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JOURNAL OF GENDER STUDIES

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Women's Education and Research Centre
Sri Lanka

Scope and Vision of Nivedini-the Journal of Gender Studies

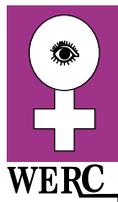
Nivedini is the only English Journal to focus on Women Studies in Sri Lanka. Its feminist perspective aims to debate and discuss new ideas both in theory and practice. In addition to serving as a resource for academics, it also establishes guidelines for policy makers. Nivedini embraces a multidisciplinary approach, while retaining an intellectual rigor and factual accuracy in a simple style. It expects the contributors to define and explain technical terms and acronyms properly.

Nivedini envisages issues on gender related subjects such as media, labour, culture and sexuality from a post disciplinary perspective. The journal also contains sections that encourage debate, as well as reviews of conferences, journals, books and films. The journal welcomes submissions in all disciplines and is especially interested in paper/articles written from an interdisciplinary approach to gender issues which focuses on new directions, ideas and modes of inquiry to reinvigorate studies for a new generation of researchers and readers.

Topics covered include studies of gender related to:

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- Convergences between intellectual, popular and corporate culture.
- Cultural studies of neglected regions or areas of inquiry.
- Debate on the adequacy and future of various disciplinary traditions, methods and topics in cultural studies.

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Editorial

This issue of the Nivedini covers a wide range of subjects and themes, mostly related to Sri Lanka, with one article dealing with reproductive health in Lesotho. The editorial board has been debating whether Nivedini should focus on one theme and explore the subject comprehensively or deal with a variety of subjects. The idea of a thematic issue of the journal was abandoned as we felt such an idea would limit the choices both for the authors and the readership. Besides, there was the practical problem of identifying expert scholars on the themes we select.

In this issue of the journal two papers deal with particular ideological constructions: The first, “Gendering the Colonized and Dressing the De-Colonized Female Body,” considers the female dress code as it is affected by the male gaze. It deals with the subject of clothing the female body and with its relationship to the construction of masculine identity in Sri Lanka. It uses extensive empirical data to summarize the development of Sri Lankan men’s preferences regarding the way in which women dress. The question it poses indirectly is why have women not exercised their right to dressing themselves according to their own desires -- or the men, for that matter.

The second paper deals with “The Victorious Soldier: Portrayal of Militarized Masculinities in Contemporary Sinhala Films”. Film producers in Sri Lanka seem to have made these films with certain undoubtedly political motives. Further, they lack representativeness and realism. They selectively depict very unreal constructions of characters and motives to appease certain sections of the populace. Supra-Nationalism is the core value of these films, which display clear and disturbing ethnic biases. At a time when the Sri Lankan state and its progressive allies in various civil society organizations are grappling to find ways and means of achieving national reconciliation after a 30-year civil war based on ethnic prejudices, producing such films is likely to exacerbate ethnic prejudice and impede the efforts to achieve national unity.

Two other papers pick up the issues of the economically “unproductive” liberal arts graduates who are pushed out of the universities and pushed into the public and private sectors in Sri Lanka. The paper that deals with the problems that arise in the families of women workers speaks of the law that is inadequate to protect the rights of these laboring women. They deserve the attention that is needed presently when we Sri Lankans are facing a crisis of losing the life of one of our citizens who is contributing to the foreign exchange earnings for us. The nameless young woman who is alleged to have had an extra-marital affair is given a sentence of stoning to death. This inhuman Sharia law, apart from being a violation of human rights, is also an indicator of the gender unequal, patriarchal laws even in the 21st Century.

Sexual harassment is a persisting problem at various places. It happens while travelling by buses or by foot or at the work place. There are many internal mechanisms in work places in addition to the national law on sexual harassment. What is disturbing is the inadequacy of all of them. The author, who is taking a critical review of the laws, comes up with a few recommendations, which, if implemented, may meet with some success either in eradicating or minimizing sexual harassment. The issues raised in these two papers must be given the attention they deserve for corrective or remedial actions.

Another paper deals with the problem of providing equal treatment in services to Lesbian, Gay, Bisexual, Transsexuals and Intersex individuals in Lesotho. While this provision is denied to many women across Asia and particularly South Asia, to argue for the rights of another special category of women speaks a lot about the disparity of the women’s rights across nations North and South. However, rights cannot be denied to anyone and we have to go on struggling and engage in multi-faceted campaigns to achieve the status of parity across the globe.

We thank the contributors for their interest in our journal.

Selvy Thiruchandran

Gendering the Colonized and Dressing the De-Colonized Female Body

Asoka de Zoysa

The following statement referring to a senior academic of Sri Lanka evoked a general outrage among female academics:

“Prof. Nalin De Silva, Dean, Science Faculty of University of Kelaniya expressed his grave displeasure for the way the Kelaniya University students and lectures (sic) dress. He says the way they dress is not different from the way prostitutes dress. Prof. Nalin said the true Sinhalese Buddhist daughters should always dress according to our Sinhalese Buddhist culture and not appear to be prostitutes. He expressed these views addressing the monthly meeting of the ‘Veemansaka Parshadaya’ on University of Kelaniya. He said he is so ashamed that even the professors and senior lecturers who should set example to the students by their proper dress are now wearing clothes like western prostitutes. Prof. Nalin De Silva said it is his dream to see the day that all female students wear the ‘Lama Sariya’ to university. That is the only dress fit for a true Sinhalese Buddhist female he said. Even Susanthika Jayasinghe once wore Lama Sariya at an international level sports event. So why should not our university female students wear Lama Sariya to the university? He asked”¹.

Concurrently a female Vice Chancellor of a Colombo-based university, supported by a few senior academics, wished to impose a dress code for females at universities with the conviction that the saree is the only fitting dress for women².

At the moment the issue to impose the saree as a dress code for women seems to have died down in the universities. Nevertheless, recently a colleague and professor at the University of Kelaniya complained that she was not allowed to enter the Ministry of Education to meet the official she had an appointment with, because her *hattaya* or saree blouse did not have sleeves. Many leading national schools have imposed the rule that mothers entering school premises must be dressed “modestly”. In Sinhala the word that is used by the security guards seems to be “*Harihathi andala*”, which can be translated as “properly dressed”. According to the school principals, such modesty can only be demonstrated by wearing a saree. But even wearing a saree does not seem to satisfy the whims of the security guards implementing unwritten rules. These current developments have provoked me to question through this paper, which kind of females costumes could ever reflect the “Sinhala Buddhist culture” that rejects all western influence?

Many Sri Lankans still seem to believe that the saree was worn by all females in ancient times. Buddhist temple murals by about 1920 too show women from the time of the Buddha from Sri Lankan history dressed in saree. The colored lithographs of Maligawage Sarlis which adorned the walls of Buddhist homes in the early years of the 20th century too showed the same saree, while two decades earlier, Raja Ravi Varma (1848-1906) depicted Indian goddesses and female characters from the Sanskrit epics such as *The Mahabharata* and *The Ramayana* dressed in saree. The generation that strongly advocates the saree perhaps draws from their childhood memories of Sarlis’ lithographs and images of Indian goddesses (see images 1-4).

1 The source cited is “Jathika chinthana”. This quote appears in many internet sites; <http://groups.yahoo.com/neo/groups/ruhunuvoice/conversations/topics/1554> and transcurrents.com/tc/2011/01/post_605.htm. Accessed on 1.11.2013

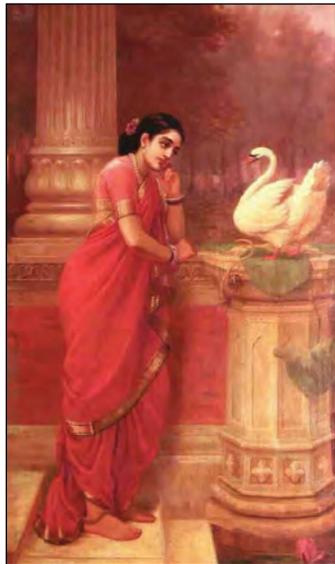
2 I have opted for this spelling “saree” for this loanword from the Indian subcontinent.



1. A coloured lithograph -M. Sarlis



2. From a temple in Padukka



3. Damayanti from Mahabharata



4. Image of Lakshmi by Raja - Ravi Varma (1848-1900)

Statements such as the following essentializing the importance of the saree are very common today: “The traditional clothing of Sri Lanka is very interesting. Women close to the age of marriage and who are already married normally wear a saree, also known as Kandyan Saree, as traditional clothing.” Here the “Kandyan Saree” is seen as the “traditional clothing of Sri Lanka”³

Nanda Pethiyagoda writes in 2012:

“Women’s attire down the ages was anything but immodest. Women covered themselves from head to toe in a saree, the mode typical and unique to Ceylon /Sri lanka (...). Young girls in Kandyan provinces - the hill country – wore a modification of the Kandyan, the nod to being young and not too bustful (sic) being that the *osariya* was twisted and taken around the waist. But modesty had to be retained. Hence the blouse a young girl wore, had a long frill around it which covered completely developing breasts, titillatingly indicated when the frill was of net or fine silk” (Pethiyagoda 2012 II-III).

The writer seems to be eager to proclaim that the saree and the *osariya* are the most ‘modest’ forms of dress for women. Similar statements have driven me to find the answer to the question as to why the saree enjoys greater respect over other imported hybrid modes of dress such as the

3 Source: http://wiki.answers.com/Q/What_is_the_traditional_clothing_in_sri_lanka

“skirt and blouse” or the *shalwar kameez*, which are permitted in Buddhist temples, churches and Hindu kovils. Therefore, in this article, I seek to answer the question: has the saree now become the Sinhala-Buddhist equivalent to the abaya, the hijab, and the niqab, making the female body a showcase to display ‘modesty’?

My research interest stems from the point of view of a fashion historian. For this paper I base my observations on Diana Crane’s seminal study *Fashion and Its Social Agendas: Class, Gender, and Identity in Clothing* (2000), in which she demonstrates how, in the late 19th century France, England and the United States, identity, class and religious affiliation, occupation, regional origin, moral values, gender ideals and gender roles have been constructed and expressed through clothing. In addition, Udaya Kumar’s essay “Self, body and inner sense” (1997) which approaches the topic from a caste-based differentiation and Himani Bannerji’s *Textile Prison* (1999) that examines the clothing of “gentlewomen” (*bhadra mahila*) in colonial Bengal based on the discourse of “shame” (*lajja*) have provided multiple viewpoints to contextualize the information I discuss here, in a wider, South Asian context.

Due to the corpus of critical writing by Malathi de Alwis (1995 and 1997), Neloufer de Mel (2001) and Nira Wickramasinghe (2003), we in Sri Lanka, to some extent, are able to make some assumptions on how the female costume was transformed in colonial times. K. D. G. Wimalaratne and Dian Gomes’ coffee-table book *Costumes of Sri Lanka* (2001) presents visual information on costumes in transition for the first time. The research base provided by Kumari Jayawardene (1989) and Janaki Jayawardene (2000) presents multiple perspectives to observe the ever-changing attitudes towards women’s clothes. Only a few researchers have attempted to synthesize this knowledge generated over the past ten years. The evolution of the female costume in Sri Lanka has been read mainly as a product of colonial intervention and the subsequent efforts in building a “national identity”.

Very seldom has the archive of visual material available in colonial photographs, postcards and murals in Buddhist temples during the final decades of colonization and the early decades of de-colonization been examined through a gender lens. If gender aspects of the visual representation of the female are to be researched in depth, the regional differences and ethnic, caste and class identity of a fast-changing society at the end of the 19th century as reflected in costume too will have to be taken into consideration. Juxtaposing the evidence from multiple sites that give textual and visual evidence how the female costume may have evolved from pre-colonial to colonial and postcolonial times, I question in this paper the hegemony of the saree that seems to be the only costume that, according to this evidence, could reflect ‘Sinhala Buddhist culture’. Leading from this, I also seek to find out in this paper whether the opinion that women should cover the entire body when entering sacred spaces is inherited or constructed.

The paintings by Tavik František Šimon (1877-1947) of women in the Dalada Maligawa in 1920s were uploaded in a commercial website recently. They evoked comments in social media networks such as “ElaKiri” that the women painted were Rodiya women, which appears to point to a general practice that all women who did not wear a stitched upper garment to cover their breasts to be branded as “Rodiyas”⁴.

One notices that Šimon’s paintings of Ceylon available for research are mostly of women

4 I am very thankful to Ms. Rapti de Zoysa Siriwardane for introducing me to this site.

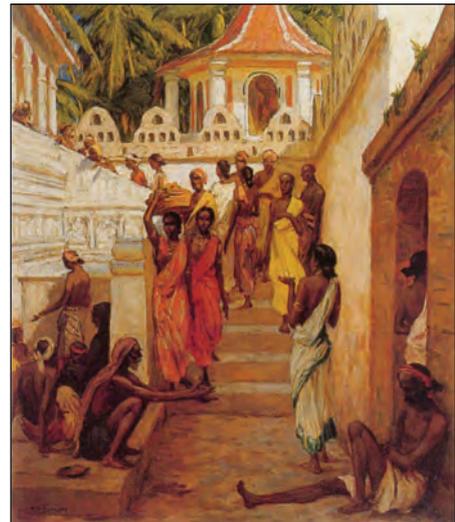
[A selection of paintings can be viewed in](#) “Catalogue Raisonné of the graphic art of the Czech artist Tavik František Šimon (1877-1942)” in www.tfsimon.com/Graphic-List.html and “Graphics of Tavik Frantisek Šimon (1877-1942)” <http://www.google.de/imgres?biw=1525&bih=666&tbm=isch&tbnid=Y-97->. I am also thankful to curators of private collections of photographs and other commercial websites.

entering, sitting around or leaving the Holy Temple of the Tooth in Kandy, the highest place of Buddhist worship in the hill region (see images 5-8). Šimon's open air scenes painted in cities like Tangier for example do not show women in public spaces. The Japanese women in his paintings from Kyoto do not appear to be gendered through their costume at all (see images 9 and 10). As such, the Japanese female figures do not fit into the clichéd poses known in Orientalist art or the indolent *Gauguinesque* woman of the South Sea Islands painted by artists who copied Gauguin, but are of a more quasi documentary form. The two paintings of European women are painted very much in the style of the early 19th century, differentiating them in dress and nudity according to the situation (see image 11). The ambience of the Temple of the Tooth in Šimon's paintings corresponds to a large extent with photographs of that time. The activities taking place in this holiest of temples, documented by Šimon in the "Kandyan Series", match the type of colonial photography which later in the analysis of photography I shall name "wayside photography".

This evidence may guarantee a certain amount of 'authenticity' for Šimon's representation of the 'exotic' world. But the final verdict as to what extent Šimon's "Kandyan Series" have traces of 'Orientalist art' would be left to the readers of this article, which, as far as I know, presents Šimon's corpus of paintings for academic discussion in Sri Lanka for the first time⁵.

Finally one may also notice that Šimon's portraits of European women show much detail in dress, which match the female upper class costume seen in the photography of the 1920s (see images 12 and 13).

Assuming that photographs may leave less space for the male imagination than paintings, one may pursue the research intention in the following manner: In order to ascertain the relative 'authenticity' of the costume of Kandyan women of the 1920s, we should then have to read some of the earliest photographs of Sri Lankans captured by photographers. Most of the photographs of this vast colonial archive were produced mainly for commercial purposes: These subjects ended up becoming images on picture postcards sent back to Europe or America by tourists visiting unknown and strange destination

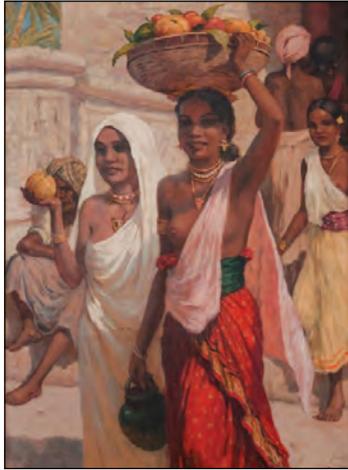


5. Three Women at the Temple of Candy, Ceylon - Tavik František Šimon (1877-1947)



6. Buddhist-Temple in Candy - Tavik František Šimon (1877-1947)

5 Šimon seem to have painted and sketched the "Kandyan Series" series in the latter half of the 1920s. Emerging out of the genre *Orientalist Art* which had its heyday from the mid 19th century onwards, the female non-European body, highly exoticized and eroticized, was portrayed in seductive poses in Turkish baths (*Hamams*), the Turkish Sultan's *Seraglio*, slave markets and harems (*Serais*). Paulette Dellios in her article "Reframing the gaze: European *Orientalist Art* in the eyes of Turkish Women Artists, gives an overview to the movement with a substantial overview. From the many articles quoted by Dellios, I wish to cite the following: "The juncture between sexual imagery and imperial lust is thoroughly investigated by Nochlin (2002), who argues that *Orientalist art* cannot be disassociated from the ideologies of Western imperialism." (Dellios 2010 : 621)



7. Stairway of Kandy temple - Šimon (1877-1947)



8. At the Temple of Candy, Ceylon. Oil on canvas - Šimon (1877-1947)



9. Kyoto in Winter - Tavik František Šimon (1877-1947)



10. Two Japanese Women - Tavik František Šimon (1877-1947)



11. Girls on the Dalmatian coast - Tavik František Šimon (1877-1947)



12. Girl by the birch tree - Tavik František Šimon (1877-1947)



13. Vilma Reading on the Sofa - Tavik František Šimon (1877-1947)

called “Ceylon”. To what extent photographers intended to be ethnographically correct when it came to depicting the ‘natives’ on post cards is debatable⁶.

As Max Quanchi in his article “Visual histories; contrasting postcard views of early 20th century colonies of French, British and Australian colonies” (2008) points out, over 50% of his sample of picture postcards from four colonies in Oceania (Fiji, New Caledonia, Papua and New Guinea) demonstrate an ethnographic interest as against about 30 % post cards that document scenic beauty⁷.

The scope of this paper does not permit me to first carry out a classification of all the photographs from colonized Ceylon, but based on Quanchi’s categorization, I wish to propose the basic framework which I shall introduce later. To my knowledge there has been no academic analysis of the corpus of photographs from colonized Ceylon up to date. The intentions of the colonial photographers have been identified by Quanchi as forms of propaganda to demonstrate power over the colonized country. In the Ceylon Collections such as “Lankapura” and “Ancient Ceylon” on the internet and other private collections seen by me, I notice that many photographs are devoted to documenting the colonization project such as buildings of roads, bridges, tunnels, railway lines, harbours, deforestation of land for plantations, activities in graphite mines, the processing of agricultural products such as coffee, the bungalows of the British and their past times. One may notice that the ‘native labourers’ have been instructed to pose in these photographs and to some extent have been dressed in their ‘uniforms’ for the camera. The situation most often is authentic, but the arrangement of the subjects of the photographs by shifting their activity into the open air with adequate lighting is obvious. Another genre of photographs documenting the heritage of colonized Ceylon demonstrate landscapes of lush tropical vegetation, temple ruins, pageants and festivals. However, the photographs by the sadly little-known Ethel Mairet (1872-1952) and her then husband Ananda Coomaraswamy such as “Craftsmen at work” (plate V) and “Manufacture of iron and steel” (plate LIII) published in the monumental study *Medieval Sinhalese Art* (1908) demonstrate a significant effort to be as close as possible to the original setting, because the focus here was more to document the artisans, their tools and artifacts the Coomaraswamys discovered in their voyages through villages around Kandy at the turn of the century. The photograph titled “Mat Weavers” (*Kinnarayo*) Plate IV of the Coomaraswamy collection (Coomaraswamy 1907: 615) seems to have been borrowed from the Skeen Collection (see image 14.)⁸

6 I borrow the word “Colonial Archive” from Anjali Arondekar’s anthropological research on law, literature and pornography from 1843 to 1920, which proposes a different reading practice of the Colonial Archive and its sexual implications.

7 Quanchi locates his study of post cards in the context of other research by John Mackenzie (1984), who suggested in a study of imperial propaganda in 1984 that images were a form of propaganda, a ‘conscious manipulation on the part of those who controlled the powerful religious, commercial, military and official agencies’. He also mentions Nicholas Thomas, who warned in 1993 that colonialism was imagined and energized through various mechanisms, and that colonialism should not only be seen through ideologies of racism and oppression. Quanchi also mentions of “James Ryan (who) later noted that the influence of photography had been overlooked in Orientalist Discourse, but that “photography – with its detail, ubiquity and currency across a range of institutional sites – played a significant role within the construction of the imaginative geography of empire” (Quanchi 2008: 4). Quanchi categorizes the post cards in four categories: 1. Actual people, 2. Places and objects, 3. Mythical/stereotype images which have been edited, cropped, staged or posed; 4. News photography recording unusual or newsworthy, current events.

8 Architect Ismeth Raheem at the 53rd Lecture “Ananda & Ethel Coomaraswamy and the making of ‘Medieval Sinhalese Art’ (1908)” delivered on Thursday 25 July 2013 pointed out that there is a large archive of photographs taken by Ethel Mairet-Coomaraswamy in foreign archives.



14. Mat Weavers (Kinnarayo)



15. Road scene near Kandy

In the quest of ‘authenticity’, when analyzing photographs of the colonial archive, we also need to distinguish between “studio settings” and “wayside settings” (see images 15 and 16). While this article may not permit a detailed analysis and categorization of the corpus of photographs available on print and electronic media, a short clarification on this dichotomy is necessary here: The “studio settings” capture those photographed at close quarters, with the ‘model’ often instructed to hold an alluring pose and gaze into the camera. The persons photographed in “wayside settings” are often captured at a distance and the ambience has an equal status as the photographed ‘natives’, quite similar to earlier drawings of exotic street scenes (see image 17).



16. Sinhala Women

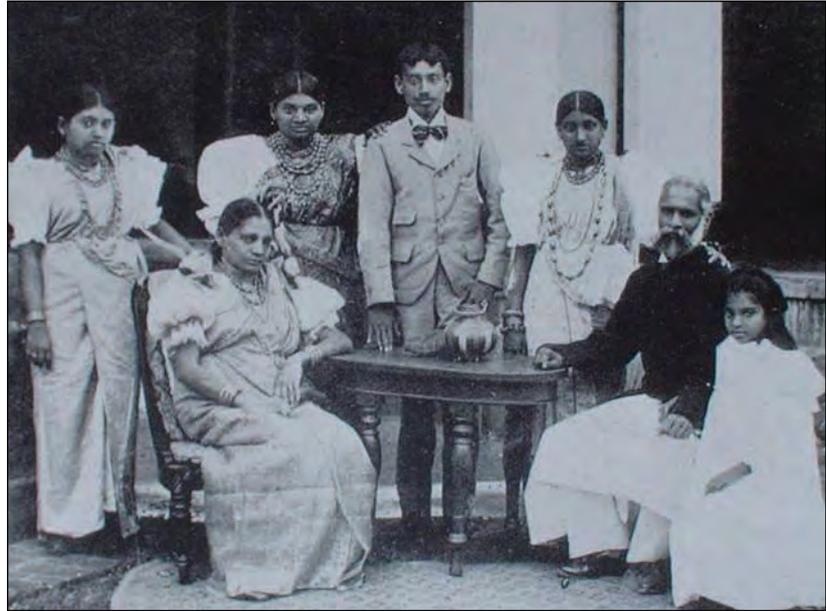


17. Street scene drawing

It may be tedious to run all the available photographic material documenting ethnicity, caste, profession and location through this very basic dichotomy and other overlapping categories. But it seems that in the “studio settings” the native Other is sometimes dressed up and arranged in a studio and made to look ‘natural’. In the very first photograph that I present here, one may notice the artificially falling branch of the coconut tree on the right side of the photo and the beautifully arranged coconuts that seem to have dropped at the feet of this arranged group of women (see image 16). In the next photograph two women may have been captured on the wayside, or made to pose in a natural setting (see image 18). The costume of the “wayside settings” to me, often seems to



18. Two women on the wayside



19. Family in Hybrid costume

represent greater ‘authenticity’, more specifically a closeness to a kind of ‘real’ situation, although in the early years of photography, the human subjects have been often composed into a photogenic group and instructed not to move and to stand still while the shutter of the Daguerreotype camera moved. An initial skepticism over the ‘authenticity’ of the costumes in “studio settings” arises due to the overt nudity in some photographs, while in some others the intended ‘modesty’ of women photographed, which I shall discuss later in this article.

Towards the end of the 19th century, the westernized upper classes of Sri Lanka too began to have their family photographs taken. Most of them were reproduced in A. Wright’s *Twentieth Century Impressions of Ceylon* (1907). Members of the family who were considered worthy of being photographed were dressed up in a manner that would demonstrate their social class. Automobiles, carpets and other valuables too were displayed in the photograph (see image 19) The poses of this class of elite Sri Lankans, who demonstrated traits of Europeanization in dress, mimicked the British family photograph of that time. The next group photograph shows a more complex setting from the working class plantation sector: The only adult male is seated in the middle wearing both upper and lower garments. He has taken off his coat, revealing the white under shirt or the *banian* (See image 20). He may be the father of the family posing in front of a “lattice house”, the kind living space that was built for plantation workers. His wife too wears an upper garment, a white jacket. The daughter closest to him wears an oversized long white frock. The two boys of school-going age wear a lower garment whereas the two youngest boys are nude. The girl far right is carrying a child. She too is wearing the same ill fitting upper garment. We shall notice these types of upper garment and the loose long white frock worn by girls in our observations.

In these years, some Sri Lankan entrepreneurs too had their businesses photographed. In these photographs the Sri Lankans pose with their own staff and labourers as portrayed in the image of women pounding coffee in the open air (see image 21). When comparing this sample with other photographs of the coffee plantation community of the hill country, we can assume that women of South Indian origin working in the coffee plantations do not wear a stitched upper garment. This can be very clearly seen in the next image, which is a “studio setting”, in which the woman is overloaded with jewelry for the photograph (see image 22).



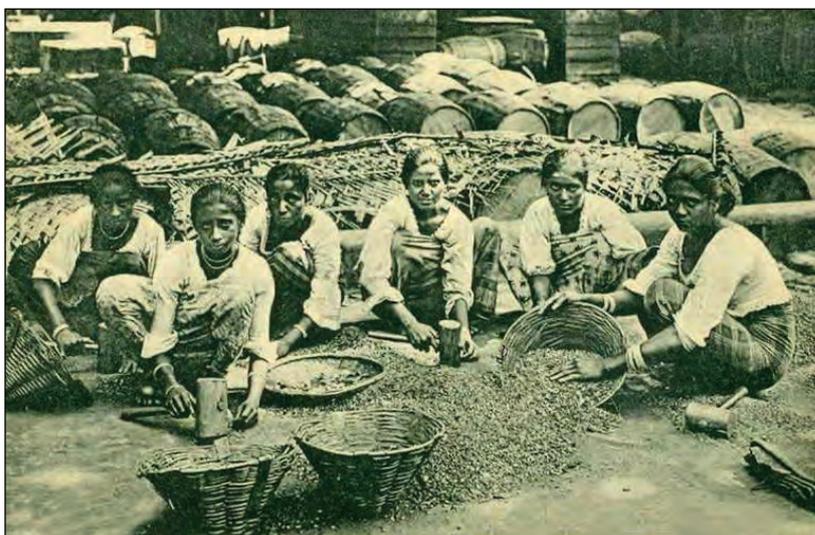
20. A native Family



21. Pounding coffee



22. Woman without an unstitched upper garment



23. Plumbago curing

As such, we may also have to observe as to what extent women who have recently joined the labour force to work for colonial or local masters were dressed up to look ‘modest’ in the southern and western areas when they were photographed while sorting graphite (plumbago), or peeling cinnamon, or on the other hand gendered to appear ‘exotic’ and ‘sensuous’ when they were photographed in the studio or at close distance (see images 23 and 24). In most of the “wayside” photographs available today, small boys are often seen nude or scantily dressed (see image 25). Seldom are little girls seen nude, but, as already noted, they are seen very often wearing the oversized white frock reaching well below the knee (see image 26 and 27).

Observing images of women made to pose for postcards and comparing them with photographs that show the costume of female stereotypes such as “Nonchi” and “Lenchina” from the southern *Kolam* Ritual, I notice that female characters generally wear a white jacket, with or without sleeves, a round or V-shaped neck, and a front opening or no front opening (see images 28). Here I do not rely solely on the colonial archive, but have used evidence from the Sri Lankan costume history as reflected in the figures of the *Kolam* ritual (see images 29 and 30) (Dissanayaka 1993).



24. Sinhala Woman



25. Native group



26. road-side-scene-natives



27. Wayside scene, hand coloured



28. Sinhalese Peasants



29. Costume of Nonchi

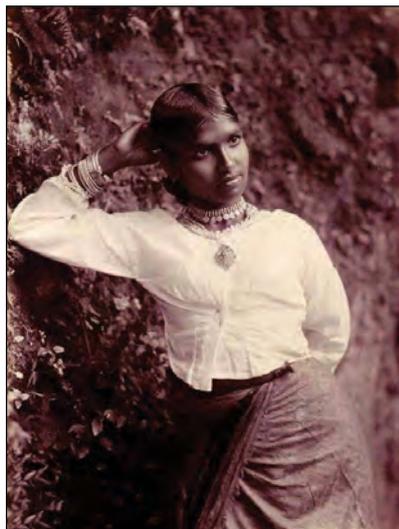


30. Nonchi from the Chitrasena Troup

These jackets are referred to as “*hättaya*” in Sinhalese since about the 16th century. The Tamil term “*sattai*” used in many regions of south India seems to be older than the Sinhala term. “*Hättaya*” or “*sattai*” is, to my knowledge, not recorded in any Sinhala literature prior to the 20th century. It is therefore possible that this stitched upper garment was introduced from South India. Examples of jackets without sleeves, although rare, can also be seen in this Colonial Archive (see images 16

and 28). These jackets are, in general, loose, as if stitched on mass scale to fit any woman. They do not have buttons. Perhaps they were closed with safety pins commonly called *hätta katu* which can be translated as “jacket pins”. The white upper garment of the girl posing for the photograph is loose-fitting and is not closed in a symmetrical manner (see image 31). The ill-fitting white jacket for women and the oversized long frock for girls may point to some type of white garment stitched mass scale for women and girls in the Western and Southern regions.

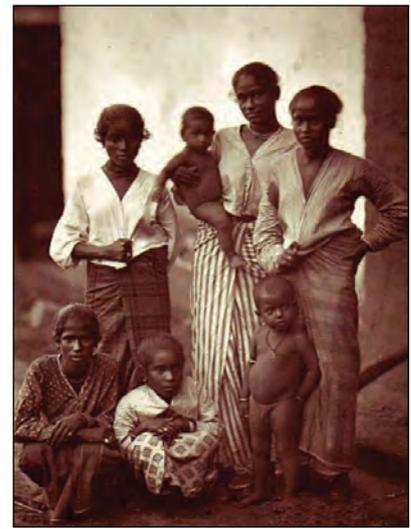
The women in the next image from another set of photographs wear similar upper garments but edged with lace (see image 32) The next photograph showing five women evokes further questions: Why do the two women on the sides hold their upper garment with the right hand (see image 33)? To me the woman in the middle carrying the baby seems to be most confident to face the camera and the girl crouching in the middle, the most uncomfortable. The looseness of the upper garment which seems to make the wearer appear somewhat uncomfortable, without the means to totally cover the chest due to the difficulty of fastening the jacket may be the reason for this discomfort. The skimpy white jacket worn by the female character Nonchi, the coquette wife of the drummer, is often pulled down by her in a similar manner. To accentuate her old age, costume tradition of the *Kolam* ritual insists on hanging two fruits visibly below the lower edge of her jacket⁹. Exactly when this ill-fitting white jacket was introduced to the Southern coastal province still remains unanswered.



31. Woman in white jacket



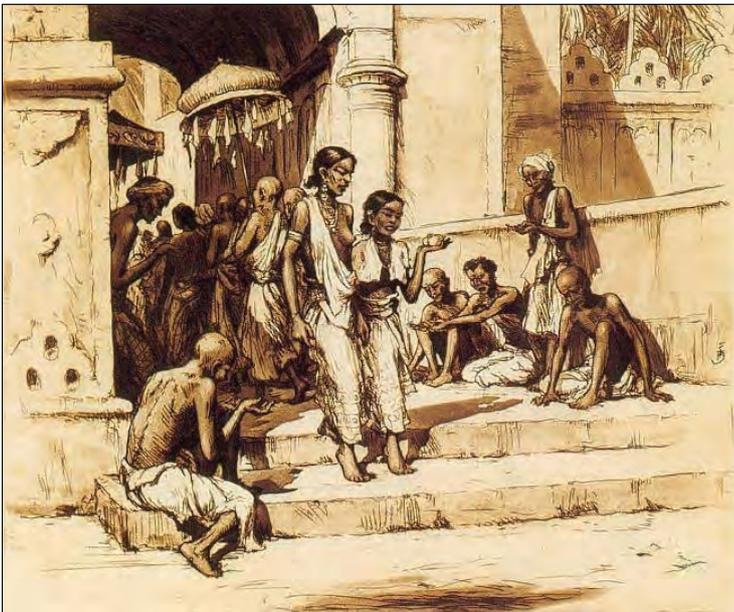
32. Three Sinhalese Woman - Skeen-1880



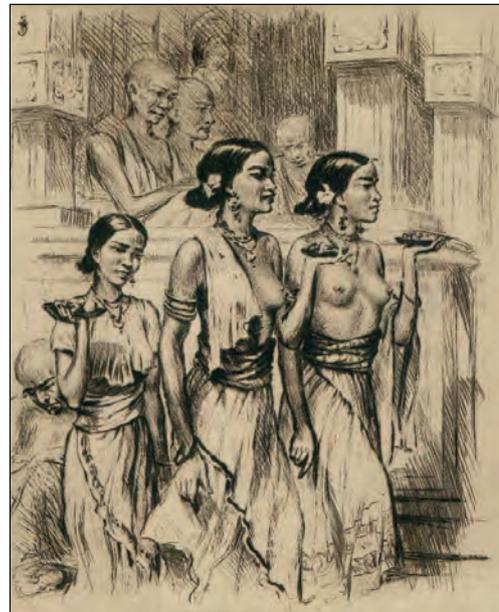
33. Women-children-1870

9 I am very thankful to the late maestro of the Kolam Ritual, Mr. Bandu Wijesooriya of Patabademulla, Ambangoda, who introduced me to the many unknown facets of the Kolam Masks and costume during my initial research in the years 1997-1999. I was fortunate to view many live performances of the *Bandu Wijesooriya Kalayathanaya* in that period, and such concerns like two *Vatakolu* fruits being used to denote a senior citizen's breasts were nagging questions from my early years as a researcher on costume. A video documentation of the entire Kolam Ritual, as performed in the Ambalangoda Tradition, is currently available. At the second edition of the Colombo Dance Platform 2012, the gender aspects of female stereotypes were demonstrated in the piece “The performing costume” which used material from the Kolam Ritual. See video clip by Sanjaya Senanayaka, titled “Colombo Dance Platform 2012 - The Performing Costume”, where the author and Nilan Maligaspe staged changing attitudes to female costume on stage. <http://www.youtube.com/watch?v=X3Z60rdUSU0>. Accessed on 4.3. 2012 at 12 noon. Also in “Sapta Naari”, directed by the author and choreographed by Nilan Maligaspe for the Arpeggio Creative Dance Academy, premiered on 28th may 2013 and later on 24th, 25th August 2013 at Punchi Theatre in Sri Lanka, the entire panorama of female representation in traditional theatre from Sokari to Puppet Theatre was staged. See selections in: <http://www.youtube.com/watch?v=4U-U8QMA9qU> accessed on 1st December 2013.

In Šimon's paintings and sketches only young girls wear a kind of improvised jacket when entering the Temple of the Tooth (see images 34 and 35). These loose jackets worn by women of lower social classes, at that time visible in public spaces, may have provoked Anagarika Dharmapala to prescribe a suitable attire for Buddhist women in the much cited article "What Sinhala Buddhist Women should know",¹⁰ in which he exhorts women to refrain from exposing their midriff, abdomen, or breasts. According to Dharmapala, twelve or fourteen *riyan* long cloth is suitable for 'Arya women'. This paragraph opens with a citation from the *Sigalowada Sutra*, a well known discourse in the Pali canon, where the Buddha advises the husband to provide the wife with beautiful clothes. When reading the Sinhala newspaper in 1923 one would get the impression that the directives about covering "midriff, abdomen and breast" too are sacred words of the Buddha as Dharmapala places it just beneath the quote from the *Sigalowada Sutra*. However, Dharmapala's line of argumentation is haphazard. After describing the costume of Japanese women in two lines, he then digresses to talk about the use of furniture of other Asian countries and finally turns to a female costume, the "single cloth" (*Ekasataka*), which he names "types of Ohori" (*Ohori varga*), worn by all women of 'higher' birth (*kula srin*) in Bengal, Maharashtra, Tamil Nadu, Kashmir and Gujarat. It is interesting that he does not use the word "saree" but the Sri Lankan variation *Ohoriya*.



34. On the steps of a Buddhist Temple 510



35. Two Women and young girl entering the Temple of the Tooth

"We can see that all upcountry women wear the Ohariya. In the low country wearing the Ohoriya has been forbidden in Dutch times. Since about 400 years the Sinhala women of the low country have got accustomed to bad habits of the Portuguese and the Dutch. The *Arya* tradition of 2000 years has deteriorated in the last 400 years in the low country. The Ohoriya is common to all up country women. Low country women should also get accustomed to this. (Dharmapala 1923: 85)" (translation by author).

We should now ask the question as to what extent did the Dutch intervene to prevent 'low country' women from being modest in the 17th and 18th century? Dharmapala's allegations go back to the 16th century, even encompassing the Portuguese era, where almost no visual evidence is available today of a *saree* or an *ohoriya*. In an earlier article he admonishes affluent women to donate the "twelve *riyan* long *Ohoriya*" to poor Sinhala women (Dharmapala 1923: 82). Maybe

10 The article written in Sinhala in the newspaper "Sinhala Bauddhaya" (1923) titled "What Sinhala Buddhist Women should know", was republished in *Dharmapala Lipi*.

in the 1920 when he was lobbying for the *Ohoriya* women from poorer classes did not wear the *Ohoriya*, but a skirt and a blouse.

This brings up the task of clarifying the etymology of the words “*ohoriya*”/ “*osariya*” and “*hätte*”/ “*sätte*” commonly used even today to denote the most venerated costume of Sinhala identity. These words seem to be loanwords from south India. One may fall back on the popular and well known hypothesis that the fashion of wearing an “*ohoriya*” and “*sättaya*” arrived from South India with the Malabar princesses who were married to the last Sinhala princes of Kandy. It generally believed that the fashions of the Malabar princesses were adopted by Sinhala women of the upper class by the end of the 18th century, with the end of the Sinhala lineage of kinship, and the advent of kings from South India ruling Kandy. The royal fashions may have been the privilege of *Radala* women of higher birth of the king’s court. Nevertheless, it must be recalled here that the majority of the women living in the hilly region did not wear, or were not permitted to wear, a stitched upper garment. The evidence will be discussed later in this paper.

At this point in the research, we may have to differentiate between life styles of “up country” (*uda-rata*) and “low country” (*pahata-rata*) Sinhalese. The dichotomy appears in Dharmapala’s instruction. This division of Sinhala people projected back to 18th and 19th centuries has a political connotation. “Up country” or “*udarata*” with a loose political identity called “*Sinhale*” is upheld as having protected the true ‘Sinhala’ identity because the area was ruled by Sri Lankan kings till 1815, whereas the “low country” or “*pahata-rata*” was ruled by the Portuguese, Dutch and British since the 16th century. It is strange that Anagarika Dharmapala’s “*ohoriya*” or “*osariya*” which, according to him, is worn by all Kandyan women, or “up country women” was not worn by the women in and around the Temple of the Tooth in Kandy when Šimon visited the temple in the 1920s, which was when Dharmapala was busy lobbying for the “up country” saree. The majority of Šimon’s women at the Temple of the Tooth do not even wear any kind of jacket. We could take the easier reading of Šimon’s paintings and say they were all *Rodiya* women. Then do the paintings and sketches by Šimon show an open day for *Rodiyas* in the *Dalada Maligawa*, because most women at the *Dalada Maligawa* do not wear an upper garment when Šimon happened to be there? A more nuanced reading will show that some older women carry a cloth in the hand or have wrapped another cloth around the waist. Have they taken off the cloth that may have covered the upper part of their body as a mark of respect to the Temple of the Tooth? In earlier times it was expected that men of lower castes or classes removed the shawl or towel off the shoulder as a mark of respect when they met persons of higher castes or classes in public spaces. Some women in Šimon’s “Kandyan Series” do wear an unstitched cloth diagonally across the chest. The young girls seem to wear an earlier form of upper garment, stitched or unstitched, which seem to be held together between the breasts (see images 34 and 35).

