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Negotiating history and attending to the future: Perceptions among and of Malaiyaha Tamils in Sri Lanka

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Chapitre 2

NEGOTIATING HISTORY AND ATTENDING TO THE FUTURE

Perceptions among and of *Malaiyaha* Tamils in Sri Lanka

par Mythri Jegathesan

"From the master of discipline to him who is subjected to it the relation is one of signification : it is a question not of understanding the injunction but of perceiving the signal and reacting to immediately, according to a more or less artificial, prearranged code."
(Michel Foucault, *Docile Bodies*)

Anthropologists working on and within Sri Lanka have spent much of their lifetime trying to detect, comprehend, articulate, and produce meaning from the processes of signification that take place among Sri Lankan postcolonial bodies. However, the historical moments that often preoccupy the theoretical and ethnographic imaginations of Sri Lankan academics tend to be the moments of crisis and conflict–terms that have dominated the last thirty years of scholarship on and within the country. What this body of literature has shown is that to write about colonial forms of rule in Ceylon is an easier task than to make claims alongside and about postcolonial forms of power as manifest in state govermentality, nationalist ideologies and the apparatus of development. Given the conditions of post-war reflection, how is a scholar of Sri Lanka best fit to stage arguments for, abouth and against bodies subjected to multiple disciplinary machines ?

This question has continually resurfaced throughout my research among *Malaiyaha* Tamils living and working on the tea estates in Sri Lanka. The protracted civil conflict in Sri Lanka has undoubtedly devastated communities living within and outside Sri Lanka. But forgotten amidst the polarizing debates of nations and failures to find an adequate political solution are the *Malaiyaha* Tamils, otherwise known as Upcountry or Hill Country Tamils. Narratives of colonial empire, marginality and capitalist production define this minority community's historical past and heritage, and their present story is largely defined by the experiences of modern day poverty in a liberalized economy and post-war majoritarian Sri Lankan state.

A Brief History of *Malaiyaha* Tamils in Sri Lanka

Constructions of *Malaiyaha* Tamil identity and culture have been largely based on external perceptions, colonial narratives and official documents. *Malaiyaha* Tamils descend from low-caste, South Indian "coolies" (Breman and Daniel, 1992) who first came to British Ceylon during the agricultural and industrial expansion on island during the early 1800s. When the British began planting coffee in 1840, Tamil laborers carried out agricultural work on the coffee estates, but cultivation sharply declined and eventually ceased with the spread of a coffee leaf virus in 1869 (Moldrich 1989). In the late 1860s, the cultivation of tea began and immigration of South Indian laborers steadily increased with the expansion of the plantation economy (Peebles, 2001, p. 6). The tea plantations, carved into the hills of the South-Central areas of Ceylon, were known as the residence and home of this minority population.

In the early 1900s, Sinhala and Ceylon Tamil nationalist parties vying for power in the pre-independence years under British rule significantly truncated the power sharing rights and forms of representation for *Malaiyaha* Tamils. Employing such myths that the *Malaiyaha* or Plantation Tamils were an "unassimilated minority" (Kodikara, 1971) within plantation "enclaves" (Meyer, 1992, p. 14-15), nationalist communities within British Ceylon convinced themselves that this resident population did not have rights in a soon-to-be independent Ceylon. This is particularly

evident in the aftermath of the 1931 Donoughmore Constitution[1] and the political debates on minority rights' in Ceylon with the 1944 arrival of the Soulbury Commission[2]. The marginalization of this Indian Origin minority community decisively culminated in 1948 when the Government stripped *Malaiyaha* Tamils of their citizenship and voting rights. In 1964, the signing of the Srimavo-Shastri Pact, in an exercise of postcolonial political calculation, divided up the stateless according to citizenship by application to either India or Ceylon. The first repatriate arrived in South India in 1968, and repatriation procedures continued until 1984, at which point they ceased with the escalation of the civil conflict.

Following the outbreak of war, the question of citizenship for *Malaiyaha* Tamils was only addressed opportunistically and never fully resolved until 2003, when the Government, under Chandrika Kumaratunga, formally granted citizenship to all stateless persons living in Sri Lanka. However, it was estimated that nearly 100 000 *Malaiyaha* Tamils did not possess proper forms of identification during the February 2009 Provincial Council elections in Nuwara Eliya district. Furthermore, in comparison to other sectors in Sri Lanka, this population continues to experience the highest degrees of preventable illness and poverty and the lowest levels of economic status and upward mobility.

This paper explores the ways in which communities within Sri Lanka perceive the identity and culture of *Malaiyaha* Tamil tea estate workers and residents. Given the present, post-war emergency regulations and sense of security afforded to Tamil-speaking communities in Sri Lanka, where do conceptions of *Malaiyaha* Tamil "community" fit within the larger dialogues of minority rights and cultural inclusion ? How do caste, gender, class and economic-based inequalities inform perceptions and treatments of

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1. According to Peebles, the Constitution introduced concepts of territoriality such as "universal franchise", "domicile", and "abiding interest" (Peebles, 2001, p. 152). Sinhala and Ceylon Tamil nationalists used these concepts to ground their own citizenship and displace the citizenship and voting rights of *Malaiyaha* Tamils.

2. As Head of the Board of Ministers, D.S. Senanayake claimed to be above the so-called divisive throes of communalism but found himself entrenched in the nationalistic practices of political exclusion. As he said in a 1940 address to the Jaffna Youth Congress, "I am totally unconcerned as to which community an elected representative may belong so long as he is a member of the indigenous population. The Indian Tamils are not members of the indigenous population" (Russell, 1982, p. 248).

this community ? How do *Malaiyaha* Tamils imagine themselves in relation to other cultures, nationalisms and traditions within Sri Lanka and abroad ? What modes of practice and thought enable such perceptions and transform past conceptualizations of group life ? I am basing my presentation and analysis on data that I collected during my dissertation research, conducted in Colombo, Kandy, and Nuwara Eliya in 2008 and 2009. In my research, I employed ethnographic methodologies of oral history, interviews, and participatory engagement of and among *Malaiyaha* Tamil tea estate workers, residents and community members.

