

UNEQUAL CITIZENS: ESTATE TAMIL WOMEN IN SRI LANKA

Introduction

The “Grant of Citizenship to Persons of Indian Origin” Act, No. 35 of 2003, brought an end to the long, simmering issue that had plagued Sri Lanka’s Estate Tamil¹ population, seventy percent of whom are resident workers on the island’s tea plantations. My purpose in this paper is to consider the implications of legal citizenship for Estate Tamil women, particularly as it relates to women’s entitlements to the social, civil and political rights associated with legal citizenship status.² Citizenship is not limited to voting rights based on territorial residence only, but includes equality in the private and public spheres, as well as opportunity for political participation. The Estate Tamil women are disadvantaged in all these areas: as an ethnic minority, a lower class of wage workers, and as female kin in patriarchal households. The question that I wish to address is what difference would the recent conferment of legal citizenship status make to the life of inequality in every respect that is the experience of Estate Tamil women. This question anticipates my argument that legal citizenship is meaningless without addressing the cultural, economic and gender barriers to women’s attainment of all rights associated with citizenship. The gender experiences of women working and living on Sri Lanka’s tea estates are relevant to the discourses on development, good governance and the mediating role of the state, all of which embody current shifts in the “concept of citizenship participation” (Jones and Gaventa, 2002; Mukhopadhyaya, 2004a), and emphasize women’s role in social and political

¹My discussion is limited to the residents of the tea plantations whom I refer to as ‘Estate Tamils’ following their own description of themselves as “thotta Thamilar” or “thottakarar” (estate people). The data used in this paper is based on an eight month (1999-2000) research project on “Gender Ideologies and Gender Relations in the Tea Plantations”, sponsored jointly by the Canadian International Development Agency (CIDA) and the Participatory Action and Learning Methodologies Foundation (PALM), Sri Lanka. The information gathered from this project has been published as a research report (Philips, 2001a). The data has also been used in other papers (Philips, 2001b and 2003a). I have also been updating my data during subsequent visits to the estates in 2002 and 2004.

²According to this Act, Sri Lanka’s newest citizens will be granted all the rights and privileges to which a citizen of Sri Lanka is entitled to by law. In matters relating to status, personal rights, duties and holding of property the new citizens will be subject to the appropriate laws of Sri Lanka (Parliament of the Democratic Socialist Republic of Sri Lanka, November, 2003).

processes.

The Estate Tamils³ had few political rights before 1931, when Ceylon (Sri Lanka after 1972) was under British rule, since they lacked the required criteria of property, literacy and income to qualify for voting rights (Jayawardena, 1972: 334). Indian interests in Ceylon were represented by two members who were nominated by the British Governor to the Legislative Council. The Indians were enfranchised when adult suffrage was introduced in Ceylon under the Donoughmore Constitution of 1931, in spite of the opposition of the Sinhalese and indigenous Tamil leaders to the introduction of universal suffrage, in general, and the enfranchisement of the Indians in particular (Jayawardena, 1972). Opposition to their enfranchisement was based on the argument that the Indian workers were merely a transient group and not an integral part of the indigenous working population (Kearney, 1967). The 'Women's Franchise Union', formed in 1927 by educated, middle-class women, on the other hand, spearheaded the campaign for women's right to franchise including the rights of Estate Tamil women (Jayawardena and Kodikara, 2003). The Estate Tamils used their voting rights to send representatives to the State Council (1931-1947), and elected seven Indian Tamil members to the legislature in the Parliamentary elections held in 1947, under the new Soulbury Constitution.⁴

Immediately after independence in 1948, the Estate Tamils were made stateless by the Citizenship Act No 18 of 1948 and then disenfranchised by the Ceylon Parliamentary Elections Amendment Act No. 19 of 1948. The Citizenship Act recognized two types of citizens, citizens by birth and citizens by registration. Paternal descent (two generations for those born before an appointed date and one generation in the case of those born in Ceylon before the appointed date) became the criterion for identifying the 'legitimate and authentic' citizens, and for excluding the 'illegitimate and inauthentic Indians' (see Jayasinghe, 2002; Kodikara, 1965: 108).

³The genesis and growth of the tea plantations in Sri Lanka under British colonial rule is well documented (de Silva, 1982; Hollup, 1994; Kurian, 1984; Moldrich, 1988; Snodgrass, 1966; Tinker, 1974 and 1977; vanden Driesen, 1997). Overall, the plantations in Sri Lanka developed as a capitalist system of agricultural production based on a captive labour force that was mostly made up of migrant Hindu Tamils belonging primarily to the lower castes and classes of South India. Sri Lanka's plantation community constitutes the descendants of 19th century migrants and later arrivals. They form 5.5% (about 1 million) of Sri Lanka's current population.

⁴The Estate Tamil vote also influenced the results in an additional 20 electorates in the plantation districts, favouring candidates of the Left parties. The Left's electoral success in the plantations has been suggested as one of the reasons for the disenfranchisement of the Estate Tamils (Kearney, 1967: 104).

Birth by itself did not constitute a true citizen. A citizen by registration was one whose mother was a citizen by descent, or who was a widow or widower of a citizen by descent, or was reclaiming citizenship after having renounced citizenship of another country (Kodikara, 1965: 108). In the case of citizenship by registration, the applicant had to satisfy certain residency requirements for eligibility. Ninety percent of those affected by the citizenship rules were the Estate Tamils,⁵ since many of them could not provide proof of paternal descent by birth. The Citizenship Act was followed by the Indian and Pakistani Residents Citizenship Act of 1949, which conferred citizenship by registration on conditions of domicile, paternal or maternal descent, marriage and economic resources (Jayasinghe, 2002). Few Estate Tamils could provide adequate evidence of domicile or satisfy the economic criteria for qualifying as a citizen by registration (Caspersz, 1986).

The Estate Tamils became the "Indo-Ceylon Problem", wanted neither by Sri Lanka nor India. Under separate agreements made in 1964 and 1974, the governments of Sri Lanka and India agreed to absorb an estimated 975,000 stateless persons of Indian origin. India was to accept 600,000 estate Tamils while Sri Lanka was to grant citizenship to 375,000 Tamils. New agreements were reached between 1984 and 2003 to deal with the large numbers of estate Tamils who had been unabsorbed by either Sri Lanka or India under the earlier agreements. In 1986, the number of stateless persons was 1.1 million, and, according to a new agreement, India was to accept 506,000 and Sri Lanka 600,00 (including the shortfall from India as well as the natural increase). In the end, almost a million estate Tamils have been accepted as Sri Lankan citizens, while half-a-million have been repatriated to India. Many Estate Tamils also left voluntarily to India during times of ethnic violence, and as a result of their displacement from the estates when the estates were nationalized in 1975.⁶ Migration and repatriation have reduced the proportion of the Estate Tamils in the Island's population to around 5.5% from 13% at the time of independence in 1948.

The Estate Tamils' status as 'non citizens' subjected them to many exclusions. They could not own land, secure government employment outside the

⁵ Paul Caspersz (1986: 15) notes that among all Sri Lankan communities, the Estate Tamils were the only community that was actually forced to conform to the law.

