMITTED FOR THE AWARD OF THE DEGREE OF MASTER OF ARTS



DEPARTMENT OF HISTORY AND ARCHAEOLOGY
UNIVERSITY OF SRI JAYEWARDENEPURA
NUGEGODA

MS. N.G.D. SIRIMANNE (RATNAPALA)

REGN.NO : A8069

EXAM NO : SPA 388

145562

1991

C O N T E N T S

1.	ACKNOWLEDGEMENTS		
2.	SYNOPSIS		
3.	INTRODUCTION		
4.	CHAPTER I	- THE ORIGIN OF THE UNIVERSITY	1 - 26
5.	CHAPTER II	- THE UNIVERSITY AT WORK - 1942-1958	27 - 61
6.	CHAPTER III	- THE UNIVERSITY FROM 1958-1966	62 -115
7.	CHAPTER IX	- THE UNIVERSITY FROM 1966-1970	116 -161
8.	CHAPTER V	- THE UNIVERSITY FROM 1970-1978	162 -210
9.	CHAPTER VI	- THE PERIOD AFTER 1978	211 -255
10.	CONCLUSION		256 -270
11.	BIBLIOGRAPHY		271 -275

7

A C K N O W L E D G E M E N T S

I appreciate the assistance and guidance by the following,

- DR.S.B.HETTIARACHCHI - DEAN,ARTS & FORMER HEAD DEPT.,OF
HISTORY & ARCHAEOLOGY,
UNIVERSITY OF SRI JAYAWARDENAPURA.
- DR.D. WESUMPERUMA - DIRECTOR,
SRI LANKA FOUNDATION INSTITUTE.
- PROF.,M.ROHANADHEERA - DEPT.,OF HISTORY & ARCHAEOLOGY,
UNIVERSITY OF SRI JAYAWARDENAPURA.
- MR.D.G.KULATUNGA - HEAD,DEPT.,OF HISTORY & ARCHAEOLOGY,
UNIVERSITY OF SRI JAYAWARDENAPURA.
- DR.MRS.M.ENDAGAMA - DEPT.,OF HISTORY & ARCHAEOLOGY,
UNIVERSITY OF SRI JAYAWARDENAPURA.
- THE PRESENT VICE CHANCELLOR - UNIVERSITY OF SRI JAYAWARDENAPURA.
- LIBRARY STAFF - UNIVERSITY OF SRI JAYAWARDENAPURA.

All those who encouraged and rendered support.

SYNOPSIS

This Study is intended to examine the origin, the growth and expansion of the University/Universities in Sri Lanka, and the impact of legislation on the growth and expansion of the University from its beginnings to the last decade of the 20th Century.

In the attempt to present a comprehensive picture of the influence, impact and effect of legislation on the Universities, almost all important Acts, Ordinances, Amendments and Proposals have been looked into.

The introductory chapter titled "The Origin of the University" provides a background to the emerging picture of an institution for learning -- the University of Ceylon.

Chapters II - VI present a chronological division in the beginning, and the gradual expansion of the University/Universities in the island, through the Passage of Ordinances, Acts and Amendments to Acts, appointment of Commissions pertaining to University/Universities as follows:

Chapter II	:	1942	to	1953
Chapter III	:	1955	to	1965
Chapter IV	:	1965	to	1970
Chapter V	:	1970	to	1978
Chapter VI	:	1978	to	1990

Chapter II deals with the functioning of the University of Ceylon, the nature of the University in its actual working, the various criticisms that were levelled against the young University, the task and functions of the Needham Commission, the office of the Vice Chancellor and the restrictive nature of the University.

Chapter III involves the slow expansion of the University till about the year 1966. This period witnesses a change in the official language policy of the government, the passage of two important pieces of legislation -- namely, the two University Acts, the Vidyodaya University Act and the Vidyalankara University Act of 1959. It also refers to the Sessional Paper XVIII and Sessional Paper XVI.

Chapter IV : The Higher Education Act No. 20 of 1966 is dealt in detail here, as the entire University system came to rest on this piece of legislation. There was much controversy over the powers of the Minister, and the consolidation of government power over Universities. We see the repeal of the University Acts of 1958 -- Vidyalankara Acts and Vidyodaya Acts. This period also witnesses the establishment of an ill-equipped University in Colombo.

Sessional paper^{xxxi} and the Thistlewaite Commission Report is also examined. Some of the problems pertaining to the Vidyalankara University at the time also comes under review.