What became clear as I progressed through the research was that I did not want to simply reproduce an historical or development-based narrative that could be found in Government records, colonial documents and union papers. This desire was inspired by the historical text of Peebles (2001) and ethnographic work of Daniel (1996), who both seek to interrogate the dominant narratives of *Malaiyaha* Tamil identity and community found in written records based mainly upon politico-economic concerns of colonial and post-colonial state agents. I constantly reminded myself that, in the case of this community, it would be best to write an account, informed by the written record, but one that is meaningful to those *Malaiyaha* Tamils about whom I write, as much as possible, in their own terms.

The first section of this paper is a theoretical exercise that seeks to engage the concept of "community" as related to the recorded perceptions of *Malaiyaha* Tamils and their place in colonial Ceylon and postcolonial Sri Lankan history. Engaging official documents and the works of Sri Lankan historians and anthropologists, I seek to present a conception of "community" that addresses external perceptions of *Malaiyaha* Tamils that have come to define their present realities and choices in post-war Sri Lanka. The second section moves away from theory and focuses on the ethnographic present of *Malaiyaha* Tamil communities. I focus on the individual stories of two *Malaiyaha* Tamil women and the ways in which their perceptions and actions engage gender and class-based inequalities within the disciplinary conditions of *Malaiyaha* Tamil community construction. The third section briefly addresses the present modes of ensuring cultural inclusion and opportunity for *Malaiyaha* Tamils living in post-war Sri Lanka.

The Conception of a Community, Excluded

Figure 1. The steep, stone paths that cut through the acres of tea bushes on an estate in Kandy district (cliché Mythri Jegathesan)

> "The time of the white man was better. The white man was more disciplined, watched the work closely, let us off of work on time, and took care of us well. Not like the dorais now. I started plucking when I was 8 years old under the white dorai. Because I could not reach, I had to stand on top of a rock and pluck. He watched us closely, a good man. Then, my daily salary was 1 rupee. It was difficult, but at least our family of seven could eat. Today, my son does not have enough money to feed his two children. I am retired, but I must continue to work to support my family."
> (Interview with Michael, 76 years old, off-estate, casual day laborer)

Michael has been an agricultural laborer for sixty-eight years. He has a wife, five children and several grandchildren, but chronic poverty has forced him to continue working into his old age to support his family. For him, retirement means casual labor found after receiving his Employees' Provident Fund (EPF) and Employees' Trust Fund (ETF) on the estate where he last carried out formal work. His story is not uncommon within the stock of life histories articulated among *Malaiyaha* Tamil communities.

When I asked a former estate manager about the current sense of community on tea estates, he said :

> "From the womb to the tomb, the tea estate worker is taken care of."
> (Interview with Dillon, February 6, 2009)

From his managerial perspective, the estate has the potential structure to both satisfy a Tamil estate worker and their family and serve as "a go-ahead, prosperous, and (in Victorian terms) well-balanced community'" (Forrest, 1967, p. 113-4). The planters and colonial administrators who had pushed for this conception of a "prosperous, well-balanced" community had long considered the effects of such a conception. But how could these conditions of community have "surpassed" what the *Malaiyaha* Tamil tea plantation worker could have hoped for in the long run ? In the following section, I will define and defend my own conception of community in pragmaticist (Peirce, 1903) terms and, in doing so, seek to identify and explore the "conceivably practical bearings" of a conception of community as it might be applied to the *Malaiyaha* Tamil estate workers in Sri Lanka.

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This definition is a work-in-progress, abiding by various formulations and deployments of the term "community" in anthropological and historical scholarship. I will then discuss different conceptions of community that were supplanted by and among the *Malaiyaha* Tamil tea plantation workers of Ceylon and the extent to which different conceptions of community were actualized among this minority laborer population, by discussing the real and conceivable consequences of such actualizations over time.

A Pragmaticist Approach to 'Community'

I define the concept of community as a group of people held together by a self-recognized *eidos* and *ethos* (Bateson, 1936) that manifests in the enactments of (1) social relations, (2) individual and corporate commitments and entitlements, and (3) shared histories and experiences. In what ways is this conception a *pragmaticist* conception of community ? Following Peirce's pragmatic maxim, the "meaning or significance of any conception lies in its *conceivably* practical bearings", not merely determining the ways in which we think about the future, but the ways in which we :

> "in conceivable circumstances[,] would go to determine how we should deliberately act and how we should act in a practical way."
>
> (EP II, p. 145)

This being said, community is the manifestation of the continuity of the mental exercise of refining one's self-knowledge through shared (and agreed upon) understandings of conceivable social relations, histories, and experiences.

Furthermore, these conceivable social relations, histories and experiences are recognized and differentiated according to the degree to which possibilities are afforded in the past, present and future. While the individual "cannot alter the past or envision it as the realm of possibility", the future is "constituted by genuine possibility and is intimately tied to human conduct" and the present is the "struggle over what shall be" (Peirce, [1905] 1998, p. 359 cited in Corrington, 1993, p. 57). The individual's orientation to time within their community, therefore, determines the ways in which she would act in any conceivable circumstance. As Peirce says, a

pragmaticist approach, if the information interpreted is true and the process of interpretation is valid, "seems to make thought and conduct rational and enables us to predict the future" (Peirce CP 4.448 cited in Lizka, 1996, p. 31). Thus :

> "the pragmaticist does not make the *summum bonum* to consist in action, but makes it to consist in that process of evolution whereby the existent comes more and more to embody those generals which were just now said to be destined, which is what we strive to express in calling them reasonable."
>
> (Peirce [1905] 1998, p. 343)

This evolutionary process and the striving to confirm truth and make life "reasonable", therefore, remain the bases of this conception of community.