When unearthing more postcards from the Colonial Archive, I came across these images that carry the title “*Rodiya*”. The girl posing in front of the jar is at ease as she smiles into the camera lens. (see image 36). In the next photograph I present, two girls are standing looking away from the camera. Their upper garment is still visible around their waist, leads to an embarrassing question: Have they been ‘undressed’ to be made a *Rodiya* in this studio setting? (see image 37). We do notice a difference in the manner the two studio photographs have been composed and how the ‘*Rodiya* models’ have been captured for the post cards. But when we observe the elderly women in the next ‘*Rodiya*’ group photograph wearing a piece of cloth covering their breasts, our notions of the ‘semi-nude *Rodiya*’ will have to be reconsidered (see image 38). It seems that all three older women have not been allowed to appear in the same manner without an upper garment by the photographer’s team, whereas the younger girls have obediently let their upper garments be



36. Rodiya Girl, Ceylon



37. Two Rodiya women



38. Rodiya women

pulled down. The ‘model’ from the previous picture is posing here once again. Are these women really *Rodiya*? Or has the process of gendering them made them appear *Rodiyas*?¹¹

The next photograph showing a *Rodiya* woman wearing the upper garment may provide evidence that the women of the *Rodiya* caste did cover their breasts with another piece of cloth (see image 39)¹². Reading this photograph more closely, one may question if the girl had been more dressed up because the upper garment has been well tucked in, not worn loosely as in the case of the elder women in the group photograph.

The reader may discover more and more ‘*Rodiya*’ photographs in commercial websites and in recent publications such as the Palinda Stephen de Silva collection. The ‘*Rodiya* models’ photographed seem to reveal similar tastes in beauty, stereotyping the *Rodiya* women to be sensual exotic creatures. On the other hand, the caste denotation of *Rodiya* seems to become a brand name under which the colonial industry may have marketed photographs of Sri Lankan women as an erotic commodity (see images 40 and 41). The colonial photography published in *19th Century Photographs of Ceylon* of Palinda Stephen de Silva collection shows the title “*Rodiya* Girls” denoting all the women without an upper garment photographed by W L H Skeen from 1860 to 1903 in Ceylon. These photographs are certainly studio settings. Other studio settings of “*Rodiya* women” reveal no upper garment at all, while not all women without upper garments bear the title “*Rodiya*”¹³. One may wonder if some male hand had removed the upper garment of these women to make their breasts more accessible to the Colonial Gaze¹⁴.

11 Richard Boyle reviewing *Images of British Ceylon: 19th Century Photography of Sri Lanka* by Ismeth Raheem and Percy Colin Thome for the Sunday Times on 30th April 2000 comments: “Looking through the photographs after reading these words, I could not help but seek examples to illustrate this intriguing school of thought. So it is that I suppose the photographer(s) of Charles Scowen & Co. who took the pictures titled ‘Study of a Girl with a Vase’ and ‘Nude Study’ (both 1880s) could not have foreseen that, a century later, they would come to epitomize the exploitation of the indigenous female in Ceylon - especially Rodi women - in order to provide Victorian men with pictures of exotic, bare-breasted natives. (Boyle 2000 in <http://www.sundaytimes.lk/000430/plus7.html> . Accessed on 24.11. 2012 at 12.44 hrs.

12 Title: Rhodiya woman, Ceylon. Publisher: “SKEEN-PHOTO” Printed Black, White and Red postcard with UNION POSTALE UNIVERSELLE/CEYLON (CEYLAN.) POSTCARD divided back in red Code: PC-CEYLON-0097.

13 I refer to the collection published as “Images of Ceylon. 1850-1920. Nineteenth century photography of Ceylon. The Palinda Stephen de Silva Collection”

14 For further information on the Colonial Gaze, please refer the following sites: “The colonial gaze by Urbanora in Catalogues and databases, Non-fiction, Online videos, Resources Tags: Silent films 2 Comments”. In <http://thebioscope.net/2010/11/11/the-colonial-gaze/>



39. Rodiya Woman



40. Rodiya or Veddha



41. A Rodiya Women

As Paul S. Levine (2008 and 2002) points out, the nineteenth century Victorian attitudes towards the unclothed body have been ambivalent. He argues that the “vexed attitudes” towards nudity and nakedness cannot be understood without what he calls the “experience of the empire”. The colonizers categorized the “natives” whom the empire colonized from their outward appearance, i.e. physique, manners and dress, assigning those who were seen “clothed” as belonging to the upper strata of society. Although nudity in the statues of the Greeks and Romans was deeply appreciated and copied in later centuries even in “civilized” Europe, the “partially clothed” non-Europeans had been regarded as “uncivilized”. Such derogatory statements can be read in the writings on the colonized Africa, India and Sri Lanka too. On the other hand, the fascination for the “Noble Savage” seen in the literature of post 18th-century “sentimentalism” Romanticism elevated the “colonized” to a higher level, because of their closeness to nature, or “God’s Creation”, like Adam and Eve. In this context, clothing was seen as a marker of the corrupting influences of civilization. In the Indian context, “Paria women” dressed only in a loin cloth were not seen as “immoral” or “uncivilized” (De Zoysa p. 116 1996). The two photographs of “Rodiya Women” posing in Ceylonese studios with pots and baskets that I present here have been gendered to satisfy the Colonial Gaze, just as the colonized women of Africa too have been instructed to pose and stand still as the camera clicked (see images 42-43).

In another “arranged photograph”, we have Veddahs posing in a garden. In this image, the three women do not seem to wear any upper garments. The young woman in the middle of the photo seems to be covering her breasts, wearing the lower garment high enough to cover her breasts. If the men with bows and arrows did not flank the women, and we had just the three women photographed, and there was no title, then would the three women still be identified as “Rodiya”? Is the woman in the photograph of a “studio setting” holding a beautiful pot then a “Rodiya” or “Veddah”? The Colonial



42. Racist Ragazza



43. Racist Ragazza

Archive brings its own problems: It seems that women were gendered in many ways, made to pose with an upper garment and without. In some cases the label “Rodiya” may have been used to

demonstrate that the postcard was documenting a pseudo authentic class/caste identity and to gloss over the pornographic intentions.

Martin Wickramasinghe in his observations in *Dress and Ornament in Ancient Ceylon* first published in Sinhala in 1935, presents many examples from the literature of the Kotte Period from the 16th to the 18th centuries to demonstrate that women of Sri Lanka did not cover the upper part of the body before the advent of the Europeans. Drawing information from independent literary sources, historian M B Ariyapala in 1968 too has come to a similar conclusion in his study *Society in Medieval Ceylon*. The poetry and the prose from the 16th to the 18th century was overloaded with the erotic sentiment *Srngara Rasa*, using many metaphors like swan breasts (*pinapayodhara*) to describe the beauty of the female breasts. The most striking example is from the *Yashodarawata*, written in late 18th century, which describes Prince Siddhartha leaving the palace on the Great Renunciation (*Mahabhinishkramanaya*) faltering as he sees the “golden breasts” of his wife Yashodara feeding the new born son. Here Yashodara’s breasts are referred as *Rankumbu* or “golden pots” (Gamlath 1995:16).

Siri Tilakasiri in his analysis of the *Sandeshya* poems (*Sandeshya kavya*) written from about the 14th to 16th century shows that “women of the cities” (*Puraganan*), “women of the villages” (*Gamiliyan*), and “women tending cattle” (*Gopaluliyian*), all wear very fine cloth below the waists. The more affluent the women, the more transparent seems to be the fine and soft cloth. In Moratuwa the “*Tisara*” observes some *Gopaluliyian* wearing a lower garment above the knee and in Uruwela he observes women crossing a stream holding hands with their male partners, where he is enraptured by the female breasts. If the women were “modestly dressed” in verses 89 and 133 of the *Thisara Sandeshaya*, their breasts would not be visible through the very fine cloth that covers their upper body (Tilakasiri 2008: 283). Tilakasiri also mentions that both men and women wear an *Uturusaluwa*, a cloth that is draped over their shoulders. On greeting somebody of higher social standing, the *Uturusaluwa*, is made “*ekamsaka*”, covering only one shoulder, as a mark of respect to a person encountered. He also brings in evidence that at times the *Uturusaluwa* could also be wrapped around the waist (ibid. 284). This manner of showing respect can clearly be seen in the images of the women entering the Temple of the Holy Tooth by Šimon early last century. I recently discovered this practice in a temple mural in the Sailabimbaramaya in Dodanduwa (see images 44 and 45). The man on seeing the monks approaching with their begging bowls, shifts his upper garment, the *Uturusaluwa*, in order to worship the monks. The woman does not cover her breast. Tilakasiri also notes that a *Thanapataya* (cloth tied around the breast) was worn by women in the cities. In the *Gira Sandeshaya* (V 24) this garment is referred to as “*Piyayurupata*” (Rathnapala



44. Pindapatha from Sailabimbaramaya, Dodanduwa - early 19th Century



45. Pindapatha detail from Sailabimba - early 19th Century

2005: 61). The bird *Salalihiniya* notices even a clasp at the back of this upper garment of a woman in Jayawardanapura. In general, affluent women in the cities of Jaffna and Jayawardanapura seem to wear “cloth from Benares” (*Kasisalu*) or silk (*Patasalu*) bought at market places (ibid. 281).

The poets never miss the chance to describe women trained to sing and dance in temples of gods, in royal palaces or in specially constructed dance halls. Even the movements of the shaking breasts are described then. The *perahera* scenes in the temples of the Southern province show women dancing with no upper garment. That these women felt ashamed (*lajja*) or were anxious about the public opinion of their modesty (*bhaya*), when performing for the gods as *devadasis*, or when playing in the parks or in water, has yet to be discovered in the Sinhala poetry of pre-colonial times. The *Girava* bird mentions that women did not bother to fasten their lower garment which had got loose, when they were running in an excited mood (Rathnapala 2005 :124). Puritans may argue that these late medieval descriptions of women were just repetitions of “topoi from classical Indian literature”. Descriptions of women’s costume, as Tilakasiri demonstrates, are nuanced, based on their social class and functions in each society. If society readily accepts descriptions of places and events in the *Sandesha* epics, why should they exclude the comments on the costumes of women then? Such statements that the *Thisara* bird when flying over Payagala saw women who were slightly intoxicated resting under coconut trees, cannot be just a fantasy of the poet-monk living in the 14th century.

A curious but very important excerpt may point to some deviations. A 15th century Sinhala poet and erudite monk writes:

“Do not omit to tell your husband, and throw your cloth over your shoulder when you set foot outside your dwelling place: and go without hurried movements”

“Do not sit down in any place in company with another man (except he be old, or a doctor or a monk) and chatter of things connected to love”

“Do not uncover your navel but let your garment hang down to the ankle. Do not bare the curve of your breasts, and refrain from laughing to show off your teeth” (ASL 1970: 280)

This is the advice given to a daughter at her wedding by her father, as he gives his young and beautiful daughter in marriage to an old Brahmin. As would be expected, this young woman is not faithful to her old husband in the course of the story. This poem *Kavyashekaraya* (1449) is regarded a juvenile work of the most erudite monk Ven. Thotagamuwe Sri Rahula who lived in the west coast in the 15th century during the reign of King Parakamabahu VI. This monk has also left us with some of the most descriptive poetry like the *Selalihini Sandesaya*, which I have quoted above.

Although Ven. Rahula composed many other poems in which he praises the beauty of contemporary women, these verses seem to have had an impact on the moralists in later colonial times and sung at wedding ceremonies. Martin Wickramasinghe in his famous novel *Gamperaliya* (1944) parodies a wedding scene of the end of the 19th century that mimicked the the West and at the same time invented new ‘local’ traditions:

“Laisa’s bridal costume was a shabby white satin gown, yellowed gloves and a fan. She walked with some difficulty because the shoes she wore were too small for her, and she had only succeeded in thrusting her feet into them with a great deal of determination and effort [...]. In keeping with the English dress worn by the bride, the bridegroom wore a tweed cloth, a black coat, and a battered hat. After the Registrar had recorded the marriage and written out the marriage certificate, both parties set out for the home of the bride groom. They alighted from their carriage to the sound

of fire-crackers lit in welcome. The bridegroom and bride who had reached the verandah entered with slow and measured steps as four little girls sang the customary blessing in clear sweet voices. As the song ended the bride groom and bride neared a door of the room assigned to them, and an elderly man began to invoke blessings and prosperity on the couple. This man, celebrated as a pundit throughout the village, chanted the auspicious words in an erudite style and wound up by uttering the word of blessing 'pura' with a flourish" (De Silva and Wickramasinghe 2009: 198). In the Sinhala original one reads of "*jaya magul gi*" sung by the girls and "*hallal sahalla*" recited by the village pundit (Wickramasinghe 1944: 106).

In the course of other ceremonies pundit continues his function as the master of ceremonies:

"A man and wife, he said, were like two people who bear a heavy load together, if either does not shoulder the weight, the consequences are disastrous to both. He also quoted from Sri Rahula's Kavyasekara and adjured the bride to obey those injunctions to the letter. As the pundit recited the verse prohibiting the wife from conversing with other males save aged men, Baladasa shot a covert glance at the bride. He wondered, whether the precept 'if you do smile, do not display your teeth' would not give Laisa secret amusement. The smile that came to the corner of her lips often parted and widened them involuntarily, displaying teeth like white pearls: and Baladasa knew - as the learned gentleman did not - that the greatest efforts on her part would not help Laisa to avoid what naturally came to her" (De Silva and Wickramasinghe 2009: 198)

Although the female protagonist Nanda in *Gamperaliya* marries twice, Wickramasinghe does not go into such vivid descriptions of these two weddings. The above cited wedding of Laisa stands out as a parody of a wedding ceremony which followed colonial bridal fashions, but was anxious to follow customs created by the Sinhala Buddhist society, such as reciting *Jaya magul gi* and excerpts from *Kavyashekaraya*. Although this extremely popular novel relating the story of the village in turmoil under British influence was published in 1945, Wickramasinghe in his introduction informs the reader that he has located this novel in about 1904 (Wickramasinghe 1944: 3).

The two words *lajja* and *bhaya* as values to be cherished by Sinhala women makes its appearance in Piyadasa Sirisena's first novel *Dingiri Mänika* (1918). Piyadasa Sirisena, often hailed as the "Father of the Sinhala novel", makes the following statement thorough his protagonist Dingiri Mänika: "*Lajja* and *bhaya* are the Great Aryan ornaments (*Maha Aryabharanaya*) of "moral" (*Silachara*) women. To wear a cloth extending from the navel (*nabhiya*) to ankle (*bola*), to wear a jacket (*sättaya*) that will cover the upper body completely, and to cover the entire body most safely (*surakshita lesa*) would be most befitting. To Dingiri Mänika, who was created as a role model for female readers, the *osariya* is most suitable for "women of noble birth" (*kula striya*) and not the "transparent gown and short jacket" "*baru dalak väni araksha rahita sayat hättayath*" and wearing a short jacket (*kota hättaya*) "exposing two thirds of their body" (Sirisena 1918: 60, translated by the author).

The novel was a bestseller which was later made into an even more popular film. In the popular novels, plays and poems and newspaper articles written by such men, the 6-7 meter long *Osariya* they feel would be the most befitting dress for the Sinhala women with "*lajja*" and "*bhaya*", whom they also call "*Arya Sinhala Women*". As Neloufer de Mel points out, "Western attire provided the respectability and status that indigenous dress could not: the nationalists' insistence of the sari - the *osariya*, Kandyan, or Indian - for their Arya Sinhala women was then an instrument of resistance to colonial impositions on dress and habit. The sari became a signifier both of a subversion and conservatism" (De Mel 2001: 84).

Neloufer De Mel through her readings of Anagarika Dharmapala's pamphlet "*Gihi Vinaya*" (1898) comments: "[...] Dharmapala has no less than 30 rules on how women should wear saris and dress modestly, keep their households, personal belongings and bodies clean" etc. De Mel continues: "as Gombrich and Obeyesekere note, what Dharmapala was formulating here were new values and modalities and behavior for an emerging Sinhala elite which drew on western bourgeoisie notions of property" (De Mel 2001:105-106). By the time of its 18th edition in 1958, about 50,000 copies of *Gihi Vinaya* were sold. Even today, some aspects of "codes of respectability" dictated to Buddhist women seem to have been appropriated from the formative years of building a national identity based on Protestant Christian moral values. The word "modesty in dress" seems to be the moralist's buzz word. The view that Nanda Pethiyagoda and many others today uphold, that women's attire "down the ages was anything but immodest", seems to me a projection of missionary prudery appropriated by Anagarika Dharmapala in his moralizing pamphlets and later by Piyadasa Sirisena in his moralizing novels.

In her article on how gendered forms of morality and constraints were imposed on Sinhala society, Malathi de Alwis uses comments made by Gananath Obeyesekere in 1984: "Gananath Obeyesekere in his pioneering formulation of the Sinhala practice of *lajja-bhaya*, glossed as shame and fear, notes that the Sinhala females as well as males are socialized into practices in very early childhood. He goes on to observe however, that "in spite of the cultural view that females should be especially *lajja-bhaya*, it is the male child who becomes sensitive to the second part of the verbal set, *bhaya*, or 'fear of ridicule', "as it is men who "have public roles and hence must be more sensitive to the reactions of others" (De Alwis 1997: 105). Obeyesekere's division of the compound "*lajja-bhaya*" to females and "*bhaya*" to males, to me does not seem to be based on lexicographic evidence. As we shall see in the concluding passage of this observation of the compound "*lajja-bhaya*", only the word "*lajja*" emerges in the 13th century *Saddharmaalamkaraya*, referring to an uneasy state of mind, like "shame".

In the prose of Sinhala literature one will very seldom discover the compound *lajja-bhaya* used to control the behaviour of women. I cite a few isolated examples here: In the 13th century *Saddharma Ratnavaliya* one reads of the merchant Soreyya who, when he was transformed into a woman, because he wished to be the wife of a good looking Arhat monk, fled from the vehicle in the state of *lajja* ("*U lajjava vahanayen basa pala giyoya*") (Gnanawimala 1961: 340). Patachara in her distraught state of mind ran naked, without the "*hiri otap* garments"⁴ ("*hiri optap salu noladin*") and later on meeting the Buddha regains her "*hiri-otap*" (ibid. 637). The women of Vishaka's retinue, who accompanied her when she went to visit the Buddha intoxicated after drinking toddy, behaved as if possessed by a demon without *lajja bhaya*, do denote a state of "shame" (ibid. 730). All instances denote an extraordinary state: A sex change, distraught state of mind and intoxication due to excessive consumption of alcohol. An exception however is unavoidable: The Queen Rohini, in the *Rohini bisovun ge vastuva* does not leave her inner chamber to greet a visiting monk because she was in a state of "*lajja*" (*Lajjaven no-avoya*). The reason for not greeting the monk is that her upper body was covered with a skin disease (*lajja vana taranam kusta rogayek siyal sirura vasa ativiya*) (ibid. 873). She however obeys the request of the monk and comes out. The author of the *Saddharma Ratnavaliya* does not state what she was wearing when she came out. But the original Pali source, the 5th century *Dhammapadattakatha* narrates that she puts on the silk upper garment that covers her infected body to appear in front of the monk (*patta kanchuka patimunchitva agatam*). Ariyapala too cites the original Pali source (Ariyapala 1956: 320). The *Dampiya Atuwa Gatapadaya*, which is the commentary to the Pali work, says that Rohini, out of respect for the monk, removed the jacket she had worn to conceal her skin disease (ibid.). When showing respect, we see in the Pali-Buddhist literature, even women were expected not to wear an upper garment.

None other than Martin Wickramasinghe points out the prudery of the monk, who, translating the *Dampiya Atuwa Gatapadaya* into the *Saddharma Ratnavaliya*, left out the passage of the pious lady appearing in front of the monk without an upper garment (Wickramasinghe 1935: 40). Judging by the cited examples, the “modest” women as imagined by the moralists of today do not seem to have their roots in the either in the Pali-Theravada tradition, or in Sinhala literature. The exposure of the female body was neither seen as sinful nor evokes *lajja* for the woman. Based on the evidence in the dictionaries compiled by missionaries, ‘modesty in dress’ to me is a burden from Protestant missionaries, happily taken over by the vanguards of the Nationalist Movement. As in the Judeo-Islamic tradition, it is only the ‘modesty’ of the female that the Buddhists today are concerned with. Visual evidence from Buddhist temples of the pre-colonial and colonial era too, as we shall see, indicates that males and females did not cover their upper body when paying their respects to the clergy.

Costumes have been a key factor in identifying ethnicities and nationalities in most travelogues. Robert Knox’s observations in the Kandyan Region, published in 1681, reveal that costumes and caste are linked. In his description of how the people of the island were dressed in 17th century, he first gives the persons observed a caste identity based on their occupation and function within the feudal Kandyan society. Knox first differentiates between *Hondrews*, referring to the members of the *Goyigama* caste, (the majority belonging to the rice cultivator caste) who were held in high esteem and “other castes”. Then he differentiates between two types of costume, rather disjointedly. Referring to women of the *Goyigama* caste, he comments that their costume comprised of: “[...] one end of which the cloth the women fling over their shoulder, and with the other end, carelessly cover their breasts, whereas other sort of women (sic) must go naked from the waist upwards, and their cloaths not hang down much below their knees: Except it be for cold: for then either women or men may throw and their cloaths over their backs. But then they do excuse it to the *Hondurews*” (Knox 1681 Vol II: 201). Knox’s statement that “the other sort of women must go naked, from waist upwards [...]” may be valid for the Up Country provinces in the 17th century. In a later passage he describes these “other sorts” as “Goldsmiths, Blacksmiths, Carpenters and Painters etc.” (ibid 202-210). Judging by Knox’s descriptions of the occupations of the many non-*Goyigama* castes, one may assume that the majority of Up Country women belong to the category of “other sort of women”.

The cloth “carelessly covering the breasts” can be observed in the in Šimon’s Kandyan Series as well. Joseph Eudelin de Joinville writing to Asiatic Researchers in 1801 comments: “Those of inferior ranks to the first class of courtiers only wear the lower parts of dress. It is strictly forbidden for them to cover the upper parts of the body” and claims that “women of the lower orders wear a petticoat of white cloth, which passing between their legs, is thrown over the right shoulder and is fastened to the ligature about the waist. It has a pretty effect” (De Joinville 1801: 429). This may refer to a *Dhoti* type of draping seen in the photographs documenting women sorting and pounding coffee. In the travelogues of the 17th to 19th century, there seem to be no evidence of a stitched upper garment used to cover the breasts for all females of the island.

This information of an unstitched cloth covering the upper body of women of higher social standing / caste is confirmed by John Davy in 1821. “The material of the women’s dress is very similar; they leave the head uncovered, and wear a long cloth, of a single breath, called *hala*, wrapped round their loins, and thrown over their left shoulder. On occasions of ceremony, when full dressed, the men cover the body with a short jacket; and those who have the privilege, lay aside the handkerchief for a cap and decorate themselves with gold chains and girdles. The women when full dressed, use a jacket, with a kind of ruff, hanging from the neck over the shoulders (Davy 182:

114). Davy also does not fail to mention of the practice of showing respect when entering a temple in a footnote: “[...] they invariably bare their shoulders, when they enter a temple: conceiving that the offender, who should do otherwise, would, in another life, draw on himself the punishment of boils and cutaneous diseases” (ibid.).

Coppelstone in 1892 notes an event in a Buddhist temple which he found disturbing: “In a recent instance a poor woman had her jacket torn off from her shoulders by a lay authority during the very reading of a *bana*, not because she was intruding, but because being of a low caste, she presumed to wear any such covering in the presence of high caste people” (Coppelstone 1892: 258-259). This may also be a reason why the women entering the Temple of the Tooth took off their upper garments.

Taking the paintings of Šimon as a starting point, we can see that women of ‘lower social status’ may have not worn an upper garment. Some may have worn a single cloth wrapped around the waist and body. Dharmapala’s statement in the article “What Sinhala Buddhist Women should know” cited above, which claims that all Sri Lankan women wore the *Ohariya* before the advent of the Portuguese and the Dutch, needs to be revisited with more historical facts. Those who continue to make anachronistic statements about how females should be dressed when entering spaces sacred to the Buddhists and who set up security systems that do not even permit a woman dressed in a sari to enter highest sites of veneration because a jacket does not have sleeves, need to consult the wealth of visual information in the murals behind the doors of Buddhist temples.

Since Auguste Racinet’s monumental work “*Le Costume Historique*” published in 1880, costume historians follow the practice of using visual evidence as seen in Egyptian pyramids, Assyrian, Persian, Greek, Roman and Indian temples, mediaeval European, Arabic, Turkish and Mogul miniatures, illustrations in travel journals and reports, Easel Paintings since the early Renaissance, photography and movies to construct the costume history of each country. The set of coloured drawings by François Baltasar Solvyns (1760-1824), “The Costume of Hindostan” (1799), may be the first time costumes were seen as a reflection of class, caste and social identity. This was demonstrated through very detailed illustrations, published in colour¹⁵.

A set of ten drawings by J. L. Kalenberg Van Dort titled “*Lankave Svadeshikayange Andum*” 1861 in the National Museum Library seem to be one of the earliest attempts to document costume. In 1876 Auguste Racinet too published two full folios of “Sinhalese” in *The Complete Costume History* but he is unable to make any fine differentiations based on ethnicity, religion or caste (Racinet 1880: 148,149).

Other than the 5th century Sigiriya frescos, there is almost no material to study the evolution of the female costume from the Anuradhapura to post-Polonnaruwa mural paintings, apart from Malathi de Alwis’ 1996 article that discusses notions of female sexuality within the framework of Sinhala Buddhist nationalism with visual evidence from these frescos. Although the Sri Lankan student of costume history has many Buddhist mural paintings for research, there has been very

15 “The Flemish artist François Balthazar Solvyns once wrote that he drew only what he personally saw, never reproducing others’ prints, and that this first hand observation was fundamental to his endeavours. Solvyns’s quest for varied subject matter brought him to Calcutta in 1791, where for nearly 13 years he focused on documenting the dress, manner and physique, according to caste, of Bengali commoners [...] However, Solvyns’ work took a slightly different turn from the touristic mode of the Daniells. His ambitious anthology, *A Collection of Two Hundred and Fifty Coloured Etchings: Descriptive of the Manners, Customs and Dresses of the Hindoos* was the result of five years of a detailed, anthropological study of the Hindu caste order in Calcutta. <http://www.timeoutdelhi.net/around-town/features/character-portrayal>. Accessed on 1st December 2013 at 11hrs.

little attempt to view the female costume as a cultural product that reflects changing notions, attitudes and values¹⁶.

The costumes of the “apsaras”, “devatas” and “vidhyadharas” seen in the Tivanka Image House (12th – 13th century) in Polonnaruwa show very little evolution. The panels of the northern wall and the vestibule showing ‘Birth Stories of the Buddha’ (*Jatakas*) as seen in the line drawings by P. G Perera do not reveal any female upper garment (Bandaranayake 1986; 82-83). The ivory caskets of the 16th century Kotte Period may point to some changes of a female upper garment worn by the royalty. *Das Singhalesisches Elfenbein-Kaestchen* (the Sinhalese Ivory Casket) in the *Schatzkammer der Residenz* also called the “Coronation Casket” that can be seen in the Royal Treasury in Munich dated 1540-42, does differentiate Europeans and Sri Lankans through costume, but due to the heavy stylization, one cannot draw conclusions on the female dancing figures on the lid of the casket (Novos Mondos 2007: 150). The many ivory caskets presented at the Lanka Decorative Arts 4th Conference which was held from 26-28 November, 2013 show a variety of themes, motives and even styles seen on these caskets now in Lisbon, Amsterdam, Oxford, Munich and Peradeniya and some private collections. Until such time, the provenance and the artistic tradition of the caskets and also where the ivory engravers actually worked are established, one cannot use the visual material as evidence in this research. Here we may discover some of the earliest evidence for the stitched upper garments and the style of wearing a shawl covering the back and shoulders, which is also seen in the female dancing figures of the ivory combs of the 17th to 19th century.

Bandaranayake comments on the styles of this 16-17th century fragments of paintings leading to the analysis of the ivory carvings: “More detailed analysis and argument than have so far been offered is necessary to substantiate these views, but the general drift of their proposals (referring to Maranzi and Deraniyagala) concerning the stylistic developments of the pre-1750 period is significant (Bandaranayake 1986:111). Temples built after the Revival Movement by the Kandyan king Kirthi Sri Rajasimha (1747- 1782) reveal a rich collection of visual evidence to reconstruct the evolution of the female costume.

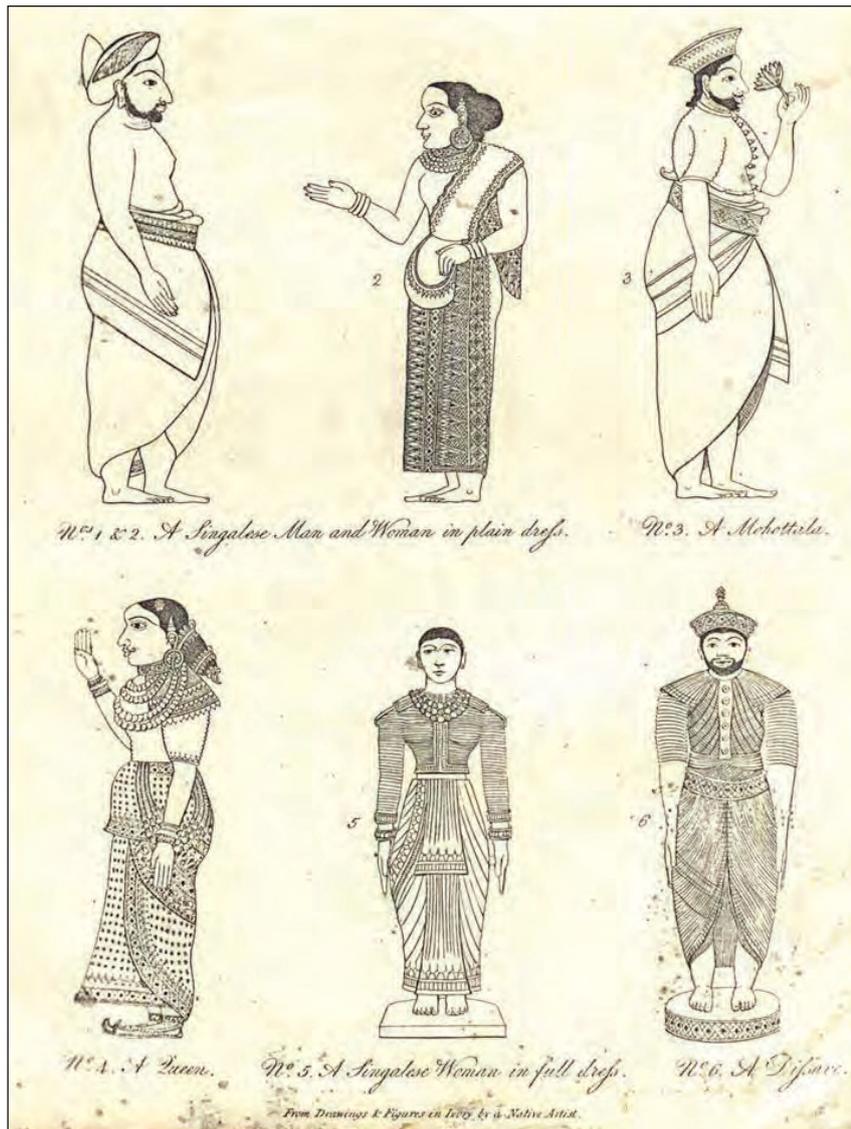
When one observes the temple murals of Mādawala Viharaya in the Kandyan region from about 1755, one notices that females of “higher social status” did not wear an upper garment when in private spaces (see image 46) It is only in public spaces that they are seen wearing an upper garment. In a scene from the *Uraga Jatakaya*, the servant does not wear an upper garment at all, both in private and public spaces (see image 47). In this same temple, one observes that both men and women did wear the same upper garment - a “*sāttaya*” with the frill called “*manthaya*” (see images 48 and 49), which can also be noticed in other temples of the Kandy region such as Suriyagoda, Gangaramaya, Degaldoruwa and Dambulla from the Kandyan Region” (see image 50). This “*manthaya*” of soft white cloth was detachable and can be seen as an accessory to the male upper garment, according to evidence in the Kandy museum.

These images match Davy’s description cited above: “The material of the women’s dress is similar to that of the man, to which he refers as “a long cloth of two breaths” [...] “they leave the head uncovered, and wear a long cloth of a single breath called the *hala* wrapped round their loins

16 Art historians such as D. B. Dhanapala (1957), Nandadeva Wijesekara (1959 and 1962) Siri Gunasingha (1980), Senake Bandaranayake (1986), Marie Gatellier (1991), Gamini Jayasinghe (2003, 2006, 2011) as well as Archeological Survey Series by Chutiwongs, Prematilleke and Silva (1990) have contributed to the understanding of temple murals of Sri Lanka. L. T. P. Manjusri (1977) in his “Design Elements from Sri Lankan Temple Paintings” has done some ground work into viewing costumes and accessories of males and females in mural paintings. The analysis of murals in the Southern Region by Ven. Unuwaturabubule Mahinda (2007) discusses costume as a cultural product of the colonial period, for the first time.

46. Uraga Jatakaya, Madawela Viharaya - mid 18th Century47. Uraga Jatakaya Madawela Viharaya - mid 18th Century48. Mother of King Vessantara, Madawela Viharaya - mid 18th Century49. Patron of Medawela Viharaya - mid 18th Century50. From Gangaramaya, Kandy - mid 18th Century

and thrown over the left shoulder. [...] The women when fully dressed wear a jacket with a kind of ruff hanging from the neck over the shoulder” (Davy 1821 p. 114). What Davy meant by “fully dressed” may be interpreted as wearing an upper and a lower garment. The jacket with the ruff may have been reserved for women of higher class. Davy presents sketches of male and female upper class dresses in Kandy in adjacent page (see image 51). Jackets seem to be worn here according to the rank as dictated by the Kandyan court. Even as late as 1821 no *ohoriya* or *sari* is mentioned in any text from the Kandyan Region.



51. Davies Sketches

Hala, the name used by Davy, denotes the *selaya* or *helaya*, a white muslin-like soft cloth worn by men and women to cover the lower part of the body. It is also often mentioned in Sinhala folk poetry. We may also note that, both men and women of higher *radala* status did wear the same upper and lower costume. It was the men who had loose hair, whereas the women tied their hair in a loose knot or a *kondaya*. Also wearing a hat was a privilege of the males, whereas women may have covered their heads depending on climatic conditions.

The setting of about a half a century later seen in the murals of the early British colonial period from about mid 19th century from the low country or *pahata-rata* is interesting. The murals of the maritime regions of Kathaluwa, Mulkirigala, Kotte and Kelaniya show that the women covered their head and shoulders with an uncut piece of cloth while the men wore an upper garment with a collar and sleeves. Only in a few isolated scenes in the Purvaramaya in Kathauwa and Ranvälla Temple in Ginivälla close to Galle from the mid 19th century show women wearing the white jacket with long sleeves called the *Kabaakuruttuwa*¹⁷.

17 For details please refer my article "Covering the Female Body: Transition seen in Buddhist murals from 18th to 20th century" published in the website of the National Heritage Trust. The text was read at the monthly lecture no. 38 on the 29th March 2012 at the HNB Auditorium Colombo 10, Sri Lanka and published in. "Thuppahi's Blog". Thuppahi.wordpress.com/2013/08/22/covering-the-female-body-transition-seen-in-buddhist-murals-from-the-18th-to-20th-centuries/ Accessed: 24th November 2013 at 1.30 hrs.

Nira Wickramasinghe in her study “Dressing the Colonized Body” comments:

“The Movements, which invented a national dress for men, looked back to the past to suggest a suitable dress for the women. Little was known about the clothes worn in pre-colonial times. It is generally known that in medieval times women’s dress was a cloth wrapped around the hip leaving the body bare from waist upwards. By the fourteenth and fifteenth centuries an upper garment was worn, when going out” (Wickramasinghe 2003: 15).

Šimon provides visual evidence to demonstrate that the ‘older fashion’ Wickramasinghe refers to was maintained as late as even the 1920s in the Up Country.

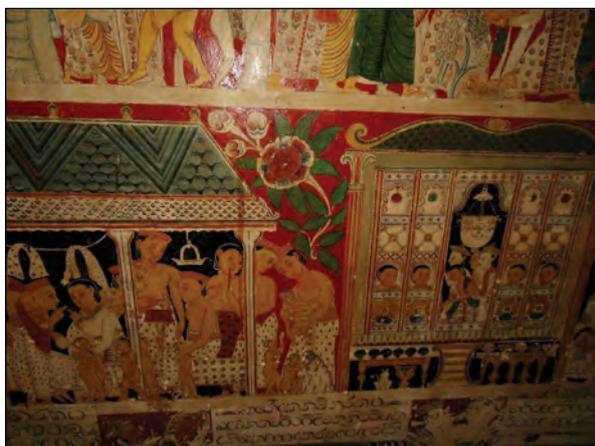
Wickramasinghe continues:

“The costume of the Sinhalese women before the arrival of the Portuguese was abandoned in the low country as a result of the widespread adoption of Christianity and the free social intercourse that existed between the Portuguese and the Sinhalese of the upper classes. The great majority of women on the coastal belt took to the Portuguese long sleeve jacket rounded at the back and in front with a V neck line. This style of the jacket was called the *kabakurutuwa* and was worn by women of the *Karava* caste (an intermediary caste traditionally associated with fishing). Areas where there was most contact between natives and newcomers from Europe were in the harbors and military centers” (ibid. 15).

She however does not elaborate what the “costume of the Sinhalese women before the arrival of the Portuguese” could be. From the visual evidence provided earlier, we may assume that women did not wear any upper garment in order to appear “modest” for the prudish male gaze. They had a choice of draping a second piece of cloth to cover the back and shoulders.

We may now ask, what is the status of the white upper garment or jacket in the context of southern coastal costume of the mid 19th century? In Kathaluwa and Ranvālla, two temples close to the Galle harbour, where trade activity at the time was centered, they denote a lower social status.

In the Kathaluwa Temple we see three narratives where the woman is wearing a white Jacket. The first is in the scene where a woman is seated talking to her husband in a bed room (see image 52). Later when she is serving the *dana* to Buddhist monks she is dressed only in a lower garment and shawl (see images 53 and 54). The second figure from another narrative in Kathaluwa wearing the white upper garment is a woman who seems to be measuring the height of the wife of the merchant *Mahadhana Sitano*, or the Merchant of Great Wealth (see image 55). None of the females of higher birth are wearing European clothing or the white upper garment in the narrative



52. Scene leading to the Dana. Kathaluwa - early 19th Century



53. Serving Dana, Kathaluwa - early 19th Century

of *Mahadhana Sitano* who lives in utmost luxury and comfort (Bandaranayake 1986: 213). The third figure is Patacara known from the narrative of the 14th century “*Saddharma Ratnavaliya*” (Bandaranayake 1986: 208 and 209). In the first scene, she is seen on the left hand side residing with her rich parents in the palace, very much dressed in the standard cloth and shawl (see image 56). The male servant she falls in love with is seen far left, dressed only in a loin cloth. When Patacara elopes with her lover, she wears the white jacket and a simple white cloth (see image 57). The narrator describes how she appeared at the rendezvous: “On the second day the daughter of the merchant, just as she had unclean ambitions, dressed in unclean cloths found somewhere, loosening her hair, having smeared dust on her body, left the night carrying a goblet, giving the impression that she was a servant girl going to fetch water”. (Gnanawimala 1961: 633, translated by the author). The artist at Kathaluwa denotes her appropriated lower status by dressing her in the cloth and white jacket. Her loose hair and the pot used to carry water denote her assumed lower status to be unnoticed in the elopement. The servant boy, her lover, wears a more vibrant lower garment, a shawl and a comb on the head.



54. Serving dana, detail.
Kathaluwa - early 19th Century



55. Detail, Mahadhana Sitano, Kathaluwa
- early 19th Century



56. Patacara Narrative, Kathaluwa - early 19th
Century

When Patacara finally enters the forest with her husband, she covers her head with the shawl, which she retains in the next four scenes. Many tragedies befall her: She loses her husband who is bitten by a snake. The two children born in the jungle are lost when trying to cross the river. In these scenes of elopement she retains her white jacket (see image 58 and 59). Finally when, she returns home to her parents she is informed that the members of her family have died when the palace collapsed due to heavy rain. Patacara’s distraught state of mind is shown by the loose hair and her nudity. The palace which fell down during the torrential rain too is shown next to the burning pyre (See image 60).

