

**KEYNOTE ADDRESS BY DR. DINESHA SAMARARATNE AT THE 75TH
ANNIVERSARY CELEBRATIONS OF THE FACULTY OF LAW, UNIVERSITY
OF COLOMBO HOSTED BY THE ALUMNI ASSOCIATION OF THE FACULTY
OF LAW ON 22 SEPTEMBER 2023**

Honourable and distinguished invitees, ladies and gentlemen

I feel like an apology is in order as my opening line. A reflection on the 75 years of the Faculty of Law was to be shared by Justice Saleem Marsoof PC, who, unfortunately is not available to join us this evening. I stand here before you as a substitute challenged by the lack of the long and personal view of this institution and its graduates. Unlike Justice Marsoof, my association with it is relatively short. I am not aiming to be comprehensive but I most certainly am aiming to offer you some thoughts to prompt your own reflections as we mark this significant milestone of an institution that is close to our hearts and one that has been central to the life of this nation.

The physical origin of the Faculty of Law, the College House, is the same as the origins of the University of Ceylon. It also happens to be a location from which at least aspects of the constitution of independent Ceylon were drafted. It is apt that the birth of the Faculty of Law is entangled with the political independence of this country. The Department of Law was established in July 1947 within the Faculty of Arts of the newly minted University of Ceylon. The Department shifted to Peradeniya only in 1959. In 1965, it was relocated to Colombo and by 1967 it was upgraded as the first, and to date, only, Faculty of Law in Sri Lanka. By 1978, the Faculty of Law became a part of the newly established University of Colombo.

Early Days

It is a well-known fact that the first Vice Chancellor of the University of Ceylon, Sir Ivor Jennings was a key figure instrumental not only in the establishment of the then Department of Law alongside of Ceylon's first University but that he also played a key role in drafting the independence constitution of Ceylon as well as of several other new states. Together with Sir Ivor Jennings who taught Constitutional Law Justice Francis Soertsz QC, Professor T Nadaraja and Justice (Dr) H W Tambiah QC were the illustrious founding academics of this new Department. The first batch of graduates of the Department in 1950, were

destined to be leading legal personalities of Sri Lanka. They were: Mr RKW Goonesekere (who later served as a Principal of Sri Lanka Law College and a Chancellor of the University of Peradeniya), Mr Shiva Pasupati (who went on to serve as an Attorney General), Mr Ana Seneviratne (who was later the Inspector General of Police) and Mr Hema Rupasinghe (who went on to serve as a prominent Advocate). The second batch of students were admitted directly to the Department of law and went on to serve in similarly significant public roles: namely Mr. Felix R. Dias Bandaranaike who took to politics and held office as a prominent Minister, Miss. Lakshmi Jayasundera (who later married Mr. Felix R. Dias Bandaranaike and who passed away recently), Mr. H.L. de Silva PC, a learned and erudite counsel, and Mr. Lakshman Kadirgamar PC, who worked as Director of WIPO before taking to politics and holding office as a Minister of Foreign Affairs. The Department of Law was the training ground for leaders of a new nation and arguably, remains so, to this date.

Graduating with a First Class

The first ever Bachelor of Laws (LL.B.) First Class honours pass was conferred on Mr. K. Shinya, of the third batch that graduated from the University of Ceylon, in 1952 who went on to become a prominent Advocate. The second First Class honours went to Mr. H.M.Z. Farouque, in 1960 and he went on to serve as the Registrar-General of Sri Lanka.

Men and women who graduated with First Class Honours from the Department of Law and subsequently the Faculty of Law reflect the exceptional quality of legal education and formation that this institution has had to offer. This honour roll includes Emeritus Prof. Savitri Goonesekere who went on to become the first woman Vice Chancellor of the University of Colombo made a singular contribution nationally and internationally in law and policy making. I have had the honour of being a student of the last class she taught, before retirement from the Faculty, in 2004 where Prof Goonesekere taught us the Law of Delict. First class honours degrees were also awarded to Prof. L.J.M Cooray, Prof. Wickrema Weerasooria and Prof M Sornarajah, all of whom excelled in academia and distinguished themselves internationally, Justice Mark Fernando PC, one of the most illustrious justices of the Sri Lankan Supreme Court and Emeritus Professor GL Pieris, former Vice Chancellor of the University of Colombo and a former Minister of Constitutional Affairs.