⁶The British owned and managed plantations were nationalized in the 1970s and brought under private managements in the 1990s as Sri Lanka moved towards an open and free market economy. Twenty three government owned RPCs (Regional plantation companies) each with a cluster of 12-29 tea estates were formed in 1992. The estates are managed by private companies on 50 year leases.

estates, procure identity cards, or open bank accounts—basic entitlements that most citizens take for granted.⁷ Land distribution through colonization schemes on marginal lands and on the estates benefitted the Sinhalese and displaced the Estate Tamils who, as non-citizens, were not eligible for land allocation. Residence outside the estates has been a severe problem for security reasons and because of opposition by some Sinhalese groups to landownership by the Estate Tamils (Interviews with Estate Tamil residents, July 2000). The Estate Tamils I spoke with did not anticipate significant changes in their work and living situations as a result of their newly acquired citizenship status; they claimed, however, that it had provided them with a new sense of dignity based on their acceptance as Sri Lankan citizens (Interviews, July 2004).

As I have indicated earlier, my purpose is to discuss specifically the gender implications of the new citizenship status of the Estate Tamils. While the Estates' Tamil community has been marginalized in the past and the question how their new citizenship status will make a difference for the community as a whole is worthy of examination, my gender focus stems partly from the premise that women in that community have been multiply marginalized—as immigrant workers, as minorities and as women—at every level in the public and the private spheres of the plantations. Also, from the standpoint of a theory of citizenship, the gendered nature of citizenship is no longer a novel concept, given the manifest differences between the citizenship experiences of women and men in practically every state and society. There is a growing body of literature on gender and citizenship and the comprehensive treatment of the concept and practice of citizenship. In what follows, I will outline a framework of current perspectives on citizenship and locate within it the experiences of Sri Lanka's Estate Tamil women. The backdrop to my discussion will include Sri Lanka's constitutional and legal provisions relating to gender equality in Sri Lankan society as a whole. In my view, a discussion of Tamil estate women's experiences will be an addition to the growing cross-cultural comparisons of citizenship issues. It will also present yet another example of the almost universal incongruity between the expectations of citizenship rights and entitlements and the reality of their non-realization, especially for women.

⁷As non-citizens, the estate Tamils were not able to vote in the many elections held after Sri Lanka's independence. But their swelling numbers were included in the population count that was the basis for demarcating parliamentary electorates in the plantation areas. Sinhalese Members of Parliament were elected in these electorates, contributing to a disproportionately higher representation of the Sinhalese in the legislature (see Abhayavardhana, 2001: 367).

Re-Gendering Citizenship: Citizenship Models and Women's Experiences

There are many perspectives on citizenship ranging from liberal, communitarian, to civic republican approaches that focus on individual status and rights, on the communally embedded citizen with responsibilities and obligations, and the citizen activist, respectively (Jones and Gaventa, 2002). As Ruth Lister (2001: 324-325) argues, 're-gendering' of the citizenship concept is necessary insofar as women and men have different experiences of citizenship and stand in different relation to it. The gendered nature of citizenship is predicated on both the cultural constructions of gender (e.g., the assignment of different natures, capabilities and qualities to women and men), on gendered practices, and on gendered spaces that are dichotomized as public and private based on a narrow conception of citizenship as entailing public issues and not private experiences. Viewing citizenship through gender expands the discourse on citizenship and brings human rights and 'culture' to the forefront of analysis, since women's experiences of citizenship are shaped by culture and the inequities that are embedded in culture. For culture is by no means gender neutral (Agasinski, 1998: xi). The debates around citizenship have also created a new 'space' for considering the rights of politically and economically marginalized communities (ethnic and religious minorities) within multi-ethnic and multicultural societies (Yuval-Davis, 1997). Exclusion and marginalization from full citizenship status is not merely about being an "outsider in a geographical sense" (as in the case of immigrants or non citizens), but can involve women, minorities and the poor within national and communal boundaries (Meer and Sever, 2004: iii).

Transnationalism has also extended citizenship perspectives to encompass issues beyond national borders and spaces. In transnational spaces, mobilization around individual (e.g., women) and group (immigrant minorities) rights are often anchored in 'de-nationalized' and 'de-territorialized' ideas of 'universal human rights' which operate as 'global principles' governing legitimate action (Soysal, 2001: 333). At the same time, multiculturalism and transnationalism lead to the entrenching of particularistic, ethnic and religious identities (see Soysal, 2001: 336). Citizenship perspectives today have begun to acknowledge the reality that citizens live in multiple locations and spaces of nation states, local communities, families and households that fragment individual and collective identities and needs along the lines of multiple contours such as gender, class, ethnicity, religion and caste. But as Dipanka Gupta (2000: 182) points out, these divisions also make legal citizenship hard to realize in practice, particularly if there is no common ground on which these differences "can build and flourish". Without a common ground, citizenship "will always be a privilege and not a status with an active role" (ibid). Women's experiences of citizenship are informed and influenced by these multiple differences

and challenges.

Development feminists and practitioners working in different cultures have examined the relationship between 'culture' and its underlying gender ideologies, on the one hand, and women's citizenship experiences on the other (Mukhopadhyay, 2004b; Sinha, 2004; Sweetman, 2004). They have transcended the public/private dichotomy by bringing 'private issues' such as domestic violence, reproductive choices, and sexual abuse within the family into the realm of the public, as well as for assessing the rights of individuals as against the rights of communities and cultures. Additionally, citizenship debates are also being framed both within the framework of the World Bank and International Monetary Fund, as well as to challenge their global influences and neoliberal policies which undermine the welfare state and erode the entitlements, rights and access of women and the poor to economic resources (see also Meer and Sever, 2004).

Current approaches within feminism and development attempt to syncretize traditional citizenship models by defining citizenship as entailing the status, entitlements, responsibilities, identity and agency involving both individuals and communities (Meer and Server, 2004; Sen, 1994: 24). Feminists are also "re-claiming" citizenship as an important political tool (Lister, 2001: 325), since historically and contemporaneously women have been denied full citizenship status on the basis that women are 'inferior or incomplete beings' (Agacinski, 1998: x; Kabeer, 2002). The "re-gendering of citizenship" has produced different perspectives or models of citizenship, *viz.* the gender-neutral or liberal feminist model, the civic republican approach, the gender differentiated model, and the gender-plural citizenship perspective.

The Gender-Neutral Model

The gender-neutral or liberal-feminist model espouses a view of citizenship that is 'universal' regardless of gender, ethnic or other differences. The gender-neutral model is premised on a universalistic promise of egalitarian citizenship and is an idealistic model insofar as it envisages a genderless society, equitable distribution of rights and resources, and an egalitarian sexual division of labour in the household (Lister, 2001). The critics (e.g., Agacinski, 1998: x) of this model reject women's "flight into the universal abstract" of humanity, when, in fact, the human model of universal citizenship has always been a male one. Their argument is that citizenship as merely a legal status, defines the relationship between the individual and the state, but states are not independent of patriarchal social values and practices, and are most often patriarchal themselves in limiting women's human rights.