The way Patacara gradually comes to her senses when she meets the Buddha is seen in the scene at the right of the pavilion, where the Buddha is preaching (see image 61). We first see her standing with loose hair totally naked. When she becomes aware of her nudity, she sits down hugging her knees. A man hands her the lower garment, which she puts on as she gets up. Then her hair is tied in a knot, an iconographic marker that she has regained her sense of perception. It is once again remarkable that when listening to the Buddha she does not wear an upper garment (see image 62). Nevertheless, she is dressed in the white jacket when she leaves the Buddha’s pavilion having attained the first stage of sainthood after her decision to be ordained as a nun. She carries the begging bowl and robes on her head, wearing this white upper garment (see image 63). Strangely, she wears the white jacket after the encounter with the Buddha, and she did not cover her breasts when she was listening to the sermon.



57. Patacara elopes with the servant - early 19th Century



58. Patacara's encounters in the jungle - early 19th Century



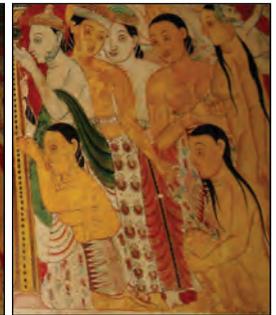
59. Patacara loses her two children - early 19th Century



60. Patacara is informed about the death of her parents - early 19th Century



61. Patacara meets the Buddha - early 19th Century



62. Patacara receives a lower garment - early 19th Century

Summing up, Patacara, when she leaves the palace of her parents with the manservant of the family, changes her dress to a white upper garment and cloth. Only a lower garment is given to her when she comes to her senses on visiting the Buddha. When she leaves the space where the Buddha was preaching, she is seen once more in the same white jacket, carrying her alms bowl on her head, thereby re-claiming her former 'lower' social status. This would lead to a further hypothesis, that wearing the white jacket in mid 19th century in the maritime region did have a class identity in a diametrically opposite manner: The women wearing the white jacket denote a 'servant' status and draping a shawl shows the status quo of women of higher birth making the shawl-dressed-female the 'mistresses'.

The only figure wearing this upper garment in the Ginivälla Temple in the vicinity of Kathaluwa, is a servant carrying messages from the *Ummaga jatakaya*. In this image, she carries a secret letter to Udumbara Devi with the caption: "*Udumbara rahaspata yäwu bava*". This white garment is not a fantasy of the artist, but is recorded in the earliest photographs. (see images 64 and 65).

Photographs of the late 19th century show that women in public spaces wear a white jacket. Areas where there was most contact between the natives and the newcomers from Europe were the harbours and military centres (Wickramasinghe 15: 2003). The photographs of the cleaning yards of plumbago graphite, cinnamon and coconut show that the long sleeved white jacket has become almost a uniform for women working for the entrepreneurs of the southern coast (see image 66). It is known that cinnamon peeling was done exclusively by members of the *Salagama* caste: As such, the assumption that the white jacket was "only worn by women of the *Karava* caste" cannot be applied to all women of the "Low Country". Also "Wayside Photographs" show women selling vegetables and fruit wearing the same ill-fitting white jackets. In them, the sleeves are short and the neck line is seldom V shaped.



63. Patacara leaves the Buddha and later as an ordained Bhukkuni - early 19th Century



64. Undumbara Devi's narration. Ginivalla temple - early 19th Century



65. Detail from the Udumbara Devi's narration - early 19th Century

“The great majority of the women in the coastal belt took to Portuguese long sleeved jacket rounded at the back and in front with a V neck line. This style of jacket was called *kabakurutththuwa* and was only worn by women in the Karava caste (an intermediary caste traditionally associated with fishing)” (ibid.). In the wake of the photographic evidence, Nira Wickramasinghe’s argument may have to be revisited, because, according to her, all women wearing a “V shaped” white jacket belong to the *Karava* caste. If we link the evidence from the two temples in Kathaluwa and Ginivalla, then the women of the upper classes did not wear an upper garment, but wore a shawl over the head and shoulders. They seem to have not followed the fashion of covering their breasts preached by the missionaries. This leads again to the assumption that women in Ceylon in the pre-colonial period did not wear stitched upper garments. At Kathaluwa both Patacara and the “mother” in the narration painted below, seem to take off the stitched upper garment, as a mark of respect, when worshipping clergy.

From the evidence I gathered from these temple murals, I built a working hypothesis, that these female figures, Patacara and the “mother”, are shown in a manner demonstrating respect to the Buddhist monks. This may have been the individual choice of the artists working in both temples. The white jacket with long sleeves, at this time of colonization, may have been a marker of the new fashion for females, denoting foreign and ‘alien’ influence. It may have been regarded as unfit or disrespectful to be seen in the spaces of Buddhist rituals. Today in a similar line of argument which refuses ‘western influence’, mothers are forbidden to wear skirts or pants when entering government schools, even if the skirt or pants may be worn ankle length¹⁸; instead, they must wear a saree.

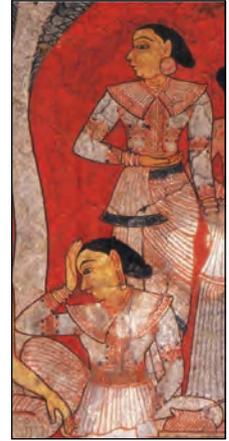
In contrast, in the hill country, the stitched upper garment seems to have been a sign of distinction, showing the *Radala* status of higher birth. Once again, we must keep in mind that the Kandyan murals of the 18th century can be read as representing the ‘up country’ fashions and southern maritime temple murals of the 19th century can be read as representative of ‘low country’ fashions. The ‘up country’ female costume is represented by a stitched jacket *sattaya* with a European ruff, or the *manthaya* for upper class *radala* women. This may be a product of the Portuguese imported to the hill capital by Sinhala *Radala* who were educated by missionaries. Dayananda Goonawardana states that the Kandyan Costume was very much influenced by Portuguese-Dutch fashions¹⁹. The *Moja* jacket worn by King Kirti Sri Rajasinha has a frill was

18 See paper “Is modesty in dress also a white man’s burden?” presented at the International Conference of Asian Studies. 26/27th July 2012 in Negambo, Sri Lanka. Publication in process.

19 In his foot notes to the script of the play “*Madhura Javanika*”, Dayananda Goonawardana makes the above statement based on information supplied in “*Vihara Vitti*” by Gunnapana Vajira. Gunasena 1962



66. Plumbego yard

67. Kirthi Sri Rajasimha,
Dambulla RMV68. Kandyan
mathayaRMV

known as the *Juan hättaya* (see image 67). This can be observed in the many statues and portraits of the king, including the very well known statue in the Dambulla cave known as “Vihara no. 3” from the mid 19th century (Bandaranayake 1986: 159)

The fashion for the new Senkadagala Kingdom may have been created by princesses such as Dona Catherina (1581- 1613) who had been baptised by Catholic missionaries and instructed by a local lady Catherine de Abrew in Mannar. The first king of Kandy, Vimaladharmasuriya I, (former Don Juan Konappu Bandara) who was her uncle, forces Dona Catherina to marry him and she is given the name Kusumasana Devi when they became the first rulers of Kandy after 1594. Paul E. Pieris in *Ceylon: The Portuguese Era* (1913) comments: “As the consequence of his early training Wimala Dharma was largely Portuguese in his sympathies and his queen was especially so. She and her children wore Portuguese costume to receive honoured guests. European meals were served at their tables which were set with Spanish chairs. Portuguese names were fashionable among courtiers, and in moments of excitement Portuguese came more familiarly to the mouth of the king than his mother tongue” (Pieris 1913 Vol 1 : 365). Pieris further comments “a baju or jacket made in the Portuguese fashion was also adopted by the time of king Rajasinha II” (Pieris 1913 Vol II p. 107). Wimalaratne and Gomes (2001) provide further evidence that the jacket worn by later Kandyan Kings got the name *Juan hättaya* because it was introduced by Don Juan Konappu Bandara, who was to become the first king of Kandy. Correspondence with foreign diplomats shows that the *lingua franca* of the first Kandyan rulers was Portuguese.

It seems that the fashion of wearing a jacket with a ruff made of soft muslin was followed by both males and females. Many paintings of the Baroque era show the ruff of soft white fabric which was a mark of prestige in Europe in the 16th and 17th century. In the family portrait of Sir Thomas Luca and Lady Spencer by the English painter Cornelius Johnson (1593-1661), one can clearly see that all members of the family wear the ruff. This may show the original European version of the Sinhala *mantaya*. Similar ruffs can be seen in 16th and 17th century Flemish paintings too (see image 68).

As mentioned earlier, the white jacket can be traced back to earliest 18th century temples in the Kandyan Region, or up country. Let us now pick up another strand from the Jaffna district, which may throw some light on how in later colonial times, fashions may have changed. The traces are seen from about the mid 19th century, which gives a clue to the hypothesis that the white jacket may have been introduced first to the women coming in contact with the British. Later, perhaps, it was worn by women of other castes too. I quote Malathi de Alwis, who cites Harriet Winslow, the wife of one of the first missionaries representing the American Board of Foreign Missions writing in 1824:

Soon after we came to Ooduvil, two little girls were often seen about the house [...] If we spoke to them, they appeared alarmed and ran away. After a while, [...] they ventured to stop and listen to us, then listen to sit on the door steps a few minutes, afterwards to receive a little fruit when offered; and at length, by the promise of a jacket, when they should be able to make one, they were induced to take a needle and learn to sew (De Alwis 1997: 119).

Harriet Winslow's statement shows that the women were not forced to cover their bodies, but it was considered "decent" and "proper" to cover the upper part of the body when entering space dominated by the colonial masters, such as the church, factory or when they were employed as domestic servants by Christians. Most missionaries, military officers and travellers since Robert Knox in the 17th century comment that the majority of women did not wear an upper garment. The change in dress into the loose white jacket seems to have been imposed first on the 'lower castes' about early 19th century.

When creating the most suitable costume for the 'Arya Sinhala' women who were advised to turn away from the western dress, Anagarika Dharmapala seems to have invented a tradition of the *Oloriya* or Kandyan Sari as the most befitting for the women of the nation state now being fashioned. His mother Mallika Hewavitharana (nee Dharmagunawardhana) had been instructed to wear a sari on a pilgrimage to India in the late 19th century. Judging by the different sources, it seems that the fashion to wear the Kandyan saree, imposed on women of non-Kandyan, low country, upcoming maritime and urban families takes shape at the turn of the century, coming into full bloom in the 1920s. The invention of this tradition does not seem to lose its charm²⁰. Anagarika Dharmapala's mother, the daughter of Lansige Andiris Perera Dharmagunawardhana, a wealthy businessman from Colombo, may have worn a long skirt and blouse, which her son felt was not befitting to be worn on a trip to India (see image 69).

The stitched upper garment with puffed sleeves mimics the European leg o' mutton sleeves (see image 70) popular at the turn of the century or a long sleeved white blouse was retained as an upper garment. Today in the shortened variation they are called *boricchi atha*.

We have traced two strands of covering the upper body with a stitched jacket. Wearing a white upper garment with an embellishment of a ruff, it seems, was a fashion among the elite class of the 16th and 17th century in Baroque Europe. This embellishment may have been adopted by the upper classes during the times of the Sitawaka and Kotte kingdoms and later supplanted in Kandy by its new Sinhala rulers. The ruff was not worn as a mark of 'modesty', as Pethiyagoda et al seem to claim. It was not used to cover the breasts as imagined by contemporary writers. Ironically, the detachable ruff was worn by men as well as women both in Europe and Kandy, who could afford fine cloth such as muslin to display higher social class. The ruff is visible in murals from the times of King Kirthi Sri Rajasinha (1747-82) and his numerous statues and portraits. The evidence from Davy, a century later, shows that it was not worn by the lesser officers at court but only the king and a few chief ministers wore it. The ruff of light and soft fabric is even today called *manthaya*, a word even used today to denote the detachable accessory to the stitched upper garment *sättaya*. The etymology of the word *manthaya*, may point to a word of European origin *Mantau*, or "covering". Even today in French it means "coat". We may also note that in contemporary Iran

20 Eric Hobsbawm and Terrence O Ranger in *The invention of tradition* (1983) have pointed out the connection between "traditions" which "appear or claim to be old are often quite recent in origin and sometimes invented" and modern endeavours of building of a nation state. Cecily Morrison in her article "Invented Tradition and Imagined Communities" (2003) has showed how tradition was invented taking the example of the Scottish Dance, which was a product of Scottish nationalism. See also Himani Bannerji (1999) writing observing the clothing of Gentlewomen (*bhadramahila*) of mid 19th century Bengal



69. Lady Mallika
Dharmagunawardhana



70. Infanta Eulalia in 1890s



71. Women in market

the word *Mantau* is used to denote the long or short coat and head scarf. On the other hand, the etymology of the *sättaya* (origin of the word for the jacket or the “saree blouse”) points to a south Indian origin. As such, the upper garment worn since the mid 1950s by younger girls popularly known as the *lama sariya* is also a most hybrid costume. The *manthaya* did not have the function to cover the female breasts.

With the evidence I have presented, there is a case to argue that in the first phase of colonization viz. during Portuguese times, this ruff called *manthaya* was introduced to the upper classes to denote a class distinction. Although we have very little visual evidence from the Portuguese period, we may assume that the Portuguese may have introduced the jacket to females whom they instructed to follow western religious practices and life styles. The ivory caskets show a female upper garment worn by members of the royal family, whereas the dancing female figures follow the Indian fashion of wearing a shawl. The fashion of the jacket may have been adopted by the low country royalty of Seetawaka and Kotte who were baptized by the Portuguese in the coastal region. It seems that the upper garment with the European ruff was reserved for the higher class *Radala* in the up country, whereas other less privileged men and women by custom were not permitted to wear any type of stitched upper garment. The style of not covering the upper part of the body can be observed in the hill region till about the end of the 18th century. Šimon’s paintings show that this custom prevailed in Kandy even in the twenties. With the advent of the saree about a century and a half later, the European blouse with the leg o’ mutton sleeves, called puffed sleeves or *boricchi atha* seem to have come into vogue. This can be seen in the photographs showing Kandyan families in many collection cited here.

The upper class women at this point seem to have been dressing eclectically, mixing western blouses with innovative modes of draping the saree around it. The final product can be also seen in an advertisement by cloth importers D. D Pedris and Son in 1915 branded *Lakagana Osariya*, or the “Osariya for the Sri Lankan woman” (Wimalaratne and Gomes 2001: 85)

The second strand would be the loose white jacket that was imposed by the British on the low country coastal region in the mid 18th century on non-*Goyigama* or *Govigama* women they had employed or Christianized. Almost all photographs document the same white jacket worn by women towards the end of the 19th century. The fashion may have been taken over by women of the *Karawa* caste and followed by women of other castes and classes who joined the labor force under the British. This is evident in the photographs of women who appeared in public spaces as vendors carrying baskets on their heads or in the market (see image 71). Only such women were available to be “captured” by the colonial lens in the wayside, unlike the females of the upper

strata. It seems that they had not been gendered by the western photographers on the “wayside”. The colored *Cambay* cloth that was imported from India first and later from Malacca was worn as a lower garment with the white jacket, a feature that can be observed in many photographs. The practice of wearing a white jacket seems to be followed even up to today. The older generation still prefers to wear a white jacket and refuses to match the upper and lower garment in design or colour.

In Martin Wickramasinghe’s novels and autobiography one reads how the urbanized Sinhala women shift to wearing the “Indian Saree” in the early years of the 20th century. So according to the fashion designer Kirthi Sri Karunaratne, the *sari* is a fairly new form of dress in the Sinhalese community; a little more than a 100 years old. According to the book *Costumes of Sri Lanka* by K.D.G Wimalaratne and Dian Gomes, the Indian sari was introduced in the early 20th century to Sri Lanka by the women of Moratuwa and hence was known of as the *Moratuwa sari*. (Wimalaratne and Gomes 2001:85) All written and visual sources cited in this article point to one fact: that the saree as ‘formal dress’ was an invention of the early 20th century. Any sundry family photograph from low country would show that the older generation of women – grandmothers and grand aunts - at this time still wore the *redda* (cloth as a lower garment) and *hättaya* (as an upper garment), or the *saya* (skirt) as a lower garment. The “Funeral Photograph” of Buddhist and Catholic relations of the Perumadura de Silva Family taken in 1904 in Mutwal, which was the social hub of the upcoming Colombo at the time, show the eclectic fashions before the advent of the saree (Jayawardena 2012) . Even after the younger generation draped the body in a *saree*, the *saya* (*skirt*) was retained as an undergarment.

Most males of this generation are seen in the ‘formal dress’ of western suit and waistcoat, even if they vehemently opposed western dress for women. Playwright John de Silva is the best example. On the other hand, it seems the older generation of males at this time was uncomfortable to wear the western trousers, which they covered with an imported tweed cloth worn over the pants making them the *redda yata mahattaya*, the “western gentleman under the cloth”. Similarly young women of this time living in the burgeoning urban cities like Panadura, Moratuwa, Negombo, Chilaw, Horana or Colombo did not give up wearing the skirt, but draped the newly adopted saree over the skirt. Was this a subversive act to maintain the original dress of skirt and blouse? The two women on the left hand side of the photograph from India perhaps demonstrates the eclectic character of the saree.

As such, the Sri Lankan women of today have a variety of upper and lower garments to choose from our own costume history without having to fall into a moral trap of being forced to wear the ‘Kandyan saree’ which was the privilege for a very few women from the hill country. To what extent this style of draping the *osariya* with the *hättaya* with leg-o-mutton sleeves can display the “true Sinhala identity” is questionable. My observation today that the *osariya* too has undergone changes, mutating into a “made up saree”, an assemblage of fabrics and frills.

Most costume historians of India are of the opinion that women of upper castes did not wear a stitched upper garment, as cutting of a fabric according to Brahmanical custom makes it ‘unfit’ for wearing. Photographs taken in Jaffna and Trincomalee show that all men and women do not seem to wear a stitched upper garment when attending Hindu rituals. Answering the question, what did the Sri Lankan woman wear as an upper garment before the colonial intervention, I would conclude that from the many variations that may have been possible, we have evidence for two: One documented in photographs shows that an unstitched cloth was worn hugging the hips and thighs or draped around the hip and one end pulled up between the legs in the style of a dhoti and the free end tucked in at the back at the waist. The other loose end of the fabric was worn diagonally

across the chest, then thrown over the shoulder and wound around the waist. This requires more than 10 or 11 meters of cloth, which only women of higher strata could afford. Wearing a cloth wrapped around the waist covering only the lower part of the body too may have existed. This required less fabric and could have been the garment worn in private spaces. A second cloth may have been used to cover the upper part of the body as seen in the murals of the mid 18th century (see images 72 and 73). As a result much of the body may have been exposed in pre-colonial times. It is most unlikely that female costumes had the function of displaying ‘modesty’, which is an invention of the missionaries.

To conclude, the scope of research on gender aspects of female costume in Sri Lanka is vast. I have limited myself to available material from the colonial archive of photographs and murals from a sample of temples which were connected to each other historically. This choice was made because they are repositories of the oldest visual material in the Kandyan and maritime regions. New images keep appearing in internet sites such as “Old Ceylon” and “lankapura.com”. These virtual sites have become a perennial source of inspiration to me, and keep me questioning the arguments I have presented at national and international fora in the past two years. This is my first publication on female costumes. As such, it should be viewed as a work in progress. The conclusions presented here are naturally open to discussion. The very heterogeneous evidence from visual and textual sources I have presented here are, at times, contradictory, and prevent the articulation of a monolithic statement on female costume that represents a collective identity for an entire nation, just as one costume cannot, at any time, represent an entire nation. What is commonly labeled “*ape sanskrutiya*” or Sri Lankan culture is a rich fabric constantly evolving in time, changing its texture by the interweaving of many cultures in the past, continuously producing new designs of cultural interweavings even in the present. Drawing conclusions on costume, which is a very sensitive visual marker of culture, at the end of this essay, is purely to satisfy the wishes of fastidious editors.

The images presented here demonstrate that the Sri Lankan women of today have a variety of upper and lower garments to choose from our own costume history without having to fall into a moral trap of being forced to wear the saree, which was an innovation in the early years of the last century. In the Indian subcontinent the saree appears in about 1880. Many Sri Lankans believe that the *osariya* or the Kandyan saree truly represents the identity of the island. This research has shown that the Kandyan saree was a privilege of a very few women from the Hill Country. The majority of the women were not allowed to wear any upper garment when Kandy was ruled by Sri



72. Soreyya Sitano from Kathaluwa - early 18th Century



73. Royal Couple, Mulgirigala - early 18th Century

Lankan kings. Murals show that the privileged few wore the *selaya* and *hättaya* with the *manthaya* frill appropriated from the west.

The Kandyan saree today is a hybrid costume. To what extent this style of draping the *osariya* along with the European leg o' mutton sleeved *hättaya* can display a 'true Sinhala identity' may have to be reexamined, especially when taking the European concept of accessories such as the handbag, the umbrella and shoes into consideration. The *osariya* clad 'Arya Sinhala' woman is assumed to be only able to maintain the hallmark of Sinhalaness due to the *osariya* being draped over her skirt in a most complicated and innovative way. If one is to unwrap the *osariya*, she immediately becomes a "western woman" in a skirt – a *saya* -- and an European blouse called the *hättaya*. The length of the borrowed leg-o-mutton sleeves may vary, ending at the forearm, which is then called *boricci atha* today. This mode of dressing, as has been demonstrated in this article, is no older than a century. Today the *osariya* too has undergone changes, evolving into a "made up saree", an assemblage of stitched and unstitched pieces of fabric and frills. The reader of this article is thus free to question, if this hybrid costume *saree* or *osariya* -- which is not even as old as the Colombo Harbor -- can claim to represent a true Sinhala Buddhist identity, even if such a category can exist in the female wardrobe.

This research study shows that the saree too is an eclectic dress made up of Indian and Western elements, which is most evident in the up country saree, the *osariya*. To the question, what did the Sri Lankan woman wear as an upper garment before colonial intervention, I would conclude that we have evidence of two: One documented in photographs shows that an unstitched cloth was worn hugging hips and thighs or draped round the hip and one end pulled up between the legs in the style of the *dhoti* and the free end tucked in at the back in the waist line. The other loose end of the fabric was worn diagonally across the chest, then thrown over the shoulder and wound around the waist. Wearing a cloth wrapped around the waist covering only the lower part of the body too may have existed. This required less fabric and could have been the garment worn in private space. A second cloth may have been used to cover the upper part of the body as seen in the murals of the mid 18th century. This shawl called "*uturusaluwa*" was used to cover the shoulders and head at times. On seeing an image of a woman without an upper garment "*Lascorins - Sinhalese soldiers of Ceylon ~ 1785*" by a Dutch artist, which appeared in the Facebook site "Ancient Ceylon", a young male subscriber commented "Looks like this is kinda insult to our nation, please remove this. They were not half naked back in the days²¹".



74. East meets West

I finally cite a caricature from the periodical "East and West" from 1915 by Gaganendranath Tagore which shows "The Indian Lady dancing with an European gentlemen²²". Her 'Indian-ness' is demonstrated by what Sri Lankans would call the "Indian Saree", which she drapes over her head in a stylish manner. The shoes and the chignon style of hair knot demonstrate her eclectic approach of making a choice of costume of Asian and non-Asian elements. Does the saree make her 'modest' when dancing the Tango?(see image 74)

21 Have not edited this comment that appeared in October 2013. Such comments are very common today, which show confused notions dress in regard to representing an entire "Nation" and maybe also "Race" which is often used to denote "Ethnicity".

22 See: Gaganendranath Tagore's Realm of the Absurd by Mulk Raj Anand: <http://www.chitralekha.org/articles/gaganendranath-tagore/gaganendranath-tagore%E2%80%99s-realm-absurd>. Accessed 5th December 2013

References

- Ariyapala, M.B., 1956. *Society In Mediaeval Ceylon*. Reprint by Department of Cultural Affairs in 1968. Colombo, Ceylon Government Press.
- Arondekar, A., 2009. *On Sexuality and the Colonial Archive in India*. Durham: Duke University Press.
- Arthur, L. B., 1999. *Religion, Dress and the Body*. New York: New York Berg Publishing.
- Bandaranayake, S., 1986. *The Rock and Wall Paintings of Sri Lanka*. Colombo: Stamford Lake
- Bannerji, H., 1997. 'Attired in Virtue: The Discourse on Shame (lajja) and Clothing of the *Bhadramahila* in Colonial Bengal', in B. Ray (ed.), *From the Seams of History: Essays on Indian Women*. pp. 67- 106, New Delhi: Oxford University Press.
- Bannerji, H., 1999. Textile Prison. Discourse on Shame (lajja) in the Attire of the Gentlewoman (*Bhadramahila*) in Colonial Bengal. In: *The Canadian Journal of Sociology / Cahiers canadiens de sociologie*. Vol. 19, No. 2, *Special Issue on Moral Regulation (Spring, 1994)*, pp. 169-193. Published by: Canadian Journal of Sociology. Viewed in: <http://www.jstor.org/stable/3341343> on 2nd December 2013 at 20 hrs
- Bhandari, V., 2004. *Costume, Textiles and India. Traditions in Rajasthan*. Prakash Books.
- Cater, C., 1923. *A Sinhalese- English Dictionary*. Colombo: The Baptist Missionary Society.
- Cater, C., 1924. *A Sinhalese- English Dictionary*. Colombo: The Baptist Missionary Society
- Cater, C., 1881. *An English-Sinhalese Dictionary*. Revised Edition. Reprint 1965. Colombo: M. D. Gunasena.
- Clough, B., 1887. *A Sinhala-English Dictionary*. First published in 1830. Second New and Enlarged Edition 1887. Colombo. Reprinted by Asian Education Services.
- Clough, B., 1892. *A Sinhala-English Dictionary*. New and Enlarged Edition. Colombo: Wesleyan Missionary Press.
- Coomaraswamy, A., 1907. *Medieval Sinhalese Art*. Reprint 2011. Kohuwala: Tisara Prakasakayo.
- Crane, D., 2000. *Fashion and its social agenda: Class, Gender, and Identity in Clothing*. London: University of Chicago Press.
- Coppelstone, 1892. *Buddhism: Primitive and present in Magadha and in Ceylon*. Reprint 1984. New Delhi: Asian Educational Services.
- Davy, J., 1821. *An account of the Interior of Ceylon and its inhabitants*. London: Longman, Hurst, Rees, Orme, and Brown.
- De Alwis, M., 1995. Gender, politics and the respectable lady. In P. Jeganathan and Q. Ismail (eds.); *Unmaking the nation: The politics of identity and history in modern Sri Lanka*. Colombo: Social Scientists' Association. P 37-74.
- De Alwis, M., 1997. The production and embodiment of respectability: Gendered Demeanours in Colonial Ceylon'. In Michael Roberts (ed.) *Sri Lanka. Collective Identities Revised*. Vol 1 Colombo: Marga Institute. p. 105-143.
- De Joinville, J. E., 1801. "On the Religions and Manners of the People of Ceylon". In *Asiatic Researches*. p. 397-444. Culcutta: Asiatic Society (India).
- De Mel, N., 2001. *Women and the Nation's Narrative. Gender and Nationalism in the twentieth Century Sri Lanka*. Colombo: Social Scientist's Association.
- De Silva, L. and Wickramasinghe, R., 2009. Uprooted. English translation of *Gamperaliya*. Third edition 2011. Nawala: Sarasa.

- De Zoysa, A. P., 1967. *Dramasamaya Sinhala Shabda Koshaya*. (Sinhala Text) Vol 3. Colombo: Dharmasama Yantralaya.
- De Zoysa, A., 1996. *Blutrünstige Braminen am heiligen Strome* (German Text). Frankfurt: Peter Lang.
- Dellios, P., 2010. *Reframing the Gaze: European Orientalist art in the eyes of Turkish women artists*. In., *Philologia*; 2010, Issue 9, *Studia Universitatis Petru Maior*. Issue 9. Viewed in: http://www.upm.ro/facultati_departamente/stiinte_litere/conferinte/situl_integrare_europeana/Lucrari3/SG/58_Dellios%20-%20Reframing%20the%20Gaze.pdf Accessed on: 6th December 2013 at 12 hrs.
- Dharmapala, A., 1923. *Dharmapala Lipi* (Sinhala Text). Ed., Ananda W.P Guruge. Reprint 1963. Colombo: Government Press.
- Dissanayaka, M., 1993. *Sampradayika nalu andum päladam*. (Sinhala Text) Maharagama: Tharanji Printers.
- D'Oyly, J., 1910. *The diary of Mr. John D'Oyly*. H. W. Codrington (ed.). Colombo: Apothecaries.
- Forbes, W. J., 1986. *The Textile Manufacturers and Costumes of the People of India*. London: India Office Publisher.
- Gamlath, S., 1995. *Yashodarawata* (Sinhala text). Colombo: Sahasra Prakasakayo.
- Gamlath, S., 2009. *Sanhinda Ingrisi-Sinhala Maha Shabda Koshaya*. (Sinhala Text) Nugegoda: Sahinda Printers and Publishers.
- Gille, V., 2011. *Gauguin, Maker of Myth*. Edited by [Belinda Thomson](#). Princeton: Princeton University Press
- Gnanawimala, K., 1961. *Saddharma Ratnavaliya* (Sinhala text). Kirielle Gnanawimala (Ed.). Repr. 2011. Colombo: M. D. Gunasena.
- Goonawardana, D., 1984. *Madhura Javanika*. (Sinhala Text) Boralasgamuwa: Visidunu Prakasakayo.
- Hobsbawm, E. and Ranger, T. eds., 1983. *The Invention of Tradition*. Cambridge: Cambridge University Press.
- Ivan, V., 2008. *Paradise in tears. A journey through history and conflict*. Colombo: Sahajeewana Center of Coexistence.
- Jayasinghe, G., 2006. *Sri Lankan Buddhist Art Series -Vol. II -Post Classical Revival*. Colombo: Sarvodaya Visva Lekha Publishers.
- Jayasinghe, G., 2011. *Sri Lankan Buddhist Art Series – Vol.III – Southern Tradition*. Colombo: Sarasavi Publishers.
- Jayawardena, J., 2006. 'Cultural Construction of the "Sinhala Women" and Woman's resistance to such identities'. *Nivedini. Journal for Gender Studies*. Vol 12. No. 1 July/ August 2006. p. 82-120
- Jayawardena, K., 1986. *Feminism and nationalism in the Third World*. London. Zed Books. Colombo: Social Scientist's Association.
- Jayawardena, K., 2012. *A. P. de Ziysa. Combatative social democrat and Buddhist Reformer in the 20th century Sri Lanka*. Colombo: Social Scientist's Association.
- Knox, R., 1681. *An Historical Relation of the Island of Ceylon*. Revised, Enlarged and Brought to the verge of Publication as the Second Edition by Robert Knox. J. H. O. Paulsz. Vols I and II. Second Edition. Kohuwela: Tisara Prakasakayo.
- Kraus, M. and Ottomeyer, H., 2007. *Novos Mundos - Neue Welten* (German Text). Exhibition Catalogue. Dresden: Sandstein Verlag.
- Lal, M. and Gokhale, N., 2009. *In Search of Sita. Revisiting Mythology*. Penguin Books Limited Nioda, Anubha Printers

- Landau, P. S., 2002. Photography and Colonial Vision in *Images and empires: visibility in colonial and postcolonial Africa*, edited by Paul S. Landau and Deborah D. Kaspin. Berkeley: University of California Press, 2002, pp.1-40.
- Landau, P. S., 2008. "States of Undress: Nakedness and the Colonial Imagination" . In *Victorian Studies; Winter 2008*, Vol. 50 Issue 2, University of Southern California, Los Angeles Viewed in Indiana University Press Webb site www.jstor.org/stable/10.2307/40060320
- Lemaire, G., 2000. *Orientalismus. Das Bild des Mogenlandes in der Malerei* (German Text)" . Translated into German from the French original *L'Univers des orientalistes*". Paris: Editions Mengres.
- Malalasekara, G., 1958. *Ingrisi-Sinhala Shabda Koshaya* . Colombo: M. D. Gunasena.
- Malalasekara, G., 2007. *English-Sinhala Dictionary*. Colombo: M. D. Gunasena
- Morrison, C., 2003. "Invented Tradition and Imagined Communities". In *International Review of Scottish Studies* Vol. 28 2003. P.1-20. <http://www.irss.uoguelph.ca/article/view/174/215>
- Nyanatiloka, Ven., 1952. *Buddhistisches Worterbuch* (German text). Third edition 1983. Konstanz, Verlag Christiani.
- Obeyesekere, G., 1997. 'The vicissitudes of the Sinhala-Buddhist Identity through Time and Change in Sri Lanka'. In Michael Roberts (ed.). *Collective Identities Revisited*. Vol. 1. Colombo: Marga Institute.
- Peiris, P. E., 1913. *Ceylon in the Portuguese Era* . Paul E. Peris. Dehiwala. Reprint 1983. Kohuwela: Thisara Prakashakayo.
- Pethiyagoda, N., 2012. *Travellanka. Comprehensive monthly guide to travellers in Sri Lanka*. November 2012 p. II-III
- Quanchi, M., 2008. 'Visual histories : contrasting postcard views of early 20th century French, British and Australian colonies'. In *Photographies: New Histories, New Practices*, 10-12 July 2008, Australian National University, Canberra. Accessed in <http://eprints.qut.edu.au/21061/> on 12th December 2013
- Racinet, A., 1880. *The Complete Costume History*. Vollstaendige Kostumegeschichte. Le Costume Historique. Re print 1888
- Raheem, I. and Colin-Thome, P., 1989. *Images of British Ceylon: Nineteenth Century Photography of Sri Lanka*. Singapore: Times Editions
- Rathnapala, N., 2005. *Gira Sandeshaya* (Sinhala Text). Colombo: Rathna Prakashakayo.
- Reynolds, C.H. B., 1970. *An Anthology of Sinhalese Literature up to 1815*. Edited with an introduction by C.H.B Reynolds. London: George Allen and Unwin Ltd.
- Rhys Davis, T. W., 1959. *The Pali text Society's Pali-English Dictionary*. Edited by T. W. Rhys Davis and Willioan Stede. London: Luzac and Company.
- Roces, M., 2006. 'Gender, Nation and the Politics of Dress in Twentieth-Century Philippines'. Article first published online in *Gender and history* on 16 MAR 2006. DOI: 10.1111/j.0953-5233.2006.00385.
- Sievernich, G. and Budde, H., 1989. *Europa und der Orient. 8000-1900*. (German Text) Gereon Sievernich and Hendrik Budde (ed.). *Eine Ausstellung des 4. Festivals der Weltkulturen Horizonte '89 im Martin-Gropius-Bau*, Berlin, 28. Mai – 27. August 1989. Gütersloh/München. Bertelsmann Lexikon Verlag.
- Sirisena, P., 1918. *Dingiri Mänika* (Sinhala Text). Eleventh Reprint in 2002. Dehiwala: Thisara Mudranalaya.
- Solvyns, F. B., 1807. *The costume of hindostan*. London, J. Hayes for Edward Orme.
- Sumangala, S. K., 1956. *Sri Sumangala Sabda Koshaya*. (Sinhala Text) Velivitiye Sorata (ed.). Colombo: Anula Press.

- Suraweera, A. V., 2006. *Thisara Sandesha nava Shastiya Samskaranaya*. (Sinhala Text). Colombo: S. Godage International Publishers.
- Thilakasiri, Siri., 2008. *Sinhala Sandeshakavyaye Samaja Pasubima* (Sinhala text). Colombo: S Godage Sahodarayo.
- Udaya, K., 1997. 'Self, body and inner sense'. *Studies in History* Volume 13 (2) **SAGE** – Aug 1, 1997 p. 247-79
- UNESCO National Commission, 1970. *An anthology of Sinhalese Literature upto 1815... Ceylon*. London. George Allen and Unwin Ltd.
- Watson, F. J., 1886. *The textile manufacturers and costumes of the people of India*. London: London India
- Wickremasinghe, M., 1935. *Purāṇa Siṃhala strīṅgē āndum*. (Sinhala Text). Kohuwela: Thisara Prakashakayo
- Wickramasinghe, M., 1944. *Gamperaliya* (Sinhala text). Kohuwela: Thisara Prakashakayo.
- Wickramasinghe, M., 1961. *Upandasita* (Sinhala text). Kohuwela: Thisara Prakashakayo
- Wickramasinghe, N., 2003. *Dressing the Colonised Body. Politics, Clothing and Identity in Colonial Sri Lanka*. New Delhi: Orient Longman.
- Wimalaratne, K. D. G. and Gomes, D., 2001. *Costumes of Sri Lanka*. Seoul: Samhwa Printing.
- Wright, A. ed., 1907. *Twentieth Century Impressions of Ceylon: History, People, Commerce, Industries and resources*. London: Lloyd's Greater Britain Publishing Co.

Sexual Harassment at Sri Lankan Workplaces, and its Legal Remedy

W. Mihiri Madhushika Karunaratne

Sexual harassment is a closed-door, social evil that has not been discussed sufficiently. Although it is a common problem for all irrespective of gender, in Sri Lanka women are the most vulnerable to sexual harassment in the workplace, educational institutions and even public transportation. It affects their physical, mental and social well-being.

This paper attempts to provide a clear understanding about the related national law and its weaknesses. I have referred to several pieces of foreign legislation and judgments in an attempt to make the law more effective.

Moving away from traditional obstructive roles that limited them to the private sphere, women play a major role in the employment sector, especially in the 21st century. Equal education with men and social mobility have encouraged them to enter into the public sphere and show their abilities and skills, which cannot be considered as lesser to those of men. The feminist contribution to this cannot be disregarded.

The above factors and the global economic status quo necessitate women to provide a valuable contribution to the employment sector. Today, the male-oriented, breadwinner notion has shifted to women. As a developing country, the economic needs of Sri Lanka cannot be fulfilled by men only. Thus, empowering women is essential to advance development and reduce poverty (Srivastava, 2009).

Significantly, women also have a right to a dignified life, and thus they should have a peaceful environment to live in without fear (Ibid). “All human beings are born free and equal in dignity and rights.”¹ So, as an intellectual right of all human beings, the right to work with dignity should be ensured without discrimination on the basis of sex.

However, although the Sri Lanka labour force has seen an increasing women’s contribution since 1977 (Amarasena and Abeysinghe, 2004), the rate is still low compared to men.² Among a number of reasons for this, sexual harassment is the major one for this unfortunate situation, since it forces women to leave employment (such instances are discussed below). A large number of working women face sexual harassment in the workplace regardless of their economic, social or education position. This can happen in the organized or unorganized sector, among illiterate, low-paid workers or even among highly educated and paid executives (Muthusamy, 2009). It disturbs the mental and emotional state of the victim.³ Moreover, it has a “negative effect on productivity, for instance through absenteeism, staff turnover and low staff morale. It can also tarnish a firm’s public image and ultimately decrease its profits both through bad publicity and high litigation costs” (ILO, 2000). Eventually, it downgrades the economic development of the whole country (Fernando, 2012).

1 Universal Declaration of Human Rights, 1948, Article 1.

2 Department of Labour, *Annual Employment Survey, Sri Lanka*, 2013, 10.

3 Salary.lk, “Sexual Harassment in the Workplace,” Wageindicator.org, <<http://www.salary.lk/home/labour-law/fair-treatment/sexual-harassment>>, viewed 28 March 2014.

Hence, it seems that sexual harassment in the workplace reflects a major economic and social issue. Since there is an inseparable connection with society, the law should exert its full effort to sweep sexual harassment out of Sri Lankan workplaces.

The brutal nature of sexual harassment is clear even before discussing it. It shows the horrendous mentality of the harasser, who enjoys molesting the victim. In particular, rural women who migrate to industrial areas for economic reasons do not have sufficient experience in the public employment sector (Giri, 1959). Their cultural and religious backgrounds induce them to even commit suicide. Sure enough, although there is a higher number of female university students in Sri Lanka, the number of women employees is considerably low (Amarasena and Abeysinghe, 2004). In addition, it should be mentioned that because of sexual harassment towards women in the workplace, the social attitude to them has been downgraded.

Sexual harassment has been defined in Sri Lanka as “unwelcome sexual advances by words or action used by a person in authority, in a working place or any other place.”⁴ Thus, sexual harassment in the workplace can include⁵:

- unwelcome physical contact and advances
- words/comments of a sexual nature that make the person uncomfortable
- dirty jokes and obscene gestures
- showing pornographic material
- demanding or requesting sexual favours
- circulation of abusive personal and/or obscene email and visuals
- any other unwelcome physical, verbal or nonverbal conduct of a sexual nature

According to Shyamala Gomez, a lawyer and adviser on gender to the UN Resident Coordinator’s office, because of its subjectivity, sexual harassment is difficult to define. It is what the victim feels and not what the perpetrator intends. It is, however, at essence unwelcome, and it can be a single incident or a pattern of behaviour (Samaraweera, 2007).