More recently First Class Honours degrees were awarded to Mr. Thusantha Wijemanne, a banker turned diplomat who also worked as a Director-General of the SAARC Arbitration Council, to Ms. Shermila Anthony who currently serves on the academic staff at the Faculty and to Dr Nishara Mendis who until recently also served on the academic staff. Since 2010, more students graduated with First Class honours and include Ms Chathurika Akurgoda, Mr Supun Jaywardena, Dr Sachintha Dias, Ms Pramoda Viathange, Mr Minaal Wickremesinghe and just this year, Ms Shabnam Hilal and Mr Ishan Arachchi. Of the many significant achievements of these more recent graduates with First Class Honours, it is worth mentioning that Dr Sachintha Dias completed his D Phil at Oxford University and Mr Supun Jaywardena is the first ever law graduate with visual impairment in Sri Lanka to have achieved significant academic success and has recently returned to Sri Lanka after successfully reading for his Master's degree at the University of Melbourne, Australia.

Illustrious Alumni

Over the course of its 75 year long history, graduates of this institution have achieved the highest levels of recognition not only in law but also in other spheres such as public service and politics. It is not possible to do justice to their service in this short speech and tonight, I can only name but a few of them. Graduates of international renown in academia include Prof CF Amerasinghe, Emeritus Professor Suri Ratnapala, Dr Neelan Thiruchelvam, Emeritus Professor Sharya Scharenguivel, Dr Nirmala Chandrahasan, Professor Deepika Udagama, Dr Mario Gomez, Mr Rohan Edrisinha, Dr Sharika Marasinghe and Prof Sumudu Atapattu. Notable scholarly and professional contributions have been made by many of our graduates including Mr DC Amerasinghe, Mr Sriyan de Silva, Dr Sunil F Cooray, Ms Priyane Wijesekere, Dr Rohan Perera PC, Dr Palitha Kohona, Dr Jayantha de Almeida PC and Ms Kishali Pinto Jayawardene. Esteemed members of the judiciary who graduated from the Faculty include Justice ARB Amerasinghe, Justice Mark Fernando PC, former Chief Justice Asoka de Silva, Justice Gamini Amaratunga, Justice Suresh Chandra, Justice Saleem Marsoof PC, Justice Eric Basnayake, first woman Justice of the Supreme Court of Sri Lanka and Sri Lanka's first woman Chief Justice, Justice Dr Shirani Bandaranayake, Justice Chitrasiri, Justice Prasanna Jayawardene PC and currently, Justice Mahinda Samayawardhana. One cannot but help but pause here to note the remarkable contribution made to Sri Lanka's jurisprudence particularly in the 1990s by Justice ARB Amerasinghe, Justice Mark Fernando, Mr RKW Goonesekere and Mr HL de Silva. The jurisprudence thus developed was replicated to some extent more recently by Justice Prasanna Jayawardene.

Today, the Faculty counts for the first time a head of state among its own, President Ranil Wickremesinghe.

There is no doubt that this institution has produced women and men who have served humanity well, whether in Sri Lanka or beyond. In my own work it has been wonderful to hear glowing reports about alumni of this institution often at leading institutions of the world such as Harvard University, Oxford University and at the United Nations. Annually, our graduates secure admission to the best law schools in the world, often securing prestigious scholarships.

It is customary and meaningful, when marking significant anniversaries of an institution, to name and celebrate the achievements and contributions of notable products of the institution. While we do that, in keeping with the emancipatory vision for university education in Sri Lanka, it is important to acknowledge the many other graduates who have also served well, in ensuring that legal systems function fairly and efficiently. They may not be well known illustrious personalities but graduates of this institution who served professionally, ethically and generously to whoever who sought their services. In my view, it is in the ability of producing those types of graduates that the true test of the effectiveness or greatness of this institution is to be found.

On that score, let us acknowledge that this institution has served this land well. Could it have done better? I most certainly think so but it is fair to say that the emancipatory vision of universal education has been made available in our lecture halls for many, without any discrimination, over the years. It is fitting that this celebration tonight will contribute to that emancipatory dimension of this institution by providing support for undergraduates in financial need. The Faculty admits students from all parts of the country and from all walks of life. We have all experienced that min-cosmos of the Sri Lankan university where the generationally privileged student rubs shoulders with the generationally marginalised with strong prospects for transformation of the lives of both students through that encounter. For this emancipatory project to continue at this time of crisis, helping hands are essential. Our hope is that each of you will extend your generous support to our institution at this time, and pay forward the support this land and its people extended to you, when you were pursuing your legal education as an undergraduate.

