

## **Ethnicity and Class Division in Sri Lankan Politics: Gains and Losses for plantation workers in the post-indenture period**

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Unlike many British plantation colonies in the post-slavery era, Ceylon did not use indenture labour for the labour requirements of the coffee, tea and rubber plantation in Sri Lanka (Ceylon) in the 19<sup>th</sup> and early 20<sup>th</sup> centuries. The planters tapped into a large pool of debt-bonded and casual labour from famine-prone Tamil districts of the Madras Presidency, using recruiters or *kanganies* to provide ‘advances’ to individuals and groups to persuade them to travel across and work on the Ceylon plantations. This labour migration was viewed by the government as ‘free’ labour, and therefore warranted no such government protection that was afforded in the indenture system. In reality, this lack of state scrutiny resulted in the workers being subject to economic and non-economic forms of exploitation, bonded by ties of indebtedness to work, and physically deterred from interacting with the local population (Jayawardena and Kurian 2015: 39-49). There were bureaucrats, politicians and social reformers who were critical of the abuses suffered by the workers. And while they were not indentured labour, the attention paid to problems of Indian workers overseas in the 18<sup>th</sup>, 19<sup>th</sup> and early 20<sup>th</sup> centuries forced the Ceylon government to intervene in the labour relations on the plantations. British colonialism had by this period introduced minority representation in Legislative Councils, not only to pay attention to needs and rights ethnic/religious/communal groups (Verma 1987; 4-9) but also as a part of its ‘divide and rule’ policy through the introduction of identity politics. In Ceylon, the resulting increased participation of local interest groups in government, initially through representation in Legislative Councils and later with franchise rights, brought the plantation community into local politics.

The paper analyses how the social, economic and political rights of the plantation workers in Ceylon were affected by these deliberations and changes in the first half of the 20<sup>th</sup> century. Although they were, in the main Tamil-speaking, their isolation on the plantations meant that long after they had ‘settled’ in the country, and

well into the 20<sup>th</sup> century, local Sinhalese and Tamil communities viewed the plantation workers and their families as a separate ethnic group with a ‘Indian migrant’ status. The paper argues that, under pressure from Indian government and London Office, the Ceylon government took important measures to improve the working conditions and political rights of the plantation workers in the pre and post-indenture period. But these gains were short-lived, as ethnic chauvinism and nationalist politics portrayed the plantation workers as a threat to the sovereignty of the country, and in time class alliances cooperated under parliamentary democracy to curtail the political power of the plantation workers by withdrawing their franchise and citizenship rights. In essence, the exercise of ‘majoritarian tyranny’ under constitutional democracy resulted in a denial of the rights of Indian plantation community in Ceylon.

The argument is developed as follows. First, attention is given to concerns raised by key individuals and groups prior to the end of indenture, and efforts of the government to deal with some of the worst criticisms of the labour conditions under the fear that the Indian government would stop the flow of migration. Second, the responses of the Ceylon government and the planters are examined including laws and measures undertaken to improve the wage and living conditions on plantations. Third, the ‘Indian influence’ is considered including the role of the Indian National movement, Indian political leaders and trade union leaders in supporting the workers. Fourth – attention is given to how the changing political environment in Britain and promotion of democratic rights in the colony led to plantation workers being given trade union and franchise rights, which they exercised in the elections choosing to support the Left parties. Finally, the paper shows how these political gains were short-lived as class alliances and the rise of ethnic chauvinism came together to counter the numerical power of the plantation workers in politics resulting in their disfranchisement shortly after the country gained independence in 1948, leaving the vast majority of the workers without voting or citizenship rights in the country where they worked and resided.