Thus, an act of sexual harassment cannot only be done by men towards women, but also by women towards men. However, in this article I am mainly concerned about women victims of sexual harassment, because in Sri Lanka “while sexual harassment of men by women has been found to be the exception, sexual harassment of women by men is the norm” (Wickramasinghe and Jayatillake, 2006).

At the workplace, three forms of sexual harassments can be seen. Quid Pro Quo Harassment is one of them. “The supervisor uses or attempts to use his supervisory authority to obtain sexual favors from an employee.” (Fremling and Posner, 1999). Accordingly, the victim has to bear her/his supervisor’s sexual harassment for the sake of getting such job benefits as wage increases, promotions, training opportunities, transfers, obtaining new jobs, as well as keeping the existing employment.⁶ For example, a housing loan trapped an employee, in Sri Lanka, preventing her from exploring better prospects, keeping her tied down to the job even in the face of workplace harassment (Wickramasinghe and Jayatillake, 2006).

4 Penal Code of Sri Lanka, s. 345, Explanation 1.

5 Actnowsrilanka.org, “Sexual Harassment,” <<http://www.actnowsrilanka.org/en/vaw/sexual-harassment>>, viewed 28 March 2014.

6 Salary.lk, “Sexual Harassment Worldwide,” Wageindicator.org, <<http://www.salary.lk/home/labour-law/fair-treatment/sexual-harassment/sexual-harassment-worldwide>>, viewed 28 March 2014.

Thus, this type of harassment is also known as ‘this for that harassment,’ which can be taken as a kind of sexual blackmail (Fernando, 2012). It is recognized in United States, however, that if the plaintiff establishes a quid pro quo claim, the employer is subject to vicarious liability.⁷

The second one is hostile working environment harassment. This can be defined as verbal, nonverbal or physical conduct of a sexual nature that unreasonably interferes with an individual’s work performance, or creates an intimidating, hostile or offensive working environment (Fremling and Posner, 1999). Thus, the aforesaid quid pro quo harassment can also be taken as a type of hostile working environment (Wickramasinghe and Jayatillake, 2006). Unfulfilled threats to deny the victim’s tangible job benefits can be taken as a hostile work environment claim requiring a show of severe or pervasive conduct, although it prima-facie seems as a kind of quid pro quo harassment.⁸

“It involves the public sphere such as workplace surroundings, work transport, public spaces, etc., where harassment emanates from strangers.”(Wickramasinghe and Jayatillake, 2006). Although various factors show the ruthlessness of sexual harassment, some people try to justify this by stating that women provoke men to conduct sexual harassment by using their dress and appearance (Abrams, 1997). The argument should, however, be rejected, because women in the workplace who wear uniforms and even Muslim women in purdah are subjected to sexual harassment.⁹ Moreover, irrespective of gender, freedom should be granted to all to maintain their behaviour and dress as they wish as long as they do not violate others’ rights.

Thus, it is commonly recognized that sexual harassment, along with sex segregation and the specific job requirements of women’s work, is part of the working environment. It conditions the expectations of workers, and reinforces the gender hierarchy of men over women and of masculine power and sexual subjectivity over female service and the sexual objectification that permeates the rest of society (Wickramasinghe and Jayatillake, 2006).

The above discussion clearly demonstrates that sexual harassment towards women in the workplace brings a number of personal, social and economic disadvantages not only to the victim, but to her employer and to society at large. Thus, the law should play a major role in preventing sexual harassment to protect direct and indirect sufferers. Before discussing the weaknesses and effectiveness of the law, a clear understanding about the existing law is very important.

As already discussed, Sri Lankan law has considered sexual harassment in a broader manner, irrespective of gender and place of the offensive conduct. Fortunately, Sri Lanka is the only South Asian country that has specifically criminalized sexual harassment. There is no legislation in any other South Asian country that penalizes sexual harassment. According to Section 345 of Sri Lankan Penal Code: If the accused, by assault or using criminal force, causes sexual annoyance or harassment to the victim by using word or action, and thus commits the offence of sexual harassment, then the accused is liable for a maximum five-year simple or rigorous imprisonment or fine or both. In addition, the accused has to pay compensation to the victim. Explanation 3 in the same section includes psychological or mental trauma in the meaning of injury. Here, if the victim faced any type of sexual harassment in the workplace, she/he can have this remedy by lodging a police complaint. Moreover, a harasser can be convicted for gross indecency¹⁰ or grave sexual abuse.¹¹

7 *Meritor Savings Bank, FSB v. Vinson*, 477 U.S. 57.

8 *Burlington Industries, Inc. v. Ellerth*, (1998) 97/569.

9 Salary.lk, “Sexual Harassment Worldwide.”

10 Penal Code of Sri Lanka, s. 365A.

11 Penal Code of Sri Lanka, s. 365B.

The supreme law of the country has also recognized the right to equality as a fundamental right. Accordingly, no citizen shall be discriminated against on the basis of sex.¹² Even so, sexual harassment, by its meaning, reflects sexual discrimination. Thus, needless to say, sexual harassment is a clear violation of the victim's fundamental rights guaranteed under the Constitution.

Moreover, every citizen of Sri Lanka has the freedom to engage in any lawful occupation, profession, trade, business or enterprise.¹³ However, most working women have to bear sexual harassment just by virtue of being women. In other words, their right to lawful occupation has been restricted merely on the basis of sex. Hence, it is a clear violation of both the right to equality and the right to lawful occupation.

Both rights discussed above can be restricted only in the interest of national security, public order and the protection of public health or morality, securing the rights and freedoms of others, or of meeting the just requirements of the general existing written and unwritten law, or to protect the interest of democratic society.¹⁴ Moreover, the right to lawful occupation can be restricted for the sake of national economy¹⁵ and to the members of the armed forces for proper discharge of their duties and disciplinary maintenance.¹⁶ However, sexual harassment cannot be condoned in any of these instances. Further, although it is true that most female members of the forces are subjected to sexual harassment, their right to non-discrimination has not been restricted by the law.

Freedom from torture and cruel, inhuman and degrading treatment¹⁷ is not subject to any restrictions mentioned in Section 15 of the Constitution. Because sexual harassment badly affects the victim's physical and mental dignity, it can be taken as a kind of cruel, inhuman and degrading treatment. Accordingly, a victim of sexual harassment can seek relief by filing a fundamental rights case, if the harasser is an executive or administrative official.¹⁸

In addition, when sexual harassment is conducted as an issue of bribery, it can be penalized.¹⁹ In a new interpretation, the court in *Republic of Sri Lanka v. Abdul Rashak Kuthubdeen*²⁰ held that demanding sex could be considered as a form of gratification under the Bribery Act. In this case a supervisor in a government institution had demanded sex from a woman employee as a condition to recommend her transfer from Colombo to Kalutara.

With assistance from the International Labour Organization (ILO), the Ceylon Chamber of Commerce and the Employers' Federation of Ceylon have encouraged Sri Lankan companies to implement a 'Code of Conduct' to prevent sexual harassment. The employer should include provisions relating to sexual harassment in the organization's code of conduct, or the provisions should be displayed in English, Sinhala and Tamil if the company doesn't have a code of conduct.²¹ The employer should also be careful to hold an inquiry according to the rules of natural justice through a grievance committee comprised of at least 50% women representation.²² Furthermore, if necessary, the employer should also provide the victim with medical treatment.

12 Constitution of the Democratic Socialist Republic of Sri Lanka, s. 12(2).

13 Ibid. s. 14(1)g.

14 Ibid. s. 15(7).

15 Ibid. s. 15(5).

16 Ibid. s. 15(8).

17 Ibid. s. 11.

18 Ibid., s. 17, 126

19 Bribery Act No. 11 of 1954.

20 *Republic of Sri Lanka v. Abdul Rashak Kuthubdeen*, B839/93.

21 Salary.lk, "Sexual Harassment in the Workplace."

22 Ibid.

Moreover, according to Sri Lankan labour laws, an employee who is subjected to sexual harassment can go before the Labour Tribunal on the ground of constructive termination of her/his employment.

As a state party to the International Labour Organization and United Nations, Sri Lanka has ratified a number of international conventions that help to eliminate sexual harassment from Sri Lankan workplaces. Among these, the Discrimination (Employment and Occupation) Convention, 1958 (No. 111) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), 1979, are the most important.

Because of the recognition of the International Labour Organization's Decent Work Agenda, Sri Lanka has to eliminate all forms of discrimination²³ and strengthen the employee's material well-being and spiritual development in conditions of freedom and dignity, economic security and equal opportunity irrespective of sex.²⁴ The state should also take legislative and administrative steps to implement an effective law to combat discrimination, and educational and vocational programs should be conducted to increase public awareness regarding these issues.²⁵ The Convention also encourages taking special measures to protect vulnerable groups such as women.²⁶

Under CEDAW, too, Sri Lanka is bound to take steps to combat sexual violence in the workplace to protect the right to free choice of employment, promotion, social and job security, and all benefits and conditions of service and the right to receive vocational training and retraining.²⁷

In addition, a victim of sexual harassment can go before the Human Rights Commission if the harasser represents an executive or administrative official. Also, the Industrial Disputes Act,²⁸ Trade Unions Ordinance²⁹ and Workman's Compensation Ordinance³⁰ can also be taken to indirectly eliminate sexual harassment.

The previous section showed that there is variety of laws to combat sexual harassment in Sri Lankan workplaces. It is essential to see whether sexual harassment can be effectively swept away by using these laws, because the purpose of them cannot be actually achieved only by enacting legislation.

It is true that including a provision to the Penal Code to penalize sexual harassment is a good measure to eradicate offensive conduct. However, a criminal offence should be proved beyond a reasonable doubt. Thus, although Section 345 of the Penal Code provides room for compensation, unlike in a civil case that requires balance of probability as the standard of proof, a higher standard is needed for obtaining relief.

In addition, a victim of sexual harassment cannot obtain relief under Section 12 of the Constitution if the harasser is a person who does not hold any executive or administrative position. So, most vulnerable female tea plantation workers, domestic servants, migrant workers, etc., are not protected under the provisions of the Constitution.

The Bribery Act also covers only bribery-related issues. Although it covers some kinds of quid pro quo harassment, its support cannot be obtained for hostile working environment harassment.

23 Discrimination (Employment and Occupation) Convention, 1958 (No. 111), Article 2.

24 Ibid., Preamble.

25 Ibid., Article 3.

26 Ibid., Article 5.

27 Convention on the Elimination of All Forms of Discrimination against Women, 1979, Article 11(1)c, e, f.

28 Industrial Dispute Act No. 43 of 1950.

29 Trade Unions Ordinance No. 14 of 1935.

30 Workman's Compensation Ordinance No. 19 of 1934.

The implementation of a code of conduct is not a mandatory requirement for an organization.

Unfortunately, there are employers who do not comply with decisions of the Labour Tribunal, and the Labour Tribunal does not have any power after rendering judgment. In such a situation, the Labour Tribunal has to complain to the Magistrates Court,³¹ where, unlike in the Labour Tribunal, the victim cannot obtain the special facilities granted in the Labour Tribunal due to their low income. Furthermore, a minister's higher power in the Labour Tribunal can be disadvantageous to victims.

Although Sri Lanka has ratified the two main international conventions relating to gender equality, the implementation of their provisions is problematic, because as a dualist country special legislation should be passed to enforce those provisions. Sri Lanka has not yet adopted these conventions. Unfortunately, the CEDAW Committee has not taken a satisfactory position on the current law on sexual harassment in Sri Lankan workplaces.³²

It is clear that the existing law, which has taken only preventive measures, is not sufficient to combat sexual harassment in Sri Lankan workplaces. It seems that although the law has tackled the symptoms, it has not realized the causes of women's inequality, which are the household division of labour, violence against women and sexism (Fudge, 2012).

This situation clearly justifies the attitude of feminist legal jurisprudence towards the law: the law is male biased and has not properly taken into account women's experiences (Ibid). Thus, the law should be held responsible for the existing subordinate situation of women.

Here also, although the law has recognized the equal opportunity for employment for both men and women without discrimination, sexual harassment in the workplace discourages women from entering into employment (Wickramasinghe and Jayatillake, 2006). For instance, a woman named 'Malini' had to obtain a transfer and then leave employment, because the employer had not given sufficient weight to her complaint that she was subjected to sexual harassment by her supervisor. In a situation where the existing law cannot effectively eradicate sexual harassment in the workplace, it is useless to have an equal right to lawful occupation. It is an open truth that discrimination against women persists in the labour market, in particular the concentration of women in low-skilled and low-paid jobs and the high rate of unemployment despite the achievements of Sri Lanka in the area of education (Ibid). Thus, one has to agree with the stand of feminist legal jurisprudence that the existing law helps to continue a male-dominated society.

Moreover, the lack of cases of workplace sexual harassment indicates the reluctance of women to report this intolerable offence (Wickramasinghe and Jayatillake, 2006). It also reflects the inability of the law to understand the women's experience: The following can be taken as the reasons for this reluctance.³³

1. Lack of encouragement by the criminal justice system and law enforcement authorities for complaints on sexual harassment
2. The fear of making matters worse
3. The fear of harm to one's name and reputation
4. Considering sexual harassment as a common practice in workplaces

31 Discrimination (Employment and Occupation) Convention, 1958 (No. 111), Article 5, s. 33(2).

32 CEDAW, "Concluding Observations of the Committee on the Elimination of Discrimination Against Women," CEDAW/C/LKA/CO/7, 17 January-4 February 2011, Article 34.

33 Actnewsrilanka.org.

5. Lack of awareness about legal relief
6. The absence of sexual harassment prevention policies in the workplace
7. The common practice of blaming victim-survivors rather than the aggressor
8. Low self-esteem

“In one instance, a factory worker rejected the offer of a promotion to a supervisor, because she feared her colleagues would spread stories that she received the promotion due to favoritism/sexual favour. Interestingly, this woman also goes on to state that there was no sexual harassment at her workplace”(Wickramasinghe and Jayatillake, 2006). Not implementing the existing law properly, not having an efficient mechanism to protect victims, ignorance, a bad social attitude towards women and a lack of concern for the ideas of feminist legal jurisprudence can be taken as the main causes for this unfortunate situation.

In a situation where the current law does not give effective support to combat sexual harassment in the employment sector, the economic and social well-being of society cannot be protected. This demonstrates that the law cannot achieve its purposes. Thus, it is essential to reform it. Hence, the following recommendations may be useful.

1. Enact specific legislation to combat sexual harassment in the workplace

In many countries, such as Australia (Sex Discrimination Act), Denmark (Law number 1385 of 21 December 2005), France (Labor Code), Greece (Law 3488/2006 (O.G.A.’191), Switzerland (Federal Act on Gender Equality), etc., there are specific sexual harassment laws. By enacting separate legislation, most of the previously mentioned difficulties can be avoided. For instance, unlike under the Penal Code, a victim may receive compensation by proving the offence in balance of probabilities. Legislation may be a special ground for a victim to receive relief not limited to constructive termination of employment. Surely, this is more effective than a code of conduct enacted by an employer. Furthermore, this can be taken as recognition of the theory of deconstruction advocated by the Critical Legal Studies Movement.

The right to equality is not violated if an act has specific provisions to protect women from workplace sexual harassment, because the Constitution itself allows appropriate measures for the benefit of women.³⁴ As pointed out by feminist legal thinkers, the law should not obscure the different experience and role of women. What should be done is to provide adequate remedies for women’s situations taking into account their different situations. This further can fulfil the recommendations of the CEDAW Committee.³⁵

It should be noted, however, that although the United States Civil Rights Act³⁶ is not a law to specifically combat sexual harassment, it has greatly contributed to eliminating sexual harassment from the workplace.

2. Make the employer vicariously liable for workplace sexual harassment

As in countries having special legislation on sexual harassment, many benefits can be obtained by making the employer vicariously liable for workplace sexual harassment. Accordingly, not only the harasser, but the employer, is liable in granting relief to the victim of sexual harassment. This is an easy way to obtain medical leave and other benefits for the victim, as

34 Constitution of the Democratic Socialist Republic of Sri Lanka, s. 12(4).

35 CEDAW, Article 35.

36 United States Government, Civil Rights Act of 1964.

well as to induce the employer to take efficient and effective steps to prevent sexual harassment in the workplace, and to implement procedures in the organization's code of conduct. Thus, a special policy on sexual harassment and punishment mechanisms would automatically be enforced in all employment sectors.

3. Create a safe workplace environment

Along with specific legislation on workplace sexual harassment and the organizational code of conduct, changing the environment of the workplace is very essential to establish a peaceful and non-discriminatory workplace. Establishing a code of behaviour and practices, taking immediate steps against sexual harassment, treating complaints confidentially, etc., help to reduce women's reluctance to complain and increase their faith in the workplace.³⁷ Ultimately, this helps to improve the personality of employees, increase the outcome of the employment and develop the national economy.

4. Take measures to protect the victims of sexual harassment

It has been seen that the fear of making a situation worse has silenced many victims of sexual harassment. Thus, a proper protective mechanism for victims can decrease the fear of complaining. Establishing such a national and organizational protection mechanism helps to improve the standard of victims without restricting them.

5. Implement the existing law effectively

Improper implementation of existing law is a common problem in Sri Lanka regardless of the area of the law. However, it is useless to have even the best law if it is not implemented properly. Political influence, partiality, bribery and corruption are the main reasons for this. For instance, the function of the Labour Tribunal cannot be effective if there is ministerial influence on its powers and functions. Thus, legal, executive and administrative institutions such as the Bribery and Corruption Commission should do their duty according to the rules of natural justice.

6. Amend the provisions of the relevant enforcing acts

As already discussed, the Trade Unions Ordinance, Industrial Disputes Act, Workers' Compensation Ordinance, etc., can be used indirectly against sexual harassment in the workplace. Operative support can be obtained from these enactments if they are amended to include special provisions on sexual harassment.

7. Adopt relevant UN and ILO conventions and implement their recommendations

8. Take the *Vishakha* case³⁸ as a demonstration

In this Indian case, Vishakha, a social worker, was subjected to a brutal gang rape at her workplace. Due to not obtaining the expected relief, many social activists and non-governmental organizations helped her to file a fundamental rights petition to the Supreme Court. The court referred to fundamental duties, the international obligation of the country, the objective of the judiciary, etc., to not limit its determination only to the fundamental rights chapter.

The guidelines of the case have been discussed. However, other aspects of the *Vishakha* judgment can be made applicable to Sri Lanka:

37 Actnewsrilanka.org.

38 *Vishakha v. the State of Rajasthan*, AIR 1997 SC 3011.

- encourage public interest litigation
- include the right to life, liberty and security in the Sri Lankan Constitution
- protect judicial independence

9. Take other non-legal measures to prevent workplace sexual harassment

Law is an interdisciplinary subject with other social sciences. All lawmakers and legal professionals should be careful to continue the inseparable relationship between the law and society, because a law that is not suitable for society does not have value. To continue this inseparable relationship the law should be implemented according to the needs of society, and the new law should be properly communicated to society.

For instance, it has been observed that the reporting of sexual harassment is very low, because the law has not properly understood women's experiences. In addition, ignorance of the legal remedies has increased, because of the difficult language of legislative enactments. Even in petty cases, victims need the assistance of lawyers, and this is limited due to a number of economic and other problems.

Thus, establishing a national and organizational public awareness mechanism on sexual harassment and the relevant law and remedies is very essential, because in many instances the perpetrators do not know that they are doing anything illegal, and the victims do not know that this is a violation of their rights. Movies, short video clips, posters, leaflets, etc., can play a major role in communicating these important factors to the public at large. The 2006 protest march at the Katunayake Free Trade Zone that was conducted by women activists is a good example of how sexual harassment discourages women in doing their work (Samaraweera, 2007).

In addition, education is the other mechanism to change social attitudes and encourage important values. Providing knowledge about the law and remedies is not the only task that education can do. It can also encourage the victim to take action against the harasser, rather than feeling shamed. It could reduce the unequal power relations that prevail between men and women and thereby reduce unequal power relations in the work environment.³⁹ Ultimately, it helps to strengthen women's self-esteem and decrease sexual harassment without labelling it as a common practice at workplaces.

In order to effectively implement these recommendations, special care should be given to women's experiences. For instance, inquiry should not be conducted in a manner that degrades the victim's dignity. Implementation should be capable of removing all barriers of entering into the public sphere by women. In such a situation, it is essential to understand the restrictive experience of women, who have been limited to the private sphere for a long time.

The above recommendations point out that preventive measures are not sufficient to sweep sexual harassment out of Sri Lankan workplaces. The process should be done along with public participation.

Sexual harassment in the workplace has not been subjected to enough discussion, even globally. The ILO has not implemented a separate convention for workplace sexual harassment. However, the issue must be seen as not only a personal one, but as affecting the economy of the country.

39 Lanka Business Online, 2007, "Sri Lankan Employers Act against Increasing Sexual Harassment, <<http://www.lankabusinessonline.com/news/sri-lankan-employers-act-against-increasing-sexual-harassment/1109525225>>, viewed 28 March 2014 .

As mentioned earlier, the male-oriented breadwinner concept has shifted to women. Section 2(1) of the Maintenance Act No. 37 of 1999 implied the women's effective role in the employment sector by including the husband's right to a wife's support. Sri Lanka's current economic model encourages a role for foreign industry, especially in tourism. Therefore, the state cannot forget the protection and rights of Sri Lankan working women.

Thus, it is high time to implement laws to prevent sexual harassment in the workplace. This would be a positive influence on women entering into the public sphere.

Bibliography

- Abrams, K. 1997, *New Jurisprudence of Sexual Harassment*, Berkeley Law Scholarship Repository, 83 Cornell L. Rev. 1169, Viewed 28 March 2014 <<http://scholarship.law.berkeley.edu/cgi/viewcontent.cgi?article=2600&context=facpubs>>.
- Amarasena, G and Abeysinghe, S. 2004, *Status of Female Employment in the Private Sector: A Case Study of Sri Lanka*, HBK.
- Burlington Industries, Inc. v. Ellerth (1998) 97/569.
- Fernando, M. 2012, *Sexual Harassment in Workplace, a Serious Issue*, Sunday Observer, 10 June, An interview with Senior Lecturer of Law at the Colombo University; A. Sarveswaran, Viewed 28 March 2014 <<http://www.sundayobserver.lk/2012/06/10/fea03.asp>>.
- Fremling, G.M. and Posner, R.A. 1999, *Status Signaling and the Law, with Particular Application to Sexual Harassment*, University of Chicago Law School, John M. Olin Law & Economics Working Paper No. 69, Viewed 28 March 2014 <http://papers.USSR.com/sol3/papers.cfm?abstract_id=165177>.
- Fudge, J. 2012, *Feminist Legal Theory and Labour Law*, Viewed 28 March 2014 <http://www.labourlawresearch.net/Portals/0/Fudge_Feminist%20legal%20theory%20%20and%20labour%20law.pdf>.
- Giri, V.V. 1959, *Labour Problems in Indian Industry*, Asia Publishing House, Bombay.
- Muthusamy, E 2009, *Problems Faced by the Working Women in the Era of Globalization*, SSRN. Viewed 28 March 2014, <http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1428670>.
- Samaraweera, D. 2007, *Companies Say 'No' to Sexual Harassment*, Sunday Times, 16 December, Viewed 28 March 2014, <<http://www.sundaytimes.lk/071216/FinancialTimes/ft316.html>>.
- Srivastava, M 2009, *Women Empowerment*, SSRN. Viewed 28 March 2014, <http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1482560>.
- Wickramasinghe, M, and Jayatillake, W, 2006, *Beyond Glass Ceilings and Brick Walls – Gender at the Workplace*, International Labour Organization, viewed 25 October, 2014 <<http://www.ilo.org/public/english/region/asro/colombo/downloads/publications/beyond.pdf>>.

Acts, Ordinances and Conventions

- Actnowsrilanka.org, *Sexual Harassment*, Viewed 28 March 2014 <<http://www.actnowsrilanka.org/en/vaw/sexual-harassment>> Bribery Act No 11 of 1954.
- Civil Rights Act of 1964 (US).
- Concluding observations of the Committee on the Elimination of Discrimination Against Women, CEDAW/C/LKA/CO/7, 17 January – 4 February 2011.
- Constitution of the Democratic Socialist Republic of Sri Lanka, 1978.
- Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), 1979.
- Department of Labour, *Annual Employment Survey, Sri Lanka* 2013.
- Discrimination (Employment and Occupation) Convention, 1958 (No. 111).
- ILO 2000, *ABC of Women Workers' Rights and Gender Equality*.
- Industrial Dispute Act No 43 of 1950.
- Lanka Business Online, (2007), *Sri Lankan employers act against increasing sexual harassment*, Viewed 28 March 2014 < <http://www.lankabusinessonline.com/news/sri-lankan-employers-act-against-increasing-sexual-harassment/1109525225>>.

Meritor Savings Bank, FSB v. Vinson, 477 U.S. 57.

Maintenance Act No. 37 of 1999.

Republic of Sri Lanka v. Abdul Rashak Kuthubdeen, B839/93.

Salary.lk, Sexual Harassment in the Workplace, Wageindicator.org, Viewed 28 March 2014 <<http://www.salary.lk/home/labour-law/fair-treatment/sexual-harassment>>.

Salary.lk, Sexual Harassment Worldwide, Wageindicator.org, Viewed 28 March 2014 <<http://www.salary.lk/home/labour-law/fair-treatment/sexual-harassment/sexual-harassment-worldwide>>.

Trade Unions Ordinance No 14 of 1935.

Universal Declaration of Human Rights 1948.

Vishakha versus the State of Rajasthan AIR 1997 SC 3011.

Workman's Compensations Ordinance No. 19 of 1934.

Victorious Soldier: Portrayal of Militarised Masculinities in Sri Lankan Sinhala Pro-war Films

Anushka Kahandagama

No bastard ever won a war by dying for his country. He won it by making the other poor dumb bastard die for his country.

George S. Patton

The pioneers of a warless world are the youth that refuse military service.

Albert Einstein

Naturally, the common people don't want war ... but after all it is the leaders of a country who determine the policy, and it is always a simple matter to drag the people along, whether it is a democracy, or a fascist dictatorship, or a parliament, or a communist dictatorship. Voice or no voice, the people can always be brought to the bidding of the leaders. That is easy. All you have to do is to tell them they are being attacked, and denounce the pacifists for lack of patriotism and exposing the country to danger. It works the same in every country.

Hermann Goering

In order to facilitate the recruitment process of military forces, the state adopted the ideal of the 'heroic warrior' when referencing the ordinary soldier. The term generally used to refer to any soldier was *Rana Viru* or War Hero. The 'heroic warrior' was attributed with qualities such as 'humanitarian', 'merciful', 'goodness', 'protectiveness' and 'benevolence' in popular culture media (in cinema, advertising and in popular newspaper discourse). For the Liberation Tigers of Tamil Eelam (LTTE) masculinity on the contrary was constructed by these same media mentioned above, in opposition to the Sinhala soldier, with the characteristics of 'destructiveness', 'evil' and 'wickedness'. The polarised portrayal of the 'Sinhala hero' and the 'Tamil Villain' in pro-war films encourages the projection of the Sinhala soldier higher up in the masculine hierarchy. Connell argues that there are power relations operating not just between men and women, but among different masculinities as well (1995).

To become a 'hero', thousands of men paid with their lives or limbs. The purpose of depicting the soldier as an ideal masculine figure in the country is to justify the war to the local community and through that, to protect the then government from being convicted of war crimes. While justifying the war, post-war films depicted the process of '*Sinhalization*' in a subtle form.

This paper consists of four main sections: gendering war; militarized masculinities, Rambo and Commando Diyasena, films; shaping ideologies and Sinhala 'hero' and othering of Tamil Villain. Under the section of gendering war; militarized masculinities, it is discussed how a particular situation has been gendered in order to sustain the existing social structure and political

economies. In the next section under the topic of Rambo and Commando Diyasena, I discuss how popular military masculinities have coupled with the mythical Sinhala Buddhist masculinity type. The section on films; shaping ideologies, discusses how films influence people. In the last section, pro-war films have been analyzed according to the theories discussed.

The following sample of Sinhala films mentioned below have been selected from the most-recent decade viz. 2000 - 2011. Additionally, a few more films that do not belong to the above time period but which are strictly relevant to the theme are included in the sample. The films which do not belong to the time period of year 2000 – 2011 are selected because it is important to see the militarized masculine representation in post war era in the Sinhala cinema. Furthermore, a few films before the selected time period are also included due to their direct relevance to the theme and the influence they might have had, considering the actor and the director of the films, (*Gamani Fonseka*, Sinhala cinema *Sakvithi*¹). The films selected to study are *Prabhakaran*, *Alimankada*, *Ira HandaYata* and *Sthuthi Newatha Enna*, which were war related films screened during the period of 2000-2011. Except for the film *Saroja*, all the war related films during the particular time period were considered. *Saroja* was not taken into account as it was categorized as a children's film. *Gamani* and *Selvam* are also included in the study as post war films related to war.

Gender roles are utilized to sustain the existing socio-economic structure. According to Hagemann, “after all, the gender order is a basic structure that runs through all areas of the economy, society and politics and links the individual with the collective and the ‘personal’ with the ‘political’” (Hagemann, 2002: 04). Missionary schools established under colonial rule in Sri Lanka tried to produce gendered bodies to enhance economic productivity (De Alwis, 1997). While boys were educated and socialised for industrial work and blue colour jobs, girls were educated and socialised to support their working husbands through caring, obedience and household duties (De Alwis, 1997).

As with every social structure and formation, war is constructed upon gender patterns. The fear of being wounded or killed is common to each and every living being. Still, boys enlist in military aware of the fact that they might get injured or killed. The reasoning behind this behavior is the legitimisation of gendering practices of war. Construction of female and male gender in relation to each other has been discussed by many scholars, including Cynthia Enloe. Enloe states that, while the influence of global political economy and international systems on the everyday life of women around the world is immense, women are invisible in the international structures and global political economy (2004). She draws examples from narratives of women from all over the world from different backgrounds and in particular, from her life story. In ‘All the Men are in Militias, All the Women are Victims’ she describes the story of a man, a Serbian soldier, sentenced to death by the Bosnian-Herzegovinian government for raping and murdering women. In this study she argues how the ideals of masculine behaviour are constructed in relation to femininity; “constructing ideals of masculine behaviour in any culture cannot be accomplished without constructing ideals of femininity that are supportive and complimentary” (2004:107). Enloe proposes that simplifying the problem results in a flawed understanding of the situation. In order to overcome that, subtle analysis of gender relations and constructions are needed. She states that labeling military masculinities simply as ‘militia fighters’ and recognising women simply as ‘victims’ would not do a proper analysis. However, in a war time, cultural construction of masculinity not only categorises males as ‘soldiers’, but also women as mothers of soldiering sons, whereas Enloe sees this as “valuing women chiefly for their maternal sacrifices for the nation” (2004:107). She tries to understand the discursive power patterns operating behind the Serbian

1 King of Gods

‘rapist’ ‘soldier’ and she understands the ‘soldier’ in a different perspective by locating him in different stages of his life; “Thus it would be a mistake to file Borislav Herak’s experiences solely under ‘militia fighter’ or ‘factory worker’ or ‘Sarajevan Serb’”(2004:104). Enloe suggests that, “peacetime gender roles are mobilised for violent acts during war time, and their notions about masculinity and femininity will call for just as much serious attention as did that of the youth who pushed a cart by day and read pornographic magazines by night when life was peaceful in Sarajevo” (2004:118). Considering Borislav Herak only as a militia fighter regarding the case of rape is simplifying the situation and narrowing down his gender role to one realm. Prior to his engagement with military as a fighter, he was a factory worker who used to read pornographic magazines at night, which objectified women as usable commodities. His masculinity was constructed through many networks including, political situation of the country, economy and cultural construction.

Enloe also discusses Christopher Browning’s study about a group of working class men who were conscripted into a special police unit in World War II, who engaged in mass killings of Polish Jewish civilians (2004:110). In this particular study, Browning found that, to these policemen, killing unarmed civilians was not simply a matter of following orders from their superior officer, but also a matter of peer pressure from their own peer group which constituted their ‘social world’. In this group, it was considered a positive quality to be tough enough to kill civilians and policemen avoided ‘rupturing the bonds of comradeship that constituted their social world’ (2004:113). The film *Sulanga Enu Pinisa*, which critiques the war, illustrates how the ideas of ‘brotherhood’ within the troop were used to harm a non-military masculinity by humiliating him. According to Enloe, masculine values seem to occupy a continuum of which violence and killing could be at one reachable end. As masculinity always seeks to be separated from femininity, military has been established as an ideal entity to perform the masculine characteristics: toughness, legitimised violence and risking the body. Kimberly Hutchings explores the connection between war and masculinity and contends that there is a functional relationship between masculinity and militarism, because qualities like aggression and physical courage are defined as essential components of both masculinity and war (2008:389). As Jeganathan claims, zone of masculinity can easily become a space of violence, with the concepts of shame and fear (2000:39). The fear of being ashamed makes masculinity a possible space of violence. In order to avoid humiliation, men try to use violence and humiliate the ‘other’. Searching to regain the lost self esteem due to being humiliated, men then practice violence. Jeganathan states that the vulnerability of self in social life results in loss of self esteem and equilibrium is obtained through violence (2000:47). War sets a legitimised ground to maintain the military masculinity. Battlefield is a legitimised space for violence that allows the soldier to risk the body. By risking the body the soldier sustains the self esteem that might be challenged by the ‘enemy’. As stated earlier, zone of masculinity, which easily becomes a space of violence, has been used in gendering of war and forming soldiers. The masculine characteristics produced in daily activities have become supportive in constructing military male figures required by war. Pro-war films portray the soldier as a protector, but not as a killer though he ultimately is. The illustration of the soldier as a protector and not as a killer was legitimised through the process of gender construction in Sri Lanka. Gender construction in Sri Lanka is based upon the concepts of shame and fear. Both the genders are afraid of being humiliated and try to maintain the self-esteem without being shamed. To maintain their self-esteem, both men and women must play the gender roles as prescribed. This, in turn, maintains and legitimises the killing and violence under the label of ‘protecting the nation’.

Sri Lankan masculinities are being influenced not only by the local idioms and local changes that occurred in the island, but also by the masculinity images manifested as the ‘western

masculinities' in the media as well as in films. Globalisation has helped the influx of global masculinity 'images' into the country. This section explores the ways in which western images of masculinity and local mythical masculinity images have united to create the soldier.

As suggested by De Silva, "Typified by the blurring of identities between the depiction of Commando Diyasena as a local hero and Rambo as an American hero, the Rambo icon seemed to imbue the Sinhala soldier with a new validity"(De Silva, 2007: 222). (I like the questions more than the sentence) It is important to examine the character of Commando Diyasena and Rambo and their role in constructing the image of the Sinhala soldier. This section explores the combination of two masculinity ideals from two different eras and two different contexts in order to construct the ideal image of a Sinhala soldier.

Prince Diyasena is a mythical character, appeared in Sinhala literature in the period of the Kotte kingdom: "One of the earliest known records of Prince Diyasena comes in the Parakumba Siritha of the Kotte era" (Prematunga, 2011). Prematunga states that, "This eulogy foretells that a great King will be born in Sri Lanka after a lapse of 2500 years from the birth of Lord Buddha, to preserve the culture and Buddhism of our country" (Prematunga, 2011). When a political instability emerges, people pray to Prince Diyasena to come and rescue the culture and Buddhism in Sri Lanka. In 2008, there was a commercial to raise funds for housing projects allocated for the three armed forces in Sri Lanka². At the end of the commercial it says "There will be palaces for our prince Diyasena" (*Apaga Diyasena Kumara Wenuwen Maduru Thanewa*). In this commercial, soldiers were symbolised as prince Diyasena, who is a mythical hero, said to have arrived after 2500 years of Lord Buddha's attainment of Nirvana (Prematunga, 2011).

Rambo, in turn, is an American hero, a character that appeared in films named *First Blood*, *Rambo: First Blood Part II* and *Rambo III*.³ Rambo is a former United States Special Forces soldier served during the Vietnam War and who has come to Chicago to visit a friend.⁴ He is portrayed with well-built muscular body and heavy weaponry. According to De Silva, the heavily armed figure of the "warrior hero" (*veerasebala*), dressed in smart combat outfits, manning checkpoints and roadblocks secured by sandbags and barrels, continued to receive great adulation (2007:222). This image of heavily armed warrior hero greatly resembles the image of Rambo from the *Rambo* films.

On one hand, prince Diyasena is a mythical character who comes to rescue the country, its religion and culture. The Sinhala soldier is a symbol for him. On the other hand, the Sinhala soldier is portrayed in pro-war films and commercials with heavy modern weaponry, who largely resembles Rambo, the American hero. Connecting two masculinity idioms, which differ strongly from each other, could bring large number of male youth under one canopy of 'warrior heroes'. Pro-war films illustrate this ideal masculine figure both armed with narrative of prince Diyasena (not logical), who is the protector of Sinhala Buddhist nation, and modern 'hero' Rambo. Films which critique the war dislocate both these ideals by deconstructing the virtue of 'bravery', by locating the soldier in a wider socio-political and economic background.

"War ended physically. However, ideological wounds have not been addressed or healed. Post war films glorify the Sinhalese soldiers in the screen. The Sri Lankan government needs to glorify the victory of war in the Sinhala cinema and these films are projects of the government"⁵

2 <https://www.youtube.com/watch?v=4c0WtTCJTW8>

3 <http://onviolence.com/?e=303>

4 <http://www.imdb.com/title/tt0083944/plotsummary>

5 Director of a War film, Personal Interview, 26 August 2012

Every social formation must reproduce two important things; the productive forces including labour power and existing relations of production (Althusser, 1971:128-130). To reproduce labour power, not only the skills but also the 'ideology' is important. In contrast to Marx's concept of state apparatuses, government, army, administration, police, court and prisons, Althusser has identified ideological state apparatuses such as religion, culture, family, politics and law (Althusser, 1971). Althusser identifies some of the basic differences between repressive state apparatus and ideological state apparatus. As Althusser suggests, ruling ideology is heavily focused on the ideology of the ruling class (1971:151). In this context, films could be taken under communication as well as cultural. "To put this more scientifically, I shall say that the reproduction of labour power requires not only a reproduction of its skills, but also, at the same time, a reproduction of its submission to the rules of the established order, i.e. a reproduction of submission to the ruling ideology for the workers, and a reproduction of the ability to manipulate the ruling ideology correctly for the agents of exploitation and repression, so that they, too, will provide for the domination of the ruling class 'in words'"(Althusser, 1971: 133-134). Films also contribute to create this ideology.

Of course, many of these contrasting virtues (modesty, resignation, submissiveness on the one hand, cynicism, contempt, arrogance, confidence, self-importance, even smooth talk and cunning on the other) are also taught in the Family, in the Church, in the Army, in Good Books, in films and even in the football stadium (Althusser, 1971: 156).

Capitalist society has evolved considerably. The information and communication technologies have developed and are developing into a state beyond people's control. Media invades the schools by introducing virtual learning. Media depicts religion and has TV and radio channels solely assigned to religious purposes. Thus religion and education both relies on media. Media itself has become an ideological apparatus by mutually connecting with other ideological apparatuses prevailing in the society. Film, an audio-visual media with high entertainment value, acts as an influential ideological apparatus. Walter Benjamin discusses about photography in relation to modern life. Although he discusses photography briefly, his argument focuses primarily on the revolutionary potential of film as a mode of mechanical reproduction. Benjamin reminds us how our conception and practice of art has changed due to films (2008:315). Benjamin argues that the rhythm of an era lies on the way people see the world (2008:315), "as Benjamin noted on numerous occasions, major historical shifts in our modes of existence (from agriculture to industrial, for example) are paralleled by equally dramatic changes in the very way we see the world" (2008:315). Benjamin understands that, the films are the most compatible mode of rhythm of modern life (2008:316). Since compatible with the rhythm of modern life, films are easy to use as an ideological apparatus.

In most parts of the world films are used as a medium of propaganda. In Germany, Nazi's used films as an influential medium for party propaganda. In the book, 'The Crowd, A study of the Popular Mind' (1895) Le Bon stated that "the masses think only in pictures, Images, rather than texts, were a means of reaching large audiences" (Tegel, 2007:01). One of the greatest films of Nazi propaganda is '*Triumph des Willens*' produced by Leni Riefenstahl in 1934, which is a propaganda piece about German society fighting against international oppression and rebuilding itself to a world power under the guidance of 'their hero', Adolph Hitler (William, 2010).