Student Life

*Many of us hold and sweet and perhaps bitter-sweet memories of our formative days at University. This evening as we reconnect, our conversations will go back to the joys and horrors of our undergraduate days. Justice Marsoof, recollects his student life as an undergraduate in the second batch of students admitted to the newly established Faculty in 1968 in an essay published in *Pursuing a Vision of Justice* edited by Senaka Weeraratne, published in 2022. He notes that the Faculty a small place but, and I quote 'hallowed portal of learning.'*

Justice Marsoof notes that at the time of his admission to the Faculty of Law, they had two lecture halls with a small staff room adjoining the Science Faculty building on the main campus. The Law Faculty Library was then located across Reid Avenue. Today, the Faculty itself is on that same side of Reid Avenue and comprises two buildings. These two buildings house approximately 1000 students and 40 academic staff. Much has changed since the 1960s. The Bachelor of Laws degree which was originally offered as a three-year degree programme is now offered as a four-year programme thereby offering students extended opportunity for knowledge gathering, development of critical thinking and their overall formation. The latest revision of the curriculum is aimed at offering undergraduates more breadth in terms of course offerings and will be taught only in English.

From a Department of Law with a first batch of four students, over the course of 75 years, under the Deanships of Prof Nadarajah, Prof GL Peiris, Dr Anton Cooray, Prof Sharya Scharenguivel, Justice Dr Shirani Bandaranayake, Prof N Selvakumaran, Prof VT Thamilmaran, Prof Indira Nanayakkara and presently Prof Sampath Punchihewa, this institution has evolved and grown in significant ways. In addition to the Bachelor of Laws degree for 350 students in a batch, the Faculty now also offers extension courses as well as postgraduate courses. Co-curricular activities such as mooting offers students the opportunity to develop discipline specific as well as generic skills which they require for their professional development. It is a matter of pride for the Faculty that our students have often excelled in international mooting competitions even though the human and financial resources available to them are minimal.

Looking back to look forward

Marking a significant milestone of any institution, is a time for celebration, but I do think that our task would be incomplete, and even partial, if we do not pause to reflect critically on our institutional history in order to seek guidance for thinking meaningfully about our future.

The Faculty of Law was founded on, what I think, was an enduring vision that included at least three dimensions. The first was that of universal access to university education. The second is a commitment to developing critical thinking and excellence in legal education and the third is that of education as means for human flourishing and for developing democratic citizenship. Tonight as we celebrate the 75 years of this institution, it would be fitting for us to consider how well the Faculty and its graduates have realised this enduring vision. On many occasions our graduates have fulfilled their professional and ethical responsibilities by defending constitutionalism, by ensuring respect for human rights and by working for the causes of the vulnerable and the voiceless. However, in 2023, when Sri Lanka seems to be standing again at cross-roads and is in crisis, we have an opportunity to ask ourselves about our responsibility for the state of the law, constitutionalism and respect for human dignity in Sri Lanka today.

I often try to imagine what the 1940s was like for the Ceylonese. A new state was being formed on the wake of two world wars and the collapse of an Empire on which the sun was never expected to set. Surely it must have been a tumultuous time. In 2023, as we mark 75 years of the Faculty of Law, we are once again in a tumultuous time. Visionary leaders of the 1940s laid a foundation for an institution in which they imagined a better collective future for us, despite the turbulence and uncertainty of their time. We, in 2023, face severe challenges in continuing quality universal education and higher education, in preserving the rule of law and in ensuring respect for human dignity. Our challenge today, is twofold: to preserve the founding vision of this institution and to adapt it to deal with the new challenges that we face. I think it is fitting that the 75th anniversary of this institution is synchronised with the 75th anniversary of the Sri Lankan state. It is a powerful reminder of the responsibility and promise of this institution and of yours and mine, as its alumni. How we fulfil that responsibility and realise its promise in the next 75 years, is up to us and history, as always, will be our judge.