

Litigation

Following the banishment of the British Mahabodhi Society from the *Vihara* premises, both defendants and plaintiffs had recourse to the law to clarify and/or justify their actions. The former relied on a freelance solicitor, J. White of London N. 3 whilst the Angarika Dharmapala Trust retained the services of Hetty & Co. of Southall, Middlesex. Affidavits were duly completed and submitted for consideration by all the parties concerned and, unbelievably, the legal wrangling was pursued for well over five years. Finally, in the summer of 1991, the High Court delivered judgment in favour of the Anagarika Dharmapala Trust and the Public Trustee of Sri Lanka. According to the report in the Sri Lankan Sunday Observer for 1 September:

"Deputy High Court Judge Gavin Lightman QC has declared that the Anagarika Dharmapala Trust and the London Buddhist *Vihara* had undisputed title to both properties in London, namely, 5 Heathfield Gardens and 85 Barrowgate Road and that the defendants had no title to or any beneficial interest in either properties.

"The judgment also dismissed the claims made by the late Dr. Saddhatissa *Thera* that he owned the Properties and the BMS [British Mahabodhi Society] as the *Dayaka Sabha* were entitled to manage the *Vihara* and appoint the *Viharadhipathi*.

"The Judge, in dismissing this claim, ruled in effect that if every Altar Boy, Church Helper or Church Support Group, who collected or handled monies to assist a place of worship claimed beneficial interest or title to property, it would be a sorry state of affairs. The BMS, being one of many *Dayaka Sabhas* of the LBV, provided assistance to the Head of the *Vihara* to carry out a few administration functions, one of which was to bank the monies donated to the *Vihara* in bank accounts. This was purely done in observing the Buddhist customs prevalent in Sri Lanka, that a monk is not allowed to handle monies and instead a *Dayaka* or *Dayaka Sabha* assisting in such functions.

"The London Buddhist *Vihara* monies were banked in such a manner and held in trust for the exclusive use of the *Vihara*, in the designated bank accounts set up for this purpose. Since the bank accounts were operated by the *Viharadhipathi* and a member of the BMS under joint signature bank mandate, the BMS made claims to these monies as their monies, operated the bank accounts when clearly all monies donated by the public were donated for the exclusive use of the *Vihara* and not for use by the BMS.

"Judge Lightman's ruling has established that just because the BMS assisted the *Vihara* in the *ad hoc* capacity of a *Dayaka Sabha*, it did not thereby become entitled to any beneficial rights or acquire any proprietary rights. The BMS operated under a gratuitous licence extended by the ADT to carry out their religious objectives like any other devotee of the *Vihara*, and when their objectives suddenly changed from being a Temple Support Group to declaring themselves as beneficiaries, then the ADT rightfully and correctly terminated their licence on the 1st of December 1985.

"These legal proceedings which began in March 1986 ended in favour for the ADT and the Public Trustee of Sri Lanka on the 25th of July 1991, a period of over five years where nearly 39 applications and Motions were argued in courts which consisted of voluminous affidavits sworn and presented to court and had the involvement of the English Charity Commissioners, the Attorney General and the Treasury Solicitors."

Aftermath

Following this debacle, the BMS effectively disappeared from sight, an ignominious and underserved fate for a lay support group that, since its founding by the Anagarika Dharmapala, had held a high profile position in England. All the sincere, unselfish and untiring efforts exerted by the office-bearers from its resurrection in 1966 had, in the space of a few months, been betrayed.

Ven. Saddhatissa, his reputation tarnished, was nonetheless allowed to remain in residence at Heathfield Gardens although he took no part in any *Vihara* activity. Indeed, he regularly absented himself during the day by reading in the library of the School of Oriental and African Studies. A bhikkhu, Galyaye Piyadassi, was instrumental in locating and opening a *Vihara* in Kenton, Middlesex, and persuaded Ven. Saddhatissa to become its honorary head. He had managed to keep his diabetic condition under control by strict dieting but complications had set in and, after a short spell in the main hospital in Hounslow, he died on 13 February 1990 aged 75. Recriminations were set aside, however, and a top capacity crowd of 500 attended his cremation at Golders Green in a ceremony conducted by virtually every *Theravadin bhikkhu* resident in the UK.