Depiction of Sinhala soldiers as 'heroes' and Tamil militants as 'villains' was the standard procedure adopted by Sinhala mainstream war-related films. In the Sinhala films referred to, there are two kinds of 'militarized masculinities': the 'good-humanitarian' and 'bad-evil'. The good-humanitarian militarized masculinity is often ascribed to 'protective Sinhala hero' while bad-evil militarized masculinity is ascribed to 'destructive Tamil Tiger villain'. The use of 'evil', 'destructive' villain type of masculinity on Tamil LTTE is to make the 'Sinhala hero' the center

of interest. According to Enloe, structuring of military masculinities depends on the historical and political background from which that particular military masculinity emerges (1993:72). In Sri Lanka, a soldier is illustrated in Sinhala films as a ‘good’, benevolent’, ‘protective’ and brave while Tamil LTTE is depicted as ‘bad’, evil’ and ‘destructive’. These films separate ‘us’ from ‘them’. According to Peterson, ‘the most familiar theme in war stories involves constructing the enemy as ‘other’: to distinguish “us” from “them,” render others in some sense inferior, and thereby justify war as violence against “them” (Peterson, 2010:21). War is justified through the ‘othering’ of the enemy (or: through “othering” the enemy). Spike Peterson uses intersectional analysis⁶ to understand ‘feminisation as devalorisation’ (Peterson, 2010:17). She refrains from just presenting the oppression of women under war and militarization or reduction of class/race relation simply to gender relations, but explores “how institutionalized hierarchies are *naturalised* by feminisation and thus are effectively depoliticised” (Peterson, 2010:17). She discusses how the different utilisations of ‘feminisations’ across cultures have facilitated ‘othering’ of enemy and justified colonization and invasion or declaration of war against them. She states that, “the most familiar theme in war stories involves constructing the enemy as ‘other’: to distinguish ‘us’ from ‘them’, render others in some sense inferior, and thereby justify war’s violence against ‘them’” (21). Colonial imperialism was justified through ‘civilising the other’ and military interventions were necessary to ‘enlighten’ and ‘civilise’ primitive, unruly (feminised) ‘others’ (Peterson, 2010:21). Femininity was constructed in relation to masculinities and located in the act of colonization and European nationalism. Peterson states that the “development of European nationalism and normalisation of bourgeois respectability produced an idealised model of femininity: pure, dutiful, and maternal” (2010:22).

Romanticising the maternal feminine did less to empower women than render them perpetual dependents. Feminine virtue and morality were best ensured by confining these qualities—and (bourgeois) women—to a private sphere of domesticity and assigning men the public-sphere responsibility of defending and protecting feminized dependents (Peterson, 2010:22).

Colonisers imposed these femininity and masculinity qualities on the ‘other’ and justified the act of colonisation as an act of rescuing colonial women from colonial men; “In this war story, the barbarity of ‘other’ men was proven by their (allegedly) oppressive treatment towards women, and this demanded the rescue of victimised females by honorable, civilised men. In short, the protection of idealised femininity justified wars by white men to save brown women from brown men”(Peterson, 2010:22). ‘Othering’ of enemy has been supported by the creation of ‘femininity’. In the films that I discuss, one strategy utilised in portraying the Sinhala ‘hero’ and Tamil ‘villain’ is by illustrating the Tamils as oppressive to women.

However it is vital to study the manner in which these films have represented the Sinhala soldier as a ‘good’ person and the Tamil LTTE carder as a bad person. It is important to study the ‘othering’ of the enemy in these films and the tropes used by the film maker in order to do that. The topics below will discuss the process of ‘othering’ in detail.

Being protective towards women one of the forms of ‘othering’ is done through the portrayal of Tamil women oppressed by LTTE military masculinities and the Sinhala soldier as the savior of those oppressed Tamil women. Tamil women are portrayed in these films as oppressed by the LTTE and in need of rescuing. While the Sinhala soldier protects the ‘vulnerable’ women, members of LTTE who are oppressed through abusive acts and use the women as human bombs. For example, in the film *Prabakaran*, ‘good-humanitarian Sinhala militarized masculinity’ as well as ‘bad-evil

⁶ Intersectional Analysis is Analyzing the situation using different perspectives, in this case, author says she analysed the situation using feminist, queer, post-colonial, and critical race theories.

Tamil militarized masculinity' were depicted. The story consists of two main characters; a child soldier called '*Prabakaran*', and his sister. The LTTE trains this child to become a heartless soldier while training his sister to become a suicide bomber. Pregnant *Kamalini* (the sister) is married to a Sinhala male and carries his 'Sinhala' child. The LTTE needs *Kamalini* to become a suicide bomber and uses her pregnancy to accomplish the attack. The LTTE threatens *Kamalini* by saying that her brother will be killed if she refuses to execute the attack. The sole intention of the LTTE is to use *Kamalini's* pregnant body to fulfill their objective. Sinhala men, including soldiers, treat *Kamalini* in a well-mannered way, with respect and affection. In one of the scenes, pregnant *Kamalini* walks on the street with a massive pain, due to her condition. An Army jeep stops by and gives her a ride. This scene portrays a protective Sinhala soldier sensitive and nurturing towards the pregnant woman, regardless of the fact that she is Tamil. On the contrary, the LTTE carders treat *Kamalini's* wish to give birth to the child she carries; as betraying the '*Eelam*'⁷ cause.

On 25 April 2006, a female suicide bomber hid a bomb under her maternity clothing. "A Tamil woman who had obtained a pass to attend maternity clinics at the army hospital within the army head quarters had come in with the bomb belt concealed under her maternity clothing" (Chandrapema, 2012:303). It was later revealed that the woman was actually pregnant (Lanka Library Forum).⁸ The film *Prabakaran* has made an effort to recreate the story of the pregnant suicide bomber. The story tells that the pregnant body of the woman was used by the LTTE as a tool for the purpose of killing. It portrays the LTTE as destructive and as an inhumane terrorist organisation that valourised 'death' over 'birth'.

At the end of the film, before her delivery, *Kamalini's* brother '*Prabakaran*' dies from a motor attack by LTTE when he tries to escape from LTTE captivity. *Kamalini* comes to know of her brother's death and she walks on the road alone and sits on a culvert. Then the LTTE attempts to kill *Kamalini*, as she is a threat to the confidentiality of the organisation. The 'evil' militarised masculinity acts as an 'exploitative force' on women, while 'good' militarised masculinity acts as a 'protective force'. In this film, both LTTE and Sinhala army perceive the pregnant woman in a manner of biological reproduction. While LTTE intends to use her body for the purpose of destruction, Sri Lankan army tries to support her considering her pregnancy. Both narratives are located in patriarchal discourse. Sri Lankan army tries to protect the 'much vulnerable' pregnant female body, while LTTE tries to use the 'vulnerable and insignificant' pregnant female body as a tool for the purpose of killing: the patriarchal structure is in action. There are two analyses. On one hand, Sinhala soldiers fight to protect the 'mother Sri Lanka' or the motherland. Maternal qualities attributed to the land are strengthening the emotional attachment to the country. Soldiers are not merely protecting a physical thing, but protecting their country, which is only second to their mother. Thus, protecting a real mother who is pregnant brings the soldier closer to his goal of protecting the 'motherland'. The portrayal of the Sinhala soldier as the protector of *Kamalini* (the mother) and LTTE as the destroyer who attempts to kill *Kamalini* (the mother), locate Sinhala soldier in the 'heroic' end of the scale and Tamil LTTE carder in the 'villain' end of the scale. On the other hand, picturing *Kamalini* as a woman continuously subjected to physical abuse by LTTE masculinities and their intent to use her pregnant body as a bomb shows the 'brutality' of LTTE while the supportive Sinhala soldiers are portrayed as 'humane'. Thus, rescuing of Tamil women who are oppressed and abused by LTTE is obligatory. In order to do that, it is Sinhala soldiers who need to fight against LTTE and defeat them. The 'othering' of the enemy is done through gendering of war; based on the construction of masculinity in relation to femininity and women as vulnerable

7 Tamil nation which LTTE wanted to establish in the northern part of Sri Lanka.

8 <http://www.lankalibrary.com/phpBB/viewtopic.php?t=2250&>

and in need of protection and men as saviors. The 'other', LTTE, fails in playing its gender role properly and thus they become 'monsters' and 'evil'. Therefore, Sinhala soldiers need to protect the oppressed Tamil women and establish their 'proper' gender roles as 'care givers', 'supporters' and most importantly 'vulnerable' and 'in need of protection'.

The film *Gamani* is directed by rear admiral Sarath Weerasekara. This film director entered the film industry with the title of 'rear admiral' and won an award at the *Derana* Film Awards for best direction. The film glorifies the war victory through the depiction of masculine characters skilled in indigenous martial arts. The audience of the film, which was released in year 2010, was mainly Sinhala people who were still celebrating the victory of war over LTTE. In the film *Gamani*, a Sinhalese girl encounterse the LTTE and the result is death; she is stabbed by the LTTE carder. In contrast to this incident, a Tamil girl encounteres the civil security officers along with her father and younger sister and they are treated with much compassion by Sinhalese civil forces. One of the village soldiers gives his rain-coat to the girl to protect her from the rain. During interviews with audience, a student stated referring to the film, "The ideal man should respect women, I do not know whether it is effeminate (*ponnakama*) or not, but he should be a refuge to others. The Ideal man should not expect anything from others; he should take care of others. It is good when a man becomes a human".⁹ The image of an ideal man constructed in the film and the image of an ideal man according to the university students are compatible. While two university students interpret an ideal man as such, one of the film makers states how the portraying of ideal man has been demanded by the audience after the end of war. "There is a vacuum in the country after the war. People are eager to know the real heroes. They need to see the stories behind the war. The film *Gamani* fulfilled that need. In this film, a man without any weapons defeats the armed LTTE enemies by his indigenous knowledge of martial arts. As one of the film directors stated, 'this is a joke' (*Meka wihiluwak*).¹⁰ As per the statement, people have seen many heroes before the end of the war who failed to attain the level of being a complete hero during the period of war. However, with the termination of the war, 'soldier' has become matured and a 'complete hero' and people need to know the stories behind these 'real heroes' who completed their task.

The film *Alimankada* is centered on a Tamil female spy and a Sinhalese army captain. They meet each other because of an order given to the captain by his higher officer. The captain takes the girl with him in a jeep. However, they soon find themselves in the middle of a battle and heavy firing. They manage to escape but they are the only two who succeed in surviving the attack. The duo runs away from the battlefield having only each other for protection. The girl says she needs to meet the director of army intelligence in order to give him information about *Prabhakaran*, the LTTE leader. She says that they do not need *Prabhakaran* as their leader and that they just need to win the land for their people. The girl clearly supports the LTTE. But she continuously says that she needs to meet the director of army intelligence. On one hand, the story of the Tamil girl seems unreliable and just a strategy to meet the director of army intelligence. Nonetheless, the young woman admits that their hyper masculine leader is not 'good enough' to lead the LTTE and the freedom fight, although she belongs to the 'other' group. The film is about their journey to Colombo to meet the director of army intelligence. They encounter many obstacles on their way to the capital, moving through army as well as LTTE controlled areas. They cross Villpaththu national park. They speak to each other but never agree on anything and act as enemies, as in the popular discourse. The girl never allows the army captain to help her in anything. Then, in one of the scenes, they come across armed deserters, who abduct the Tamil girl. The army captain then

9 Sampath, Personal Interview, 24 September 2012.

10 Director of a war Film, Personal Interview, 26th August, 2012.

goes alone to their hut and kills the deserters in order to rescue the girl. In the film, the faces of deserters were vaguely portrayed, but their tropes are clearly represented as ‘uncivilized’. Sinhalese army officer becomes the protector of the young woman, even though she is ‘Tamil’ and works for LTTE. He never attempts to take advantage of her when they are alone in the jungle. He protects her from animals as well as ‘other’ Sinhala men: the ‘other’ men are army deserters who are positioned much lower in the militarised masculine hierarchy.

There were a vast number of criminal ‘evil’ acts by Sri Lankan army officers that have been recorded by local and international monitors. In the last few months of the war, there were rapes and sexual abuses by the military. Tamil women were raped by soldiers. These have taken place in the camps of internally displaced persons in the *Vanni*, when Tamil people crossed the boundaries to government-controlled areas in the final phase of war (International Crisis Group Working to Prevent Conflict World Wide, 2011:26).¹¹ According to an old Tamil woman’s account, when they tried to flee from the war prone area, they were forced to parade naked, forced to perform acts of sexual nature and were raped in front of their family members including their grandchildren (Amnesty International, 2011:11). The depicted image of the soldier in pro-war films is different to that of the reported story.

Personating Sinhala militarised masculinities as tough in battlefield but gentle in family life makes the Sinhala soldier a complete and balanced human being; Sinhala soldiers are brave in battle field in order to protect the country, but they are loving and kind when it comes to their family. As portrayed in the pro-war films, soldiers are kind hearted and dedicated to their partners.

Representation of militarised masculinities as protective towards children is another significant trait, which is sketched through pro-war films. Sinhala Militarised masculinities have been portrayed as ‘protective’ towards each and every person regardless of their ethnicity, while giving special attention to children. According to Tickner, the soldier is a “protector; he must show courage, strength, and responsibility and repress feelings of fear, vulnerability, and compassion” (Tickner, 1992:40). However; as Enloe suggested and as quoted earlier, shaping of military masculinity idiom depends on the political historical context in which they emerge. Thus, the Sinhala militarised masculine’s behavior of being protective towards children is projected as a counter discourse of LTTE’s practice of recruiting child soldiers. Children are adored and protected by Sinhala soldiers while LTTE uses child soldiers as fighters. While the next generation of the nation is protected by Sinhala soldiers, it is destroyed by Tamil LTTE carders.

Film *Prabakaran* is a story mainly about a child soldier and his sister. The LTTE abducts *Prabakaran* when he is in school and trains him to become a soldier. The film illustrates many instances where LTTE trains child soldiers. In one scene, child soldiers march holding their guns up in the sky shouting ‘fight, fight and win the land of Elam’ (*Satan Karaw, Satan Karaw, Elam deshaya dinaganiw*). In another scene, pregnant *Kamalani* cries and asks a LTTE leader to allow her first to deliver her child and then to become a suicide bomber. He refuses her petition. There are also many scenes in which the child soldier *Prabakaran* cries and asks to leave the LTTE, saying he wants to play and go to school. There is a moment when the LTTE leader is irritated by the boy and inveighs him by pushing him away. He also cries remembering how he was abducted by LTTE while studying at school. In another scene, child soldiers set a claymore bomb by the roadside and start playing cricket displaying their lost childhood. *Prabakaran* and the other child soldiers escape from the LTTE captivity with other Sinhala soldiers who were under the LTTE captivity. Escaping army soldiers ask *Prabakaran* and the other children to stay there until they

11 <http://www.crisisgroup.org/~media/Files/asia/south-asia/sri-lanka/217%20Sri%20Lanka%20-%20Womens%20Insecurity%20in%20the%20North%20and%20East%20KO.pdf>

come with back-up forces. Before they leave, *Prabakaran* says, “Do not betray us” and the soldier answers, “I have children like you, do not worry.” The child soldiers stay and are killed by the LTTE attacks right when the Sinhala soldiers come to their rescue. Although the soldiers were unable to rescue them, they did come to protect and save the children. While the Sinhala soldiers try to rescue the child soldiers when they were still in captivity, LTTE uses children as soldiers and unborn children as bombs.

In the film *Gamani*, a Tamil family moves to a Sinhala village. After they settle in the village, one of the village security officers comes to visit the little Tamil girl with some candy. At the end of the film, when LTTE attacks the village, this Tamil family leaves the village with other villagers in an attempt to escape, but on the way, the little girl loses her doll and returns to find it. One of the village security officers sees her, but suddenly a member of the LTTE captures the girl and holds her tightly, keeping a knife at her throat and demanding the Sinhala officer to drop the gun. The Sinhala officer drops the gun and moves backwards as ordered by the LTTE member, all to protect the Tamil child. The LTTE carder shoots the officer, allowing the child to escape from his grip and to run to the officer, who lies on the floor. The little Tamil girl then repeatedly blames the LTTE in Tamil and says that, “you cruel person, you shot my brother.” Afterwards, the LTTE carder captures the girl again but another Sinhala officer shows up, shoots the man and rescues the girl.

In the film *Ira Handa Yata*, *Rakhitha* brings *Kiruba Devi*'s little daughter to Colombo for medical treatment, staying with her when she undergoes surgery and looking after her.

All these examples illustrate the protective nature of militarised masculinities towards children regardless of their ethnicity, which makes the Sinhala soldier different from Tamil LTTE.

In contrast to the LTTE, Sinhala soldiers are portrayed as humans with moral principles; Sinhala soldiers refrain from shooting people in the back. If there is a possibility of being captured by the enemy, Sinhala soldiers commit suicide. When Sinhala soldiers capture an LTTE member, they do not kill him but give him water and treat him right.¹²

Nomiyena Minisun is a film screened in the year 1994 and directed by one of the most renowned personalities in Sri Lankan Sinhala cinema: Gamini Fonseka. The film portrays an army lieutenant colonel, *Ranabahu*, who lives alone after sending his son and his Indian wife back to India, in order to protect them. The colonel refuses to go with his family, as his first priority is to protect the country. A young captain who is under the colonel's command and who is close to the colonel is captured by the LTTE in a battle. As there is no one to look after the young captain's pregnant fiancé, she is taken care of by the colonel. After some time, the colonel finds out that the young army captain is still alive and goes to rescue him, but he dies in an attack by the Indian army on the LTTE base. The young army captain returns and reunites with his fiancé and baby son. In this film, the complexity of the ethnic problem behind the civil war is veiled by the glorification of 'soldier' as a 'God' and as 'immortal'. As the name of the film signifies, the divinity is attached to the soldier as 'immortal' and it is expressed a couple of times across the film. In the beginning of the film, the background narrator says: “But when the fire of war is lit, soldiers who have limited training arrive¹³ at the battlefield to protect the people who cannot fight; soldiers die for others¹⁴ and exhale the last breath as heroes and become Gods in the afterlife.” At the end of the film, during a funeral, the *colonel's* sister says: “People who died for their country do not die; they are immortal.” In one of the scenes, a group of soldiers lead by the young captain captures an LTTE

12 http://www.island.lk/index.php?page_cat=article-details&page=article-details&code_title=8088

13 Wadithi – Normally this word is use with Gods and Buddhist monks.

14 Anun jiewath karawannata thamun divi pudathi.

carder and gives him water. LTTE member asks why they don't kill him, and the captain replies: "We are soldiers, not butchers like you." In yet another scene, one of the Sinhala soldiers who has been attacked and severely injured by LTTE, commits suicide by shooting in his head with his own gun. Before he dies he says, "Do not eat leftovers although you are hungry, lion cubs do not eat grass— (*Kusagini hadunata indul nokaw, thanakola nubudithi sinha pataw*)". The 'braveness' attached to Sinhala soldier is manifestly shown in the film. Apart from that, the main character of the film, the colonel, who is played by the actor Gamini Fonseka, is depicted as a person full of benevolent qualities. He gives his name to the newborn child as the father of the child is missing. He brings the young captain's pregnant fiancé to his home and protects her as a father, but at the same time gives his name to the child she bores. Before the young captain's departure to the battleground, he tells his fiancé that, 'we are also human as anyone else, we have feelings too.' The film shows the 'bravery' as well as the human characteristics, such as protectiveness, and the caring nature of the soldiers.

In the film *Ira Handa Yata* a soldier (*Rakhitha*) and an Army Officer (*Mahasen*) are in a battle on a dark night, in a forest raging with fire. The army officer *Mahasen* is wounded and asks *Rakhitha* to leave him and take his message of love to his wife. *Rakhitha* leaves him wounded to get help, but gets caught by LTTE carders. *Rakhitha* tells LTTE carders about *Mahasen*, in order to have him rescued. Meanwhile, *Rakhitha* meets a few Sinhala soldiers who are kept as hostages by the LTTE. Then the LTTE finds *Mahasen* and takes him to the camp. The LTTE leader of that particular camp meets *Mahasen* and says that he is a practical man and that he does not have time to waste on meetings. He says to *Mahasen*, "you are married to one of our heroes' sister, we offer you to join the organization and I promise to bring your wife to you within two weeks." However, *Mahasen* refuses this offer. When *Mahasen* leaves the room the LTTE leader shoots *Mahasen* in the back. This scene symbolises the bravery of the Sri Lankan army officers; they do not betray the nation under any circumstance. They are depicted as 'heroes' representing 'good militarised masculinity' in contrast to the Tamil militants who have been depicted as 'evil', gawky, cowardly and lacking in principles, having shot an unarmed person on the back.

Sinhalisation is the process of assimilating other ethnic communities to the Sinhala community. There are three models for ethnic integration: assimilation, melting pot and cultural pluralism. The first one is mostly practiced by the United States, which was formed as a 'nation of immigrants' (Giddens, 2001: 256). The second approach does not promote the adoption of the pre-existing cultural patterns, but the creation of new ways through the interaction with the existing communities (Giddens, 2001:256). This approach allows everyone to participate in their cultural customs regardless of their ethnic situation as minorities or majorities, viewing ethnic minorities equal to any other group in the society (Giddens, 2001:256). However, in Sri Lanka, the process of assimilation is forceful. As northern Tamils are natives of the country, it is difficult to relate to the first model of assimilation. Obstructions to integrate the nation with Tamil people, imposed by the state, led the country to civil war. The Sinhala Only Act in 1956 initiated a breach in trust between Tamil and Sinhala people. After the protest against the Sinhala Only Act in Gall Face, led by Chelvanayagam, the tension between Sinhalese and Tamils intensified (Chandraprema, 2012:31). This was the aftermath of the effort of Sinhalisation by the Sri Lankan government through the Sinhala Only Act.

It is said that language is the base of any culture. Obstructive language implications discouraged Tamils to participate in the state as equal citizens as they were compelled to use 'Sinhala' in public spaces, which implies forced ethnic assimilation and Sinhalisation. The later alteration of this law did not help to rebuild the broken trust in the Tamil mindset. In 1958, the Tamils in the Northern part of the country who were eager to find the language equity questioned in 1956, reacted to the replacing of English lettering on motor vehicle registration numbers with the Sinhala letter

‘Sri’ by replacing the Sinhala letter with the Tamil letter for ‘Sri’ (Vittachi, 1958).¹⁵ Aroused by these incidents, Sinhala mobs in Colombo defaced each and every Tamil letter they could find in the city on bill-boards, posters, etc. (Vittachi, 1958).¹⁶ The failure of the state to secure minority rights pushed the country towards a war with incidents as the 1983 black July as an attempt to massacre Tamils. Ethnicizing higher education in the year 1970 by making the number of students qualifying for university entrance from each language proportionate to the number of students sitting for the exam in each language (Thangarajah, 2003) disturbed and discouraged the integration of Tamil community to the state. It forced the assimilation of Sinhaleanness, which equals Sinhalese. ‘Sinhalese’ is a process executed for many years. This process has been accelerated after the end of the war in 2009. The place names in the North-East have been changed to Sinhala names. “Since 2006, nearly 100 village names have been changed from Tamil names to Sinhalese ones” (The Social Architects, 2012:17). Furthermore, the employment opportunities left for the Tamil youth in North and East are very little. In contrast to this, state soldiers were engaged in constructing cafés and restaurants under the presidency of Mahinda Rajapakse. These cafés and restaurants were run by soldiers. Further, under the presidency of Mahinda Rajapakse, soldiers were engaged in agriculture and various other businesses (The Social Architects, 2012:18) and the survival of Tamil people was obstructed. In addition it is expected that military families will be settled in North and East areas of the country. “In 2011, the State built 12,000 houses in Aanaivilunthan (Kilinochchi), Murukandy (Mullaitivu), Kokkavil and Palaly, Thellipalai (Jaffna) with the development assistance of China and is preparing to settle military families in these areas. The government is also building homes for Sri Lankan Navy families on 1,500 hectares of land in the Mankeni, in the Vahari area of Batticaloa district in the Eastern Province” (The Social Architects, 2012:19). These are the physical and material efforts of Sinhalese. This Process of Sinhalese has been supported and facilitated through Sinhala films such as ‘*Selvam*’ and ‘*Gamani*’.

The film *Selvam* was directed by Sanjaya Leelarathne, a famous film actor. He was a candidate for the ruling party back then (United People’s Freedom Alliance)¹⁷, defeated in the general election. The film was produced by Mohomad Mujahim. According to the ministry of Defense’s web site, ‘the film is based on the true ground witness of rehabilitation and resettlement of the Tamil people with the eradication of terrorism by our valiant forces’.¹⁸ Furthermore, according to the defense web site, one of the main roles of the film was played by a rehabilitated LTTE carder and that is an important fact about this film. The main character is a little Tamil boy called *Selvam*. He is with his grandfather, since his parents have died in the war. His school class teacher asks him to call her mother. She says that she is the mother for all the children who do not have a mother. When the boy asks the teacher who his father is, the teacher says that President Mahinda Rajapakse is his father. The boy then becomes obsessed with Mahinda Rajapakse and beseeches the teacher and his grandfather, saying that he wants to see the ‘King Mahinda’.¹⁹ The little boy chants and hammers the idea of ‘King Mahinda’ into the minds of the audience, although there are no kings, since Sri Lanka is a democratic country. Nevertheless, the president has been elevated to the status of kingship by the film. The Tamil boy accepts the Sri Lankan president as its ‘king’. It is interesting to note that the film was released in 2011 and the 18th amendment to the constitution was introduced in 2010. Presidential term limits were eliminated in the 18th amendment and the

15 <http://tamilnation.co/books/Eelam/vitachi.htm>

16 <http://tamilnation.co/books/Eelam/vitachi.htm>

17 United People’s Freedom Alliance.

18 http://www.defence.lk/new.asp?fname=20111126_01

19 Mahinda raja balanna one.

'kingship' was further legitimised. In post-war Sri Lanka, democracy has become procedural. The substantive qualities of democracy have vanished. Sri Lanka has elections, a parliament and a president. Yet, by the 18th amendment to the constitution, presidential term limits have been eliminated, constitutional council has been replaced by parliamentary council and the role of the election commission has been restricted. According to the 18th amendment, President will seek the 'observations' from parliamentary council when appointing people to higher authorities in the country. However, failure of Parliamentary council to communicate with the President on the observations allows the president to appoint posts at his/her discretion. Unlike the constitutional council, parliamentary council consists of only of members of the parliament. 'Democracy' has become just a word. People are unaware of the distortion of democracy; instead they fantasise about a 'king'. Country leads toward a 'feudal system' by legitimising kingship and practicing nepotism. The film acts as a justification of this amendment. The Film depicts that the future Tamil generations accept President Mahinda Rajapakse as their 'father' and the little Tamil boy uses the word 'King' Mahinda when referring to President Mahinda Rajapakse. As mentioned before, the film is directed by Sanjaya Leelarathne, who was a strong supporter of the ruling party and a defeated UPFA candidate. The role of the teacher, the main female character in the film, is performed by Malani Fonseka, a talented Sri Lankan actress and, a national list member to the parliament at the same time. Chief guests at the launch of the film were Gotabaya Rajapakse, who was the former Secretary of Defense and brother of Mahinda Rajapakse and Ioma Rajapakse and Gotabaya Rajapakse's wife, former chairperson of the Seva Vantiha Unit of the Defense Ministry. This and the fact that the information on the film was published in Ministry of Defense's web site, clearly indicates the close relationship this film had with the former government.²⁰ Mentioning the film as belonging to the genre of 'documentary', using a rehabilitated LTTE carder as one of the main characters and publishing information on the Defense Ministry Website are all things that function to enhance the credibility of the film for the audience. The film *Selvam* is in fact almost a caricature of the manner in which film functions as an Ideological State Apparatus in relation to the war. In *Selvam*, the glorified masculine figure is the President Mahinda Rajapakse. The president of the country is the legitimised commander-in-chief for the three military forces of the country. The paternal qualities and 'kingship' have been attached to the president through a small Tamil boy, youth of the future.

The ideological 'Sinhalisation' is also done through the mass media. As an important component of mass media, films play a vital role in the process of 'Sinhalisation'. The discussed Sinhala war related films often associate 'good' with 'Sinhalaness' and 'bad' with 'Tamilness'. The previously discussed examples suggest that, in order to become 'good', Tamils have to become 'Sinhala'. 'Sinhalisation' is therefore a process. To become 'good', salvation from Tamilness is essential. *Selvam*, projects the image of fatherhood to the 'Sinhala King' Mahinda Rajapakse.

In the film *Gamani*, there is a particular scene in which a Sinhala teacher visits the home of a Tamil family where a young Tamil girl, her little sister and her father live. The Sinhala teacher brings some clothes for them and talks with the Tamil girl. The Tamil girl starts talking to the teacher in Tamil language, but gradually changes her language to Sinhala. They have a conversation about the ethnic crisis between Sinhalese and Tamils.

Tamil Girl: Village people are very nice. They have lied to us. Sinhalese are very good. (*Me game minissu hari hondai, un apita boru kiyala thiyenne, Sinhala minissu hari hondai*)

Sinhala teacher: Sister, how did you come to know that much about Sinhalese? (*Ochchara ikmanata oyaa sinhalayaa gena ochchara godak danagaththe kohomada nangi*)

20 http://www.defence.lk/new.asp?fname=20111126_01

Tamil girl: It might take years to recognise one person but it does not take one second to understand how one ethnic group treats another ethnic group. (*eka manussayek handunaganna apita awurudu ganak yanna puluwan. Eth eka jaathiyak thawa jathiyakata salakanne kohomada kiyala andunaganna eka winadiyakwath yan naha*)

Sinhaleanness has been glorified through a Tamil girl. The film conveys the idea that how Tamils themselves have identified the ‘evilness’ and ‘wrongness’ within their own community by saying that ‘they have lied to us’ and gradually changing the language to Sinhala indicates that there is no space for Tamils in this country but that they have to change and assimilate to Sinhala in order to survive. They can exist, but they are unable to participate in or perform their culture.

“Films are influenced by the regime. After the victory of President Mahinda Rajapaksa, directors tried to create films in support of his regime”²¹. At one informal discussion with two female university students, it was stated that “the films like *Gamani* and *Selvam* are propaganda films. *Gamani* is much better than *Selvam* in the story line and other technical aspects. But the intentions of both films are the same. One may as well watch some advertisements used during the Presidential election period for President Rajapaksa than these films. The Director of *Gamani* says that this is the way he has built the civil security force, but we think this is propaganda. They just need to maintain the regime. The film *Ira Handa Yata* also comes under the same category. There could be humanistic instincts in army soldiers, but when the Army did something inhumane in films, the government did not hesitate to ban them”²². Another student stated that “artists create works in support of the Regime”²³. The film *Gamani* justifies the war against LTTE. When interviewing one of the prominent directors in the country, he revealed how they were invited to direct the film *Gamani*, “we were invited by a government authority, and asked to direct a war film for the government. There were three of us. We refused it. Then the government produced this film with an army officer. This film is not directed by this army person, but by twelve assistant directors. Government used these young assistant directors. However, the credit was given to rear admiral Sarath Weerasekara”²⁴. The film *Gamani* was released during the time when the Sri Lankan government was about to be accused of war crimes internationally. At that time, The British Broadcasting Corporation (BBC) Channel Four had released a video depicting war crimes of the Sri Lankan government (18 September 2011).²⁵ According to Prasanna Rajapakse who is one of the producers of the film, the film was a good response to the Channel Four documentary. The film made by Channel Four, ‘Sri Lanka’s killing fields’ depicts how the Sri Lankan military forces attacked the hospitals situated in northern war free zone. These war free zones were established by the Sri Lankan government. According to the film, the attacks were not executed accidentally but intentionally in several occasions. While this Channel Four film emphasized the massive attacks against Tamil unarmed civilians by the government armed forces, Sinhala film *Gamani* depicts the brutal attacks of LTTE against Sinhala unarmed civilians. According to its producer Prasanna Rajapakse, the making of *Gamani* is a reaction to the Channel four film. People who got involved in the production of the pro-war film *Gamani* have used it to shape popular ideologies regarding both the war and the regime.

Films which critique the war or alternative cinema come under the category of ‘third cinema’. Third cinema focuses its attention on political issues and competes with mainstream cinema to illustrate the different meanings behind social, economic or political issues. ‘First Cinema

21 Tharindu, Personal Interview, 23rd September 2012

22 Achini, Umali. Personal Interview, 3rd October, 2012

23 Malith, Personal Interview, 04th October 2012

24 interviewed by the author in Colombo, on 08/09/2012 stated that,

25 18th Sept 7ember 2011: <http://www.youtube.com/watch?v=Hu1u3dPf10o>

conjures images of Hollywood movies, consumption, and bourgeois values; Second Cinema refers to European art house films demonstrating aesthetic, but not always political, innovation; Third Cinema takes a different approach to filmmaking, by subverting cinematic codes, embracing revolutionary ideals and combating the passive film-watching experience of commercial cinema²⁶. In her book 'Militarising Sri Lankan Popular Culture, Memory and Narrative in the Armed Conflict', Neloufer De Mel argues that Sri Lankan films which critiqued the war such as *Ira Madiyama* and *Me Mage Sandai*, directed by Prasanna Vithanage and Asoka Handagama respectively, belong to this category. She further states that these films encourage the viewer to understand the shaping of Sri Lankan society through militarisation (De Mel, 2007:222). For example, in the film *Me Mage Sandhai*, Handagama deconstructs the romanticised village, which was centered around Buddhist values but has been changed due to the long prevailing war and newly introduced political economies. According to De Mel;

Handagama also challenged the romanticised, idyllic depiction of rural Sri Lanka as a timeless tight nexus of agricultural and Buddhist community for an understanding that decades of militarisation and globalisation had irrevocably transformed traditional patterns of life, alienated people from the land, and introduced new sexual, moral and political economies (2007:224).

The author focuses especially on the 'memories', which play a vital role in upholding, altering and contesting militarisation. Memories are preserved for the future. The production of militaristic values heavily relies on the 'memories' people have. Understanding the politics behind a memory and contesting it is important, as it is the only reference to history which will remain in the future.

This book also foregrounds the labours of memory in upholding, altering and contesting militarisation. The use of historical memories, whether of past wounds, victories, heroes or legends and the public management of memory are key elements in the processes of militarisation (De Mel, 2007:17).

De Mel claims that memories are constructed through different methods and that in the end, the official memory becomes the 'history'. Both LTTE and the Sri Lankan state preserve some memories as official for militaristic ends and erase others (De Mel, 2007:221). Encouraging official memory is facilitated by the pro-war films, while films which critique the war struggle with the 'official memory'. Sri Lanka's third cinema challenges the pro-war film and obstructs the making of 'official memory'. However, this paper discusses how mainstream cinema creates official memory through pro-war films.

Although killing is an illegal act, when it comes to soldiers, it is legal. It is pivotal to study this act of killing interpreted differently in people's minds and the manner in which the killing has been legitimized and become honorable and valiant in people's mind when it is done by the 'soldier'. As discussed earlier, the figure of the soldier is illustrated as a 'protector' while members of LTTE are illustrated as 'ultimate killers'. Demarcation of 'us' from 'them' is marked through the characteristics discussed above. Pro-war films actively participate in the process of 'othering' and most often the production of these films is done by people related to government at that time. The process of making the military a brave institution legitimized the killings and violence of the soldier and motivated men to actively engage in war. The process ends by victimising the men who go to the frontline to get killed or to kill. After as well as during the war, Sinhalisation took place in the country as a strategy of erasing 'Tamilness' and films too contributed to this process. Pro-war films were screened without banning, making them the official memory of the history and 'naturalising' the violence against 'other' by soldiers.

26 <http://thirdcinema.blueskylimit.com/thirdcinema.html>

References

- Althusser, L., 1971. *Lenin and Philosophy and other essays*. New York: Monthly Review Press
- Althusser, L., 1971. On Ideology and Ideological State Apparatuses. Notes Towards an Investigation. *Lenin and Philosophy and Other Essays*. London: New Left Books
- Amnesty International 2011. *Sri Lanka: Briefing to Committee against Torture*. London. Amnesty International Publication
- Amnesty International, 2011. *Sri Lanka: Briefing to Committee against Torture*. London: Amnesty International Publication
- Walter, B., 2008. *Work of Art in Age of Mechanical Reproduction*. Cambridge: Harvard University Press.
- Chandrapema, C. A., 2012. *Gota's War: The Crushing of Tamil Tiger Terrorism in Sri Lanka*. Colombo: Ranjan Wijeratne Foundation.
- Connell, R. W., 1995. *Masculinities*. California: University of California Press.
- De Alwis, M., 1997. The Production and Embodiment of 'Respectability': Gendered Demeanours in Colonial Ceylon" in Sri Lanka. *Collective Identities Revisited* (1). Michael Roberts, eds. Colombo: Marga Institute Press
- De Silva, J., 2007. *Globalization, Embourgeoisment, Violence: Shifting Frames of 'Hegemonic Masculinity'*
- Enloe, C., 1993. *The Morning after Sexual Politics at the End of the Cold War*. Berkley: University of California Press. Enloe, Cynthia
- Enloe, C., 2004. *The Curious Feminist: Searching for Women in a New Age of Empire*. Barkley: University of California Press
- Giddens, A., 2001. *Sociology*. 4th Ed. Oxford: Black Well Publishers
- Hagemann, K., 2002. The Military, Violence and Gender Relations in the Age of the World Wars. *Home/Front the Military, War and Gender in Twentieth-Century Germany*. K. Hagemann and S. Schüler, eds. New York. Oxford.
- Hinojosa, R., 2010. Doing Hegemony: Military, Men and Constructing a Hegemonic Masculinity. *Journal of Men's Studies* 18 (2). North Florida: Men's Studies Press
- Hutchings, K., 2008. 'Making Sense of Masculinity and War' in Men and Masculinities. *Sage Journals*. 10 (4). Pp.389-404. International Crisis Group Working to Prevent Conflict World Wide, 2011. *SRILANKA: WOMEN'S INSECURITY IN THE NORTH AND EAST : Asia Report N°217* (Online). Available at <<http://www.crisisgroup.org/~media/Files/asia/south-asia/sri-lanka/217%20Sri%20Lanka%20-%20Womens%20Insecurity%20in%20the%20North%20and%20East%20KO.pdf>> [Accessed 11 March 2013).
- Jayasundara, V. (Director) & Sannasgala, U. S. (Producer), 2005. *Sulanga Enu Pinisa*. A movie.
- Jeganathan, P., 2000. *A Space for violence: Anthropology, politics and the Location of a Sinhala practice of Masculinity in Community Gender and Violence*. P. Chatterjee and P. Jeganathan eds. New York: Columbia University Press
- Peterson, V. S., 2010. Gendered Identities, Ideologies, and Practices in the Context of War and Militarism. *Gender, War, and Militarism: Feminist Perspectives*. L. Sjoberg and S. Via .eds. California: PRAEGER
- Tegel, S., 2007. *Nazis and the Cinema*. London: Hambledon Continuum.
- The Social Architects, 2012. *Salt on Old Wounds; The Systematic Sinhalization of Sri Lanka's North East and Hill Country*

- Thangarajah, C. Y., 2003. Ethnicization of the Devolution Debate and the Militarization of Civil Society in North Eastern Sri Lanka, in Mayer. M.Rajasingham, D. Senanayake and Y. Thangarajah. eds. *Building Local Capacities for Peace*. New Delhi: Macmillan.
- Tickner J. A., 1992. Three Models of Man: Gender Perspective on Global Economic Security. *Gender in International Relations Feminist Perspectives on Achieving Global Security*. New York: Columbia University Press
- Vittachi, T., 1958. Emergency '58 – The Story of the Ceylon Race Riots. Available at <<http://tamilnation.co/books/Eelam/vitachi.htm>> [Accessed 15 May 2015]
- William, B., 2010. Hitler's use of Films in Germany leading up to and During World War II. *Student Pulse: Online Academic Student's Journal*. 2 (3). Available at <<http://www.studentpulse.com/articles/206/hitlers-use-of-film-in-germany-leading-up-to-and-during-world-war->>

Films

- Leelarathne, S. (Director) & Mujad, M. (Producer), 2011. *Selwam*. A movie.
- Mahadivulwewa, S. (Director) & Deheragoda, D. (Producer). 2005. *Sudu Kalu saha Alu*. A movie.
- Nan, 2010. Ira Handa Yata Review. *Sunday Island People and Events* [online] 2 October. Available at <http://www.island.lk/index.php?page_cat=article-details&page=article-details&code_title=8088> [Accessed 13 April 2015]
- Peiris, T. (Director), De Silva, O. and Thanthirige, S. (Producers) 2008. *Prabhakaran*. A movie.
- Prematunga, S., 2011. Myth of Prince Diyasena From yetis to unicorns, man's enthusiasm for myths is undying. *Sunday Observer*. [online] 24 February 2008. Available at <<http://www.sundayobserver.lk/2008/02/24/imp02.asp>> [Accessed 28 May 2015]
- Rathnayake, B. (Director) Hewamanna, S. (Producer) 2010. *Ira Handa Yata*. A movie.
- Thiththawelgala, S. (Director) & Madugalla, M. (Producer) 2010. *Sthuti Nawatha Enna*. A movie.
- Vithanage, P. (Director) & Damayanthi, F. (Producer) 2001. *Purahanda Kaluwara*. A movie.
- Vithanage, P. (Director) & Edirisinghe, S. (Producer) 2005. *Ira Madiyama*. A movie.
- Weerasekara, S. (Director) & Rajapakse, U. (Producer) 2011. *Gamani*. A movie.