It is important to keep in the foreground of this *pragmaticist* conception that the information, as Lizka contends, is often "distorted", and that the process of reasoning is often "invalid", engendering "contrary habits of conduct, or the inability to form such habits at all" (Lizka, 1996, p. 31). As J.L. Austin ([1955] 1962) stresses that his theory of action is not about what is true or false but about what is infelicitous and felicitous, Peirce's pragmaticism also relies on the appropriateness (oriented towards an immobile, unchanging past) and effectiveness (oriented towards an open realm of possibility) of human conduct as contextualized in the existent's evolutionary path towards embodying the effects of the conception.

The constant process of striving to a highest good in the present and in relation to a fixed past and possibility-filled future is where this conception of community finds compatibility with the lived understandings of community for the immigrant labor force of the *Malaiyaha* Tamils. For this population, their past as indentured laborers remains "closed [to the realm of possibility] and is constituted by the sum of its *faits accomplis*" (Corrington, 1993, p. 57), as seen in the seeming impenetrability of colonial and national documentation of their histories and experiences, which are very much rooted in territoriality and place. The plantation, nation and state become landscapes upon which the individual can continually map the "conceivably practical bearings" of their emplacement in the present.

Given this orientation, community for the *Malaiyaha* Tamils is very much rooted in territoriality, place and a sense of being-in-the-world and, is a never-ending mental exercise that must be engaged in order to sustain membership in that community as such. The effects of such a conception of community forces the *Malaiyaha* Tamil to struggle to make reasonable the external realities of their situation so that deliberate acts can be made in a possibility-filled future and in relation to the greatest good. Thus, the desire to attain self-control over one's social relations and status guides human conduct and urges the enactment of community through a shared understanding of the moral commitment to engage this possibility-enabling process.

Planters, Colonial Administrators and the "Struggle to Overcome What Shall Be"

The state of knowledge and interest in community-formation among the planters and colonial administrators, however, presented very different representations of the conception of community. Their conceptions were tailored to meet the ends of colonial capitalist ventures and sustain monetary prosperity. This is not to say that the conceptions were not pragmaticist in their nature. On the contrary, they shared the same orientations to time, territoriality, and self-control, and held "reasonableness" as the greatest good. The past was still fixed and the future still a realm of possibility. But in this conception, the struggle in the present was not over the *Malaiyaha* Tamil's existent-self's emplacement in the world, but over the colonial's regime's emplacement in the narrative of empire. The territories that were under colonial rule became the places in which planters and colonial administrators could undertake the taming of indeterminate possibilities for the "reasonableness" of their financial endeavors.

Their sets of knowledge regarding *Malaiyaha* Tamils were based on information from the documents put forth by the Colonial Offices in India and Ceylon and the Ceylon Planters' Association (PA) but also on information obtained from field experiences with the workers themselves. Given these bases, the interest of planters and colonial administrators in *Malaiyaha* Tamil community was to find, in these laborers, a way to "maintain a cheap, reliable, controlled labor force" (Peebles, 2001, p. 53). Community, or rather the residence in which a conception of community

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could have been engendered and exercised among *Malaiyaha* Tamils, was something to be created only for the purpose of controlled management and for those who were determined to sustain a growing plantation industry. But the inability to secure a steady labor supply deterred the actualization of prosperity for the plantation infrastructure and slowed the industry's growth rate. As noted by the *Colombo Observer* :

> "the one great element of uncertainty as to the prosperity we anticipate, lies in our labor supply. Can we count on an adequate supply of the cheap and docile labour on which hitherto has rested the development and success of Ceylon as a Planting Colony ?"
> (Anon, 1905, 6 cited in Peebles, 2001, p. 63)

Here, the pragmaticist question begs to be posed : what habits of thought and practice would such a concept of community engender among *Malaiyaha* Tamil laborers over time such that the prosperity of the Planting Colony might be ensured ?

In wanting to control the future of the Ceylon Crown Colony the planters and colonial administrators sought to avoid, to the greatest extent possible, any room for uncertainty or doubt. And they accomplished this by beginning to highlight the more "enumerative" (Kaviraj, 1993) aspects of community among the laborers and introducing new disciplinary tactics of control in procedures of labor recruitment and plantation management. An example of this was the inner workings of the *tundu* system in response to the increasing number of instances of unplanned "wastage" among Tamil laborers in the plantations. "Wastage" occurred when planters and plantation managements could not account for the "unexplained disappearance of laborers from the checkrolls [...] making it possible for the workers to leave the plantations without being detected" (Peebles, 2001, p. 60). What moved the planters to act was the actualization of the possibility – the slippage of workers from the controlling hands of the plantation management and the ability of Tamil laborers to maneuver around the terms of docility within the given scheme.

The *tundu* system "originated as a contract between superintendents to facilitate the transfer of laborers from the plantation of one employer to another" (Peebles, 2001, p. 61). In doing so, this system was an attempt to reconfigure the relationship between the *Malaiyaha* Tamil laborer and estate

management via the *kankani*. The plantation became a place that would engender community and keep the laborer tied to his *kankani*, who was the laborer's overseer and broker for the transfer of the fixed receipt, or *tundu*, to be paid to the new plantation employer. This plan backfired, however, as the *kankanies* and superintendents engaged in a process known as "crimping" (Peebles, 2001, p. 62), which enabled them to go around the contractual *tundu* system and involved the illicit recruitment of laborers in order to manipulate the flow of labor for their own economic advantage. This left the planters and colonial administrators in the aftermath of a misfire and the *tundu* system was no longer conceptualized as a "source of security to the planters for all out-going advances" (Wesumperuma, 1986, p. 109). They were compelled to take further measures to guide and control the movements and temperaments of the *Malaiyaha* Tamil laborer population. The conception of community had become a possibility-enabling mode through which the *Malaiyaha* Tamil labor force could be sustained for the prosperity of the plantation industry.