If we take the case of citizenship laws, many Arab countries exclude women from the right to pass on national citizenship to their foreign-born husbands and to

the children of such unions; women are also denied the right to represent themselves in legal matters (Abou-Habib, 2004; Gender, Citizenship and Nationality Program 2004). The Sri Lankan Citizenship Act of 1948, that disenfranchised the entire Estate Tamil population, was also informed by patriarchal prejudices. For example, the law prevented the non-national or foreign husbands of Sri Lankan women and their children from becoming citizens of Sri Lanka. On the other hand, foreign women marrying Sri Lankan men and their children were allowed to become Sri Lankan citizens with attendant entitlements (Jayawardena and Kodikara, 2003: 68-69).⁸ Visa regulations for foreign spouses until recently were also discriminatory against foreign men (married to Sri Lankan women) in that they could not acquire resident status, find jobs, or be supported by their local wives (ibid). These discriminations are based on the archaic view that men, and not women, are the 'bread winners' and providers, and have the right to define and pass descent to their offspring. They are also influenced by the xenophobic opposition of Sri Lankan men to foreigners marrying their women (Jayawardena and Kodikara, 2003: 70), but not to Sri Lankan men marrying foreign women

An important dimension of the liberal-feminist approach to citizenship is the assumed opposition between individual and community rights. Some critics argue that this opposition is a 'western construction' (Bulbeck, 1998: 58) with little relevance for countries where individual identity and communal identity are mutually defined. The contemporary manifestations of this tension, albeit in opposite ways, are the 'secular' banning of religious symbolism in schools (mostly targeting Muslim women's head scarfs) in France, and the somewhat 'asecular' move in Turkey to make adultery illegal. A key shift within citizenship debates has been the focus on community membership and citizenship identities that exist apart from membership within the nation state. In a multicultural country, like Canada, the concept of citizenship is acquiring renewed vigour in debates on how to build an "inclusive and engaged society" with citizen participation from diverse communities at all levels of governance (Schugurensky, 2003: 10; Tolley, 2003). The acknowledgment of the multiple identities of citizens, i.e., ethnic, religious, regional or class identities, however, does not necessarily confer more advantages on women.

In the multi-ethnic contexts of many South-Asian countries the dilemma has been in balancing individual rights and community rights in accordance with constitutional guarantees of equality for both individuals and minority communities. The danger in community-based rights and entitlements is that gender

⁸Goonesekere (2000: 13) notes that although new regulations have been drafted to remove the gender-discriminatory provisions in the Citizenship law, the old regulations have not been withdrawn by the Ministry of Defence.

discriminatory values and practices become entrenched as family laws requiring state protection (see Kabeer, 2002). The debates surrounding the adoption of a Uniform Civil Code for all religious communities in India reflect the tension between the two “notions of rights” in India’s Constitution, namely the rights of minority communities and the rights of individuals belonging to these communities (Menon, 1998: 243). The Shah Bano case in Andhra Pradesh (see Pathak and Sunder Rajan, 1992) and the Mary Roy case in Kerala (Philips, 2003b) exemplify the expedient ways in which the Indian government responded to this tension.⁹

In the Shah Bano case, the government yielded to the resistance of the Muslim community against granting Muslim women entitlements to extended maintenance after divorce, thus protecting the community’s rights to preserving the divorce and maintenance provisions in Muslim law. On the other hand, in the Mary Roy case, the Indian government and the Kerala state government did not intervene to overturn the Supreme Court ruling that changed the gender discriminatory inheritance laws of the Syrian Christian community by granting the Syrian Christian women gender equality in intestate succession (see Philips 2003b).

While India is debating the issue of introducing a ‘Uniform Civil Code’, the province of Ontario in Canada is considering the opposite course of allowing the application of the *Sharia* law by Islamic tribunals to settle disputes involving property, marriage, child custody and divorce among Canadian Muslims. The proposal is resisted by some Canadian-Muslim groups who argue that their human rights are being violated in the name of multiculturalism (Jimenez, 2003; Wentz, 2004).

The legal citizenship status of the Estate Tamils raises the question of women’s rights in regard to marriage, property and maintenance. The Sri Lankan State has not responded to women’s demands to change the discriminatory provisions in the customary laws of the Sinhalese, Muslims and the Sri Lankan Tamils (see Goonesekere, 2000; Jayawardena and Kodikara, 2003; Satkunanathan, 2004). On the contrary, concerns have been raised that existing constitutional

⁹Shah Bano is an elderly Muslim woman whose husband divorced her after many years of marriage. She claimed spousal maintenance beyond the three month period stipulated by Muslim law. Although the Supreme Court of India ruled in her favour, the government recanted and placed the onus of maintenance not on the husband but on her natal family as a result of opposition from the Muslim community. Mary Roy, a Syrian Christian woman, challenged the unequal inheritance laws of the Syrian Christians which stipulated that a woman could inherit only half of what her brother inherited and that too only if she had not been given a dowry at marriage. The Supreme Court ruled in her favour and granted Syrian Christian women equal rights to intestate inheritance. The Syrian Christian Churches and the community accepted the Supreme Court ruling.

provisions relating to the “right of privacy and family life” (Art. 14) and the “right to culture” (Art. 19) can be used to reinforce gender discriminatory practices in the name of culture (see Goonesekere, 2000: 10-11).

Civic Republican Perspective

The Civic Republican citizenship perspective emphasizes women’s participation as a means to realizing women’s rights as opposed to relying on a mere legal citizenship status to gain women’s rights (Voet, 1998: 73; Lister, 2001: 326). They argue that women “as speakers of words and doers of deeds” have a responsibility to participate in the political and collective life of the community (Lister, 2001: 326). For ‘civic participation’ as it is understood today is in keeping with the two dimensions of citizenship, namely, legal status or membership in a community, and active participation in its politics (Schugurensky, 2003: 10). Active citizenship also involves rights to equal representation in the different levels of government, decision-making power in matters that affect them, a ‘voice’ in formulating development policy, and active engagement in community life.

Yet, participation or non participation may be unevenly distributed based on institutional and cultural barriers, political opportunities and discrimination that affect diverse social groups differently (Tolley, 2003: 14). Thus, while these factors may affect men as well as women from different classes and communities, women’s participation is also influenced by domestic and gender constraints (see South Asia Partnership Sri Lanka, 2003). An important aspect of the domestic constraints that women face is the “unpaid care work” that working class women perform in the home; but housework does not appear in the concept of “citizenship responsibilities” as does paid work, nor does it entitle women to the same social rights (Lister, 2001: 326). What is equally important is the fact that it is the domestic work that women do that makes it possible for men’s participation in citizenship responsibilities while undermining women’s own political participation (Lister, 2001).

The Gender-Differentiated Citizenship Model

The gender-differentiated model advocated by feminists calls for the inclusion of sexual differentiation in the very definition of citizenship for political participation, without, however, allowing women’s participation in politics to disintegrate into sexual segregation. This model responds to the tensions between women’s “equality and difference” (Lister, 2000: 74). Sylviane Agacinski’s (1998) call for candidacy parity (quota system) is a case in point. She argues that sexual differentiation is a value that must be recognized and included in pluralist democratic politics since women represent half the nation in its plurality. Candidacy or electoral parity functions to give political expression to sexual difference. Aganciski’s point is that parity does not necessarily reflect an exact mirroring of

social diversity; but sexual divisions along with other cleavages must be recognized and acted on by the state and given political expression through political representation. Furthermore, gender parity does not presuppose a situation of women representing women but of women being equally present in governing bodies (ibid). This necessarily requires the removal of structural and institutional constraints on women's participation (ibid: 164-65).

International women's movements in the past decade have articulated similar demands for the equal representation of women and men in political and public office (e.g., the UN conference on Women in Beijing). The 73rd and 74th amendments to the Indian constitution granting 33% of seats in local government bodies to women is a worthy example. Similar demands are being made by women in Sri Lanka for the introduction of a quota system for women in national elections and local governance. Sri Lanka is the only country in the South-Asian region that does not have political quotas for women. The decentralization of governance structures by itself is not enough to increase women's political participation. For instance, reports from Sri Lanka on women and governance reveal the bureaucratic, procedural and institutional shortcomings of governance structures and the gender barriers that impede women's participation (International Centre for Ethnic Studies 2004; SAP Sri Lanka 2003).