Pushed out and Pulled in: Sri Lankan Women Arts Graduates' Employment in the Public Sector¹

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The Sri Lankan public sector is known to have an over-concentration of women with arts graduates also known to have higher rates of employment in this same sector. With wages in the public sector relatively low compared to the private sector, this over-concentration of women in the sector has become a leading factor in gender inequality and the wage gap in Sri Lanka. In addition, the highest levels of unemployment in Sri Lanka are recorded among women with university degrees (Sri Lanka Labor Force Survey, 2011), with most women degree holders known to be arts graduates (University Grants Commission, 2012). The combined effect of these demographics makes women arts graduates in Sri Lanka one of the most vulnerable groups among Sri Lankan graduates. Problematizing the gap between genders in university education and employment patterns, this paper explores labour market trends specific to women arts graduates in Sri Lanka. Specifically, this paper is centred on understanding the nature of employment restrictions for Sri Lankan women arts graduates by examining the factors that lead to women's under-employment in the private sector relative to the public sector.

Indices and measurements created to measure a country's development imply that a minimal gender gap in society is desirable for development. The gender gap for many aspects in Sri Lanka is not as large when compared to most developing nations (ADB, 2008; Cameron, Dowling & Worswick, 2001). One standardised measurement that reflects inequality in achievements between women and men in three dimensions (reproductive health, empowerment and the labour market) is the Gender Inequality Index (UNDP, 2013). UNDP (2013) reports indicate that the Gender Inequality Index for Sri Lanka is 0.402. This is significantly better than the 0.610 of their closest neighbor India and the South Asian average of 0.568.

This minimal gender gap in Sri Lanka is known to be prevalent in education enrollment rates (Gunewardena 2006). Of those who sit for the G.C.E Advanced Level, a little over half (56.7%) are women. The same can be seen in university enrollments where 54% of those who enroll are women (ADB, 2008). However, these figures disguise the fact that not all disciplines have an equal female-male enrollment. A larger proportion (66%) of the Advanced Level arts stream students are women. This gap is further increased among those who enter the arts faculty in university where 70% are women. Correspondingly, there is a large underrepresentation of women in the engineering and information technology faculties (ADB, 2008). The number of arts graduates appears to increase each year, and in 2013, the number of arts undergraduates admitted to state universities was 7,995 out of which 6,456 (81%) were women (University Grants Commission, 2013). This results in a large number of arts graduates, mostly women, entering the labour market each year.

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It is also reported that the problem of unemployment is most acute among women who are educated (G.C.E Advanced Level and above) (Sri Lanka Labor Force Survey, 2011). The larger theoretical understanding is that educating women has higher economic returns when compared to educating men (Cameron, Dowling & Worswick, 2001; Malhotra & DeGraff, 1997). However, this premise does not appear to hold true for Sri Lankan women graduates where a woman with a university degree is only 17% more likely to be employed than a woman with no formal education. In addition, it appears that in Sri Lanka, employment of women is increasing, in spite of plummeting post-secondary education (Arunatilake & Jayawardena, 2010). This is a considerably lower figure in comparison to the average of 49% in other nations (Cameron, Dowling & Worswick, 2001). These low figures point to not only the high unemployment rates among women degree holders but also underemployment, including the limitation of jobs in lower paying institutions.

General perceptions among policy makers and private sector employers is that women arts graduates prefer public sector jobs over private sector jobs even if it means that they would remain unemployed for long periods, and this is often despite having other job opportunities available to them. This preference appears problematic due to the limited number of jobs available and lower wages in the public sector. The various reasons for this difference in preference, especially the sociocultural aspects, have not been clearly identified in Sri Lanka. In this paper, an attempt has been made to identify and categorise these reasons as push and pull factors. Impact of the factors on preference was measured by conducting a survey among arts graduates employed in the public sector.

Many factors are often influential in the job preference of women arts graduates, making it difficult to identify the effect of one over another. However, identifying and separating these factors as forces that either repulse them out of the private sector or attract them toward the public sector is useful in order to identify necessary policy rectifications that might address larger gender inequalities. 'Push factors' have been defined as negative considerations (Shultz, Morton & Weckerle, 1998) that induce women graduates to avoid the private sector. The push factors as identified in the literature review of this study are; (a) discrimination in the private sector, (b) limited access to private sector jobs, (c) lower mobility for women that limits the availability of the private sector, and (d) the lack of skills that are required for the private sector.

Workplace discrimination is often a subtle factor that discourages certain social groups from entering or succeeding in certain occupations or organisations. Discrimination can occur in overt or covert ways at many stages of employment, particularly in hiring practices, wages and promotions. An economic analysis by O'Donnell, Jayawardana and Jayakody (2012) reveals that women workers in particular, experience considerable gender pay gaps in Sri Lanka, especially in the private sector. Thus, it would make the private sector with higher gender pay gaps a less attractive option for women employees.

Little research exists on discriminatory hiring practices in Sri Lanka but statistical evidence points to an absence of women in the private sector, particularly arts graduates. In the sample gathered for this study 73% of women arts graduates were employed in the public sector, a disproportionately large group in comparison to men and other degree holders. Statistics suggest that women in Sri Lanka account for only 20% of all senior officials and managers (Department of Census and Statistics, 2009). On the basis of this statistic, Fernando and Cohen (2011) argue that there are barriers to women's advancement in Sri Lankan organisations, especially since there do not appear to be a shortage in Sri Lankan women's skill sets or ambition. It is instead explained through the disadvantageous position women have when working in 'deeply gendered organisations, structured around the interests, lifestyles and social norms of their male colleagues' (Fernando & Cohen, 2011).

Discriminatory practices women face are more prevalent in the private sector in comparison to the public sector where the nature of work required for advancement, and workplace adaptability is of a gendered nature. Private sector employees in Sri Lanka have reported heavy workloads, long working hours and participation in many non-work related activities at the workplace as mandatory to advancement in their career. In the public sector, these requirements are around respect and compliance to supervisors in order to win their favour (Fernando & Cohen, 2011).

As in most other developed nations, such forms of covert discrimination arise from discriminatory work dynamics. Green (2003) explains that institutional structures and hierarchies that are flatter lend themselves to more discriminatory practices towards women. In Sri Lanka where, in comparison to the public sector, the private sector has a flatter hierarchy, advancement is only possible if employees are able to make use of flexible and long work hours, and participate in activities that are largely accepted within male social groups. Therefore the private sector work ethic is less adaptable for those who have more responsibilities outside of work and women who do not wish to take part in male dominated activities. Cultural norms in Sri Lanka largely dictate that most household responsibilities including caring for children and elderly parents belong to women and thus, requirements for advancing in the private sector would directly affect women more than it would affect men.

Access to jobs in Sri Lanka is obtained in different ways: newspaper advertisements, government tenders and personal connections. In Sri Lanka, Amarasuriya (2010) citing a study by Mayer and Salih points that 64% of jobholders were recruited through the recommendations of friends and relatives during their school to work transition. Access to jobs in the private sector is more dependent on personal connections (Amarasuriya, 2010), whereas in the public sector it is more through newspaper advertisements and tender procedures. As such for any employee to have access to private sector jobs, it is almost a pre-requisite that they have access to powerful networks within the organisation.

Networks formed by women are not central to the organisation and are thus not very influential. These networks tend to provide less work-related help compared to the networks formed by men even after securing a position within the firm. This results in the occupation of labour market positions that have richer resources by males (Lin, 2000). As a result, women experience more career instability than men, again working out to women and their networks having lesser social resources to draw on. McDonald, Lin and Ao (2009) explain that segregated social networks trap and isolate women from information and influence which could otherwise help them advance their careers and access particular jobs.

The social structural circumstances are therefore critical for understanding the situation in the labour market, and it is not just the presence of contacts that matter but also the diffusion of information.

“Social network composition affects the kinds of jobs that people obtain through informal job matching—that is, hiring through job referrals and personal contacts. In general, women tend to learn about job opportunities from other women and men from other men. Therefore, women who use informal job search methods and female personal contacts to obtain jobs are more likely to find employment in female-dominated workplaces” (McDonald, Lin, Ao, 2009).

Thus the prevailing situation is also somewhat responsible for propagating the lack of access to private sector jobs for women arts graduates in Sri Lanka, and will continue in the genderisation of the public and private sectors.

Relocation for work or long daily commutes to work is common, but benefits of time and financial costs for such are not necessarily the same for all. In terms of commuting, research proves that for women in particular, a shorter commute allows better returns on earnings and more time for their household responsibilities (Madden, 1981). For women with children, the average commute distance decreases further and both residences and employment becomes more suburbanised (Madden, 1981).

Studies show that relocation is beneficial for married men but harmful to the career of married women, where it results in inconsistent employment and declining earnings for the women. For men, on the other hand, family migration is associated with higher earnings (Shauman & Noonan, 2007). These outcomes are intensified with higher education levels. Highly educated men reap larger monetary benefits from relocation compared to women's earning potential, and that even after a year from migration, local labour market conditions have no influence on her work outcomes (Shauman & Noonan, 2007). As understood through the literature, women, particularly educated women, or those with children have less to benefit from relocation or longer commutes for work. Thus, there is often a tendency to work close to home due to their low mobility. In Sri Lanka, most private sector jobs are available only in the larger city centres whereas public sector jobs are more dispersed. Sri Lankan women would therefore be limited to the public sector due to the combined effect of fewer private sector jobs outside of the city and their reduced mobility or less incentive for relocation.

There is more competition and less job security in the private sector, therefore workers are compelled to perform well and succeed. Failing to do so will result in loss of their job. Success in the graduate labour market would often be identified as being employed in jobs that appropriately utilise the skills and knowledge developed by the graduate during the course of their university studies. Bridgstock (2009) expects that the university education allows adequate preparation to first transition into the world of work and then maintain the graduates employability through course work that "involves activities such as clarification of personal aims and abilities, understanding the requirements of the labour market and the ability to actively engage in the career building process" (Bridgstock, 2009, p.35).

Understanding employability from the employers' point of view seems to mean readiness for work. That is the possession of the skills, knowledge, attitudes and commercial understanding that will enable new graduates to make productive contributions to organisational objectives soon after commencing employment (Mason, Williams & Cranmer, 2009; Bridgstock, 2009). Studies list skills necessary for enhancing employability of graduates as communication, numeracy, computer literacy, 'learning how to learn' at a higher level, literacy, problem-solving skills, team-working skills and understanding of the world of work (Mason et al., 2009) all of which they assert should be learned while in the university. Bridgstock (2009) also adds that the combination of career management skills and self-management skills are important and the development of such skills need to begin early and should additionally be assessed as a mandatory component of university education. While almost all types of employment would require these skills, those entering the Sri Lankan private sector seem to need these more because of the difference in the nature of work involved (English oriented, heavy reliance on IT and use of more cutting edge techniques), and the increase of competition in the labour market (less job security and the need to be ahead and up to date).

Even though some skills can only be acquired after starting employment, it is possible to improve the acquisition of these skills through methods followed in degree education settings. Studies show that the exposure of students to employer priorities and the way decision-making

takes place at work have positive effects on the future matches between graduates and their employers (Mason et al., 2009). In contrast, it is possible to assume that the lack of such exposure or the acquisition of such skills required by employers in the private sector would pose a challenge for arts graduates from Sri Lankan universities in particular, making private sector work less attractive. This effect is believed to affect women more than men due to social gender norms that shape self-assessment of skills (Correll, 2001). For instance, women often assess their own skills lower than men do due to social norms that lead them to believe so, while a skill-based test would often reveal otherwise. This self-evaluation, once played out within the work environment leads to disadvantageous outcomes for women that view themselves inadequate for the job.

Pull factors are typically positive considerations (Shultz, Morton & Weckerle, 1998) that attract women female arts graduates toward public sector employment. The pull factors as identified in the literature review of this study are; (a) higher job satisfaction in the public sector, (b) more social benefits in the public sector, (c) better work-life balance and (d) higher levels of safety in the public sector.

Not everything about employment is about financial benefits; rather it can be about job satisfaction, non-monetary rewards such as special benefits and facilities at the workplace, and the enjoyment of doing work that gives a sense of accomplishment. Clark, Kristensen and Westergaard-Nielsen (2009) identify two types of job satisfaction, sensitivity to status and signal.

Scholars point out the association of a difference in status when engaging in the public sector vs. private sector, which exists across a wide spectrum of occupations, irrespective of cultural context or industry as a main factor in job satisfaction. Public and private sector employees tend to perceive and evaluate their jobs differently. Studies show that private sector employees place greater value on economic gains and ranked feeling "in" on things and sympathetic help on personal problems higher in importance than public sector workers. On the contrary, public sector employees perceive job security and the value of the job or the meaningfulness of the work as being more important (Karl & Sutton, 1998). Sharma & Bajpai (2010) have also found that employees in public sector organisations have a greater degree of organisational commitment in comparison to private sector employees and that job satisfaction also tends to increase with higher organisational commitment.

Differences in signal are associated with the security the employee has regarding their earnings. While some workers are intrinsically positive and satisfied, and are perhaps not particularly sensitive to status, there are other workers who are less happy and do care about where they stand in the earnings distribution. Clark et al. (2009) explain that satisfied workers (these workers are not status-sensitive) choose organisations where employees' earnings are high while dissatisfied workers choose firms where average earnings are lower. These findings support the idea that employees who feel the entire organisation is doing well are signalled to have the promise of a good future. It is speculated that Sri Lankan women may broadly fit into this second category. Additionally, in the largely patriarchal Sri Lankan society where women are often not the primary income earner of a household, they may view their employment as a satisfactory outlet, more so than an economic opportunity. Thus job satisfaction becomes an important influence in predetermining women's preference for the public sector.

One of the main differences between behaviour of men and women especially at the workplace is believed to be men's functional orientation and women's relational orientation in accomplishing tasks. Women in particular, value social benefits at the workplace (Chen, Mao & Hsieh, 2012) and appear to be drawn towards occupations that enable many interactions with colleagues, customers (including students, clients) such as teaching and nursing that allow natural relationships with

others at the workplace. In workplace relationships, this difference translates into men tending to seek out relationships that provide a functional aspect of getting a job done while women are more likely to seek out relationships that allow social and emotional support in times of stress (Morrison, 2009). Since workplace relationships directly influence the work and career of men through functional purposes such as building larger networks, and exchange of information they are thus highly correlated with job satisfaction (Morrison, 2009). Morrison (2009) asserts that this is different for women where women's workplace friendships will be more affected by negative or stressful situations than men's.

One possible explanation for Morrison's (2009) finding that women's friendships at work were not consistently associated with an increase in satisfaction, is that when women become dissatisfied with their jobs they may make more friends; leaning on their colleagues for social, emotional and instrumental support. Even though women's workplace relationships do not lead to higher job satisfaction, studies show that they do increase organisational commitment and cohesion. It is plausible that Morrison's analysis is relevant to the Sri Lankan labour force where most women are drawn towards the ability to develop relationships in the public sector thus resulting in higher organisational commitment and subsequently a clustering of many women in the public sector.

Role ambiguity and being ill informed may also reduce an employee's effectiveness, resulting in the burdening of co-workers or causing resentment and inhibiting the development of workplace friendships. Previous studies have demonstrated that role ambiguity causes a host of job-related problems (Chen et al., 2012; Sias, 2005). It is possible that the public sector has clearer job definitions and roles for workers, thereby reducing conflict among colleagues and allowing the formation of friendships. However, the private sector in Sri Lanka is a highly competitive setting, where an employee with role ambiguity may perceive a lack of mutual assistance and job information sharing among employees because co-workers would like to maintain their individual advantages. Competition among employees would thus moderate the relationship between job ambiguity and workplace friendship (Chen et al., 2012) resulting in a work environment hostile towards facilitating relationships.

In the cultural context of Sri Lanka, women typically bear more responsibility in day-to-day household activities. Having additional responsibilities at home would therefore often place constraints on the options available for women in the labour force, as they strive to maintain a healthy work-life balance. Work location, work hours, and ambiguity level of work role are found to influence the ability to keep up with work demands as well as provide for family needs. Fernando & Cohen (2011) have found that Sri Lankan women regardless of the employment sector find it difficult to devote additional hours to work because of domestic commitments and therefore continue to face challenges in developing their careers within organisational contexts.

Hakim (2006) suggests that in order to accommodate formal employment with family responsibilities, women gravitate towards jobs that are local, can be done part-time or for short periods, and to jobs with fixed hours of work that can be fitted around family life. Women who want family-friendly flexible work hours usually require short and predictable hours as well. In contrast, men work towards management jobs, accepting long hours and more overtime in return for higher earnings. Pressure is placed on the work-family balance by the ambiguity of the work-role, but its effect is not predictable, for example flexible working arrangements for some workers allow them to achieve a better balance while for some it increases the tension. As such, some organisations proactively try to help their employees engage in better time management practices to reduce the work-family tension (Michel, Mitchelson, Pichler & Cullen, 2010). Short, fixed work

hours, defined work roles, proximity to home along with family friendly policies like parental leave seem key ingredients for a healthy work-life balance for women. The public sector in Sri Lanka seems to fit most of these prerequisites because evidence suggests that work hours are more fixed and shorter in comparison to the private sector. Also for the requirement of being located close to home, public sector jobs seem like a more plausible choice for those who wish to work outside of the main city hubs, since larger, private sector employers are located mainly in city centres.

Preference theory which explains and predicts women's choices between formal work and family work theorises that once genuine choices are open to them, women choose between three different lifestyles: 'home-centred', 'work-centred' and 'adaptive' (Hakim, 2006). 'Home-centred' women choose to focus on family and not enter the labour market, while 'work-centred' women are focused on competitive activities in the public sphere resulting in work-family conflicts or choosing not to have a family. 'Adaptive' women prefer to combine employment and family work without giving a fixed priority to either. In some countries and in certain occupations where part-time jobs are still rare, women must choose other types of jobs if they prefer to work. For example seasonal jobs, temporary work, or school-term-time jobs all offer a better work-family balance than the typical full-time job. This is especially important if commuting is also involved (Hakim, 2006). Drawing on Hakim's (2006) classifications of women's work choices to the Sri Lankan context, it appears that the private sector work ethic would only be accommodative of 'work-centred' women because of long work hours, nature of work needed for advancement, and less adaptive leave policies. Thus it forces all other women whose work-choices are 'family-centred' or 'adaptive' to the public sector where it is perceived as being favourable to maintain a healthier work-family balance.

Existing literature on safety at the workplace discusses a wide range of issues. These are often related to physical, sexual harassment at the workplace, work related injuries, hazardous substances, noise, and misuse of private information. This study focuses on physical and sexual harassment as being the main threat to safety in the workplace. While other issues are applicable to work-conditions in Sri Lanka, the researcher has assumed that those other factors were not as influential in relation to the preference of either public or private sector jobs, and that the presence of such factors would be negligible at workplaces that arts graduates typically work. In order to limit the effect of workplace harassment on job preference, this paper discusses only work structure and environment factors that lead to safety issues.

Women are seen to face more threats to safety at work than men (Zapf, Escartín, Einarsen, Hoel & Vartia, 2011). This study therefore, tests the relevance of this theory to Sri Lankan women and establishes differences between public and private sector workplaces. In addition to general safety at the workplace, work related policies that might make women more vulnerable in public were also considered. For example, due to existing social norms and gender politics it is sometimes deemed unsafe for women to travel alone after dark in certain locations. Work location and work hours are also therefore important indicators as to whether employment promotes the safety and wellbeing of women employees.

Preliminary research revealed that the currently available data relevant to Sri Lankan graduate employees was insufficient, and thus required a primary data collection. Therefore for this study, data was gathered through surveys conducted among graduate employees in Sri Lanka. Due to study constraints, a single city centre, Kandy, was selected for administering the surveys. Kandy was chosen as a more suitable urban centre over Colombo, the larger and the more socio-economically complex urban hub of Sri Lanka, for several reasons. Reasons apart from logistical feasibility were that the sample from Kandy would include both rural and urban employees providing a more

comprehensive cross-section of socio-cultural backgrounds in the sample. The researcher also assumed that the proximity of the University of Peradeniya would be helpful to this study as there will be a significant number of graduate employees in Kandy.

Once the study area was decided, a number of public and private sector institutions where graduates might typically work were chosen. A snowball sampling technique was used to identify both workplaces as well as graduate employees. Although this study attempts to identify job preferences of women, many graduate employees in these institutions were requested to fill out a questionnaire irrespective of gender. The questionnaire contained questions designed to give insight on what socio-cultural reasons influenced their job preferences.

The data collection that took place in July-August 2011, which resulted in the collection of 245 questionnaires, falling slightly short of the predetermined target sample size of 300 responses. A summary of the sample characteristics is included in Table 1. 65.3% of the sample comprised of female respondents. 48.6% respondents were arts graduate employees and 66.5% of the sample, were employed in the public sector.

Table 1

	Women		Men		Total
	Arts	Non-arts	Arts	Non-arts	
Public	61	48	28	21	158
Private	22	24	6	27	79
Total	83	72	34	48	237*
	155		82		

*Excludes 8 responses with missing demographic information

The questionnaire was made available in three languages. The questionnaire length was one double sided page and consisted of several close-ended questions organised into three sections; general information, information on the respondent's current job and information on the respondent's work environment.

This study identifies sociocultural factors that influence job preferences for women arts graduates in Sri Lanka. A logistic regression model was deemed most suitable for this study, as it will allow the computation of the effect of each factor in determining the odds of being employed in the private sector. Since this study only distinguishes between two possible outcomes, public sector employment and private sector employment, a binary logistical regression model was used for data analysis.

A major portion of the information gathered from the questionnaire responses was qualitative. As such it was necessary to code such data into quantifiable measures for statistical analysis. The data was processed using the Statistical Package for the Social Sciences (SPSS). The dependent variable, sector of employment, consists of two possible outcomes where public sector employment was coded 0 and private sector was coded 1. The coefficients calculated would thus be used to measure the odds of being employed in the private sector.

The first model includes variables that were hypothesised to be push factors that discouraged women arts graduates out of the private sector. The independent variables were therefore access

to jobs, discrimination, mobility and skills. The second model included variables that were hypothesised to be pull factors that encouraged women arts graduates into the public sector. The independent variables were therefore, job satisfaction, social benefits, work-life balance and safety.

The independent variables used for conducting a binary logistic analysis were computed using indices that were comprehensive measures combining the component measures. The independent variables used for regression are discussed below.

Access to jobs in Sri Lanka is often believed to be most effective if obtained through personal connections or favours from influential people. In the questionnaire, respondents were asked to pick a category that would best describe how they found their current job: either through a personal connection, advertisement in a newspaper or other. All responses that indicated jobs obtained through a personal connection were coded 1 while those indicating as through advertisements and other were coded 0. The basic hypothesis was that the lack of networks which allow access to private sector jobs was influential in the restriction of the women's job market.

The next assumption was that lesser discrimination against women in the public sector made it more attractive to women employees. Discrimination was measured within two contexts: self-perceived levels of discrimination against the respondent in wages and promotions and the employees' satisfaction level of the opportunities received for pay rises or promotions. These were measured by two Likert scale questions and were used to create a discrimination index ranging from 1 to 4, with 1 being defined as least self-reported discrimination and 4 defined as most discrimination.

Mobility was measured using two variables: whether the respondent had relocated their residence for his/her current job and whether the respondent lives away from immediate family (is boarded). A mobility index ranging from 0-2 was calculated combining these two measures with 0 defined as low mobility and 2 as being high mobility.

For this study, respondents were asked to state their perceived degree of soft skill suitability for their current job. The type of soft skills implied by the data gathered pertains to communication, leadership, computer literacy and multi-tasking skills. The responses were coded 1 through 4 with 1 being those least confident about their competency in the soft skills required and 4 being the most.

The non-monetary rewards in this study were measured using a 4-point Likert scale. Respondents stated the degree to which they agreed their work was meaningful and gave them a sense of accomplishment. Responses coded 1 were strongly disagreeable and 4 were strongly agreeable to the fact that their work is meaningful and gives a sense of accomplishment.

The work environment often involves interaction with other individuals. The study tested whether the nature of the work or the workplace being more suitable to forming friendships, was more attractive to females than males. Two Likert scale questions were used to measure the perceived extent of social interaction taking place in the respondent's workplace. Using a 4-point scale, the respondent stated to which degree (a) his/her closest friends were at the workplace and (b) the workplace setup was suitable for cultivating friendships. An index ranging from 1 to 4 was created using the two measurements with 1 as being least suitable for building relationships and 4 as most suitable.

Certain aspects of public sector jobs are assumed to be more suitable for balancing the other role most women employees fill as a caregiver of children, elderly parents and other dependents. The responses to questions on the (a) amount and flexibility of work hours, (b) policies on maternity leave and child care support, (c) leave available and (d) need for excess effort, working overtime

for advancement were compared between sectors to test for any significant differences. An index was created using the responses to these four questions, which reflects the general self-reported satisfaction level employees have in regards to maintaining a healthy work-life balance with their current job. The index ranges from 1 through 4 with 1 being least satisfied and 4 being most satisfied.

Of the three questions used to measure the respondent's perception of safety within the workplace, only two were used for analysis as one question appeared to have been poorly answered (the researcher suspects that the question was misunderstood). The two questions used, had the respondents state to which degree they agreed or disagreed that their (a) workplace location was suitable for safe travel and (b) work times were suitable for safe travel. A safety index ranging from 1 to 4 was created, with 1 being a workplace that is least safe and 4 being very safe.

The comparison of means of the measurements by gender as seen in Table 2 shows some differences that point to an overall disparity between men and women in each of the variables.

Considering the measurement in regard to the use of personal networks, men have reported a mean of 0.25, which is higher than that of the women's mean of 0.17. This indicates that more men have accessed their jobs through personal connections than women. This result is as predicted, where men are more likely to have better access to jobs by having richer resources in the job market, (Lin, 2000; McDonald, Lin and Ao, 2009) in this case, the private sector.

Even though past studies in Sri Lanka indicate that women employees in Sri Lanka were discriminated against (Fernando & Cohen, 2011; O'Donnell, et.al, 2012), this particular study did not show a difference in the self-reported levels of discrimination for men and women where the mean for men (2.60) and women (2.59) were almost the same. Apart from a self-report bias, it is plausible that this result is explained by a minimal overt discrimination against a more educated cohort of women.

Table 2

Means and SDs by gender (n=245)

		Men		Women	
		Mean	SD	Mean	SD
<i>Push Factors</i>					
	Personal Networks	0.25	0.44	0.17	0.38
	Discrimination	2.60	0.76	2.59	0.65
	Mobility	0.57	0.72	0.36	0.66
	Soft Skills	3.20	0.62	3.11	0.52
<i>Pull Factors</i>					
	Job Satisfaction	3.30	0.62	3.20	0.66
	Social Benefits	3.03	0.36	2.92	0.38
	Work-life Balance	2.14	0.57	2.84	0.53
	Safety	2.94	0.55	2.97	0.52

Considering the mobility factor, men have reported as having statistically higher mobility with a mean of 0.57 compared to the women's 0.36. This means that the men in the survey had relocated more compared to women. This again points back to the earlier discussion where it was predicted that men have more flexibility to move and reap dividends compared to women.

Overall, men were found to assess their skills as slightly more adequate for the required job compared with that reported by women. While men reported a mean skill competency level of 3.20, women's was 3.11. Correll's (2001) claim that women self-report less competence therefore, does not seem to hold true for graduate women in Sri Lanka.

When comparing the pull factors reported by the respondents, contrary to the expected results of this study, women reported a lower job satisfaction level than men. Therefore, the sense of accomplishment and engaging in work that seems meaningful was found to be unimportant for women's employment preference of the public sector.

Similarly, the expected higher social benefits for women in the public sector was proved wrong where there was no statistically significant difference between men and women. Thereby, Morrison's (2009) claim that women's friendships at work are not consistently associated with an increase in satisfaction and that when women become dissatisfied with their jobs they may make more friends, does not hold true for graduate employees in Sri Lanka.

The work-life balance reported by the respondents show that the women reported a statistically significant higher level of satisfaction than the men. The mean of the self-reported work-life balance satisfaction for men was 2.14 whereas it was 2.84 for women. While the reasons for the inverted results to what was expected are not easily identifiable, the large difference between genders points to some disparity in regards to a healthy work-life balance.

However safety of the workplace as reported did not show a significant difference between men and women's perceptions, with women perceiving their workplaces as safer by only a slight margin.

The figures in Table 3 represent coefficients that indicate the effect of each variable on the odds of being employed in a certain sector for all the respondents in the survey. Model 1 calculates the push out of the private sector and Model 2 calculates the pull towards the private sector. Table 4 contains results using the same models run for the women respondents' data only.

In Model 1, personal networks were seen as having the largest effect on preference with a coefficient of 3.252, it was also the most significant difference for men and women (Table 3). This indicates that use of a personal connection is therefore the key determiner in private sector employment in Sri Lanka. This phenomenon however is not unique to women because access was not found to be statistically significant, although it still has the largest effect when considering only the women in the sample (Table 4). In this instance, with women reporting that they have less access to connections and in effect to private sector employment (Table 2), the presence of a large and highly significant predictor of public sector employment proves that women lacking personal connections are likely to be in public sector employment.

Although men were observed to have much more mobility than women in the sample (Table 2), the effect of this difference was not largely influential in the push out of the private sector where the coefficient was only 0.082 and not statistically significant. However, since most Sri Lankan private sector employment opportunities are located within the city centres, the lower mobility levels reported by women (Table 2) maybe a finding that explains the concentration of more women in public sector employment that is more decentralised in location, despite being unable to draw any solid conclusions.

Table 3

Binary Logistic regression of effect on job preference (n=245)

	MODEL 1	MODEL 2
<i>Push Factors</i>		
Personal Networks	3.252*** (0.525)	
Discrimination	-0.322 (0.272)	
Mobility	0.082 (0.262)	
Soft Skills	0.078 (0.344)	
<i>Pull Factors</i>		
Job satisfaction		-0.233 (0.304)
Social Benefits		0.103 (0.429)
Work-life Balance		-0.505* (0.272)
Safety		0.593* (0.347)

The effect of any disparity in skill competence between men and women was found to be minimal in terms of a push out of the private sector with a coefficient of 0.078, which was again not statistically significant (Table 3)³. The coefficient at 0.016 is even smaller when considering only the women in the population (Table 4). With the reporting of perceived skill levels being similar between men and women (Table 2) this study thus proves that there is neither a significant self-reported lack of skills nor an influence of the skill requirements on women's preference for the public sector.

In Model 2, among the pull factors considered, the ability to have a healthy work-life balance had the largest and significant effect on the pull towards the public sector with a coefficient of -0.505 (Table 3). Considering only the women in the survey, this was again seen as being significant with a coefficient of -0.767 creating a larger effect on women's work preference (Table 4). With women self-reporting as being more satisfied than men in the work-life balance (Table 2), it further supports the hypothesis that women find the work-life balance as being important and thus validates the role of work-life balance as a negative predictor for private sector employment. Therefore as hypothesised, the private sector begins to appear less desirable for those with more responsibilities outside of work. Hakim's (2006) distinction between 'work-centred' women and 'family-centred' women helps explain that a large proportion of Sri Lankan graduate women, are 'family-centred' and would therefore prefer a work environment suitable for maintaining both family and employment, which is inevitably the public sector.

Perceptions of safety at the workplace were also found to be influential in the draw towards the public sector with a significant coefficient of 0.593 (Table 3), but this was not particular for women (Table 4). With both men and women reporting similar levels of safety (Table 2), workplace

safety seems to play an important yet general role in job selection. However, in instances where the combined effects of the public sector workplaces and work hours are reported to be safer, together with the fact that women face more threats to safety at work than men (Zapf et al., 2011) it is possible that the public sector will appear to be a more attractive choice for Sri Lankan women.

Table 4

Binary Logistic regression of effect on job preference for women (n=160)

	MODEL 1	MODEL 2
<i>Push Factors</i>		
Access	3.827	
	0.788	
Discrimination	-0.394	
	0.368	
Mobility	-0.060	
	0.360	
Soft Skills	-0.016	
	0.453	
<i>Pull factors</i>		
Job satisfaction		-0.483
		0.333
Social benefits		-0.386
		0.549
Work-life balance		-0.767
		0.404
Safety		-0.048
		0.428

***p<0.001, **p<0.01, *p<0.1

Sri Lanka's gender gap appears to be much less compared to developing countries. However this indicator relating to overall employment and opportunity conditions fail to fully represent the nuances of where female employment and education is concentrated, and where they are not. Furthermore, these disparities lead to varied circumstances for men and women. This is evident in this study where graduate employees despite having seemingly equal employment rates between genders, show nuanced differences when considering the type of job and workplace. The basis for this study was a mismatch in the supply and demand of women arts graduates in the job market, which results in unemployment, underemployment and restrictive job selection.

The analysis based on empirical quantitative data revealed two noteworthy results that explain women arts graduates' preference for the public sector. First, the lack of personal connections that allow access to private sector jobs was found to be the most predominant factor that pushed women arts graduates out of the private sector. Second, the strongest pull towards the public sector was found to be the policies and work ethics that enabled a healthy work-life balance.

In order to correct this problematic skew seen in the labour market it would be necessary to rectify private sector practices which result in the exclusion of women arts graduates. Such rectifications can be made by reducing the emphasis placed on the need for participation in activities outside of normal working hours and duties and allowing for more regular, predictable hours of work for women which will result in the creation of a pull effect to the private sector. Logistical arrangements which allow for better commute times, notably the use of modern concepts such as telecommuting or creating an office transport system or locating secondary offices outside of city centres can result in creating a pull effect associated with not only the work-family balance, but also some of the other minor factors such as work-place safety and relocation considered in this study. In addition, changing the recruitment and advancement practices to reduce the need of personal connections while increasing positive recognition based on quality of work and responsibilities will also help in accommodating this crucial sub-population by reducing the push effect associated with accessing private sector jobs.

The gender gap though impressive in Sri Lanka, hides the true picture of the skew found in the labour market. Women arts graduates in Sri Lanka are a growing population and leaving them reliant on public sector employment as shown in the study can be harmful. Improving private sector employment of this vulnerable yet crucial sub-population remains important to address subtle gender inequalities in Sri Lanka.

Bibliography

- 2008 Country gender assessment: Sri Lanka, *Asian Development Bank*
- 2011 Sri Lanka labour force survey, *Department of Census and Statistics, Ministry of Finance and Planning*
- 2013 Sri Lanka University Statistics, *University Grants Commission, Ministry of Higher Education*
- Amarasuriya, H., 2010 Discrimination and Social Exclusion of Youth in Sri Lanka. In: Gunatilaka R, Meyer M & Vodopivec M (eds.) *The Challenge of Youth Employment in Sri Lanka*, World Bank, Washington D.C. pp. 199-216
- Arunatilake, N. & Jayawardena, P., 2010 Discrimination and Social Exclusion of Youth in Sri Lanka In: Gunatilaka R, Meyer M & Vodopivec M (eds.) *The Challenge of Youth Employment in Sri Lanka*, World Bank, Washington D.C. pp. 19-48
- Bokemeier, J.L., & Lacy W.B. 1987 Job values, rewards, and work conditions as factors in job satisfaction among men and women, *The Sociological Quarterly*, 28(2), pp.189-204
- Bridgstock, R. 2009 The graduate attributes we've overlooked: Enhancing graduate employability through career management skills, *Higher Education Research & Development*, 28(1), pp.31-44
- Cameron, L. A., Malcolm Dowling, J., & Worswick, C. 2001 Education and labour market participation of women in Asia: Evidence from five countries, *Economic Development and Cultural Change*, 49(3), pp.459-477
- Chen, C. Y., Mao, H. Y., & Hsieh, A. T. 2012 Role ambiguity, employee gender, and workplace friendship, *Psychological Reports*, 110(3), pp.719-730.
- Clark, A. E., Kristensen, N., & Westergård-Nielsen, N. 2009 Job Satisfaction and Co-worker Wages: Status or Signal? *The Economic Journal*, 119(536), pp.430-447
- Correll, S. J. 2001 Gender and the career choice process: The role of biased self-assessments, *American Journal of Sociology*, 106(6), pp.1691-1730
- Department of Census and Statistics 2009, Labour Force Survey: Annual Report, Ministry of Finance and Planning, Colombo
- Fernando, W. D. A., & Cohen, L. 2011 Exploring the interplay between gender, organisational context and career: A Sri Lankan perspective, *Career Development International*, 16(6), pp.553-571
- Gunewardena, D. 2006 Exploring gender wage gaps in Sri Lanka: A quantile regression approach, *PMMA Network Session Paper*. Pep Network, www.pep-net.org.
- Green, T. K. (2003) Discrimination in workplace dynamics: Toward a structural account of disparate treatment theory, *Harvard Civil Rights –Civil Liberties Law Review.*, 38, pp.91-157
- Hakim, C. (2006) Women, careers, and work-life preferences, *British Journal of Guidance & Counselling*, 34(3), pp.279-294
- Karl, K. A., & Sutton, C. L. 1998 Job Values in Today's Workforce: A Comparison of Public and Private Sector Employees, *Public Personnel Management*, 27(4), pp.515-27
- Lewis, G.B., & Frank S.A. 2002 Who wants to work for the government? *Public Administration Quarterly*, 62(4), pp.395-404
- Lin, N. 2000 Inequality in social capital, *Contemporary Sociology*, 29(6), pp.785-795
- Madden, J. F. 1981 Why women work closer to home, *Urban studies*, 18(2), pp.181-194
- Malhotra, A., & DeGraff, D. S. 1997 Entry versus success in the labour force: Young women's employment in Sri Lanka, *World Development*, 25(3), pp.379-394

- Mason, G., Williams, G., & Cranmer, S. 2009, Employability skills initiatives in higher education: what effects do they have on graduate labour market outcomes? *Education Economics*, 17(1), pp.1-30
- McDonald, S., Lin, N., & Ao, D. 2009 Networks of opportunity: Gender, race, and job leads, *Social Problems*, 56(3), pp.385-402
- Michel, J. S., Mitchelson, J. K., Pichler, S., & Cullen, K. L. 2010 Clarifying relationships among work and family social support, stressors, and work-family conflict, *Journal of Vocational Behaviour*, 76(1), pp.91-104
- Morrison, R. L. 2009 Are women tending and befriending in the workplace? Gender differences in the relationship between workplace friendships and organisational outcomes, *Sex Roles*, 60(1), pp.1-13
- O'Donnell, M., Jayawardana, A. K., & Jayakody, J. A. S. K. 2012 Organisational support and employee commitment in Sri Lanka, *The Economic and Labour Relations Review*, 23(1), pp.125
- Sharma, J. P., & Bajpai, N. 2010, Organisational Commitment and its Impact on Job Satisfaction of Employees: A Comparative Study in Public and Private Sector in India, *International Bulletin of Business Administration*, 9, pp.7-19
- Shauman, K. A., & Noonan, M. C. 2007 Family migration and labour force outcomes: Sex differences in occupational context, *Social Forces*, 85(4), pp.1735-1764
- Shultz, K. S., Morton, K. R., & Weckerle, J. R. 1998 The influence of push and pull factors on voluntary and involuntary early retirees' retirement decision and adjustment, *Journal of vocational behaviour*, 53(1), pp.45-57
- Sias, P. M. 2005 Workplace relationship quality and employee information experiences, *Communication Studies*, 56(4), pp.375-395
- UNDP, 2013 *Summary human development report 2013, The rise of the south: Human progress in a diverse world*. Retrieved from website: http://hdr.undp.org/en/media/HDR2013_EN_Summary.pdf
- Zapf, D., Escartín, J., Einarsen, S., Hoel, H., & Vartia, M. 2011 Empirical findings on prevalence and risk groups of bullying in the workplace, *Bullying and harassment in the workplace: Developments in theory, research, and practice*, pp.75-105

Reproductive Health Services in Lesotho for Lesbian, Gay, Bisexual, Transsexuals and Intersex Individuals

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Sexual and reproductive health rights of individuals inclusive of lesbians, gays, bisexual, transgender and intersex have recently become international and national issues worldwide (Human Rights Campaign Foundation and Human Rights First, 2014; Carroll & Perolini, 2007; Misra, 2009). The Western world is more advanced in the protection of LGBTIs and provision of SRH services for them, while developing countries are lagging behind on these issues (Kennedy, 2006). Despite the advances in the Western world; in some countries the LGBTIs are still being persecuted, ridiculed and discriminated against (Nilsson, 2010).