But this conception of community produced effects on the level of plantation management that both coincided and differed from the effects felt among *Malaiyaha* Tamils themselves. Colonial conceptions of community were rooted in territoriality and place, and the planters and administrators wished for disciplinary tactics that would make laborers at once mobile and immobile according to the shifting possibilities afforded within the plantation economy. The principle of enumeration instigated and sustained alterations of the more affective and intimate modalities of community that were not, at face value, fully invested in capitalist modes of production. As a result, social relations that had come to embody the conception of community for laborers on the plantation were subject to further forms of regimentation and sanction at the hands of the planters and colonial administrators. In this way, the immigrant labor force had no choice but to engage these representations of community.

From the late 1830s until independence in 1948, the Government of Ceylon enacted a series of ordinances through which they could promote their enumerative conceptions of community among the *Malaiyaha* Tamil plantation labor force. These ordinances covered a host of commitments and entitlements for this population, and three acts, in particular, call attention to the intricate ways in which the Government of Ceylon pragmaticistically negotiated the reasonableness of a labor community on the grounds of

capitalist production in the long run : the Ceylon's Service Contracts Ordinance n° 5 of 1841, the Service Contracts Ordinance n° 11 of 1865 and the Medical Aid Ordinance n° 14 of 1872. Ordinance n° 5 (1841) sought to regulate the contractual agreements among laborers, *kankanies* and planters and shifted the modalities of *Malaiyah* became individually included within a legal community and subjected to potential criminal prosecution in the event of any misconduct (Moldrich, 1989, p. 61-70 ; Peebles, 2001, p. 86). Attending to the concerns of wastage, unaccountability and labor shortages, this ordinance sought to provide a more certain structure to the laborer-employer relationship by regimenting the habits and behaviors of laborers. As Jayawardena contends, the ordinance, while claiming to provide assurances for the rights of workers, "in effect served mainly to limit desertions from plantations by fixing penalties for breaches of contract" (Jayawardena, 1972, p. 25). Again, the Ceylon Government's preoccupation with sustaining an enumerative community of laborers had come to dominate their shaping of social relations for this immigrant labor force.

The same held for Ordinance n° 11 (1865), which sought to more heavily regulate the planter's payment of wages to laborers, such that a laborer could leave his post of employment if an employer did not disperse overdue wages within forty-eight hours (Peebles, 2001, p. 89-90). But even so, the likelihood of the laborer leaving the post and transferring to another plantation was slim, given the chance of being prosecuted for disorderly conduct. This proved that the ordinance, while nominally seeking to alleviate the conditions of the employer-laborer relation, in fact, further entrenched and regimented the laborer's sense of belonging within an emerging legal community of colonial Ceylon.

Lastly, the Medical Aid Ordinance n° 14 (1872), instigated by planter and colonial administrative debates around high mortality rates among immigrant plantation laborers, sought to increase the number of planter-financed medical facilities for laborers. This ordinance, too, seemed to be in full support of expanding the rights of plantation laborers and the health of the *Malaiyaha* Tamil laborer community. But, the colonial calculus of negotiating the capital and burden of caring for bodies outweighed the actualized benefits of providing adequate medical care, as contended by Vanden Driesen (1982, p. 118-27). In this legal redistribution of obligations, *Malaiyaha* Tamil laborers became more integrated into a bureaucratized

system of community care and were forced to confront the actualizations of their new community under the terms outlined by the planters and colonial administrators.

How did these shifting modalities map onto the social relations that came to actualize a conception of community among the *Malaiyaha* Tamil laborer population ? After the abolition of the *tundu* system in 1921, the Government of Ceylon enacted Indian Immigrant Labour Ordinance n° 1 (1923) in order to address concerns over the growing "community" of *Malaiyaha* Tamil laborers in the colony. In this way, these reforms, like the ordinances above, sought to extend the Government of Ceylon's control over the plantation economy. But, at the same time, the reforms interpolated a sense of "we" among the *Malaiyaha* Tamil laborers by introducing members of this community to the right to associate and be represented as Indian immigrant laborers within the territorial borders of Ceylon.

During this time, Ceylon nationals began speaking for and about the rights of the *Malaiyaha* Tamils, and the Governments of India and Ceylon debated over who should control and monitor these rights and responsibilities. Naively, politicians in the Ceylon National Congress argued the following while the draft of the 1923 bill was under review by the Ceylon Government :

> "[We propose] the elimination of all provisions which do not fully recognise that labour is a form of Social Service and that the labourer's life and well-being are of greater importance than any material wealth."
>
> (Roberts, 1977, p. 230)

What remains paradoxical in such a statement of support for workers' rights is that the Government of Ceylon, whose interests remained vested in the prosperity of the plantation industry, would soon hand over the responsibilities of managing laborer communities to Ceylon nationals with the conferral of independence. Twenty years later, the CNC would staunchly deny the rights and franchise of *Malaiyaha* Tamils, proving that the responsibility to control a labor force and secure the success of the plantation industry would not guarantee the safeguarding of a self-recognized *Malaiyaha* Tamil community.

Furthermore, the distribution of control over the community of *Malaiyaha* Tamil laborers did not serve the interests of their self-recognized conception of community. First, the Government of India was keen to stay committed to representing the rights of workers regardless of the workers' interests and residence in Ceylon. In the long run, India's "abiding interest" in these settled workers would be cited as a reason to question the very abiding interests of immigrants to remain in Ceylon during the franchise debates before independence. On a political level, this move lowered the grounds upon which *Malaiyaha* Tamils could vie for political representation in relation to the growing influence of Ceylon nationals in the political debates concerning independence. Secondly, the 1922 ordinance restricted recruitment in India but bestowed all recruiting responsibilities to the planters vis à vis the Ceylon Labour Commission. This shift in power further enhanced the enumerative aspects of *Malaiyaha* Tamil laborer community by putting the planters in control of both *kankani* recruitment procedures and the flow of labor supply into Ceylon. Along with the anticipation of the soon-to-be Ceylon nation, planters could now determine how many*Malaiyaha* Tamils could be in Ceylon. This conferral of power would have far-reaching consequences for the development and actualization of a self-recognized *Malaiyaha* Tamil community in the years following independence.