The Gender-Pluralist Citizenship Model

The gender-pluralist citizenship model eschews essentializing women as an identifiable group with common experiences, interests and innate natures, and calls for engaging them in the "struggle against the multiple forms in which the category 'woman' is constructed and subordinated." What informs these struggles are "pluralist democratic values" (Mouffe, 1992: 337). Chantal Mouffe's point is that while citizenship practices must not affirm the separation of groups and organizations on the basis of gender, women can collectively organize from pluralist positions to fight against the myriad of oppressions that women in different positions experience. This calls for collective struggles and citizenship mobilization.

In sum, as Mukhopadhyay (2004b: 52-53) notes, citizenship for women in marginal communities should mean "acquiring the power to define the problem of lack of rights, and the solutions to this problem". It also means struggling for 'substantive equality that would make rights real'. More importantly, the key issue in creating a political constituency of women is to build awareness among women and men about gender issues by concentrating on conscientization—consciousness raising for political activism—efforts, rather than mere gender sensitization programmes.

Estate Tamil Women as Citizens: Realities and Possibilities

As I have indicated earlier, the citizenship, or the pre-citizenship, experiences of the Estate Tamil women can be reviewed within the framework of the liberal-feminist model of citizenship. These experiences, which relate to the estate women's role as tea workers and in household reproduction, are a negation of the liberal-feminist model's expectations of citizenship rights and entitlements. To end on a more positive note, I will use the civic republican and gender models to review current opportunities and explore future possibilities for women's participation and employment in the estates, as a way toward the realization of their citizenship rights and entitlements.

The present Sri Lankan Constitution (adopted in 1978) includes separate Chapters on Fundamental Rights, Citizenship, and Directive Principles of State Policy and Fundamental Duties. Under Fundamental Rights (Ch. III), the right to equality is assured to all citizens regardless of race, religion, language, caste, sex, political opinion, or place of birth; Chapter V, on Citizenship, disallows any distinction being drawn between citizens by descent and citizens by registration (a provision obviously intended for Estate Tamils most of whom are citizens by registration); and the Directive Principles of State Policy (Ch. VI), while they are not justiciable, include a long list of objectives to direct State policy. Chapter VI also stipulates that the State shall ensure equality of opportunity to all citizens regardless of race, religion, language, caste, sex, political opinion, or occupation. Thus, Sri Lanka's Constitution does provide a framework for achieving gender equality through legislation and state policy.

According to Goonesekere (1990, 2000), the body of laws enacted over the last three decades embody important principles of gender equality, specifically in the areas of paid work, employment benefits, property inheritance, basic needs and social rights. Sri Lanka is also a signatory to a number of international conventions on gender equality and women's rights. In 1981, Sri Lanka ratified the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). Sri Lanka supported the 1995 Beijing Platform for Action to provide a framework for legal reform in keeping with the values inherent in 'women's human rights' (Goonesekere, 2000: 1-2). The establishment of the Women's Bureau, the Ministry of Women's Affairs, and a Woman's Charter are evidence of the State's intention to address the 'women's question'. Sri Lanka's Human Development Index (HDI) for women provides a model for other developing countries, considering the great strides that Sri Lankan women have made in the fields of education, health, and employment. In comparison to other South Asian countries, Sri Lanka has an impressive record of educational and literacy achievements among both women and men: a national literacy rate of 92%, with 94% male and 89%

female (Jayaweera, 2000).

There are, however, considerable areas in which women are treated not as equals but as dependents and subordinates, and more so in their private lives than in the public sphere. Prevailing gender norms and cultural practices assign the role of provider or bread winner to men and leave women as their dependents. For example, the Maintenance Act (1990) treats married women as dependents of husbands and denies them parental support from children. The Social Security Amendment Act (1998) treats unmarried women and men alike in granting unemployment benefits, but denies these benefits to married women since they have their husbands to depend on (Goonesekere, 2000: 19-20).

The unequal and dependent experiences of Estate Tamil women are indeed unique given their circumstances as an underclass of wage workers within the male dominated and hierarchical system of tea production and household reproduction in the tea plantations. The legal citizenship that has been conferred on them will mean little if they are unable to break through the vicious circle of inequality and dependence practically in every aspect of their lives on the plantations, including work, wages and benefits, and in regard to their social entitlements such as health, housing and education.

Women's Rights as Workers

Under the Sri Lankan laws (see Goonesekere, 1990: 5-6), women workers are entitled to equal wages and benefits as men. But in the plantations the gender equality in wages is vitiated in several ways. Women work longer hours as tea pluckers and earn more money than men who are mostly assigned to estate maintenance work. Yet, women's work is ridiculed and degraded, while men, despite their lower earnings, are regarded and respected as the family's 'rice provider'. Physical strength, and not output, is used in the evaluation of male and female work on the estates, and male performance is used as the standard for measuring the efficiency of women and their rewards (see Goonesekere 1990: 7). This evaluation translates into shorter working hours for men in maintenance work, and, in the case of the minority of male tea pluckers, a lesser plucking norm than for women. The plucking norm is the poundage of tea to be collected daily and is the real basis for calculating daily wages as opposed to the hours worked. The daily norm is not the same for all estates and can vary between 15-25 kilograms per day. Wage incentives have also been systematically introduced to women's work norms to increase productivity (amount of plucking) and attendance.¹⁰ If a woman picks

¹⁰ For instance, as an incentive to increase the poundage of tea collected per day, "overkilo" payments are given at the rate of Rs. 3:50 to 4:50 per kilograms of tea, while incentives to

more than the required daily norm she is paid more money which is referred to as "overkilo" payments. However, the rate of payment for each kilo collected over the plucking norm is lower than the rate of payment for the daily norm (Philips, 2001a), which means that women are working more hours and collecting more tea but are paid less per kilogram of tea for the extra poundage of tea collected. Attendance incentives have been introduced as a strategy to extend women's plucking time, but without a commensurate reduction in their domestic-work burdens; women cannot always meet the attendance criteria for earning additional wages. At the same time, companies do not assure workers of the guaranteed number of days (25 days per month and 300 days per year), with the result that women may end up working overtime in peak seasons and under working during dry seasons. Women's work may also be terminated when they take an extended leave of absence to care for their children or elderly relatives.

Women workers are typically not trained for any work other than tea picking, and are hardly considered for promotion to supervisory roles. In the estates where I researched, women outnumber men in the worker category and the casual worker category, but are not equally represented in the supervisory staff, let alone management, positions. For that matter, in the plantation hierarchy, fewer Estate Tamils (male or female) occupy staff and management positions, which have traditionally been the preserve of other Sri Lankans. Among the workers, the lower level supervisory, or *kangany*, positions are always held by Estate Tamil men. Women's access to supervisory positions is restricted by cultural perceptions of gender roles and the appropriate work for women, and by ideologies that suggest that women lack "intelligence, initiative and brains" to undertake responsibilities (Interview with male supervisor, June 2000). The few Estate Tamil women in staff positions belong to higher castes, and their jobs, viz. midwives, crèche attendants, stenographers, teachers and welfare workers are an affirmation of traditional female roles in any South Asian society.