In Africa LGBTIs are subject to state sanctioned discrimination, stigmatisation and violence. According to a study conducted in Kenya by Wood, Simon and Anmeghichean (2007), commissioned by the Open society Initiative Health program, LGBTIs are legally discriminated in all aspects of life by draconian laws enacted by a number of African states which are anti-homosexuals. Prominent states in this regard are Zimbabwe, Rwanda, Uganda and Nigeria, whose leaders have shown negative sentiments against LGBTIs and have legislation enacted against them. These anti-homosexual sentiments have surfaced and manifested themselves despite the Cairo 1994 International Conference on Population and Development, whose focus amongst other issues was sexual and reproductive rights of individuals.

Though, The National Reproductive Health Policy 2009 of Lesotho recognizes the human rights and freedom enshrined in the constitution of the Kingdom of Lesotho, it does not come out explicitly regarding information and specific SRH needs for LGBTIs. It affirms that it shall be complementary to other policies to achieve SRH for all Basotho. But, although there is no legislation against LGBTIs in Lesotho, homosexuality is not tolerated by the society.

It is against this background that a study¹ that was conducted with the aim of assessing the Sexual and Reproductive Health needs of Lesbian, Gay, Bisexual, Transgender and Intersex population in Lesotho with a view of enabling them to fully access information and services befitting their status; mindful of the strategies to be employed to achieve equity to the needed services. It is pertinent that any organisation providing SRH services should take into cognizance that sexual diversity is based on ensuring that all people have access to the information and quality health services they need; recognizing sexuality both as a natural and a precious aspect of life and as a fundamental human right. Service providers should realise the need for creating an environment where people are treated with equality without discrimination or prejudice; an environment in which people's life choices are fully respected.

1 The specific issues the study was concerned with were to examine issues of accessibility and inclusiveness of Sexual and Reproductive Health (SRH) services with regard to sexual diversity and ways in which they could be effectively met; the extent to which service providers display readiness with regard to providing SRH services to LGBTIs and to enhance service providers staff and volunteers to appreciate integrating sexual diversity into their programs.

The methodology for this study was shared with some of the key stakeholders and was designed to ensure that it elicited as much information as possible to address the purpose of the study. The study entailed both qualitative and quantitative research approaches.

The qualitative approach involved the use of the following instruments: engagement of a mystery client to assess the general services provided by the provider and accessibility and appropriateness of such services to LGBTIs. The mystery client data collection tool that was used solicited information on four areas: Client demographic Information, evaluation of the Reception Area - a reception area or front desk is an important place since that is where clients should receive factual information concerning the organization and the services it provides. Assessment of service providers and narrative response where mystery clients were responding to questions based on their general perspective of services by the provider. Focus Group Discussion (FGD) were used for LGBTIs to determine how they felt about the service providers' attitudes and knowledge around working with sexually diverse populations.

The quantitative approach involved the use of the following instruments: questionnaires which were disseminated to both the LGBTIs and the service providers' staff and other key stakeholders. The questionnaire for LGBTIs consisted of three sections, namely: socio-demographic information, evaluation of quality of SRH services by the service provider, and evaluation of all aspects of service provider's day-to-day operations. The questionnaire for service providers also had five sections: demographic information, the respondents' personal feelings regarding their degree of comfort with regard to the provision of services and sharing facilities with LGBTIs, the respondents' personal opinion regarding LGBTIs issues, the extent to which the respondents' were prepared to serve the LGBTIs and their comments on sexual diversity and provision of topics that are related to sexual diversity, which they would find useful. Finally they were asked to indicate whether the physical environment at service provider was appropriate for provision of SRH services to LGBTIs.

For the selection of LGBTI participants, the snow-ball sampling method was employed. The method was appropriate, given the complexities in accessing this population. A total of twenty (20) LGBTI participants took part in the study. This included the various categories of LGBTI population. One Focus Group Discussion was also held with seven LGBTI participants, all of whom were lesbians.

Ten questionnaires were disseminated to all key personnel engaged in the provision of services, however, two members were not available at the time of data collection and therefore eight members responded to the questionnaire.

Snowballing sampling was also employed for the selection of mystery clients. These were LGBTIs who had a thorough knowledge of the SRH needs of LGBTIs and the majority of services provided by the service provider.

The instruments were intended to determine accessibility and inclusiveness of SRH services to LGBTIs and readiness of service providers to provide these SRH services.

These findings reflect views of two participants (aged 23 and 31 years) who were mystery clients for this study. The mystery client data collection tool was divided into four sections; client demographics, determination of accessibility and inclusiveness of SRH services to LGBTIs and readiness of service providers to provide these SRH services.

Both mystery clients felt uneasy at service providers' reception area. There was no receptionist to direct them appropriately. When one of the service providers finally came, she went inside one of the rooms and later opened the door and said: "*e mong ha a kene*", literally meaning "could someone come in." This made it difficult for the mystery clients to stand up in front of all the

other clients gathered there, as they felt people would immediately identify them as lesbians and therefore stigmatize them. However, since they were the first ones on the line, they had to go in. They felt that it is necessary to have a receptionist at the area to screen and give directions to the clients and if at all possible, give them cards with identification numbers so that they are called by numbers for confidentiality purposes.

It would also be helpful that when the receptionist leaves a note when he/she is absent, indicating where she/he is and when she/he will be available. There was no Sexual and Reproductive Health (SRH) information for LGBTIs in the reception area, nor was it ever given to them in the form of pamphlets or brochures. They both felt this information is important and should be available at the reception area. The materials that were available were only for those who claimed to be 'straight.' This included condoms for both males and females.

According to Table 1, interpersonal skills of Service Providers and gathering information were gauged as being average, whereas giving information and handling special circumstances were above average. For all the categories, mystery clients indicated that all the services are important to Service Providers.

Table 1: Results of the mystery clients' assessment of the service providers

Section evaluated	Rating by Client 1 (%)	Rating by Client 2 (%)	Average (%)	How important is the service/skill for a Service Provider
Interpersonal Skills	60	53	57	Important
Gathering Information	44	67	56	Important
Giving Information	53	87	70	Important
Handling Special Circumstances	44	87	66	Important

In this section, the respondents were requested to describe the quality of services they received from the service providers. The mystery clients indicated that the services provided were not fully inclusive as they were basically for heterosexually orientated people, not for LGBTIs. The service provider also acknowledged their limitations regarding the knowledge of SRH services for LGBTIs. However, the Service Providers (SP) indicated their eagerness to seek more information for the benefit of the clients in a respectful manner, because they clearly indicated issues they could not address and sought permission from the clients to go and seek more information.

The absence of the receptionist was a challenge because there was no-one to assist them with the information or directions as to where they should go. When asked if they would recommend a friend or a relative to access the services they both indicated they would be reluctant to do so because the service providers they met were not accommodating and seemed to lack a thorough knowledge regarding SRH services specific to LGBTIs. This indicates that they were not satisfied with the services they received.

The mystery clients were requested to make some recommendations to the service provider, so as to improve the SRH services so that these can be accessible to LGBTIs. They are as follows:

- Service Providers should get educated on the SRH needs for LGBTIs.
- There could be at least a Service Provider who is an open LGBTI to help attend to the SRH needs of other LGBTIs and to sensitize other service providers on LGBTIs SRH needs and issues.

- They should have readily available SRH materials, commodities pamphlets and brochures that include information for both heterosexuals and LGBTIs.
- Service Providers should collaborate with LGBTIs support groups and community to learn from each other and share information.

When asked about their opinion regarding the appropriateness of the physical environment for provision of SRH services for LGBTIs, both said it was not conducive for provision of services for LGBTIs. This is why one of them said, *having Service Providers who does not even know that same sex relationships exist can be a risk, because they would not know how to provide tailor-made services.* Again LGBTIs is the community that is living in fear, so it would be advisable to give them special attention in services that they require from the health facility. They are very sensitive, vulnerable, hurting, ashamed and not accepted so they need special care from Service Providers.

LGBTIs would like to have inclusive and affirming clinics for all. Coming from the data analysis of the mystery client, it could be deduced that generally the services provided are not yet accommodative of the SRH needs of LGBTI population. There is need for Service Providers to be capacitated with skills, more information and knowledge regarding SRH needs of LGBTIs. It is also important to make some improvements on the infrastructure to be more user-friendly, which will encourage more LGBTIs to access SRH services.

There were seven participants for the Focus Group Discussion. They were all Lesbians aged between 18 and 31 years of age. The discussions were conducted in Sesotho and were captured on a tape recorder. The information was later transcribed and translated into English.

Table 2 reflects the core themes, themes and sub themes that were extracted from the data analysis of the FGD.

Table 2: Core-themes, Themes and Sub-themes

Core Theme	Theme	Sub Theme
1. User friendliness of service providers to LGBTIs	<ul style="list-style-type: none"> • Attitude of SPs • Knowledge of SPs on SRH needs of LGBTIs • SPs behaviour towards the LGBTIs • Availability of SRH service and/or resources for LGBTIs e.g. fingerdoms, dental dams and lubricants. 	<ul style="list-style-type: none"> • SPs not friendly to LGBTIs • SPs lacked knowledge on needs and service as required by LGBTIs • SPs were judgmental • SRH services and/or resources were unavailable.
2. SRH information availability	<ul style="list-style-type: none"> • Pamphlets, brochures, media, TV presentations, DVDs, Videos, etc 	<ul style="list-style-type: none"> • None was available specifically for LGBTIs. Only information available is for heterosexuals
3. Physical Environment	<ul style="list-style-type: none"> • Space/rooms • Privacy/consultancy • Resources 	<ul style="list-style-type: none"> • Need for a separate area/facility for LGBTIs. • Services to be offered at the same place but with specialized services.

The attitudes of the service providers were generally unacceptable to LGBTIs. They felt that were treated disrespectfully. One of the participants in the FGD indicated that she actually wanted to join the youth club but after visiting the service provider once or twice became skeptical because of the service providers' reception. The issue of absence of a receptionist at the front desk, compromises confidentiality for the clients because he/ she would screen them beforehand and direct them to their respective places.

Generally speaking SPs do not have a sufficient knowledge and skills regarding how to handle LGBTI clients. They also do not have information and resources this population need. It is necessary that SP should have clear and factual information so as to address the needs of LGBTIs.

Case Study 1

One of the participants in the FGD indicated that she visited the service provider with a partner to seek VCT services. When entering the Counseling Room the service provider (SP) harshly told them that only one client is allowed in the room and this is how she was quoted, ***“Se ke la tla baballa ho ‘na mona lona hle...!”*** **Literal translation meaning “Hey you two this is not a play ground...!”** meaning **“whatever you do take your jokes elsewhere.”**

When the SP realized that they were serious about getting the services and were lesbians, she went on to assist them but was asking them very personal questions which they felt were irrelevant to the service they required.

NB: The VCT services do require very personal information particularly when risk assessment is done before the actual testing.

Some SPs were skeptical towards LGBTIs and this made these people uncomfortable and reluctant to seek SRH services. The more knowledge they get with regard to LGBTIs the better, because they will appreciate and deal with them respectfully.

If service providers intend to incorporate services specific to LGBTIs, it is suggested that they should have all the commodities and other equipment needed for this group of people. This includes among others; dildos, fingerdoms and lubricants which should be put at strategic points for distribution as with those of heterosexuals.

Information with regard to SRH for LGBTIs is basically lacking. There are no pamphlets, posters or any other types, either electronic or print. Even in media there is little or no information given to the communities regarding this group people, as if they were non-existent.

There is need to share information geared towards sensitizing communities through radio and television and reading material for LGBTIs. The availability of such information will also assist those still in hiding on how to care for them.

There were mixed feelings about whether to provide services for LGBTIs in the same place as for heterosexuals. Some were adamant that services should be offered at a different place as, that would provide freedom for LGBTIs, whilst others felt it would be better to offer the services at one place because that would enhance collaboration and interaction with heterosexuals, which could also reduce stigma.

It is recommended that health facilities should collaborate with LGBTIs so that they can both share information and accept each other. There is also need to include some open LGBTIs as SPs at SRH services.

There were 20 respondents of which 14 were females while 6 were males. Of all the respondents 13 were aged between 18 and 24; 5 were aged 25 to 34; one of them was between the ages of 35 and 45 whilst the other one was aged over 45.

16 of them indicated they have no children, two had one or two children and the rest did not indicate whether they have children or not. Regarding education, 15 showed that they have received university education and 5 have undergone secondary or post-secondary education.

Out of all the respondents, 14 have pointed out that they are in relationships while 5 of them are single and the other one did not indicate. Of all the respondents, 14 are students and 1 is working in a retail store and the other 4 are doing other jobs not stated when the other one did not indicate whether she/he is working or not. Regarding sexual orientation 10 of them were lesbians, 5 of them were gay and 5 of them were bisexuals.

The participants were requested to indicate how they felt about the quality of SRH services for LGBTIs offered. Table 3 depicts the situation on the quality of SRH services offered to the LGBTIs.

As reflected in Table 3, it could be deduced that majority of participants (13 +) graded the quality of services as very low.

Table 3: Results on Evaluation of Quality of SRH Services based on the 17 participants who solicited services

Questions	Ratings			
	Not at all 1	Somewhat 2	Fairly well 3	Very well 4
2.1 Non-discrimination in SRH provision of services	14	2	0	1
2.2 Sexual diversity policies available at the service provider	14	2	1	0
2.3 Clients offered confidentiality at all levels	12	3	1	1
2.4 Visible posting of non-discriminatory policies	15	1	1	0
2.5 Availability of an office for lodging complaints if any	17	0	0	0
2.6 Availability of SRH training information that is accurate and non-judgemental	12	3	1	1
2.7 Availability of programmes that address LGBTI SRH education and prevention needs at the service provider	17	0	0	0
2.8 Availability of culturally appropriate IEC materials for LGBTIs	16	1	0	0
2.9 Outreach efforts to reach LGBTI individuals, including youth and families	16	0	1	0
2.10 Job/volunteer advertising to LGBTI individuals	14	2	0	1
2.11 Education and activities for families of LGBTI available	17	0	0	0
2.12 Collaboration with LGBTI community partners to promote SRH services for LGBTI	13	3	1	0
2.13 Availability of information on LGBTI community support programs and organizations	15	1	1	0

Eighty five percent (85%) of the 20 respondents indicated that there is no specific or sufficiently scheduled time allocated for services LGBTIs whilst 25% said they were not sure as they have

never accessed services. When asked about the confidentiality of conversations and counseling between clients and Service Providers, 71% responded that it is observed; whilst the rest (29%) indicated it is not.

16 respondents said Service Providers do not use inclusive language which is sensitive in terms of gender and sexual identity. 53% of those who have been to the service provider have identified the following as the organization's strengths: confidentiality, youth friendliness, counseling, accessibility, services for other groups of people e.g. young people and men and provision of Family Planning services. 29% said the services are weak and went further to indicate areas for improvement. The following were identified as areas for improvement: Counseling, Sexuality Education to young people, inclusion of LGBTIs SRH services, expansion to other districts in the country and engagement of LGBTIs in service provision. There should be availability of commodities for other groups e.g. condoms for lesbians and gay people and dental dams and lastly, to improve on the reception; the place and the people. 18% of the respondents mentioned that they were not sure.

Of all the services provided, respondents mentioned that they are all important. Further recommendations for the organization from respondents include provision of LGBTIs specific commodities, treating people equally regardless of their sexual orientation, improve on privacy and having skilled and knowledgeable SPs regarding LGBTIs needs and services or even having LGBTI Service Provider to offer services. Regarding the physical environment, all of the respondents said that it is not good enough for the provision of LGBTIs

Ten questionnaires were distributed to the selected Service providers, however, two members were unavailable at the time of conducting the study and therefore eight (8) service providers received the questionnaires and all of them were completed and returned to the researcher. The questionnaire consisted of five sections as explained below:

The first part required the respondents to provide their demographic information. The second required the respondents to indicate personal feelings regarding their degree of comfort with regard to providing services for and sharing facilities with LGBTIs. The third required the respondents to indicate their personal opinion regarding LGBTIs issues. Fourth required the respondents to indicate the extent to which they were prepared to serve the LGBTIs and fifth, required the respondents to give their comments on sexual diversity and also to provide topics that are related to sexual diversity which they would find useful. Finally, they were asked to indicate whether the physical environment of the service provider was appropriate for the provision of SRH services to LGBTIs.

According to Table 4 one respondent was holding a management position, one was a counselor/educator and one was a peer educator/health promoter. 5 of the respondents who constituted the majority of respondents were nurses. Most of the respondents (N=7) were females while only 1 respondent was male.

Table 4: Position N=8

Management	1
Counselor/Educator	1
Nurse	5
Peer Educator/ Health promoter	1
Total	8

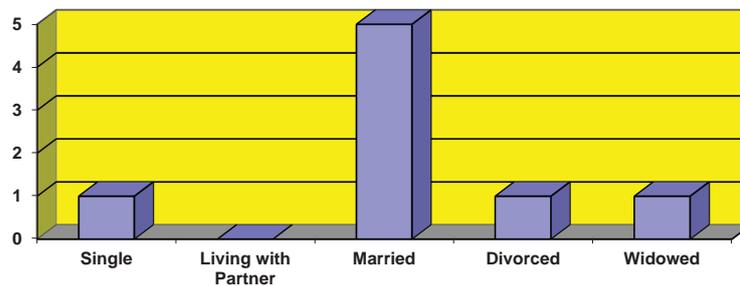
According to Table 5, there were no service providers under 18 to 24 years. However there were 3 respondents in the age cohort 25-39 and 5 in the age cohort 40 years and above. 2 of the eight 8 respondents held bachelor's degree while 5 held other qualifications.

Table 5: Respondents' ages (N=8)

Under 18 -24	0
25-39	3
40 or over	5
Total	8

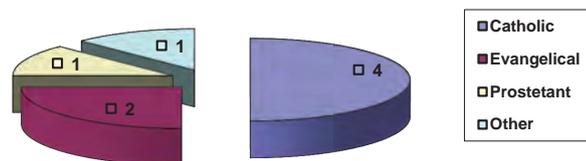
Figure 1 presents the marital status of the respondents. One was single, while 5 were married, and one was divorced and one was widowed.

Figure 1



According to Figure 2, 4 respondents were Catholics while 2 belonged to the Evangelical church and one belonged to other Christian denominations.

Figure 2



The respondents also had to indicate whether they had children or not. One respondent did not indicate whether he/she had any children. 4 respondents indicated that they did not have any children and 3 indicated having at least one child.

In this particular section the respondents were asked to indicate their level of comfort regarding LGBTI's related situation. They had to indicate on a 4 point likert scale whether they **feel very**

comfortable, somewhat comfortable, somewhat uncomfortable or very uncomfortable regarding the stated situation. The findings are presented in Table 6.

Table: 6: Personal feelings regarding the level of comfort regarding service provision to LGBTIs (N=8)

Statement	Very comfortable	Somewhat comfortable	Somewhat uncomfortable	Very uncomfortable	Total
How comfortable would you be if your child's teacher was gay or lesbian?	2	4	1	1	8
How comfortable would you feel if you saw two gay people holding hands	3	4	1		8
How comfortable would you feel working with :					
A gay man?	5		2		7
A lesbian?	5		2		7
A bisexual man?	5		3		8
a bisexual woman	5		2		7
A transgender person?	5			1	6
How comfortable would you feel if you were in public toilet With:					
A gay man? (Answer only if you use the men's toilet)	5		1	1	7
A lesbian? (answer only if you use the women's toilet)	3	2	1		6
A transgender person?	5		3		8

As presented in Table 6, the degree of comfort varies in terms of the respondent's personal feelings about providing services to LGBTIs and sharing facilities with them. However, for all the scenarios presented in this section, it seems that the service providers would be "**very comfortable**" working and living close to LGBTIs given that the highest scores are indicated for the "**very comfortable**" followed by "**somewhat comfortable**".

In the next section of the questionnaire the respondents were required to indicate their personal opinions regarding the LGBTI issues as reflected in the statements. They were requested to indicate on a 4 point scale whether they **completely agree, somewhat agree, somewhat disagree and completely disagree** with each statement accordingly.

According to the information presented in the Table 7, the respondents' opinions regarding LGBTI issues are diverse and varied. Most respondents do believe that it is necessary to have organizations that specifically promote the rights of diverse populations. Furthermore, it seems that the respondents recognize the importance of acknowledging the presence of LGBTIs and also providing them with information. For instance many respondents indicated that knowing the sexual orientation of the clients they serve is very important and that information should be provided for gay couples on the possibility of having their own children.

However, some also hold some myths and negative opinions regarding LGBTI's issues, for instance, that gay men would like to be women, that celebrating "**Gay Pride Day**" is taking things too far and that they would be ashamed of their own children if they were LGBTIs.

Table 7 Personal opinions regarding LGBTI's issues N=8

Statement	Completely agree	Somewhat agree	Somewhat disagree	Completely disagree	TOTAL
Organizations which exist specifically to promote rights of sexually diverse populations are necessary	5		1	1	7
Gay men would like to be women	2	4	1	1	8
People in same sex relationships can make good parents	2		4	1	7
If I had a child who was gay, lesbian or bisexual I would be ashamed of him/her	2	3		2	7
Homosexual individuals should get psychological treatment so that they can become heterosexual	2	1	2	2	7
Gays and lesbians in Lesotho should have the same rights as heterosexuals	4	3	1		8
Celebrations such as Gay pride Day are taking things too far	4		3		7
As a health provider , I need to know the sexual orientation of my client	4	1		1	6
If I ask my clients "do you have sex with men, women or both?" I will offend them	3			5	8
It is only necessary to ask those clients who seem gay whether they have sex with men, women or both.	1	1	1	5	8
I believe that gay couples should be given information about how to have their own children	4	2	1		7

Table 8: The level of preparedness to serve the LGBTIs

Statement	Very prepared	Somewhat prepared	Unprepared	Total
If a male client told you he has sex with men how prepared do you feel to:				
A. Provide him with appropriate health services?	6	1	1	8
B. counsel him appropriately?	5	2	1	8
C. refer him elsewhere for services you could not provide?	6	1	1	8
If a female client told you he has sex with women how prepared do you feel to:				
A. Provide her with appropriate health services?	6	2		8
B. counsel her appropriately?	7		1	8
C. refer her elsewhere for services you could not provide?	7		1	8

Table 8 depicts the extent to which Service providers are prepared to provide services to the LGBTIs. There is a positive trend depicted by the findings in that majority of the respondents indicated that they would be **“very prepared”** to provide the LGBTIs with various services. Very few respondents indicated that they would feel much unprepared to provide such services to this

sexually diverse population. The findings revealed that service providers are eager to provide SRH services to the LGBTIs as long as they can be equipped with knowledge and skills.

Section E of the questionnaire required the respondents to give their comments and topics on sexual diversity and other issues raised in the survey and topics related to sexual diversity that they would find most useful for them as health care providers. Finally they had to indicate the extent to which the physical environment (infrastructure, space including privacy) is appropriate for provision of SRH services for LGBTI population.

Various comments were presented by most respondents while a few did not comment. The comments are indicated as follows:

- LGBTIs are human. Therefore, there should not be any discrimination against them
- It is important to reconsider the concept of *thakaneng*, which involves both males and females and does not discriminate based on sexual orientation
- Consideration of the legal status of the LGBTIs which includes adopting children and whether law reform can take care of LGBTI issues
- There is a need to find out if there is a policy regarding this sexually diverse population and also the extent to which the national constitution accommodates sexual diversity.
- It is important to establish what fraction of the population constitute LGBTIs lest a concern is raised for people who are an insignificant minority
- It is a challenge for Service providers to identify LGBTIs
- Religion shows that LGBTIs are not normal
- There is lack of understanding on why LGBTIs are different
- There is need for modalities and strategies which can be utilized by LGBTIs to reveal their sexual identity
- Community is not well sensitized regarding LGBTIs issues

Several topics related to sexual diversity were suggested as important by the service providers. They are presented as follows:

- Health education
- Counseling
- Orientation on values clarification
- STI's and HIV and AIDS focused specifically on LGBTIs
- Negative public attitude regarding LGBTIs
- Couple's counseling for artificial insemination for LGBTIs

There were differing views on whether the physical environment at the service provider is appropriate. 4 respondents stated that there were appropriate facilities while there other 4 expressed different views. The latter stated that there is not enough space and privacy. Furthermore, they contended that the LGBTIs issues are not well accepted by many people because there is no sensitization regarding issues of sexual diversity. Finally, another issue raised with regard to this was that “**personal values contradict professional values**” which means that at professional level, service providers concur that it is professionally appropriate to be sensitive to LGBTI's SRH needs and yet at personal level some service providers might feel too challenged to handle such issues.

A detailed account of data analysis which included discussions based on the findings has been given. Based on these findings, it could be concluded that there are numerous ways that health care providers can improve the access to and experience of health care services for LGBTI individuals. These include:

- providing LGBTI-friendly services
- taking educational courses that are sensitive to the needs of LGBTI patients
- treating the families of LGBTI clients as one would the families of heterosexual clients
- maintaining the strictest code of confidentiality
- developing and maintaining health care centres or clinics that address LGBTI specific needs
- asking non-threatening questions to determine if a person is at risk of STIs
- providing services to individuals in the process of disclosing their sexual identity and, if applicable, their families as well

The conclusions and recommendations that have been drawn from the findings of the study are outlined as follows:

There is limited access and inclusiveness of quality SRH services for the LGBTI population given how services are offered. It seems that the services are mainly heterosexual in nature as evidenced by, for example the fact that LGBTIs are as diverse as the general population in terms of race and ethnicity, age, religion, education, income, and family history. Some of the health concerns and risk factors that are relevant to LGBTI individuals may be shared by the general population, while others are more specific to the LGBTI community, and still others are specific to different subgroups of LGBTI individuals. Some of the common health problems may be grouped according to the following areas of concern:

- **Discrimination issues:** inadequate medical care; difficulty in obtaining housing, insurance coverage, or child custody; violence
- **Sexual behaviour issues:** STIs including HIV and AIDS, hepatitis A virus (HAV), hepatitis B virus (HBV), gonorrhoea, chlamydia, and human papilloma virus or HPV; anal, ovarian, and cervical cancer.
- **Cultural issues:** body image, nutrition, weight, and eating disorders; drug and alcohol abuse; tobacco use; parenting and family planning.
- **Sexual identity issues:** conflicts with family, friends, and work mates; psychological issues such as anxiety, depression, suicide and economic hardships.
- **Accessibility and inclusiveness of SRH services at the service provider**

Many LGBTI individuals have difficulty accessing health services due to fear of being requested in some instances, to reveal their sexual identity (“coming out”) to their Service Providers. They may fear discrimination from providers or believe that their confidentiality might be breached. In some cases health care workers have been inadequately trained to address the needs of LGBTI individuals or have difficulty communicating with their LGBTI clients. Differential treatment towards LGBTI individuals by health care providers can lead to a poor health status and under-utilization of healthcare services including SRH services which may compromise quality of health for this group of people.

The following conclusions were drawn from the findings:

- Only heterosexuals' commodities are adequately availed at the service centre.
- There is lack of adequate information and knowledge regarding LGBTIs Sexual and Reproductive Health needs from the service providers, therefore, when LGTBI clients present themselves for services, it is not possible to assist them appropriately
- Interpersonal relations of Service Providers/clients were gauged as negative with some service providers prying into personal matters of the clients when they (clients) disclosed their sexual orientation. The LGBTI clients found this to be very intrusive and offensive. However, it was observed that risk assessment requires clients to disclose very personal information which might be deemed as intrusive by the LGBTIs. .
- The physical environment is not conducive to the provision of SRH services to LGBTIs because there is no privacy for clients to feel free to discuss their personal issues.
- Language usage is not inclusive of all sexual orientations.

The following issues related to Service Providers' readiness with regard to providing services to LGBTIs emerged:

- Service Providers expressed strong willingness to serve the LGBTIs, however, they acknowledged the fact that they lack adequate information and knowledge on how to deal with sexually diverse population.
- Service Providers would like to be provided with information and education on various LGBTIs issues to be able to fully extend the quality services to the LGBTIs.

The recommendations focus on access and inclusiveness, capacity building, and improvement on service provision.

- Development of advocacy materials in the form of brochures and pamphlets containing both heterosexuals' and LGBTI's Sexual and Reproductive Health issues. This will assist in destigmatizing LGBTI population and will give both populations access to each other's information
- Capacity building and sensitization through service training on sexual diversity issues for service Providers is necessary
- Community sensitization on SRH affecting both heterosexuals and LGBTIs should be undertaken
- Service Providers should also be trained with skills that they can use to empower the LGBTIs who access their service. This will attract more LGBTIs who might otherwise be skeptical
- Information for SRH issues for LGBTIs is important and should be available at the reception area
- Efforts should be made to maximize participation of LGBTI community and other volunteers in the education and training of the service providers on sexual diversity issues
- SRH commodities for LGBTIs (e.g. fingerdoms, dental dams) should also be available at the reception area even if they are for sale since they are expensive and cannot be provided for free
- There should be at least a Service Provider who is an open LGBTI to help attend to the SRH needs of other LGBTIs

- There is need for improvement of the infrastructure to be more user-friendly to accommodate LGBTIs
- Expansion of LGBTI SRH services to other districts or towns in the country is necessary

Some of the recommendations have been made by the respondents themselves.

These are that:

- National sensitization on issues of sexual diversity in the schools and various workplaces and communities through the media
- The country's constitution should be amended to include LGBTIs SRH rights as human rights
- LGBTIs networks and communities should be recognized and be registered like any other formations
- Incorporation of SRH services for LGBTIs as part of the comprehensive health services provided in all health facilities in the country
- Curriculum integration of sexual diversity issues in teacher training and health training institutions is needed

The major findings of the study were that there is limited access and inclusiveness of services for the LGBTIs population in Lesotho. Discrimination of LGBTIs in the provision of services is rife. Therefore, the study concluded that there is limited access and inclusiveness of quality SRH services for the LGBTI population. However, service providers are willing to learn the needs of LGBTIs so that they can provide quality service for them. The study recommended that there has to be national sensitization on issues of sexual diversity in the schools and various workplaces and communities through the media. The country's constitution should be amended to include LGBTIs SRH rights as human rights. LGBTIs networks and communities should be recognized and be registered like any other formations. Incorporation of SRH services for LGBTIs as part of the comprehensive health services provided in all health facilities in the country and curriculum integration of sexual diversity issues in teacher training and health training institutions are needed.

References

- Carroll, A & Perolini, M.(2007) International Human Rights References to Sexual and Reproductive Health and Rights(regarding LGBT populations and HIV/AIDS and STIs). ILGA-Europe, Netherlands.
- Kennedy, B. (2006) "Homosexuals in the Periphery: Gay and Lesbian Rights in Developing Africa". *Nebraska Anthropologist*.Paper 21.
- Misra, G. (2009) Decriminalising Homosexuality in India. *Reproductive Health Matters*, 17(34) pp. 20–28.
- Nilsson, A., Holmberg, A, & Ljungros, K. (2010) Evaluation of Sida's Action Plan on Sexual Orientation and Gender Identity in Swedish Development Cooperation 2007–2009. Sida, Sweden.
- Government of Lesotho (2009) National Reproductive Health Policy. Maseru: Lesotho.
- Wood, J., Simon, S. & Anmeghichean, M. (2007) LGBT Health and Rights in East Africa: A Snapshot of Successes and Challenges for the Advocacy Community.

Migrant Women Workers: the Legal Requirements

Ranjan Anno Helan Menaka

Migration is a global development issue with profound opportunities and challenges to both immigrant and emigrant countries. According to an analysis of migration and development prepared by the UN Department of Economic and Social Affairs, 3% of the world population (191 million) live in a country other than the one in which they were born. According to statistics, in 2005, one third of people moved from a developing country to one that is developed, with one third moving from one developed country to another developed country¹. The International Convention on the Protection of All Migrant Workers and their Families Article 2 defines the term migrant as a “person who is to be engaged, is engaged or has been engaged in a remunerated activity in a state of which he or she is not a national”.

On the issue of migration, Sri Lanka occupies a very important and unique position. Migration of Sri Lankans for overseas employment has proved to be a significant feature in the socio-economic life of the country. International labour migration from Sri Lanka has grown in importance over the last few decades and numbers have increased more than ten fold. According to statistics, 247,119 Sri Lankans are employed abroad and out of this, 51.73% are female migrants and 48.27% are male². This indicates a large number of female migrants from Sri Lanka. Therefore, this paper will discuss female migrant workers’ rights and focus on salient features of the International Conventions, why the conventions are important in the Sri Lankan context and the extent to which the Sri Lankan legal regime has dealt with the matters in these conventions.

The first instance of outflow from Sri Lanka for foreign employment is reported in the first half of the twentieth century. Under British rule, Sri Lankan Tamils emigrated to Malaysia in small numbers, especially to work in the British rubber plantations. After gaining independence in 1948, many people of Burgher origin migrated to Australia and New Zealand³. In the middle of 1973, with the oil exporting OPEC countries gaining huge profits from the oil price boom, the resultant economic development in these countries had a tremendous impact on the labour market, turning these countries into a virtual open market for migrant labour.

One of the main reasons for the high rate of labour importation by Arab countries was the social condition that emerged in the Middle East coupled with their economic development. The shortage of human resources in the Middle East was addressed by Western migrants taking up the skilled jobs and Asians filling the gap for unskilled work⁴. In 1977/78, the Sri Lankan government also contributed positively to this trend, especially through relaxation of travel and exchange rate restrictions.

1 United Nations (2008) *UN Statistics show migration as a dynamic and diversifying force in Global Development*, International Migration and Development, Press release <http://www.un.org/migration/presskit/pressrelease12sept.pdf>

2 Sri Lanka Foreign Employment Bureau *Female Departures for Foreign Employment by Manpower Levels 1994 – 2009**, Table 6, accessed on 10 June 2013, <http://www.statistics.gov.lk/ncms/RepNTab/Tables/SLBFE/tab6.pdf>

3 IOM (2008) *International Migration Outlook Sri Lanka* p. 19, accessed on 10 August 2014, <http://www.migrationhealth.lk/IOM%20Outlook.pdf>

4 *Ibid* p. 26

The reasons that stimulate people to migrate are numerous. Workers usually move to find better employment opportunities and working conditions. In addition, demographic imbalances between developed and developing countries and differences in wages have tended to encourage the movement of workers from economies where they are in surplus to those where they are most in need. There are also other factors such as unemployment or under-employment in developing countries, low wages for sectors such as domestic work in developing countries and rapid increases in cost of living which affect the poorer strata most in developing countries.

In traditional Sri Lankan society, women were not considered to be the bread winner of the family. However, this traditional role has shifted due to changes in social and economic spheres. Therefore, for women and girls from various social classes and levels who need to help their families, the only option is migration. Some of the most commonly known causes for migration are the push and pull factors in countries. Push factors are factors which drive people to leave their country and pull factors are factors that attract them to a new country.

The most common push factors of migration are elements such as economic, social and political hardships in the originating country, including poverty and domestic problems. In Sri Lanka, the desire to escape poverty and domestic problems is so strong that many women are willing to undergo any hardship to migrate and do not consider the danger or the uncertainty involved. Most rural underprivileged women, who lack opportunities in life such as higher education, well paid employment, or social contacts to access resources, tend to go to the Middle East to earn enough money within a short period of time so as to lead a better life.

Pull factors include comparative advantages in the richer countries; economic, social and political⁵. Sri Lankan laws deprive property rights to females on the basis of sex, especially Thesawalamai Law, where if a married women wants to transfer her property she needs her husband's consent. The Land Development Ordinance section 9 discriminates against the right to inherit property of state land. Economic and war related reasons during the past have created an environment for women to accept a new role. In Sri Lanka therefore, it is the combination of push and pull factors that have increased the number of migrants from the country. It is widely recognised that female migrant labour comprises five categories: those who go to reunite with family, those who go in search of greener pastures and better economic opportunities, those who go to study overseas, those who are victims of trafficking and refugees.

In the mid 1980s the female share of migrant workers was about 33%. After 1986, the demand for female garment factory workers in overseas enterprises further increased the female migratory pattern⁶. This was another good opening for Sri Lankan female migrant workers. The foreign employment market for Sri Lankan workers has been dominated by females engaged as housemaids mainly working in the Middle East. In 2007, out of the total number of migrant workers, 53% were female of which 47% were housemaids⁷ (SLBFE 2007). In 2009, the total number of female migrants were 127,843 and of this, 89% were employed as housemaids, 4.98% as unskilled workers and only 0.10% were professional workers⁸. This shows that female migrants have been dominating the market over several decades.

5 *Supra* 4 p. 5

6 *Ibid*

7 *Supra* 4 p. 8

8 Sri Lanka Foreign Employment Bureau *Departures for Foreign Employment 1986 – 2009**, Table 1, accessed on 10 June 2013, <http://www.statistics.gov.lk/NCMS/RepNTab/Tables/SLBFE/tab1.pdf>

While women's overseas migration brings new employment opportunities, migration has also continuously helped to reduce the domestic unemployment pressure in Sri Lanka. However, it also brings risks where many of these migrant workers end up at the lower end of the job market. In most Middle Eastern countries, labour laws generally do not cover female domestics because they are not considered employees. They work in households which are not considered a workplace, and they work for private individuals who are not considered employers. Also, domestic workers are excluded from labour protection⁹.

Commonly, female migrants rights are violated in three stages: pre-departure, preparation for migration and at the destination country. Recently, Lebanon has included domestic workers in its legal provisions, which is a positive development. The number of irregular migrants moving out of the country either through unofficial means or taking up unauthorised employment leads to high vulnerability which results in exploitation, victimisation and abuse. Meanwhile, irregular migrants tend to enter foreign territories risking their lives and often get caught up in illegal activities such as human and drug smuggling and trafficking. The illegal migration of female migrant workers through recruiters lead not only to economic ruin but also to physical and sexual abuse. There are several incidents which illustrate this. In 2012, a Sri Lankan woman bound for employment in Saudi Arabia had allegedly been sexually abused by the job agent¹⁰. Also a female from Kosgama who was illegally sent to the Middle East by a job agency, subsequently died in an accident¹¹.

Trafficking of women in the process of migration is a serious issue that the state should address with a view to placing measures for preventing and enforcing of legal procedure and penalties for those involved in trafficking. The recent report on Trafficking in Persons published by the US State Department, places Sri Lanka on the "Tier 2 watch list", which is just one level above the worst category¹². The SLBFE Act does not make provisions with regard to trafficking and illegal migration. However, Section 63¹³ of the Sri Lankan Bureau of Foreign Employment Act No 21 of 1985 covers the provision of false documents or the use of any inducement for the purpose of employment. While the inclusion of the provision is a welcome one, the impact level of the time and term of imprisonment stated here is low. The section was amended in 2009 by section 12 which increased the penalty from one thousand rupees to twenty five thousand rupees and imprisonment for a term not exceeding two years. However, the Immigrants and Emigrants Amendment¹⁴ gives effect to anti-trafficking measures, especially in relation to the use of the promise of employment as a means to enable trafficking. The Act introduced Section 45 (c) to the Immigrants and Emigrant Act No 20 of 1948 as a new section in 2006¹⁵. This amendment also makes such offences punishable upon conviction, stipulating imprisonment for a term not exceeding five years and to a fine not exceeding two hundred thousand rupees. The offence is also non-bailable except by applying to the high court in exceptional circumstances.

9 Chammartin, Gloria Moreno-Fontes (2005) *Domestic Workers, little protection for the underpaid*, International Labour Organisation, accessed on 10 August 2013, <http://www.migrationpolicy.org/article/domestic-workers-little-protection-underpaid>

10 'Saudi bound woman allegedly sexually abused by the job agent', *Daily News*, 25 May 2012

11 'Agency license cancelled following Lankan woman's death', *Daily News*, 18 April 2012

12 U.S. Department of State (2012), *Trafficking in Persons Report 2012*, accessed on 21 July 2014 <http://www.state.gov/j/tip/rls/tiprpt/2012/index.htm>

13 The Sri Lankan Bureau of Foreign Employment Act No 21 of 1985

14 Amendment No 31 of 2006

15 Ibid

However, in relation to all these penal provisions, the difficulty arises in the making of complaints. This act only deals with situations where the actual or aggrieved party personally makes a complaint. Situations such as where a migrant worker is unable to return as a result of the illegal acts perpetrated upon him or her are not covered. Some provisions for a family member to move the bureau to act in such circumstances would therefore be advantageous in providing protection to migrant workers.