Actualizing "Community" in the Plantations, Real and Conceivable Consequences

To what extent were these coinciding, often contradictory conceptions of community (enumerative, affective, morally committed, historical, and political) actualized among the *Malaiyaha* Tamils following independence ? Looking forward from the Ordinances of the 1920s into the nationalist politics prior to 1948 independence, the state of knowledge of and interest in "community-formation" and conceptions of community that emerged among planters and the Governments of India and Ceylon had far-reaching, actual consequences for the development of community for *Malaiyaha* Tamils on levels of politics, representation and history. This was most evident in the exclusionary politics of Sinhala and Tamil nationalisms and the inability of nationalism to incorporate the *Malaiyaha* Tamil political community into their respective "national communities." Providing statistical evidence of the clear ties to their Indian "homeland", planters and

colonial administrators had made it clear to rising Ceylon nationals that the Indian immigrant plantation workforce had no "abiding interest" in permanent domicile in Ceylon, regardless of their origin or choice. Thus, the actualization of a political community for *Malaiyaha* Tamils was excluded for the sake of the emergent nation. This was evident in the Ceylon Parliament-enacted disenfranchisement and statelessness of *Malaiyaha* Tamils in 1948 and 1949. As Chatterjee notes, the exclusionary principle of nationalism is not uncommon to the tale of independence and reflects the unique predicament of incorporating minority communities within a rational determination of the new postcolonial state :

> "The story of nationalist emancipation is necessarily a story of betrayal. Because it could confer freedom only by imposing at the same time a whole set of new controls, it could define a cultural identity for the nation only by excluding many from its fold; and it could grant the dignity of citizenship to some only because others always needed to be represented and could not be allowed to speak for themselves."
>
> (Chatterjee, [1993] 1999, p. 154)

Given their permanent settlement in the *Malaiyaha* and contributions to the plantation economy and development of the Ceylon state, disenfranchisement for the *Malaiyaha* Tamils was indeed a betrayal. While disciplinary tactics and forms of control were not new to the Ceylon landscape, and most certainly not to the plantation economy, this act of betrayal was rooted in the colonial calculus of creating and sustaining representations of *Malaiyaha* Tamils as an "unassimilated minority" (Kodikara, 197, p. 213-31) or a group of "transient workers" (de Silva, 1961), whose equal right to franchise would offer no collective benefit to the Ceylon nation. In the pragmaticist terms, any conception of a political community of *Malaiyaha* Tamils, had not, and would not, come to embody the general principles of the Ceylon nation. Their struggle for political representation for the future of their community, however, was not validated by their constructed past as migrant laborers and was infelicitously caught between by the Ceylon "elites" increased stake in a politics or representation *[and a] process of fixing boundaries between the categories of "Ceylonese"* and migrant or alien" (Wikramasinghe, 2001, p. 180). In this way, the colonial conception of an unrepresentable *Malaiyaha* Tamil community was

sustained in their actualized inability to make a habit out of staking claims for themselves as a "national community". And the initial years of the exclusionary politics of nation building were such that the practical bearings of a conception of community for this population would not be able to take significant hold.

Disenfranchisement, however, did not remove all forms of representation and *Malaiyaha* Tamils found a representative "voice" in the trade unions starting in the 1920s and continuing to present day. But even so, this representation was paternalistic and bore the residue of colonial tactics, deriving largely from the embroilment of the kankani system within planter politics. The unions sustained themselves by keeping hierarchies of caste and class in place and were able to seize upon the more affective modes of community life for their laborer constituents. Union leaders mobilized laborers around wage grievances, better working hours, and improved living conditions, but with little success in the long-run (Vije, 1987, p. 6-7 ; Hollup, 1994, p. 192-8 and Daniel, 1996, p. 114-5). On a political level, the union-cum political parties and, in particular, the Ceylon Workers' Congress (CWC) and Democratic Workers' Congress (DWC), remained weak in their capacities to keep promises to their stateless members regarding the citizenship and franchise question. Their entrenchment in inter-party politics, corruption and state patronage made negotiating *Malaiyaha* Tamil representation in the national arena unpredictable and intractable.

On a national level, citizenship and nationalization legislation further outlined the ways in which *Malaiyaha* Tamils could be considered within the larger membership of Sri Lankan civil society. The 1964 Srimavo-Shastri Pact clearly indicated that a conception of *Malaiyaha* Tamil community rooted in an individual and corporate sense of entitlement to belong within a certain territory and to a certain place would be compromised in a game of distributing numbered bodies between the leaders of two sovereign states. Furthermore, the inability of the trade unions to mobilize for their economic and land rights in the 1972 Land Reforms, 1992 privatization of the plantations and recent 2009 Collective Wage Agreement would prove that their political modes of discourse were not able to effectively secure and actualize a sense of cultural inclusion for the *Malaiyaha* Tamils. Though the trade unions-cum-politicians claimed to "voice" the desires of the *Malaiyaha* Tamils, it had become clear that their attempts were experimental and removed methods in the "pragmaticist" course of actualizing a self-recognized community that could engender habits of cultural inclusion in the long run.