In a number of estates, gender equality in wages is being circumvented through the system of "out sourcing" and through casualization of labour. Outsourcing refers to the growing practice of big estates sub-contracting parts of the estates to private, mostly family-owned, "small holding" companies. Small holdings exist on the fringes of main estates and are not subject to employment and wage regulations. Women who work on these holdings are paid less than men, and usually these holdings attract older women without work on the big estates by offering them daily payment of wages and a free "pa annum parripum" (bread and lentils) lunch.

increase worker turnout is given at the rate of Rs.14 per day in the case of workers who have a 90% attendance rate of the 25 days of assured work, and Rs. 8 in the case of workers who have an 85% rate of attendance.

Faced with labour shortages, big estates are beginning to use out-sourcing and sub-contracting private small holders to undertake tea plucking. The danger for women workers is that they will become more vulnerable to exploitation without the protection of wage and employment regulations.

In most of the estates, there is a clear pattern of more women than men being employed as casual labour on lower wages and usually without benefits. The casualization of labour affects all categories of women, elderly, retired, married and young unmarried women. A woman's work cycle is dependent on her marriage and her domestic responsibilities for the care of her children and elderly parents. These situations increase her vulnerability to exploitation as a casual labourer without benefits. Marriage to a man working on another estate invariably means that the woman is employed in her husband's estate as a casual labourer. Older women who take early retirement for the care of grandchildren are more likely to be hired as casual or seasonal workers with no benefits when they choose to re-enter the labour force. There are also cases of young women waiting three to six months to be employed as registered workers. Although courts and tribunals can adjudicate on whether a type of work is 'regular' or 'casual' (Goonesekere, 1990: 10), women are not generally familiar with their employment rights, and the estate women are particularly disadvantaged in using the labour tribunal process.

Gender discrimination also exists in the areas of retirement benefits and pension funds. Some plantation companies discriminate against women by stipulating an earlier retirement age. Systemic delays in the payments of gratuities to retired women workers force older women to depend on male kin for material support, and clerks, trade union leaders and managers to help them through the retirement process. In some estates, even maternity benefits due to women workers are collected by their husbands, a throwback to the now defunct Maternity Benefits Ordinance of 1939, that defined women as "secondary earners" (see Goonesekere, 1990: 16). In a few estates, the management subjects in-marrying wives (i.e. newly married women moving to their husband's estate from their natal estates) to undergo pregnancy testing, to make sure that they are not pregnant and become eligible for maternity benefits.

Women's Rights at Home

The Directive Principles in the Sri Lankan constitution commit the State to enable the "realization by all citizens of adequate standard of living for themselves and their families, including adequate food, clothing and housing, the continuous improvement of living conditions and the full enjoyment of leisure and social and cultural opportunities" (The Constitution of Sri Lanka, 1978: VI, 2c). While an adequate standard of living is still beyond the means of many Sri Lankan households, the situation in the estates is far worse than in any other part of the

country. Poverty measures such as income, food consumption and expenditures show that the mean annual household income is the lowest in the estate sector (Rs.7,303 compared to Rs.12,802 nationally); the estate sector also has the lowest monthly household expenditure rate (Rs.8,786 compared to Rs.13,147 nationally); and the estate households spend a higher proportion of their income on food than the urban or rural sectors of the country (Department of Census and Statistics, 2002). Electricity is available to only 12.3% of the estate households, compared to 55% and 87.8% in the rural and urban sectors respectively (Central Bank of Sri Lanka, 1999). In health care, the national rate for different types of medical personnel per 100,000 people was 35.5% in 1996, while the corresponding rate for the estates was 19.8 (Ministry of Health, 1996). Infant mortality and maternal mortality and the stunting of children between the ages of 3 months 59 months are also higher on the estates (Central Bank of Sri Lanka, 1999; Department of Census and Statistics and Ministry of Finance and Planning, 2001).

Within the Estate Tamil community, there is a significant gender gap in regard to access to amenities, food consumption, health status, and education. In all these areas, Estate Tamil women fare worse than their male counterparts even though women's contribution to household income often equal or exceed that of men, and household work is almost always the responsibility of women. Women suffer from many health ailments such as anemia, prolepses of the womb, iron deficiency etc. Women typically eat less than men even though they work long hours both at home and in the fields and suffer from nutritional deficiencies. Increases in food prices and cultural practices underlying male/female consumption patterns in the households are largely responsible for women's poor diet. The prevalence of anemia is considerably higher among the estate women (58%) than among those in the urban (40%) and rural (46%) sectors. The most common cause of anemia on the estates is hookworm sustained by poor housing and sanitary conditions (Soysa, 2000: 47-48). The chronic absence of toilets in the estates affect women worse than men, on account of modesty, and the embarrassment in having to use open spaces. Older women have to chaperone their adolescent daughters to the bush in the cold, early hours of the morning, and without toilets women have to improvise in coping with the monthly call of menstruation.

Reproductive health care practices undertaken by health-care providers and plantation companies are overtly invasive and override women's right to making reproductive choices on their own. Sterilization is the most common method of family planning in most of the estates studied, and women in the estates are selectively targeted for sterilization programs without regard to their age or preference. Health-care providers on the estates are also given economic incentives to increase the number of women undergoing sterilization.

The gender gap in education and literacy rates is significantly higher in the estates than in the rest of the country. Fifty-seven percent of girls of school going age enter grade one, but only 6% continue up to grade 10. Of the 59% of boys who enter grade one, 21% continue up to grade ten (Atkins, 1995). The literacy rate in the estates is 76% compared to 92% and 95% in the country's rural and urban sectors, respectively, but the gender gap is also significantly higher in the estates, with male rate of 87% and female literacy rate of 67% compared to higher than 90% male and female literacy rate in the rest of the country (Jayaweera, 2000: 75).

In contrast to the more bilateral practices of Southern Indian and Sri Lankan Tamils in general, property devolution among the estate Tamils tends to favour males in the allocation of household goods and property. This practice will likely continue regardless of the new citizenship status unless there is a shift in observing gender equality on these matters. At present, the meagre property in the household is gendered with men owning or controlling modern consumer goods such as televisions and radios even when women's earnings are used to buy these commodities. The only tangible property, apart from the cooking utensils a woman owns, is jewellery. Dowry has never been a problem on the estates but there are definite indications of increasing dowry demands by men, which are related to the educational and employment status and aspirations of estate youth. There is increasing fear among women that the future ownership of line rooms, as well as family-financed and built housing, might go to their brothers, even if women are the registered workers on the estates, and their brothers or husbands are not.

Sri Lanka has made great strides in reforming the laws and conventions surrounding abortion, rape, sexual harassment, age of marriage and violence against women, and introduced amendments to the relevant penal codes. Alas, their implementation has been haphazard, uneven and marred by institutional and operational reluctance (Goonesekere, 1990 and 2000; Jayawardena and Kodikara, 2003). Besides, legal and constitutional reforms have done little to secure the human rights of women on the estates. Existing laws on marital rape and abortion will not help women on the estates since these laws do not recognize marital rape as a crime; abortion is allowed if the mother is at risk but not in the cases of rape. Marital rape is not uncommon on the estates, and married women are often the victims of forced sex by their drunken husbands and unwanted pregnancies.

The bulk of the estate housing stock is still made up of the old 'line rooms' built during the British period, now almost always overcrowded and often in poor repair. Overcrowding and lack of privacy has led to sexual abuse, harassment, marital discord and violence. Domestic violence is a serious problem on the estates and is exacerbated by male alcoholism. Male infidelity is common and so are multiple unions such as polygyny (the plural unions of men). Women who are abandoned by their husbands have no recourse to claiming child maintenance and

women have no means to seek redress in situations where their rights as wives and mothers are violated by male kin. Men control household expenditures even though women contribute as much as men, if not more, to the household income. It is not uncommon for husbands to collect their wives' wages in the estates, despite labour regulations that prohibit male collection of spousal earnings.