It would be churlish not to acknowledge his many qualities and the undoubted good influence he exerted on those with whom he came into contact both in the UK and abroad. The author of this chronicle took all this

into consideration when composing the obituary which appeared in the Daily Telegraph on 20 March, from which the following extracts are taken:

"His [Saddhatissa's] breadth of vision, based on a profound understanding of Buddhist texts, helped establish the *Vihara* as an international centre and home for Buddhists of all schools. A broad-minded and inspirational figure, Ven. Saddhatissa travelled widely, taking a sincere interest in other peoples and cultures and making every effort to increase inter-religious dialogue and understanding. In his prolific writings in both English and Sinhalese, Ven. Saddhatissa touched on most aspects of Buddhist thought and practice. He had a particular skill for interpreting Buddhist philosophy clearly and simply..."

Soon after his demise, the Kenton *Vihara* moved to its present address in Kingsbury, London NW9, and changed its name to the Sri Saddhatissa International Buddhist Centre. Two years later, it published a splendid memorial volume entitled *Buddhist Essays: A Miscellany*.

Ven. Saddhatissa's last public act took place on 28 July 1988. At the initiation of the late English Buddhist nun, Ayya Rocana (Pat Stoll), a memorial plaque was unveiled at the former home of the Rhys Davids in Chipstead, Surrey. This read: 'Professor Thomas William Rhys Davids, Historian, Linguist and Buddhist Scholar, Founder of the Pali Text Society, lived here from 1917 until his death in 1922. Caroline Augusta, his wife and fellow scholar, lived here from 1917-1942.' Richard Gombrich (Boden Professor of Sanskrit at Oxford and then Secretary of the PTS) did the honours, followed by Ven. Saddhatissa who recited appropriate Pali stanzas.

Resurgence

It fell to the confirmed Head of the *Vihara*, Ven. M. Vajiragnana, to pick up the pieces and rebuild the infrastructure, at the same time to restore the good name of the institution and attract the confidence of supporters if it was to survive and prosper. His authority was enhanced by his appointment (at the end of 1990) as *Sangha Nayake* of Great Britain and thereafter, he hand-picked conscientious and reliable *bhikkhus* from Sri Lanka to assist in the efficient functioning of the *Vihara*.¹

In the early years of the London Buddhist *Vihara*, a problem often felt by the English Buddhist was the absence of a set programme of activities. Ven. Vajiragnana responded to this by instituting a weekly programme of activities, which was open to anyone who had no prior knowledge or

qualifications. He revived and expanded this programme which is continuing to flourish in its revised format. In order to assist him, the number of other resident *bhikkhus* was increased to four, in addition to himself. Initially, he was joined by Ven. Keenagoda Chandawimala, then Venerables Tawalama Bandula, Rukmale Dhammavijita and Nepali Seevali. Some of these have now been replaced and the current *sangha* comprises Venerables Bogoda Seelawimala, Tawalama Bandula, Wiloye Wimalajothi and Boralesgamuwe Pematana, who are all kept busy attending to the needs of the constant stream of visitors, conducting classes, and visiting other institutions to give talks.

Interest in Buddhism was growing among native British people. Since they had not been born as Buddhists, they have a desire to learn about the Buddha's life, his teachings, and techniques of meditation. The *Vihara's* second source of support has been the growing Sri Lanka community in Britain. The political situation in Sri Lanka was becoming increasingly serious and the war with the Tamil separatists forced some people to seek their livelihoods in other countries, including the United Kingdom. The resulting surge in immigration meant increasing numbers of supporters coming to the *Vihara*. These people had been born as Buddhists so did not feel the need to attend classes, but they came for *pujjas*, blessings, etc. Festivals such as *Vesakha* were particularly popular with several hundred people trying to squish into the small house in Chiswick. It gradually became apparent that the *Vihara* needed to move to larger premises. Not only were the public areas at 5, Heathfield Gardens too small to contain the large number of visitors, but also the monk's living quarters were very cramped. The five resident *bhikkhus* needed accommodation, and a shrine room, lecture and meditation hall, library, bookstall and kitchen all had to be squeezed into a small house.