Chapter V : In the expansion of University life and education, the period 1970 - 78 is a water-shed. This chapter deals with the changes or reforms in the University system brought about by the

University Act No. I of 1972. It also brings out the arguments forwarded in favour of a monolithic University, the impact the Act made on the University system, the disappointments and criticisms resulting from it and the period of transition that was kept extended from 1972, and the changes in the administrative structure of the Universities. Reference is also made to the Wimalaratne Commission.

Chapter VI : The final episode or the period after 1976. Emphasis here is on the legislation of 1978 and the Amendment to the Act of 1978. The impact of the legislation was the re-establishment of the system of simple, autonomous Universities and the creation of the University Grants Commission. The changes and new proposals of the Act are dealt in detail. Reference is also made to the re-establishment of the post-graduate institutes, the establishment of a private Medical College, an Open University and affiliated colleges. An attempt is made to trace some developments upto about the year 1990, and the demand for more admissions to the Universities.

I N T R O D U C T I O N

Objectives, Sources and Methodology

The present study was undertaken to examine the role of legislation on the Universities in Sri Lanka. From the time the University of Ceylon was established in 1942, the Parliament of Sri Lanka has introduced and passed a series of legislative Acts bearing on the nature, scope and function of the Universities. The objective of this study is to view such Acts in their historical context and examine the influences of such Acts as were evident in the real working in the Universities themselves.

The main sources of the research-study were the University Acts and Ordinances. Of such University Acts that came within the study are the following :

01. The Ceylon University Ordinance No. 20 of 1942.
02. The Vidyodaya and Vidyalankara Universities Act No. 45 of 1958.
03. Ceylon University (amendment) Act No. 12 of 1961.
04. The Higher Education Act No. 20 of 1966.
05. University of Ceylon Act No. 1 of 1972.
06. University Act No. 16 of 1978.

The Acts alone are insufficient to provide an insight into the impact they had on higher education -- particularly in the Universities, ignoring historical trends that led to the creation and implementation of such Acts and the final outcome of such Acts. The University Ordinance of 1942 for example has to be viewed from the perspective of higher education requirements towards the end of the 19th Century. At that time there was a demand for higher education, and this need was met by the holding of London

Examinations and catering to the Indian Universities. The Colombo Medical School was established in 1870 with James Loos as the first principal, and there was a strong demand for a local, or a University of our own. The University College was then established in 1921. All these activities have to be viewed in the context of socio-economic cultural and political developments of the time. Therefore, a complete picture of higher education with a deeper understanding of all the complex forces at work has to be gained.

This was the reason that influenced the examination of the growth of the demand for higher education through the University College and to the final passage of the Ordinance in 1942. The Act or the Ordinance standing alone is like the hull of a sunken ship, lying in the history of time. But the real body of the ship 'comes above' when we examine the history of the Act, its passage and what happened after it. The human drama involved is interesting and full of insight into the practical aspects of the legislation involved.

In viewing this drama, one cannot overlook the broader aspect of general education prevalent at the time. Without any idea as regards the prevailing policy of the Government, how this policy affected the main problems associated with such a policy, no firm grasp of the content and nature of the demands of higher education resulting in the establishment of such institutions could be gained. It is therefore the endeavour always to view the problems of higher education within the ambit of the general education of the country, its policies and the ways and means adopted to transform such policies into action.

The following Acts and Ordinances were useful in tracing the general education policy on which the higher education-demands were based at the time :

Education Ordinance No. 51 of 1939.

Education (amendment) Ordinance No. 61 of 1939.

Education (amendment) Ordinance No. 26 of 1943.

Education (amendment) Ordinance No. 12 of 1945.

Education (amendment) Ordinance No. 3 of 1946.

Education (amendment) Ordinance No. 26 of 1947.

Education (amendment) Act No. 5 of 1951.

Education (amendment) Act No. 43 of 1953.

Education (amendment) Act No. 37 of 1958.

Assisted Schools and Training Colleges (Special Provisions) Act No. 5 of 1960.

Assisted Schools and Training Colleges (Supplementary Provisions) Act No. 8 of 1961.

Buddha Shravaka Dhammapeetaya Act No. 16 of 1968.