There are few channels of communication to inform and raise consciousness about their choices in such situations, and women are always socialized to normalize their marital experiences. Social action litigation, i.e., rights of individuals or groups to claim judicial redress in the case of violation of constitutional rights, (Goonesekere, 2000) is also ineffective as a method of seeking legal redress as it requires women to come forward to air their grievances against their kin and other community members who violate their rights. But for women to take such action, they must have knowledge of their rights as citizens and the legal supports available to them.

Estate Women's Political Participation

Sri Lankan women generally fare badly when it comes to active political participation and representation, despite a tradition of having women leaders in high positions either as 'proxy women' or as the political heirs of male kin in leadership roles. There are three levels of government in Sri Lanka—national, provincial, and local. The local government is further divided into Urban and Municipal Councils and Pradeshya Sabhas (village councils). Elections are held periodically to each level of government based on a system of proportional representation (PR). The PR system, introduced after 1978, has not increased the representation of women as expected. Women's representation at all three levels has declined over the years even as the number of women candidates in the elections has increased¹¹. Women's groups in Sri Lanka have been lobbying the mainstream political parties and politicians to increase the number of women representatives, but women's lack of education and training have been consistently presented by male politicians as reasons against a quota system for women. Women from minority communities such as the Estate Tamils and other Tamils are hardly represented at any level of government.

Generally, the poor participation of Sri Lankan women in politics has been

¹¹The current level of women's representation is 4% (out of 225 members) in the national parliament, and 3.3% and 2% in provincial councils and local-government bodies respectively. At the local government level only 3.6% are represented in Municipal councils, 2.8% in Urban Councils and 2.4% in Pradeshya Sabhas (see International Center for Ethnic Studies, 1994; Jayawardena and Kodikara, 2003; SAP Sri Lanka, 2003).

attributed to (apart from a general disinterest in women's affairs) the absence of a woman friendly political culture, male-centred party structures, rivalry within parties, intimidation by male politicians and a violent political culture (Jayawardena and Kodikara, 2003; Leiten, 2000; SAP Sri Lanka, 2003). Estate Tamil women's non participation in the political life of the estate community is influenced by four factors: cultural attitudes that deny women leadership roles or freedom to participate in community activities; the general lack of awareness and interest among women; lack of time and energy due to the 'double burden of work'; and poor representation in the trade unions. Some women see politics as being the domain of men and reiterate the male assumptions about the political naivety and ignorance of women. Male relatives, *kanganies* (labour supervisors) and trade union leaders, for their part, attribute women's lack of participation in the political life of estate communities to illiteracy, lack of leadership qualities and initiative. They see women as being primarily concerned with the family and home and bound by cultural traditions. In addition, male relatives resist women's active participation in the trade unions or other organizations as they see them as a particularly male domain.

The Estate women's paid work as tea pluckers and unpaid work at home have a significant bearing on their inability to participate in the political life of the community. The current emphasis on short-term profits and higher labour productivity has meant longer hours of tea plucking work for women, which leaves them with little time to take an active part in community development or in the political life of the community. Thus, understanding the structural constraints and cultural barriers that inhibit women's participation in community life as full citizens is important for identifying ways in which citizenship can make a difference to women's lives.

As Jayawardena and Kodikara (2003) have pointed out the Sri Lankan State is patriarchal in selectively granting women access to certain rights as citizens (e.g., basic needs) while ignoring the more important issue of gender transformation, i.e., dismantling of patriarchal structures and underlying values. They argue that Sri Lankan women's ability to bargain with the State as 'citizens' is influenced by patriarchal values and attitudes, the masculinization of political structures, minority ethnic and religious politics, and gender-role perceptions all of which exist as barriers to any meaningful change in women's situations as citizens. Thus, women in general bargain from an already disadvantaged position. The Estate Tamil women are even more disadvantaged in that they have no bargaining position to begin with and have had no space from which to 'cooperate or conflict' with the State, if we take citizenship rights to be the outcome of negotiation, compromise and struggles over rights and resources (Agarwal, 1994: 496).

There are around 50 trade unions on the estates, and the largest of them, the Ceylon Workers' Congress (CWC), is also the principal political party of the Estate

Tamils. The trade union and political leaders are also involved in identity politics and embroiled in debates about the ethnic status of the Estate Tamils within the larger Sri Lankan society. More often than not, the identity politics seem to be far removed from the reality of workers' life experiences and needs on the estates (see Philips, 2001b). Also, while trade unions are actively involved in community improvement through bargaining and negotiation with respect to wage levels, work days and labour issues in general, they have not challenged the structural barriers that continue to marginalize the Estate Tamils. More notoriously, the trade unions have shown little interest in improving the status of women or engaging the women as citizens with the right to participate in decision making.

While trade union representatives on the estates are all male, there are parallel organizations, called *Mathar Sangam* (Women's Congress), which are headed by female leaders whose roles are an extension of their domestic roles. These women leaders organize celebrations, oversee gift exchanges at life-cycle rituals and at reproductive ceremonies conducted on the plucking fields. Women are seldom consulted on wage agreements and have no forum or organization independent of the male controlled trade unions where they could express their grievances and participate in decisions affecting women: wages and work conditions, compensation for accidents, pregnancy testing, childcare facilities, registration of employment, or increased work hours. Women must go through a male leader to have their grievances discussed with management. But these male intermediaries, according to my female informants, do not take women's concerns seriously. During my fieldwork in 2000, women participated in a work-slow strike preceding a wage agreement that was made in the same year; but they were not consulted about the wage increase nor were they satisfied with the final outcome of the negotiations. Prior to the strike, women in one of the mid-country estates had swept and prepared the meeting ground in preparation for the visit of a well known CWC politician. This was the extent of their participation in trade union decision making (Philips, 2001a). Women are also excluded from temple committees which are fairly influential on the estates.

In the estates, as everywhere else in Sri Lanka, Non-Governmental Organizations (NGOs) represent a new generation of institutionalised social and political activism. Their emergence in the estates coincided with, and was seen as a counter to, the privatisation of estate management, the introduction of cost-cutting strategies and the emphasis on short-term productivity increases, at the behest of 'Structural Adjustment Programmes' sponsored by the World Bank and the International Monetary Fund. These measures have had negative effects on the Estate Tamils in general, particularly on women. But some of the NGOs that have been in the forefront in empowering marginal groups in development programmes, have been less than forthcoming in highlighting women's issues, especially when

they can be conveniently isolated as belonging to the private sphere of families and excused from public scrutiny and action. In the Sri Lankan estates, as elsewhere, empowerment like gender has been mainstreamed, synergized and co-opted by development NGOs and service providers and has become part of the vocabulary of participatory development, but in ways that have de-politicised gender. As Ines Smyth (1999: 17) points out, many development agencies “shy away from the language of transformations” particularly as it relates to women’s issues, precisely because a critique of gender requires the interrogation or deconstruction of culture and its ideological underpinnings. Thus, ‘basic-needs’ programmes¹² on the estates are often devoid of the language of gender transformation (i.e., ‘strategic needs’) even when they incorporate the language of gender sensitivity. Currently, basic needs delivery on the estates can best be described as taking the form of a dependent paternalism in which women are infantilized by the language and operation of the programmes. Also, the emphasis on ‘basic needs’ in development programmes degrade the citizens to being ‘passive citizens’, without active involvement in the definition of their own objectives, interests and agency.