It was Ven. Vajiragnana *Nayake Thera* who found the present, spacious premises for the London Buddhist *Vihara*, and arranged for the provision of all the necessary facilities for it to be correctly described as an international Buddhist centre. Planning permission had to be obtained for its change of use from a social club, and alterations had to be carried out. It was officially opened by Mr. Gamani Jayasuriya, the President of the Mahabodhi Society and Chairman of the Anagarika Dharmapala Trust. The ceremony was attended by a large gathering of religious and civic dignitaries from Asia, Europe, the Far East and America. Ven Vajiragnana's welcome address is given here:-

"It is a great privilege and honour for me as Head of the London Buddhist *Vihara* to welcome each and every one of you to celebrate this historic event, the opening of the new premises of the London Buddhist *Vihara*. Our grateful thanks go to you for your response to our invitation to grace this occasion with your distinguished presence here with us today.

"As most of you may already know, the London Buddhist *Vihara* was the very first of its kind to be established in Europe in 1926. At a time when Christian missionaries were being sent to all parts of the globe, there was one man who aspired to further the cause of peace and spiritual development by taking Buddhism to what was then the centre of world influence – to London. That was the late Anagarika Dharmapala, a great Buddhist missionary from Sri Lanka and a man of immense vision and determination. It was he who reclaimed for the benefit of Buddhists the world over the sacred grounds which the Buddha trod 2,500 years ago in North-East India. It was also he who founded the renowned Mahabodhi Society, which today is the custodian of all that is sacred and revered by Buddhists.

"In November 1926 the Anagarika Dharmapala wrote in his diary:-

Quote:

'I am old and physically feeble, yet I am working hard in the hope of doing my bit for the welfare of the English people, whose language I had learnt, and I am going to make use of that language to preach the *Dhamma* to the Britons. Brothers, let us erect a beautiful *Vihara* in some part of London, and in a spirit of love, let us serve the English people.' End Quote.

"It is in that same spirit of love and service that the London Buddhist *Vihara* has conducted its activities almost continuously for the last 68 years, barring the war years. Its association with the Borough of Ealing goes back right to its very inception. Its first location was a house in Ealing, which was purchased by the Anagarika Dharmapala with a donation from Mrs. Mary Foster Robinson of Honolulu. He named it Foster House in her honour. From there the *Vihara* moved to 41, Gloucester Road, which was later requisitioned by the British Government for military purposes during the war years, and its activities were temporarily suspended. After the war, in 1954, the venue was shifted from Regent's Park to Ovington Gardens in Kensington. In 1962, however, these premises were compulsorily acquired by the Borough Council for a housing scheme. So in November 1963, the Trustees of the Anagarika Dharmapala Trust purchased No. 5 Heathfield Gardens here in Chiswick, where the *Vihara* functioned for just over 30 years.

"Throughout this long period of time, the *Vihara* has gone from strength to strength to become what it is today, recognized internationally as one of the world's leading institutions in the Buddhist *Theravada* tradition. Its success has been due to the untiring efforts of my predecessors in this office, together with the immense contribution which has been made by the resident monks and lay supporters, both Sri Lanka and British...."

Ven. Vajiragnana went on to say:

"... I must also mention the invaluable contribution of Mr. Ranjit Hewavitarana, the representative of the Anagarika Dharmapala Trust in London. It was he who supervised the refurbishment programme. He managed to do all this despite his many other responsibilities and he gave so generously of his time that some of his other work had to be set aside.

"I should like to say something about the function of a Buddhist *Vihara*. It is essentially a place where the Buddha *Dhamma*, or the teachings of the Buddha, can be expounded by monks to whoever seeks instruction both in the *Dhamma* and in meditation. It is a place which provides facilities for study, contemplation and meditation. It is an open house for anyone, regardless of colour, creed, nationality or belief, who is desirous of knowledge of the Buddha *Dhamma*. It is place which can fulfil an individual's every spiritual need not only in this life, but also in his journey thereafter. We aspire to continue to serve all those who come here for all these purposes and more.

"I should like to say a few words to the non-Buddhists in the audience about the role of Buddhism in the community. Friendliness is a virtue which is particularly emphasized in the teachings of the Buddha and we are counseled to develop this quality towards all living beings. The Buddha himself said that it represents the whole of the holy life. It is our earnest wish to live in peace and harmony with all beings, particularly with our neighbours in this community. We have been very encouraged by the kindness which has already been shown to us by our neighbours here, and we wish to assure them that we shall do our very best to develop and strengthen ties of friendship and goodwill with all members of the local community. This *Vihara* is open to everyone, not just committed Buddhists, and any visitor is assured of a warm welcome here.

"Thank you all once again for your distinguished presence with us today. May you all be happy and contented at all times."