Colombo velai, Estate Life : Two Women's Reactions to *Malaiyaha* Tamil Communit
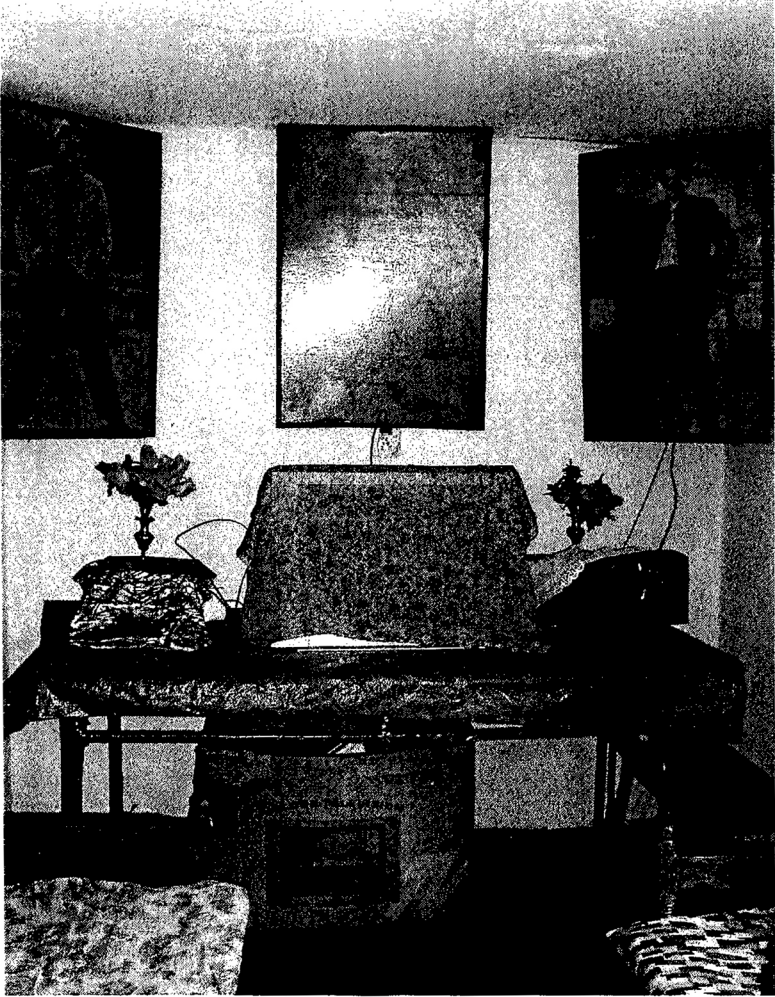
Figure 2. The Front hall of an estate line room outside if Hatton town
(cliché Mythri Jegathesan)

Given these historical forms of exclusion and disparity, what realities do *Malaiyaha* Tamils face on a daily basis ? What futures might these current experiences afford in relation to their social and economic rights and sense of inclusion as a minority community in Sri Lanka ? This section relates the stories of two *Malaiyaha* Tamil women who articulate and work within the conditions of community outlined by a history of subjugation and uncertain future.

Sasikala

Sasikala is 32 years old. She was born on Kirkwall tea estate in Nuwara Eliya district. Her parents are both estate workers, her mother plucking and father working in the manager's bungalow garden. The eldest of four children, she was proposed to a man on a nearby estate when she was twenty-two years old. Her parents had bought the rings and wedding *saris* when the man decided not to marry her. Humiliated and the subject of gossip on the estate, Sasi decided to move to Colombo and work as a domestic in a pastor's home. After two years, she returned to the estate and worked in a nearby garment factory until it closed. Shifting to another garment factory and sensing the insecurity of her current employment, she decided to apply for domestic work in Lebanon without the knowledge of her parents or siblings. She even went to great lengths to lie on her application to say that she was married and had already had one child so that she would be a more favorable applicant.[3] She was accepted for employment and underwent a two-week training in Colombo that covered how to be a good maid, show respect to her employers and tolerate and follow the Middle Eastern customs and culture. From 2005 to 2008, Sasi worked with a Lebanese family of five as a domestic, learned Arabic, cooked and took care of three children. When her visa expired, she was forced to return to Sri Lanka in October 2008. Without a job until September 2009, she found work in a garment factory in Colombo and has been living in employee boarding and working six days a week since.

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3. At the time of her application, there were several reports of sexual harassment and sexual relationships between Middle Eastern employers and Sri Lankan women who were working abroad. In an effort to curb bad public relations and the instances of sexual relationships, Sri Lanka's Bureau of Foreign Employment preferred female applicants who were married and had already had children.

When I asked Sasikala about her future plans, she told me that she did not want to stay in the house and wanted to go to Colombo or back to the Middle East for work. When I asked her why she did not want to stay in her house on the estate, she said that she felt ashamed of her failed engagement and that she, as an unmarried thirty-two years old woman, was often the focus of gossip among estate residents. She has no desire to get married and instead has focused her life on supporting her family. As she told me in September 2009, "All of [the] money problems have fallen onto my head". She knows that without her financial support, her younger siblings would have never been able to finish their education and get decent jobs outside the estate. Because of her contributions, one brother now holds a permanent job as a bank teller, and the other brother is sitting for his Advanced Level examinations with the help of a private tutor. Her parents are undoubtedly happy with the increase in their family's income, but still look down to floor in shame when she spoke to me about the failed engagement.

Nevertheless, Sasikala feels lucky to have left the estate, traveled to the Middle East and provide for her family. After seven months of domestic work in Lebanon, she sent one *lakh* (roughly 874 USD) in foreign remittances to her father's bank account. With that money, her parents renovated and expanded their line room, adding a tiled floor to their front sitting room, glass windows in replacement of older, wooden panels, and a carved wooden frame for their front threshold. Within Kirkwall, estate residents speak with admiration and envy of her parents, as they have now become informal moneylenders for the more impoverished estate families who need advances and loans to survive. I often heard passing comments of *poraamai* ("jealousy") with regards to the fruits of her income such as their housing renovations, the new TV and VCD/DVD player, or her brothers' video-enabled mobile phones.

Sasikala's story reflects the way in which the conditions of *Malaiyaha* Tamil community drove her to acquire new habits that would orient and open her future to more possibilities. In our conversations, she was proud of herself for making the decision to work in the Middle East on her own and considers her employment and earnings more valuable than the possibilities afforded by marriage and life on the estate. Furthermore, the surrounding *Malaiyaha* Tamil community, while eager to judge her failed engagement, have acknowledged and affirmed her recent decisions and contributions to her family.