Dwelling into the diverse reports made by Commissions appointed by the Government to examine into various problems or aspects of University education also furnished an additional insight. The reports were necessary due to demands made by the eruption of peculiar problems closely related to the University structure and powers determined by the Act, and also because the form, content and the spirit of the University was shaped by particular Acts. In addition to the Acts and Ordinances, the following Reports were useful as sources to examine the workings of the different Acts or Ordinances passed by the Parliament:

Report of the Commission on the University of Ceylon (Chairman, Sir Walter Buchanan Riddell) S.P. IV of 1929.

Report of the Commission on Higher Education in the National Language (Chairman, Sir Arthur Wijewardena) Interim Report : S.P. XXI of 1954.

Report of the Ceylon University Commission (Chairman, Professor Joseph Needham) S.P. XXIII of 1959.

Final Report on the National Education Commission (Chairman, Professor J.E. Jayasuriya) S.P. XVII of 1962.

Report of the Universities Commission (Chairman, Mr. D.C.R. Gunawardena) S.P. XVI of 1963.

Report of the Commission of Inquiry on Peradeniya Students' Strike (Mr. N.A. de S. Wijesekera) S.P. III of 1966.

Report of the Commission of Inquiry into the Vidyalkankara University of Ceylon (Chairman, Mr. V.C. Jayasuriya) S.P. XXIII of 1968.

Report on the establishment of the University of Colombo (Professor Frank Thistlewhite) S.P. XXVI of 1967.

Report on the Committee of Inquiry into the University of Colombo (Chairman, Mr. S.F. Amarasinghe) S.P. VIII of 1968.

The Confidential Report submitted by the Competent Authority of the University to the Hon. Minister in Parliament (in Hansard, Vol. No. 94, 1971 July).

උසස් අධ්‍යාපනය, ප්‍රතිසංවිධානය කිරීම යම්කිසියෙක් වාර්තා කිරීම සඳහා ගරු අධ්‍යාපන ඇමතිතුමා විසින් සකස් කරන ලද කමිටුවේ වාර්තාව, 1971 ජූනි.

Report of the Commission of Inquiry into 'Ragging' at Vidyalkankara Campus of the University of Ceylon. XI Sessional Paper No. XI - 1975.

1976 නොවැම්බර් මස 11 සහ 12 දිනවල ශ්‍රී ලංකාවේ විශ්ව විද්‍යාලයේ ජේරාදෙණිය මණ්ඩපයේ ඇතිවූ 'පීද්ධි' පිළිබඳව පරීක්ෂා කිරීමට පත්කරන ලද කොමිෂන් සභාවේ වාර්තාව - 1977.

The Reports were helpful in extracting authentic data as regards the practical implications of the particular University Acts. The historical, political, cultural or such other forces or inspirations that prompted the introduction or creation of these Acts, or the Ordinances and the subsequent orders, the drama such introductions created both inside and outside Parliament as unfolded in the Hansards, Newspapers and Journals are compared with data from other sources wherever possible.

The Reports were made use of for a specific purpose as was felt necessary by the Government of the time. These were either for the purpose of finding out exactly the nature of problems of higher education or for the purpose of introducing remedial measures for a particular problem that had erupted at the University. The Commission or Commissions appointed were always attempting to look at such problems from a historical as well as a sociological viewpoint. Their breadth of vision and experience enabled them to develop certain insights about the existing problems in higher education, throwing a flood of light on the actual workings of University education.

The necessary background to widen the historical arena on which the University Acts were unfolded from time to time are provided by information ~~gathered~~ from different sources. There were eye-witness accounts as published by the evidence given in Reports as personal experiences and newspaper reports of the time, Hansard accounts as well as secondary commentaries made by various writers, relating to the subject directly or otherwise. The diverse sources sometimes on the same topics, stating the same information eased the comparing and contrasting of the identical

aspects, thus establishing the veracity of the information contained in them.

The Reports of the Commissions proved a veritable mine of information not only for a historical analysis of how the Government legislation laid its mark on the Universities, but also on a wide range of other areas of contemporary life and society. The objectives of this study are limited to the drama of the unfolding of the Acts, their bearings on University form and structure, the extent and scope of higher education, and how far the Acts or Ordinances, with their distinct objectives and approaches remedied or worsened University problems.

From a historical angle the University Acts and Ordinances recount a story where Government inroads were made into the University autonomy and freedom repeatedly. This reached its crescendo in the Universities Act of 1972, which ironically replaced a contemplated Act granting the Universities the much needed autonomy and freedom from the limitations placed by the Higher Education Act of 1966. It was indeed a contradiction to see a Government which pledged to abrogate the obnoxious 1966 Act, making almost a complete 'turn-back' after the experiences of the 1971 insurrection and substituting the already-drafted Act with a new one designed to control the autonomy of each University by the establishment of one single University.