Conclusions

I began this paper with the question as to what difference the recent conferment of citizenship status would make to the lives of Estate Tamil women. In my discussion, I have tried to emphasize a holistic view of citizenship that includes not only residency and voting rights but also economic, social and participatory rights and entitlements. Viewed in the light of holistic citizenship models, the Estate Tamil women are uniquely unequal within the wider Sri Lankan society, in regard to work entitlements and opportunities, their domestic status, and involvement in any public process. The conferment of citizenship is a necessary step in the slow progress of the Estate Tamil women, and men, towards greater equality, but it is hardly a sufficient leap. There are at least three additional requirements to make the newly conferred citizenship something more than a periodical voting exercise.

First, there has to be a general awareness and acknowledgement that citizenship rights include more than voting rights and involve both the public and the private spheres of citizens’ lives; and more so for women than men. It is also important to acknowledge the empowerment and agency of marginalized citizens themselves in their quest for greater equality. To paraphrase Tolley (2003: 14), the “voices (of citizens) that are not heard are not heeded.”

¹² ‘Basic needs’ refer to practical needs such as health care, housing, sanitation, schools etc., while ‘strategic needs’ refer to the realization of women’s empowerment and equality.

The second requirement relates to the medium of public participation that is available to the Estate Tamil women. The strong trade union infrastructure in the estates provides an obvious medium for public participation by estate women. The trade unions are now more like interest groups, providing input to the state from “agentic individuals” (Gupta, 2000:14), and the plantation trade unions have already added to their clout the vote-strength of the Estate Tamils. Yet, the estate women who constitute one half of the Estate Tamil population and who are nearly the higher income earners, are virtually unrepresented in the trade unions. This anomaly has to end, and it is a moot point if the new citizenship status of women is sufficient to force the trade union leadership to include women.

Paralleling the gender openness of the trade unions should be the opportunity for involving women in political representation. Women’s lack of education and training is often presented as an excuse both within and outside the estates for excluding women from political representation. This implies that all men in politics are educated. It is true that Estate Tamil women lag behind women and men from other communities in literacy and educational participation and retention. However, in the case of India, which has a low female literacy rate, lack of education has not prevented women from taking office or from engaging in active political participation. The inclusion of women from poor and rural communities and from diverse caste backgrounds has been achieved through the efforts of the state and through constitutional quotas for women in elected offices. Despite great social and gender challenges, women’s representation in local governance in India is rapidly increasing.

There are several initiatives being taken in Sri Lanka to lobby for a gender quota for the various levels of government. For instance, the Sri Lanka Women’s NGO Forum (SLWNGOF) has set up a fund for training women activists in politics. The ‘Mothers and Daughters of Lanka’ had a signature petition for reserved seats for women. The Sinhala/Tamil Rural Women’s network in the central province is involved in popularizing women’s issues by standing for election (South Asia Partnership Sri Lanka, 2003). The International Centre for Ethnic Studies has been involved in an advocacy role with government departments, political parties, and policy makers to include quotas for women in elected bodies (ICES Report, 1994). These efforts should be extended to include the plantation trade unions and political representation.

The third requirement is that the state should stop abdicating its responsibilities in the plantations. In the estates and in Sri Lanka as a whole, the Sri Lankan state is the unrepentant victim of global market forces and dictates, and has become the greatest abdicator, rather than the provider, towards its own citizens. NGO activism on the estates is really a reflection of the state’s retreat from social welfare programmes. And the NGOs that began as a response to the overpowering

state in the West, cannot fill the welfare vacuum created by an underperforming state in developing countries. In the blunt terms used by Dipanka Gupta's (2000: 188), the state in developing societies must not be "let off the hook" in meeting its responsibilities towards its citizens.

References Cited

- Abhayavadhana, Hector. 2001 *Selected Writings*, Colombo: Social Scientists Association.
- Abou-Habib, Lina. 2004 "Gender, Citizenship, and Nationality in the Arab Region." *Gender, Development and Citizenship*, Caroline Sweetman (ed.), Oxford: Oxfam: 66-75.
- Agacinski, Sylviane. 1998 *Parity of the Sexes*, New York: Columbia University Press.
- Agarwal, Bina. 1994 *A Field of One's Own: Gender and Land Rights in South Asia*, Cambridge: Cambridge University Press.
- Atkins, Danielle. 1995 "Gender and the Tea Women." *Voice of Women*, 7-9.
- Bulbeck, Chilla. 1998 *Re-Orienting Western Feminisms*, Cambridge: Cambridge University Press.
- Caspersz, Fr. Paul. 1986 "The Beginning and the Desirable End of Statelessness." *Lanka Guardian*, 6(23): 15-17.
- Central Bank of Sri Lanka. 1999 *Report on Consumer Finances and Socioeconomic Survey*, Sri Lanka, 1996/67 part 1.
- Clarke, John. 2003 "Turning Inside Out? Globalization, Neo-liberalism and Welfare States," *Anthropologica*, 45(2): 201-214.
- de Silva, S.B. 1982 *The Political Economy of Underdevelopment*, London: Routledge and Kegan Paul.
- Department of Census and Statistics and Ministry of Finance and Planning *Sri Lanka Demographic and Health Survey, Preliminary Report*.
- Department of Census and Statistics *Household Income and Expenditure Survey*, Sri Lanka.
- Gender, Citizenship and Nationality Program 2004 *Denial of Nationality: The Case of Arab Women*, Summary of Regional Research, Beirut, Lebanon: CRTD and UNDP POGAR.
- Gupta, Dipanka 2000 *Culture, Space and the Nation State*, New Delhi, Thousand Oaks, London: Sage Publications.
- Goonesekere, Savitri 1990 *The Law and the Economic Status of Women*, Women in Development Series 1, Colombo: Institute of Policy Studies.
- . 2000 "The Beijing Commitments and the Sri Lankan Legal System." *Post Beijing Reflections: Women in Sri Lanka 1995-2000*, Colombo: Centre for Women's Research, 1-39.