When young women and men come back to their home estate from working in Colombo or abroad, their presence shifts the social values placed on territoriality within the conception of community. From observing interactions between Tamil estate residents during my fieldwork, I noticed that the mention of work in Colombo (*Colombo velai*) or abroad (*veliyur*) often did not require further qualification (e.g., which sector, what type of job, salary amount, etc.) from the speaker. The phrase, *Colombo velai*, once uttered, was enough to secure and orient the addressee's attribution of value in relation to the present conditions of community for estate residents. The shift in social relations on the tea estates caused by the coming and going of kith and kin working in Colombo or abroad has been duly noted (Balasundaram, *et al.*, 2009, p. 93), but only in relation to changes in "caste consciousness" within social practices such as festivals and marriage patterns.

It is important also to note the ways in which *Colombo velai* and work abroad signify the acquiring of new habits and mentalities that challenge the present realities for *Malaiyaha* Tamils living on the estates. For Sasikala, the actualization of her failed engagement and limited choices to ensure her dignity forced her to refine her self-knowledge of *Malaiyaha* Tamil community sentiment and her place within it. Her story is neither voiceless nor evoking of pity. Rather her perceptions are exemplary of the ways in which *Malaiyaha* Tamils engage in the workings of a "pragmaticist" community for success in the long run.

Vasanthi

Vasanthi is 38 years old. She, like Sasikala, was born on Kirkwall Estate, where both of her parents worked and lived. I first met Vasanthi in passing during a trip to the local hospital to visit another interlocutor. I later learned from her that she was there with her daughter, who was receiving follow-up treatment of rheumatic chorea. Her daughter, now ten years old, contracted a rheumatic fever four months before and had to be admitted to the Children's Hospital in Kandy for treatment for a period of two and a half months. Vasanthi has two other children under the age of ten and has been married for fourteen years. Since her husband works on the estate, she had to stay in the Kandy hospital with her daughter until she was released and sent back to Kirkwall.

Before her daughter became sick, Vasanthi worked in a number of jobs as a domestic and has never worked on the estate. Her last job was in Colombo as a domestic for a Catholic religious leader and his family. She was proud of her salary, SLR 8000 per month (roughly 70 USD) and she was able to save a small portion and send money to her family every three months or so. But when her daughter became sick, she was forced to leave this job and return to the estate to care for her.

When I asked Vasanthi about her work experience in Colombo, she spoke only fondly of her employer, his wife and her life as their domestic. There, she said, everyone was equal to one another. There was no distinction when they ate meals, she said, and she ate meals with her employers at the table. She told me that she does not like life on the estate and the way her husband behaves and dislikes his daily drinking and lack of respect for her. Twelve years ago, he had a very open affair with a woman who was living in the lines above their line and she lost trust in him since then. In Tamil, she told me :

"I do not like life on this estate. People are always talking about one another and gossiping for no reason. But it is never to your face. It is always to your relation or husband. They say I was acting like a *comari pillai*, going to Colombo and Kandy alone, but what was I supposed to do ? My husband will not even give me money to take our daughter to the Base Hospital tomorrow for her appointment. I had to ask my sister for the money. After estate work, he earns 300 rupees as a casual laborer off the estate every day, but goes immediately to the bar and spends it. He doesn't come home until late and if I get angry, he yells and hits me, so I keep quiet. Now, I don't even talk to him, only when necessary. With that 300 rupees, do you know how much we could have done ? *Aniyaayam* ("What a waste").

As a child, I did not have these problems. I was happy in my mother's house. My father and mother took care of us together. A husband, a *man*, should take care of his family and children. A wife has her responsibilities and can work too. But a wife and husband need to care for their family together. Not this way. *Intha thottam oru ketta jathi thottam (this estate is a mean-spirited place)."*

(*Interview, October 5th, 2009*)

Vasanthi's frustration is not uncommon among *Malaiyaha* Tamil married women who work as domestics outside the estate. Her irritation reveals the way in which Colombo velai or work abroad transforms social relations and community sentiment within and among families on the estates. What is interesting about Vasanthi is that she is often the object of gossip and judgment, particularly among her female relations who disapprove of her non-conforming habits and thoughts. To her female relations, her actions are that of a comari pillai ("unmarried girl") who lives without any regard for the commitments and entitlements to her family. They questioned her need to work in Colombo and stay alone in Kandy alongside her child in the hospital. To Vasanthi, her actions signify her desperation and conviction as a mother who needs to provide for her family. She, like Sasikala, challenges the current conditions of community and strives continually for new ways of being that can ensure more dignified modes of membership. It is also interesting to note that Vasanthi employs the hierarchical caste term, *ketta jathi*, in her description of estate life. For her, the actions of her husband metonymically stand in and represent the status of the greater good of the entire community.

Vasanthi's need to challenge became even more public to the community during her last trip home from Colombo in August 2009. Frustrated with her husband's drinking habits and sensing that he would use her savings on alcohol and not on their family's basic needs, she refused to let him come with her to the bank to withdraw money. They had an argument, and in anger, she went to the bank alone and then onwards on the bus back to her job in Colombo. Vasanthi's husband, emasculated by her actions, drank three bottles of arrack after work and, around six o'clock in the evening, threw himself in the dam near the estate and attempted suicide. Found by some local fishermen, he was pulled out while unconscious and taken to the hospital by a three-wheel. He survived and spent two days in the hospital. His relations called Vasanthi on her mobile phone to tell her the news. She came home to the estate the next day.

His relations feared that the police would fine him for "causing trouble". I asked his older sister why and she said, "Because, he was acting like a rangi (arrogantly) and just out of foolishness". The fear of the potential fine was also blamed on Vasanthi's un-uxorial behavior. Shunned by her relations and the community for "causing" her husband's suicide attempt, she now stays in her house, avoids her husband, and only goes out to buy food

items or to take her daughter to the hospital for treatment. During each encounter we had after his suicide attempt, she regularly mentioned returning to Colombo for work but never did during my field research period.