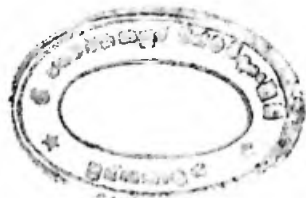
The historical development of the Universities cannot be viewed dispassionately, forgetting or ignoring the social, cultural, economic and political forces that were at work in the country. After the establishment of the University of Ceylon in

1942 by the fusion of the Ceylon Medical College (1870) and the Ceylon University College (1921) as a residential one based more or less on the classical British Universities model, Sri Lanka gained independence in 1948. With the passage of time, people began to feel that the Ceylon University catered more to the elite in society, absorbing the western ideas and ignoring all that was indigenous. The emergence of the Mahajana Eksath Peramuna in 1956 was the result of this grievous Culture Consciousness. Thus began the need to establish a University 'much like ourselves'. This finally resulted in the transformation of the two pirivenas, Vidyodaya and Vidyalankara as Vidyodaya and Vidyalankara Universities in 1958.

Although this is held as an event of historical significance, there was one fact which was more or less forgotten by the framers of the Vidyodaya and Vidyalankara Universities Act. Venerable Welivitiye Sorata, the first Vice-Chancellor of the Vidyodaya University pointed out that it was with the intention of providing higher education opportunities for the Sinhala-educated that the Vidyodaya-Vidyalankara University Act was passed by the Parliament. Sinhala was to receive pride of place in these Universities just as much as English had been in the University of Ceylon earlier.

Ven. Sorata had a philosophy of his own, and contributed much towards the realisation of these goals — the experiment to have 'a University much like ourselves' — to suit local conditions and not model those along the same lines as Peradeniya.

145562



In the main recommendations on the Pirivena Universities, the Gunawardena Commission states : "That, as the higher education of the Bhikku and the higher education of the laity cannot be brought under one organization, the two Pirivena Universities should cease to exist at the earliest possible moment (para 65). That the Pirivena Universities Act No. 45 of 1958 should be repealed" (para 85); and "That the Ministry of Education and Cultural Affairs should set up an ad hoc Advisory Committee to advise on the character and functions of these institutions" (para 92) (p. 168 Ceylon Sessional Papers 1963 Report of the University Commission).

These Pirivenas were two institutions devoted to the Buddhist Monks. The elevation of the two Pirivenas that had a remarkable tradition of disseminating knowledge and scholarships, robbed the two Pirivenas of their spirit and form. In fact, the two Pirivenas passed into oblivion while the two Universities absorbed their buildings, staff, libraries, students and all else that they possessed.

The experiment to have a 'University much like ourselves' received a severe jolt within a few years with the publication of the Gunawardena Commission Report. In fact, it recommended the abolishing of the Vidyodaya and Vidyalankara Universities, stating that these two Universities failed to achieve the objectives for which they were created. Although the two Universities were established as an alternative to the University of Ceylon, from the beginning they were attempting to follow the University of Ceylon as a standard model. At the beginning it was natural for any new University to look up to an already-existing institution as the model; but the two new Universities never realised the objectives for which they

were created, other than using Sinhala as the medium of instruction and introducing certain fields of study. They never attempted to shape their form and spirit to become new independent, indigenous Universities 'much like ourselves', but even used and followed expressions of the British model.

A University to suit long-standing traditions had absorbed the tradition of teacher-pupil relationship which was the central point in the ancient system of education in the island. In the Pirivena -- as an institution of learning, the close association of the pupil and the teacher enabled the student to widen his knowledge as well as his experience; thus strengthening and moulding his character.

It was from 1966, that the period of authority of the Government's power over the Universities strengthened. This was partly due to the current policy that the Government was forced to follow, and the character of the then Hon. Minister of Education, Mr. I.M.R.A. Iriyagolla. As a result of the enormous expansion in intake, the number of students seeking admission to the Universities increased at this time. The Universities were too slow in accommodating the wishes of the Government in the switchover to Swabasha -- the mother tongue as the medium of instruction as well as in increasing facilities for the intake of more students. This necessitated a more meaningful role by the Government in determining University policy.

At the same time the Hon. Minister of Education developed an antipathy towards the Universities and the graduates. This antipathy influenced all policy decisions and their implementations during this time. The Minister felt that the