- Government of Sri Lanka. 1978 *The Constitution of the Democratic Socialist Republic of Sri Lanka*, Sri Lanka: Government Publication Bureau.
- Hollup, Oddvar. 1994 *Bonded Labour*, Sri Lanka: Charles Subasinghe and Sons.
- International Centre for Ethnic Studies 1994 "Lobbying for a Quota for Women in Sri Lanka." *Governing or Equity*, Maitrayee Mukhopahyay (ed.), <http://www.wkit.nl/gender/assets/images/conferenceReport.pdf> 24/07/2003.
- Jayasinghe, W.T. 2002 *The Indo-Ceylon Problem: The Politics of Immigrant Labour*, Sri Lanka: Stamford Lake Publication.
- Jayawardena, Kumari 1972 *The Rise of the Labour Movement in Ceylon*, Colombo: Sanjiva Prakashana.
- Jayawardena, K.P. and C. Kodikara 2003 *Women and Local Governance in Sri Lanka*. Colombo: International Centre for Ethnic Studies.
- Jayaweera, Swarna. 2000 "Education." *Post Beijing Reflections: Women in Sri Lanka 1995-2000*, Colombo: Centre for Women's Research, 60-88.
- Jimenez, Marina. 2003 "B'nai Brith Recommends Sharia-based Tribunals." *The Globe and Mail*, September 9.
- Jones, Emma, and John Gaventa. 2004 *Concepts of Citizenship: A Review*, Sussex: Institute of Development Studies.
- Kearney, Robert. 1967 *Communalism and Language in the Politics of Ceylon*. Durham, North Carolina: Duke University Press.
- Kodikara S. U. 1965 *Indo-Ceylon Relations Since Independence*, Colombo: The Ceylon Institute of World Affairs.
- Kabeer, Naila. 2002 *Citizenship and the Boundaries of the Acknowledged Community: Identity, Affiliation and Exclusion*, Sussex: Institute of Development Studies, Working Paper 171.
- Kurian, Rachel 1984 *State, Capital and Labour in the Plantation Industry in Sri Lanka (1834-1984)*, thesis, Amsterdam: University of Amsterdam.
- Leiten Tressie. 2000 "Women in Political Participation and Decision Making." *Post Beijing Reflections: Women in Sri Lanka*, Colombo: Centre for Women's Research, 116-127.
- Lister, Ruth. 2000 "Dilemmas in Engendering Citizenship." *Gender and Citizenship in Transition*, Barbara Hobson, New York: Routledge, 33-83.
- . 2001 "Gender and Citizenship." *The Blackwell Companion to Political Sociology*, Kate Nash and Alan Scott (eds.), Massachusetts: Blackwell Publishers, 323-332.
- Menon, Nivedita. 1998 "Women and Citizenship." *Wages of Freedom: Fifty Years of the Indian Nation-State*, Partha Chatterjee (ed.), Delhi: Oxford University Press, 241-266.
- Meer, Shamim and Charlie Sever. 2004 "Gender and Citizenship: Overview Report." BRIDGE/Institute of Development Studies.

- Ministry of Health *Annual Health Bulletin*, Colombo.
- Moldrich, Donovan. 1988 *Bitter Berry Bondage: The Nineteenth Century Coffee Workers in Sri Lanka*, Kandy, Sri Lanka: Co-ordinating Secretariat for Plantation Areas.
- Mouffe, Chantal. 1992 "Feminism, Citizenship, and Radical Democratic Politics," *Feminists Theorize the Political*, Judith Butler and Joan W. Scott (eds.), New York and London: Routledge, 369-384.
- Mukhopadhyay, Maitrayee. 1995 Gender Relations, Development Practice and 'Culture.' *Gender and Development*, Caroline Sweetman (ed.), 3(1): 13-18.
- . 2004a "Why a Programme on Gender, Citizenship and Governance?" *Report on Governing for Equity: Gender, Citizenship and Governance*, Maitrayee Mukhopadhyay(ed.), <http://www.kit.nl/gender/assets/images/conferenceReport.pdf> 24/07/2003.
- . 2004b "Creating Citizens Who Demand Just Governance: Gender and Development in the Twenty-first Century." *Gender, Development and Citizenship*, Caroline Sweetman (ed.), Great Britain: Oxfam: 45-56.
- Parliament of the Democratic Socialist Republic of Sri Lanka. 2003 *Grant of Citizenship to Persons of Indian Origin Act, No 35 of 2003*. Sri Lanka.
- Pathak, Zakia and Rajeswari Sunder Rajan 1992 "Shahbano." *Feminists Theorize the Political*, Judith Butler and Joan W. Scott (eds.), Massachusetts: Blackwell Publishers, 257-279.
- Philips, Amali 2001a Report on *Gender Ideologies and Gender Relations in the Tea Plantations*, Colombo: Canadian International Development Agency and Participatory Action and Learning Methodologies Foundation.
- . 2001b "Dilemmas of Identity Construction: Gender, Space, and Ethnicity among the Estate Tamils." *Sri Lanka Global Challenges and National Crises*, Rajan Philips (ed.), Colombo: Ecumenical Institute for Study and Dialogue and Social Scientists' Association, 217-244.
- . 2003a "Rethinking Culture and Development: Marriage and Gender Among Tea plantation Workers in Sri Lanka." *Gender and Development*, Oxford: Oxfam: 20-29.
- . 2003b *Stridhanam*: "Rethinking Dowry, Inheritance and Women's Resistance Among the Syrian Christians of Kerala." *Anthropologica*, 45(2): 245-263.
- Satkunanathan, Ambika. 2004 *Tesawalamai: Protection of Community Rights or Discrimination of Women?* Colombo: Social Scientists' Association.
- Schugurensky, Daniel. 2003 "Civic Participation: On Active Citizenship." *Canadian Diversity*, 2(1): 10-12.
- Sen, Gita. 1994 "Feminist Politics in a Fundamental World." *Governing for Equity: Gender, Citizenship and Governance*, Maitrayee Mukhopadhyay(ed),

- <http://www.kit.nl/gender/assets/images/conferenceReport.pdf> 24/07/2003.
- Sinha, Kancha. 2004 "Citizenship Degraded: Indian Women in a Modern State and a Pre-modern Society." *Gender, Development, and Citizenship*, Caroline Sweetman (ed.), Oxford: Oxfam, 19-26.
- Smythe, Ines. 1999 "NGOs in a Post-Feminist Era." *Feminists Doing Development*, Marilyn Porter and Ellen Judd (eds.), London and New York: Zed Books: 17-28.
- Snodgrass, Donald 1966 *Ceylon: An Export Economy in Transition*, Homewood Illinois: Richard D. Irvin, INC.
- South Asia Partnership Sri Lanka 2003 "The Status of Women in Governance Sri Lanka, Reviving *Democracy*." *The Emerging Role of Women in Decision Making. A Study of Women's Participation in Governance in South Asia*, Colombo: South Asia Partnership International.
- Soysal, Yasemin Nuhoglu. 2001 "Postnational Citizenship: Reconfiguring the Familiar Terrain." *The Blackwell Companion to Political Sociology*, Kate Nash and Alan Scott (eds.), Massachusetts: Blackwell Publishers.
- Soyza, Priyani 2000 "Women and Health." *Post Beijing Reflections: Women in Sri Lanka 1995-2000*, Colombo: Centre for Women's Research, 40-59.
- Sweetman, Caroline. 2004 Editorial, *Gender, Development, and Citizenship*, Caroline Sweetman (ed.), London: Oxfam: 2-7.
- The Government of Sri Lanka 1978 *The Constitution of the Democratic Socialist Republic of Sri Lanka*, Sri Lanka: Government Publications Bureau.
- Tinker, Hugh 1974 *A New System of Slavery: The Export of Indian Labour Overseas. 1830-1920*, London, New York, Bombay: Oxford University Press.
- . 1977 *The Banyan Tree: Overseas Emigrants from India, Pakistan and Bangladesh*. Oxford: Oxford University Press.
- Tolly, Erin. 2003 "Addressing Citizenship Through Electoral Participation: Values and Responsibilities," *Canadian Diversity*, 2(1): 13-19.
- vanden Driesen, Ian. 1997 *The Long Walk: Indian Plantation Labour in Sri Lanka in the 19th Century*, New Delhi: Prestige Books.
- Voet, Rian. 1998 *Feminism and Citizenship*, London: Sage.
- Wente, Margaret 2004 "Life Under Sharia, in Canada?" *The Globe and Mail*, May 29.
- Yuval-Davis, N. 1997 "Women, Citizenship and Difference," *Feminist Review*, 57: 4-27.

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