Vasanthi's desire to change her circumstances raises valid questions about how *Malaiyaha* Tamils act upon self-perception and desire to gain control over their social relations and status. In pursuit of these efforts, community is sustained, albeit with struggle and imperfection. But this is not to assume that self-perception alone contributes to the actualization of community. Perceptions in-community, as seen in the ways *Malaiyaha* Tamils value and treat domestic work in Colombo, are often incongruent with national perceptions of *Malaiyaha* Tamils on a whole. In most of Colombo's upper class homes and within most sectors of Sri Lanka, *Malaiyaha* Tamils are generally perceived as nothing more than exportable and cheap labor. These external perceptions tend to caricaturize and define group life on the estates only by their perceived imperfections. This practice irritates most *Malaiyaha* Tamil activists who worry about the future of their community and struggle to defy the continual deprecation of their status as a minority community. As one *Malaiyaha* Tamil politician asked me : "Do you think we, the *Malaiyaha* Tamils, want to be seen as the womb of Colombo's domestics ?" The perceptions of *Malaiyaha* Tamils, however, contradict the views of their leaders, as seen in the pride that both Sasikala and Vasanthi take in their jobs as domestics. How are we to reconcile this disjuncture of belief, and what does it say about the future of *Malaiyaha* Tamil community within the polity of Sri Lanka ?

Perceptions and Cultural Inclusion in the Post-war Discipline

Given the realities faced by Sasikala and Vasanthi and diminished capacity of *Malaiyaha* Tamil leadership to encourage the fullest potentials of community for their constituencies, the plantation and estate are often represented as dystopic places, which *Malaiyaha* Tamils were accustomed to inhabit and whose history would forever bind them to a future of voicelessness. This topos of 'paralysis in the present' was actualized in various forms of community life, especially after the escalation of violence between the Government of Sri Lanka and Liberation Tigers of Tamil Eelam (LTTE). Furthermore, the polarization of the conflict, much like the Sinhala

Figure 3. Line rooms on a tea estate in Kandy district
(cliché Mythri Jegathesan)

and Sri Lankan Tamil brands of nationalist politics, excluded *Malaiyaha* Tamils from any form of sustainable and redeemable political representation despite concrete leadership presence on Parliament, Provincial and Municipal Council levels. Once "coolies", then stateless, *Malaiyaha* Tamils had become minoritized beyond the "margins of the state" (Das and Poole, 2004).This topos manifests in a range of scholarship on *Malaiyaha* Tamil pasts (Vije, 1987 ; Moldrich, 1989, Vanden Driesen, 1997) and futures (Annaraj & Caspesz, 2004 ; Caspersz, 1995 & 2005). All of these works, to some extent or another, claim that community goes on in its barest forms but would thrive beyond the enclosures of its fixed past, if it were to gain voice, political will, and, above all, human agency. The self-recognized community of *Malaiyaha* Tamils was being represented as a community that would actualize to its fullest potential only under the conditions of the appropriate

and effective recognition of others. The present had become the struggle over what shall be and an "exploratory dream" (Annaraj & Caspersz, 2004) that sought to do away with the unsettled nature of the *Malaiyaha* Tamil community. But in the process, the present was overshadowed by unmet anticipation and delayed the possibility for effective change.

The conceivable practical bearings of a political, and historical community of this kind has, for *Malaiyaha* Tamils, far-reaching consequences for their future as a minority living within the territorial borders of the Sri Lankan state. With the urgent need for a political solution to the protracted conflict between the Government of Sri Lanka and LTTE, there is a possibility that the polarization of representation and centralization of state power could subside, if and only if a far-reaching devolution package (beyond the Constitution's 13th Amendment) is accepted and employed on pragmaticist terms. This would entail that politicians and represented communities acknowledge their acceptance of power-sharing as a temporal point on the evolutionary path which seeks to guide the "self and its community towards [a] perfect knowledge" (Corrington, 1993, p. 52) that can validate a more deliberate future.

Even if it is too far-reaching for Sri Lanka's post-war politics, which remain entrenched in the certainties of colonial reason, nationalist-driven ethnicization and elitism, this tailored approach must not break from the continuity of historical community narratives. If habitualized and practiced accordingly, this type of politics may enable *Malaiyaha* Tamils to reorient themselves toward their closed pasts so that their futures may not be encompassed within the larger politics of statistics but incorporated into a political framework that acknowledges equal grounds for the cultural claims of all communities. It is conceivable that the *Malaiyaha* Tamils can wrestle away from the restrictive politics of their minoritization and economic alienation, by challenging the plantation system's regime of labor and embracing their singularity and standing as a historical and contributory community within a democratized and multicultural Sri Lankan polity. In this light, a conception of community could not be actualized as just diasporic and compensatory to the polarization of the conflict. Rather it can develop as a power-enabling mode of being that is deeply rooted in but challenging of Sri Lanka's postcolonial history of nation-building and capitalist venture.

Conclusion : The Possibility of an Emergent Historical Community

As we have seen, the conception of community needs to be maintained by a continual mental exercise that emphasizes in the present a relation to a closed past for the sake of a deliberate future. For *Malaiyaha* Tamils living in postcolonial Sri Lanka, their past as ill-treated, disenfranchised subaltern subjects is unchangeable. In order for their anticipated future to remain filled with possibilities, the imaginative desire to embody the generals of a conception of community based on moral commitments and historical depth must be recognized and shared amongst its membership. For Peirce, this was the core of *pragmaticism*–"reality depends on the ultimate decision of the community" (Peirce EP I, p. 54). For *Malaiyaha* Tamils, the reality of their community in the present remains a constant struggle over "what shall be" in their indeterminable future, and the process of community-formation remains infinitely persistent in its search for truth in the external realities of the world.

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