According to SLBFE statistics, the total number of female migrants in 2009 was 127,843, and out of this, 89% (113,777) were housemaids, 4.98% (6367) were unskilled, 0.10% (133) were professional, 0.77% (985) were Middle level and 0.65% (837) were clerical and related with 4.21% (5384) being skilled workers¹⁶. This shows that Sri Lanka has a strong concentration of unskilled workers and housemaids who wish to work overseas. However, the present demand is for more skilled and professional categories of workers, which usually require internationally recognised qualifications to enter the market. Sri Lanka thus, has a huge mismatch between the international demand for job and its supply.

A number of exploitative practices take place in the destination countries. The UN Convention implies that inhumane living and working conditions, torture, physical and sexual abuse and degrading treatment should be prevented¹⁷. However, the question is whether the human rights supposed to be protected under this convention are in fact protected, especially with regard to female migrants.

Challenges in migration are mainly related to those who migrate for employment and among these, most hardships are faced by those who go to the Middle East, in particular, the female domestic workers and unskilled workers. According to SLBFE statistics, the number of total complaints received from migrant workers in 2009 was 12,061 and of this, 9388 complaints were from female workers and only 2673 from males¹⁸. This data indicates that migrant female workers face more disadvantages than men in their effort to gain access to the foreign labour market. Out of the total complaints made by female migrant workers, 4364 complaints were from Saudi Arabia, 1227 complaints were from Jordan and 1190 were from Qatar¹⁹. These are the countries which offer the highest percentage of work opportunities to housemaids. This also shows that female migrant workers face violations of their human rights including labour harassment and abuse at the workplace.

A number of exploitative practices take place in countries where Sri Lankan migrant workers are employed, including non payment of salaries and wages. According to SLBFE statistics, 2053 complaints were received in relation to non-payment of agreed wages in 2009 and out of this, a total of 1654 complaints originated from female migrant workers²⁰. There have been incidents where housemaids requesting employers for their salary dues were locked inside the home and had their passports confiscated.

16 Sri Lanka Foreign Employment Bureau *Female Departures for Foreign Employment by Manpower Levels 1994 – 2009**, Table 6, accessed on 10 June 2013, <http://www.statistics.gov.lk/ncms/RepNTab/Tables/SLBFE/tab6.pdf>

17 International Convention on the Protection of the Right of All Migrant Workers and Members of their Families Articles 10, 11, 25 and 54

18 Supra 16

19 Ibid

20 Supra 16

According to SLBFE statistics, 1055 complaints were received in relation to sickness in 2009 and of this, a majority of 941 complaints originated from female migrant workers²¹. In Middle Eastern countries, Sri Lankan female migrant workers are subject to torture and cruelty by their employers. According to SLBFE statistics, 1539 complaints were received related to physical and sexual harassment in 2009 and from which, a majority of 1480 complaints came from female migrants workers. In 2011, a Sri Lankan female returned home with permanent disabilities due to being tortured²². Also in 2011, some hundred Sri Lankan migrant workers returned from Kuwait and alleged that they had been harassed and assaulted by their employers²³. In 2009 a Sri Lankan housemaid who was subject to torture and cruelties by her employers while in Saudi Arabia, was admitted to hospital and in her statement mentioned that her work included cleaning a house with 19 rooms, looked after four children, washing and cooking. She had worked till 12 midnight on a daily basis²⁴. Recently there have also been incidents of employers inserting nails²⁵ and metal wires²⁶ into female migrant workers.

It is reported that in 2010, the primary cause of complaints, 21% as received by SLBFE, were based on breach of contract, which was followed by 20% of complaints related to defaulting on payment of wages²⁷. According to SLBFE statistics (2009), 2926 complaints received were in relation to breaches of employment contracts and out of this, a total of 1817 complaints originated from female migrant workers²⁸.

According to SLBFE, 1616 complaints were received in 2009 relating to a lack of communication and out of these, a total of 1526 complaints were received from female migrant workers. A Sri Lankan female migrant worker was virtually a prisoner at her sponsor's house in Saudi Arabia for 17 years and forbidden from communicating with her relatives in Sri Lanka²⁹. According to Human Rights Watch, out of 114 judicial cases in Lebanon, not one employer was charged³⁰. In 2012, a 25 year old Sri Lankan housemaid had to be rescued from Baharain after allegedly being held against her will for nearly 18 months.

Migrants should also have the right to remain connected to their country of origin. The convention says this means that migrants can return to their country of origin if they wish and that they are allowed to pay occasional visits and are encouraged to maintain cultural links³¹. According to SLBFE (2009) statistics, agencies generally take advantage of migrant workers' predicaments and exploit them. In 2008, a female migrant worker was abused at the hands of her Kuwait job agency after her employer sent her to the agency and she returned to Sri Lanka in a wheel chair³².

21 Ibid

22 Somaratna, Rasika (2011) 'Housing for disabled migrant workers', *Daily News*, 30 August 2011

23 'Assaulted Lankan workers return from Kuwait', *Daily Mirror*, 6 December 2011

24 Jayaruk, Krishan Jeewaka (2009) 'Sri Lankan House Maid subject to torture and cruelty', *Daily Mirror*, 29 September 2009

25 'Ill Treatment in Sri Lankan Housemaids', *Daily Mirror*, 22 August 2011

26 *Daily Mirror*, 18 February 2011

27 Jayaweera, Roshini and Jayawardana, Priyanka (2012) 'Budget Proposal 2012 and implication on migration', *Daily Mirror*, 5 January 2012

28 *Supra* 16

29 Bandara, Atapattu (2012) 'Minister's intervention ends Nandani's 17 year ordeal', *Daily News*, 26 March 2012

30 'Lebanon not protecting domestic workers', Beirut, 19 September 2010

31 *Supra* 17 Article 8, 31 and 38

32 *Daily News*, 19 August 2008

The remittance contribution from the skilled categories is very low as these workers tend to spend their earnings abroad and save or invest in foreign countries to gain better returns. The unskilled workers and housemaids on the other hand, remit 80% of their income back home³³. According to SLBFE (2009), the total remittance from foreign employment is Rs. 382, 800 and from which, Rs. 229, 298 (59.90%) private remittance is contributed from Middle East Countries³⁴. Therefore, it is accepted that the female migrant workforce provides an important contribution to the economic status of the country. However, this contribution is undervalued due to the numerous problems faced by these migrant workers. Female domestic workers and unskilled workers who go to the Middle East face many hardships and it is thus necessary to ensure their rights. This is something Sri Lanka, as a labour exporting country alone, is not in a position to guarantee but it can be developed through bilateral and multilateral collaboration.

The government of Sri Lanka has entered into several bilateral agreements and memoranda of understanding with many countries employing Sri Lankan workers in order to ensure the protection of their rights. It has been made mandatory for employers wishing to hire Sri Lankan housemaids to sign a contract which must be endorsed by the Sri Lankan embassy before the housemaid leaves the country. However, the challenge faced by Sri Lanka is that Middle Eastern countries have signed only a memorandum of understanding, which needs to be tightened to gain the best results for Sri Lankan migrants located in these countries. The Bureau should be put under a duty to provide adequate and timely social, economic and legal services to migrant workers and should also take relevant steps to ensure their fair treatment. Sri Lanka should adopt a policy that restricts migrant workers to only work in countries where their rights are protected. The Migrant Workers and Overseas Filipinos Act of 1995 which imposes a number of such prescriptions for Filipino migrant workers³⁵ is an instructive case for Sri Lanka. On 1st November 2011, the POEA Governing Board (GB) published GB Resolution No 7, which specifies a list of 41 countries where OFWS cannot be deployed due to non compliance with the guarantee required under R.A. 10022. As of November 2011, the POEA lists 125 countries as being compliant with the guarantee required under R.A. 10022³⁶.

Section 2(d) of The Migrant Workers and Overseas Filipinos Act of 1995 recognises the contribution of female overseas migrants in nation building and their particular vulnerability. Also, it requires the state to apply gender sensitive criteria in the formulation and implementation of policies and programmes affecting migrant workers. This is a good example for Sri Lanka to consider the needs of female migrants and protect their human rights. Also, the UN Convention can be used as a tool to demand human, social, political, cultural and economic rights.

The appointment of SLBFE staff to its offices in foreign countries where Sri Lankan migrant workers are employed, should be on requisite qualifications or experience. Political appointments have resulted in these persons being totally unable to safeguard Sri Lankan migrant workers in foreign countries and provide legal and social advice. The appointment of representatives of foreign employment agencies should be strictly regulated. Members of any government agencies involved in implementing laws and their relatives should be prohibited from engaging directly or indirectly in the business of recruiting migrant workers as defined by the law.

33 www.statistics.gov.lk/NCM/Repn Table 74 : Private Remittances (Rs. Million) 1991 - 2009*

34 Ibid

35 The Migrant Workers and Overseas Filipinos Act of 1995 Section 04

36 Medenilla, Samuel (2011) 'OFW ban: No deployment to 41 countries', *Manila Bulletin*, 1 November 2011

Abusive and exploitative working conditions are experienced by Sri Lankan migrant workers without any redress. Existing redress procedures relating to migrant worker complaints in Sri Lanka result in the complaint being investigated by an officer authorised by the Bureau. After the inquiry the officer may make a recommendation for action he or she deems necessary with regard to the violation. However, numerous investigated processes have been found to be poorly documented and has resulted in no redress to the workers. An independent and non-partisan body should examine such complaints rather than a body influenced by government.

There are several situation in which female migrants are in jail and on death row due to violating the laws of the country or negligence in their work. One famous incident is Rizana Nafeek, who was convicted of killing an infant in Saudi Arabia. The Sri Lankan government acceded to The Vienna Convention on Consular Relations in May 2006, even though it has not yet put in place a system to exercise its right under this Convention, to promptly arrange for legal representation in order to protect Sri Lankans in foreign countries. The government should create Legal Assistants for migrants to coordinate all legal services for Sri Lankan migrant workers. Section 24 of the Philippines Migrant Act is instructive to Sri Lanka; it provides Legal Assistants to Filipino migrants. Furthermore, section 34 of this Act empowers migrant workers to participate in policy making processes to address migrant worker concerns. This is also a good example for Sri Lanka.

Government agencies and other departments or agencies involved in the migration training process should give priority to returning migrants who have been previously employed as domestic helpers. This will involve and engage the returnees by providing local employment and ensure that their skills and potential is harnessed for national development.

Due to the increasing number of migrant workers and the problems faced by them, several International Conventions and National Laws have been set up to protect their rights. Currently, there are three international instruments which protect the migrant workers' rights. Sri Lanka ratified the International Convention on the Protection of the Right of All Migrant Workers and Members of their Families on 11th of March 1996. As a primary labour exporting country, Sri Lanka's obligations relate mainly to the articles contained in part VI of the Convention, concerning the promotion of sound equitable, human and lawful conditions. The International Convention on the Protection of the Right of All Migrant Workers and Members of their Families came into force on 1st July 2003. Sri Lanka has submitted the initial report on legislative, administrative, judicial and other measures taken to implement the provisions of this convention³⁷.

However, Sri Lanka has not ratified the International Convention on Migrant Workers (Supplementary Provisions) 1975 (No. 143)³⁸ and Migration for Employment Convention (Revised) 1949 (No. 97)³⁹. Both of these Conventions have the common objective of protecting migrant workers. In addition, Sri Lanka ratified the Convention on Elimination of All Forms of Discrimination against Women (CEDAW) in October 1981.

Sri Lanka has developed policies based on international human rights to govern labour migration from the country. These policies comprise four key areas: legislative frameworks, social dialogues, institutional frameworks and consultative frameworks. The Sri Lankan Bureau of Foreign Employment Act⁴⁰ is a major piece of legislation that deals with foreign employment.

37 National Policy 2008

38 International Labour Organisation, Sri Lanka, <http://www.ilo.org/colombo/lang--en/index.htm> accessed on 2 June 2013

39 *Ibid*

40 No. 21 of 1985

It was originally under the supervision of the Ministry of Labour, but from 2007 it was transferred to the newly created Ministry of Foreign Employment Promotion and Welfare (MFEPW) and given tasks that include the formation and implementation of foreign employment policies and promotion programmes⁴¹. The main objectives set out in this Act are

- To set standard for and to negotiate contract of employment
- To enter in to agreement with relevant foreign authorities, employers and employment agencies in order to formalise recruitment agencies
- To formalise and implement a model contract of employment which ensures fair wages and standards of employment
- To examine the authenticity of documentation issued to Sri Lankan recruits outside Sri Lanka going abroad for employment
- To undertake the welfare and protection of Sri Lankan employees outside Sri Lanka
- To provide assistance to Sri Lankans going abroad for employment

Migration for Employment (Revised) 1949, (No 97) Article 1 of the Convention enables a state ratifying the Convention to maintain or satisfy certain conditions. Availability of adequate and free service to assist migrants for employment; and particularly providing accurate information is one such condition. Sri Lanka has fulfilled the requirements of this Article to some extent. Information pertaining to emigration is readily available in Sri Lanka at the Bureau for Foreign Employment, Department of Immigration and Emigration and the Ministry of External Affairs. Although the government has concluded several bilateral agreements with about seven host countries, the content of these agreements are not available to the public⁴².

Article 3 requires the state to take steps against misleading propaganda relating to emigration and immigration. The SLBFE Act requires all private recruitment agencies to be licensed in order to operate. As per Section 24 (1), all advertisements for recruitment must be submitted to the SLBFE for approval prior to publication or display. Section 37 (1) mentions that a breach of this requirement may result in the cancellation or refusal of a license to operate. The amendment to the SLBFE Act in 2009 imposed an obligation to verify section 37 (A) (1). Despite the diverse schemes set in place by the SLBFE, the inability to hold unlicensed sub-agents accountable has led to the continuation of abusive and exploitative practices. The lack of a proper monitoring mechanism for licensed agencies is a major challenge in minimising malpractices. 27% of migrant workers still obtain employment from sources other than licensed recruitment agencies and an estimated 5-10% of migrant workers evade registration with SLBFE⁴³.

Article 4 requires the state to facilitate the departure journey and reception of migrants for employment. Section 15 (P) of the SLBFE Act stipulates that one of the objectives of the SLBFE is to assist Sri Lankan workers going abroad for employment. Article 5 requires the state to undertake appropriate medical tests within its jurisdiction. However, the current requirement is that migrant workers seeking employment in Saudi Arabia, Kuwait, Oman and the United Arab Emirates (UAE)

41 www.slbfe.lk/II/article.php?article=67 accessed on 22nd October 2012

42 International Labour Organisation of Sri Lanka (2012) *Review of Impediments and Opportunities for Sri Lanka to ratify the ILO Migration for Employment Convention, 1949 (No. 97) and the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)*, pg. 3

43 Supra 46

should obtain a medical certificate from a medical clinic in Sri Lanka selected and appointed by Gulf medical centres⁴⁴. This may lead to a situation where discriminatory medical screening could be imposed by recruitment countries without the knowledge or the consent of prospective migrant workers.

One of the major reasons for female migration is the betterment of their family. However, the above discussion indicates that they become vulnerable due to insecurity and uncertainty. This situation is harmful to their families, society and country and especially to their children. Hence, each individual migrant worker should be aware of their rights and duties which will assist in the promotion of female migrant worker rights. The state has taken many steps to protect migrant worker rights but a gap still exists with regards to the protection of female migrant workers. It is important to take special measures to ensure the safety of female migrant workers. The Sri Lankan government has a great responsibility to protect and promote the rights of the country's migrant workers, who play a major role in supporting the local economy. As a state party to the UN Convention, the government has also assured the world that it is committed to fulfilling this obligation. The law is a tool which can help to protect and promote the rights of female migrant workers and thus, strengthening the laws will go a long way towards ensuring women's empowerment.

References

- Chammartin, Gloria Moreno-Fontes (2005) *Domestic Workers, little protection for the underpaid*, International Labour Organisation, accessed on 10 August 2013, <http://www.migrationpolicy.org/article/domestic-workers-little-protection-underpaid>
- International Convention on the Protection of the Right of All Migrant Workers and Members of their Families
- International Labour Organisation of Sri Lanka (2012) *Review of Impediments and Opportunities for Sri Lanka to ratify the ILO Migration for Employment Convention, 1949 (No. 97) and the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)*, pg. 3
- International Labour Organisation of Sri Lanka, accessed on 2 June 2013, <http://www.ilo.org/colombo/lang--en/index.htm>
- IOM (2008) *International Migration Outlook Sri Lanka* p. 19, accessed on 10 August 2014, <http://www.migrationhealth.lk/IOM%20Outlook.pdf>
- Sri Lanka Foreign Employment Bureau *Female Departures for Foreign Employment by Manpower Levels 1994 – 2009**, Table 6, accessed on 10 June 2013, <http://www.statistics.gov.lk/ncms/RepNTab/Tables/SLBFE/tab6.pdf>
- The Migrant Workers and Overseas Filipinos Act of 1995
- The Sri Lankan Bureau of Foreign Employment Act No 21 of 1985
- U.S. Department of State (2012), *Trafficking in Persons Report 2012*, accessed on 21 July 2014 <http://www.state.gov/j/tip/rls/tiprpt/2012/index.htm>
- United Nations (2008) *UN Statistics show migration as a dynamic and diversifying force in Global Development*, International Migration and Development, Press release <http://www.un.org/migration/presskit/pressrelease12sept.pdf>

44 Ruhunuge, 2012 cited in Supra 46 p. 11

In the Absence of Their Wives: The Impact of Women's Migration on Men in Sri Lanka

Mallika Pinnawala

Sri Lankan women are an important group in the transnational migrant workforce today. Unlike in the sixties and seventies, when women from Sri Lanka migrated as dependents of their husbands who were either professionals or skilled workers, today they migrate as independent workers in the new gender-based global labour market. These migrant women not only play an important role in the economy by contributing to the national income of the country, but have also acquired a new role in the family by becoming, if not the sole provider, at least the main provider of the family, during the period of their migration. This newly acquired role of wife has resulted in the empowerment of migrant women and thus, improved their position in society and within their family. Its impact within the family goes beyond the creation of an empowered woman. It also has negative repercussions on the role and status of the husband in marital affairs (Dias 1983, Gunathilke 1986). Marriage is a consensual unit based on intimacy, economic cooperation and mutual goals (Anderson and Taylor 2005). When the wife is away for a long period, these relationships get disrupted. Further, as a provider, the wife acquires an elevated position with better access to resources. This gives her the opportunity to become the real power in the household, displacing the husband from the traditional role of sole decision maker. As a result, the husband's position is downgraded. Many studies have shown that this can result in the husband taking on the domestic role of the wife and performing daily chores like cooking and washing (George 2000, Goldring 2003, Lan 2003). Lan (2006) has seen these changes in the household as leading to the emergence of new phenomenon described as *huswife* or *houseband*.

These changes have a deep impact and challenge the fundamental basis of the traditional household i.e. its male focused authority structure. They require adjustments and coping strategies in the household, especially by the husband. The repercussions may be felt beyond the boundaries of the household. For example, in the US, Mexican Home Town Associations are providing downgraded husbands an alternative space for the power they have lost in the household (Goldring 2003). A study conducted in Greece among returning female contract workers from Germany found that task sharing in the families of migrant returnees is more gender equal than among families without migrants (Sakka *et al.* 1999). The study concludes that, in addition to financial independence, the acculturation process in the host country also influences this situation, a view that is shared by other studies (e.g. Hirsch 2000).

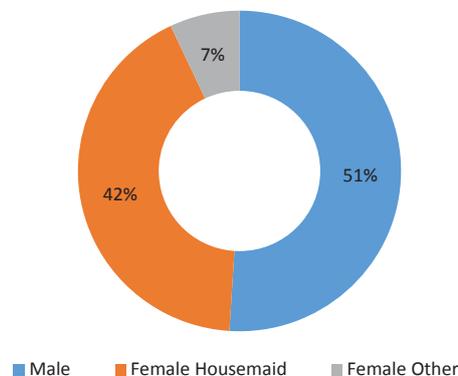
This paper discusses the situation of Sri Lankan husbands, whose wives currently work as housemaids in the Middle East. The study shows that there are positive as well as negative impacts of a wife's migration on her husband, in terms of both economic and social status. It is also shown that migration of the wife, leads to changes in gender relations within the household. One positive impact of changed gender relations is the enhanced level of respect for each other and increased levels of cooperation in household tasks. However, there is also a downgrading of the husband's position and several other problems such as disruptions to marital relationships.

After the decision taken at the Non Alignment Conference in 1976 to grant more job opportunities in the Gulf region to Asian countries, the number of Sri Lankans who were employed

outside Sri Lanka has increased rapidly. Further, the outflow of Sri Lankans for work was supported by the introduction of the free market policies in 1977.

In contrast to previous movements, the majority of contemporary migrants are contract labourers who migrate for a specific period for work. Contract worker migration began as an outflow of male workers responding to new employment opportunities in construction and infrastructure development in the Gulf region. The domination of female workers came in the 1990s. The majority of females who departed for work in the year 2012 were housemaids. It was 85% of total female migrant workers and the majority of them were concentrated in the Gulf Region (SLBFE 2012). Chart 1 shows a comparison between the number of housemaids with the number of other female migrant workers and male migrant workers.

Chart: Comparison of housemaids, other female migrant workers and male migrant workers - 2012



Source: Sri Lanka Foreign Employment Bureau (2012)

Sri Lankan women migrants in West Asia are defined as unskilled and are predominantly from marginal groups of poor and rural communities and under-served urban settlements in Sri Lanka. Prior to migration, many of these female migrants were not formally part of the productive labour force but they did contribute to domestic activities, particularly in the management of the household budget. Their education level is average, with the majority having completed their secondary education and largely, unskilled. Through migration they have become principal or sole providers and have acquired a new status as the providers of the household with new responsibilities. From this perspective, it is important to pay attention to the position of husbands who remain at home and the challenges and problems they face when their wives are away from home.

This paper is based on a study done in 2011 to examine the impact of wives migration on their non-migrant husbands in Sri Lanka. For the sample selection of the study, the total departures for foreign employment by district and manpower levels recorded by the Sri Lanka Bureau of Foreign Employment (SLBFE) for the year 2010 was used, as that was the latest published data at the time (other information has been updated). The percentage of females working abroad as housemaids was higher than the other manpower levels namely professional, middle, clerical and related skilled and unskilled in every year (SLBFE 2010). It was also found that the total female departures for foreign employment was higher than male departures between 1988 –2007, male departures were higher than female departures in 2008 (51.19%) and in 2012 it fluctuates at around 51%.

According to Table 1, Kurunegala, Kandy and Colombo districts recorded the highest number of departures of housemaids in 2010 (departures of more than 10,000 as housemaids) when

compared with the previous years (SLFBE 2010, 2009, 2008, 2007, 2006, and 2005). For this study, Kandy and Kurunegala were selected because of the high number of departures. In addition to this, the Ratnapura district was selected because of the researcher's personal interest (selected districts are highlighted in bold in Table 1).

Table 1: Departure of Housemaids by District (2010)

District	Number	District	Number
Colombo	10,148	Vavunia	734
Gampaha	8,608	Mullativu	26
Kaluthara	4,959	Batticaloa	4,543
Kandy	10,653	Ampara	2,587
Matale	3,451	Trincomalee	3,646
Nuwara Eliya	2,437	Kurunegala	12,289
Galle	5,645	Puthalama	6,948
Matara	2,225	Anuradhapura	8186
Hambanthota	2,123	Polonnaruwa	3,469
Jaffna	581	Badulla	4,092
Killinochchi	5	Monaragala	1,011
Mannar	255	Rathnapura	3,895
Kegalle	5,095	Not Identified	5,466
Total Departures of Housemaids: 113,087			

Source: Annual Statistical Reports, 2011; Sri Lanka Bureau of Foreign Employment, Colombo

For the data collection, one divisional secretariat (DS) division (the administrative division below the district level) was selected from each district. In selecting these DS divisions, the total number of female departures as housemaids from that division was considered. In addition, ethnic distribution, urban rural distribution of population and other socio-economic characteristics of the communities were also taken into account. The sample consists of 150 household units (50 from each district) where the wives are currently employed as housemaids in the Gulf region. The main respondents were migrants' husbands who are non-migrants.

It was not possible to use any form of random sampling method to select the sample since there was no comprehensive sampling frame to identify migrant households. Therefore, the snowballing technique i.e., asking respondents themselves to introduce other respondents, was employed to select the sample for the questionnaire survey. This non-probability sampling technique has been found to be suitable when a population is hidden and thus difficult to identify (David & Sutton 2004:152). The snowballing technique however, is sometimes criticised for producing a biased view by generating respondents with similar characteristics. Asking respondents to nominate people from different socio demographic subgroups than those already introduced to the researcher reduced this bias.

The economy of the source community of Kurunegala (KG) district and one community of the Kandy (KY) district was based on agriculture with paddy farming and vegetable cultivation being the major activities. The majority of the people in these two areas had a piece of land belonging to them or their ancestral family i.e., they used the land but did not own it. This community

is called 'Traditional Village' (TV) in this study. In the Kandy district, one source community was fully dependent on selling labour. There is virtually no agricultural land and the members of the community lived in houses constructed by a now abandoned NGO sponsored project. Neighbouring communities call this 'colony' and the researcher used the same label but added the word 'labour', making it 'Labour Colony' (LC). The other source community of the Kandy district situated within city limits is an urban low-income settlement (referred to as ULIS), which was originally part of accommodation for sanitary workers employed by the Kandy Municipal Council. Today however many of the settlers do not work for the Council and their main source of income is from informal sector activities. The majority of the residents are Tamil people of recent Indian origin. This community has very poor facilities particularly with regards to sanitation. In the Ratnapura District, the researcher selected two communities adjoining each other. The main income sources of these communities are gem mining, small-scale tea cultivation and remittance sent by women. One area in this community is called "Dubai Watta" (Dubai Area) and refers to the long history of migration to the Middle East from the region.

Both qualitative and quantitative data was collected using several research techniques. Household and individual case studies, in-depth interviews, discussions and observations were used to collect qualitative data. A household survey to collect quantitative, socio-demographic information and a time-used diary of the selected household (to collect day to day activities of respondents) were also used. The secondary data for the study was obtained from existing literature and reports and data from the Sri Lanka Bureau of Foreign Employment (SLBFE) and the Sri Lanka Branch of the International Migration Organisation (IMO).

According to existing literature, a wife being away from the household affects both the husband and the operation of the household. Therefore, only those families with children were selected for this study. To understand the impact of women's migration on their husbands, the researcher collected information regarding the husband's economic and social situation during the period of her absence.

This section will discuss the positive as well as negative economic impacts on husbands while their wives are away. It also attempts to understand whether husbands begin any income-generating activities or whether they maintain the existing economic condition in the family by using the remittance sent by their wives. In this case, dependency of the husband on his wife's remittance and how it affects the husband's ego is also discussed.

The findings of the study show that many women migrate due to the low or irregular income of their husbands. Some husbands of migrants commence self-employment using the remittance sent by their wives i.e. opening a small salon or garment shop, operating a boutique, buying a grass cutter machine or driving a three wheeler. Before the migration of their wives, some husbands had been working under another employer. After their wives' migration, some husbands have bought equipment using the remittance and started their own businesses. For example, one of the husbands had started a bicycle repair shop in a traditional community in Kurunegala. It is clear that the wife's earnings have become the principal source of the husband's income. One of the respondents from the source community of the Rathnapura district who owned a retail shop explains this situation as follows.

"Earlier, several times I tried to start this boutique but I couldn't find the money... Sometime ago my wife's sister went abroad and later, she sent a ticket to my wife. I started this shop using the money my wife sent home. The income I earned is enough for my family. But she went again since we are planning to buy a three-wheeler for hire. When she is back she can run the boutique and I can use the vehicle for hiring." (he is with happy expectations) (32 years, 2 children, TV-RP)

This reveals how husbands get economic benefits from their wives earnings. It can be seen as a positive impact on one hand and as the husband's dependent mentality on the other hand. Though he earns, he considers his wife as the main income earner of the family. Further, it shows how women's earnings contribute to the upgrading of the family economy and displaces the traditional view that men should be the main contributor of the family. This situation leads to an increase in women's involvement in decision-making processes that she did not participate in previously.

Moreover, some women were also found to be sending their funds to different contact points at home as shown in Table 2.

Table 2: Remittance Receivers

Receiver	LC	TVs	ULIS
Husband	08	06	17
Husband's Family			
Mother-in-law	09	05	04
Father-in-law	-	02	03
Sister-in-law	04	06	05
Wife's family			
Own mother	10	11	07
Father	01	01	01
Sister	15	18	13
Brother	02	01	-
Sister-in-law	01	-	-

Source Household Survey, 2011

It is interesting to note that when choosing a person to send money to, the husband is not always the preferred choice. The highest proportion of husbands who receive their wives' remittances is found within the urban low-income settlement where many respondents are Tamil. However, the proportion of this is less than 50%. Normally remittances are sent to a woman. According to another study (Pinnawala 2009), many migrants did not send money to their husbands since they do not trust them, especially on financial matters. It also has very important repercussions for gender authority in the household. Table 2 clearly shows that the majority of remittance receivers are women. In the eye of the community, the male has to depend on funds from a female under his roof and it negatively affects the ego of the male.

Further, 70% of respondents have a bank account and almost all the accounts are active because of the wife's remittances. It implies that she contributes positively to his economic position.

In the study area, many husbands of migrants were either temporary or casual workers. It is interesting to note that some husbands are not economically active while their wives are away. Details are provided in Table 3.

Table 3: Relationship between wife's migration and unemployment of husband

Name of the Community	Number of Respondents (Out of 50)
Kandy: Traditional Village (TV)	09
ULIS	16
Labour Colony (LC)	
Ratnapura: TV-1	10
TV-2	08
Kurunegala: TV	09

Source: Household Survey, 2011

The husband's unemployment during the period his wife is away is mainly due to two reasons, one social, and one economic. The economic reason is that the husbands do not find it absolutely necessary to work as there is regular and sufficient income coming from the migrant wife. The social reason is connected to the changes in the household due to the absence of the wife, which require the husband to take up extra household responsibilities. Thus, the situation is partly by choice and partly by necessity. The most important of these is the financial dependency of the husband on the wife in running the domestic front and also the husband in taking up some of the wife's traditional domestic duties and responsibilities. The following statement by a husband in the Rathnapura area illustrates this situation and shows that both necessity and the husband's avoidance of responsibility are reasons for this situation.

"I did not have a regular job even before my wife went abroad. Therefore, I did not mind not going to work as long as I am looking after the family. I could have asked her mother who is next door, but this is a better arrangement" (33 years, 2 children, TV-RP)

In this case, the unemployment of the husband during the wife's migration worked out for the best, but that is not always the case. It can be a result of the husband using the situation to his advantage as well. According to the Village Headmen, many husbands stopped going to work after their wives migrated and are idling with their friends and spending the money wives send. This situation leads to an economic dependency of the husband on the wife.

This section will discuss the psychological impact of wives' migration on husbands and the behavioural and attitudinal changes in them as well. In contrast to the economic factors, in the majority of cases, the psychological factors were primarily negative.

There are several social institutions in society where members fulfil different needs by performing a specific task. The family is one such main social institution. It covers basic human needs including sexual needs and security. According to psychologists, sexual necessities come with birth. If the wife is away from the family for a long period, it affects the husband.

The study reveals that some husbands find alternative means of fulfilling their sexual needs by visiting prostitutes or having illicit affairs with other women. Young husbands especially, visit prostitutes to fulfill their sexual needs. One of the respondents revealed it openly and according to him, it is not something to be ashamed of.

"There is a woman, I know her well and call her *Baby Akka* (Baby Sister). She lives at the *vanguwa* (where the road bends). There are many women and we can select any one of them, as we need. When my wife is away I go there, but not everyday, only when I need. You know we are men, we need someone" (36, Casual labourer, 2 children, TV-RP).

In addition to this, some husbands are maintaining illicit affairs. One reason for these affairs is the need to have someone to look after the children. The following statement given by one migrant's husband reveals this situation clearly.

"The next door 'Akka' (sister) always helps me in doing household work. When I go to work in my boutique, she looks after my small ones. She helps me a lot. Sometimes I bring little things for her from my boutique. Villagers already pass hints regarding this to me" (30 years, 2 children 3, 5years, owns a small boutique RP).

In some study areas, the migrant wife's sister becomes the husband's paramour. According to Hettige (1992), when wives are abroad many husbands get sexually frustrated and tend to have illicit affairs. This is one of the main problems faced by families when wives migrate.

Migration of the wife affects husbands psychologically in other ways too. One of the husbands explained his feelings as follows.

"After she left the airport I felt like my life was empty... still it is very difficult to make up my mind... life is so lonely. Many days I couldn't sleep...believe me, some days I cried. I want to tell you the truth. When she was at home, sometimes I blamed her for little things, beat her. Now I really feel sorry" (he is about to cry) (35 years, 3 children, casual labourer, KG).

Behavioural and attitudinal changes are also common in husbands when their wives migrate. The main reasons for this situation is the wife's influence from abroad and the influence of the wife's relatives at home. The latter influence is more subtle and indirect and felt only if relations come to look after the children and the household. However, in the study we found that the husband's changes of behaviour in many cases were negative. Many of the husbands are addicted to alcohol and/or drugs and the majority drink a local brew called 'Kassippu' which is easily available in the community (it is cheaper than other standard alcohol as well as being low in quality). These men use alcohol to reduce mental stress, have 'athel' (fun), to socialise and to show their personality/masculinity. But the dangerous side of this problem is the way they get money for drugs or alcohol. As mentioned earlier, many husbands are underemployed or unemployed. They spend the money that their wives send home. In some cases, they cannot access this money since the wives do not send money to their husband directly but to a 'proxy manger' (see Pinnawala 2009, 109p for more detail). So husbands who are used to such behaviour quarrel with this person for the money. If they fail to get money they resort to other measures like selling household items sent or brought by their wives, often at bargain prices. It is well known that there are good markets for these items in these areas.

Spending less time with their family is another behavioural change of the husbands irrespective of whether they are employed or not. Many of them say it is because of 'loneliness'.

In all societies there are gender differences and they vary from society to society. There is an especially big difference in the way gender is defined between Asian and Western societies. In Asian countries, gender differences are based mainly on cultural factors rather than biological differences. Society defines the roles of husband and wife according to the tradition as 'husband' being the person who earns for the family and 'wife' being the person who manages such earnings whilst looking after the family. Though her role in the family is secondary in this sense, a wife's migration affects her husband in several ways socially. It redefines his role within the household and also changes her social status within the society as seen in the study area. This section discusses the social impact of a wife's migration on her husband and the way this changes his status within the family and the society.

Migration removes a member or members from both the physical and social space of the household and creates a vacuum in household operations. The solutions to this are often in the form of adjustments to the new roles and status of existing members of the household or through the infusion of new members from their network. Regardless of the solution, role substitution reorganises household gender relationships and creates many problems in the household as well.

One of the most common types of role substitution in the study area is the migrant woman's husband taking over the role of 'wife'. When the husband takes up domestic chores it leads to a shift in accepted gender images and downgrades the social position of the husband (Lan 2003, George 2000, Pinnawala 2009). The following cases from the labour colony (KY) illustrate the complexities and potential lowering of social status and conflicts involved in role substitution. The social position of the husband is particularly affected when he is substituting for his wife doing domestic chores and there is another person, a female proxy (see Pinnawala 2009), managing the funds remitted by his wife. The following case illustrates both.

"I did not have a permanent job so while she was abroad I took up her responsibilities. I woke up early morning, prepared breakfast for the children... and washed them and sent them to school... and cleaned the house... washed clothes... fetched water, did the shopping. You know, everything you have to do as the lady of the house. Some of my friends used to joke when they see me "hey... *genu miniha*" (woman man) or just *gēni* (woman). It did not bother me (he laughs). So finally what I understood was it is not easy being a housewife... but the funny thing is, my wife did not send money to me but to her sister... but it is ok... I got my share and by the way, I am not good at managing money" (*Husband of a returnee, 47 years, wife was abroad for nine years (3 trips), three children LC-KY*).

When women migrate and become providers they do not always become the head of household as well. Yet, as the provider, they acquire an elevated position with better access to resources. This gives them the opportunity to become the real power in the household, displacing the husband from the traditional role of sole decision-maker. As a result, the husband's position is downgraded. Many studies have shown that this can result in the husband taking on the domestic role of the wife as the performer of daily chores like cooking and washing (George 2000). Some authors have seen these changes in the household as leading to the emergence of a new phenomenon, described as *huswife* or *houseband* (Lan 2006).

In the study area, some people refer to such men as a 'snipe that eats from woman'. These changes have a deep impact and challenge the fundamental basis of the traditional household i.e. its male focused authority structure. The above case stresses this situation. Further it shows how a wife's migration leads to changes in the daily routine of the husband

Role substitution also occurs in another way within the study area, which is by bringing a new member from a kin group into the household, in many cases, the migrant's mother or sister. This new member often performs two roles: managing the migrant's remittance and attending to family affairs, basically substituting for the role of the migrant woman. This does not mean that she is always part of the household, but if her role has other duties as well, she often becomes a member. When the position includes managing the household funds the migrant sends home, she becomes more than a mere link or liaison and eclipses even the authority of the husband. This can lead to tense situations and create animosity, with the wrath of the husband directed not only at the person involved, but also at the wife.

Women's migration also leads to changes in the social network of the male, in this case the husband. To understand this situation, the study traced participation of common social activities within the three months previous to the date of the survey. It revealed that 30% of respondents from

traditional villages, 52% from ULIS and 60% from the labour colony did not participate in any form of public social activities. The absence of leisure time is the main reason for this situation. Even on public holidays, husbands prefer to be with their children who miss their mothers. The following statement given by one of the respondents covers the opinion of the majority who did not participate in common activities.

“I am working as a mine labourer. Every day I wake up early in the morning and am doing all the household work and going to work. When I'm back it is around 6.00pm. Then I cook again, clean the home and sleep... I am so tired... yes... I have no work on some holidays. I use that day to go marketing or stay with children since their mother is not with them” (49 years, 2 children, TV-RP)

The study shows that there are both negative and positive impacts of a wife's migration on her husband, in terms of economic, social and psychological factors. It was also shown that the wife's migration leads to changes in gender roles in the household. However, there is also the downgrading of the husband's position and several other problems such as disruptions to marital relationships.

References

- Andersen, M.L and Taylor (2005) *Sociology: The Essentials*. USA: Wadsworth.
- David, M. and Sutton, C.D. (2004) *Sampling in Social Research*. California: Sage Publication, pp. 149-156.
- Dias, M. (1983) *Migration to the Middle East: Sri Lankan Case Study*. Colombo: Ministry of Plan Implementation.
- George, S. (2000) Dirty Nurses and Men Who Play: Gender and Class in Transnational Migration, in: Buroway, M. (ed.), *Global Ethnography: Forces, Connections and Imaginations in a Postmodern World*. Berkeley: University of California Press, pp. 144-174.
- Goldring, L. (2003) Gender, Status and the State in Transnational Spaces: The Gendering of Political Participation and Mexican Hometown Associations, in: Hondagneu-Sotelo, P. (ed.), *Gender and US Immigration*. Berkley: University of California Press, pp. 341-358.
- Gunatilleke, G. (1986) 'Sri Lanka', in: Gunatilleke G. (ed.), *Migration of Asian workers to the Arab World*. Japan: The United Nation University, pp. 166-213.
- Hettige, S. (1988) Migration of Sri Lankan Workers to the Middle East: A Sociological Viewpoint, *Sri Lanka Journal of Social Sciences*, 11(1-2), pp. 79-93.
- Hirsch, J. (2000) En El Norte la Majure Manda: Gender, Generation and Geography in a Mexican Transnational Community, in: Forner, N., Rumbaut R. and Gold, J. S. (eds.) *Immigration Research for a New Century: Multi Disciplinary Perspectives*. New York: Russell Sage Foundation, pp. 369-389.
- Lan, P., (2003) Maid or Madam: Filipina Migrant Workers and the Continuity of Domestic Labour, *Gender and Society*, 17 (2), pp. 187-208.
- Lan, P. (2006) *Global Cinderellas: Migrant Domesticity and Newly Rich Employers in Taiwan*. London: Duke University Press.
- Pinnawala, M. (2009) Gender Transformation and Female Migration: Sri Lankan domestic workers negotiate transnational household relations. PhD thesis, The Netherlands: SHAKER publisher, International Institute of Social Studies, The Hague.
- Sakka, D., Dikaiou, M. and Kiosseoglou, G. (1999) Return Migration: Changing Roles of Men and Women, *International Migration*, 37 (4), pp. 741-764.
- SLBFE (Sri Lanka Bureau of Foreign Employment) (2010, 2012) *Statistical Handbook on Migration*. Colombo: Sri Lanka Bureau of Foreign Employment

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