### **Pressures on the Ceylon Government**

While Ceylon did not employ indentured labour on its plantations, it was nevertheless forced to confront the criticism that was taken up worldwide on the deplorable circumstances of overseas Indian workers. Several pressure groups, such

as the Anti-Slavery Society and the Indian Overseas Association in Britain and the Indian Colonial Society in Madras (Chennai) had highlighted the deplorable conditions of overseas Indian workers from the middle of the 18<sup>th</sup> century while the Indian Association noted the ‘slave-like’ conditions of the workers on the Assam tea plantations as early as in the 1880s (Sarkar 1983:91). Gandhi campaigned for the rights of Indians in South Africa and similar sentiments were also put forward by the nationalist movement in India under the leadership of Gopal Krishna Gokhale (Kurian 1989: 126). The Indian political activist and doctor, Dr Manilal Maganlal Doctor (1881-1956), supported by his wife Jayunkvar Mehta, and a close associate of Gandhi, visited Mauritius and between 1907 to 1910, defending Indians in court cases, challenging the racism of the local whites and appearing for Indian estate workers and cane farmers in labour disputes (Napal 1963). He also visited Ceylon but was given a deportation order in 1922 by the Ceylon government but not before he had drawn attention to the Indian labour question.

There were also concerned individuals and social reformers in Ceylon, who raised the issue of the exploitation of Indian labour in the country. Ponnambalam Ramanathan (1851-1930), a member of the Legislative Council condemned the special legislation on pilfering of coffee by plantation workers which he called “oppressive to the people of the country” and “plainly repugnant to law and justice” (cited in Thondaman, 1987: 45-7) and spoke out against the flogging that was allowed by the Coffee Ordinance indicating that “the lash on the guilty cuts not only the guilty but even the innocent” (Moldrich 1988: 89). Ramanathan also took up the issue of the high mortality rates amongst the plantation workers in the Legislative Council, which he argued were the result of lack of adequate medical facilities, resulting in “coolies left to die at the rate of 60 per thousand, three times as much as the normal mortality rate” (Moldrich 1988: 158). In a similar tone, the lawyer, H.J.C. Pereira, wrote an article entitled ‘Refined Slavery’ attacking the Labour Ordinance which also applied to plantation workers by which was “a disgrace to the English government” by which workers leaving employment without a month’s notice or reasonable cause, or disobedience, insolence etc., could be punished with a fine or imprisonment and be ordered to return to the employer (Jayawardena 1972 : 100-101).

Another important campaigner for political reforms and the rights of workers was Ponnambalam Arunachalam (1853-1924), who became the first president of the Ceylon National Congress in 1919. He initiated a ten-year campaign from around

1912 for the abolition of the penal clauses of the Labour Ordinance, requesting reforms that would allow for “minimum wages for estate workers and the exemption of women and minors from imprisonment” for breaches of the labour law, and in the case of adult males, that police magistrates should administer the law “with leniency” (Arunachalam 1936: 201-2). Arunachalam highlighted among other issues, the penal clauses which “have been a public scandal for years” on which “I have pressed ... in season and out ... both on the local Government and the Colonial Office and the India Office, but we never got beyond talk” (ibid: 230-1); and the need for legislation on a minimum subsistence wage, regulation of hours of work and the abolition of child labour (ibid: 241).

These criticisms forced the local government to intervene in what had previously been viewed as the free movement of labour. A Commission of Inquiry was appointed in 1916 to investigate the deplorable conditions on certain estates in the province of Sabaragamuwa. The report reported on instances of starvation and illness, and a comment by a magistrate on a superintendent’s lack of concern, neglect of the sick, and payment of inadequate wages. <sup>1</sup>The publicity surrounding this Commission resulted in a Planters’ Association meeting where issues of labour conditions and labour laws were discussed, and some planters voiced strong criticisms of their fellow planters and the laws. One of them, E.E. Megget stated that “the labour laws in Ceylon were a disgrace to the Island” and another planter said “The Sabaragamuwa Commission vindicated the Tamil coolies in that district and brought to light unscrupulous behaviour of one of the planting community” (Arunachalam 1936:220). Thus by the early 20<sup>th</sup> century, there was considerable pressure on the government in Colombo to change the repressive laws and a bill was drafted exempting women and children from imprisonment, but making provision for a female over 16 to be imprisoned for drunkenness, insolence or other misconduct (Jayawardena 1972 : 209).

Another important landmark change was in the area of education. While the lack of educational facilities on Ceylon estates and the problem of child labour had been raised in the British House of Commons as early as 1903, the Planters’ Association, on the whole, was ‘strongly opposed to special legislation for the

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<sup>1</sup> *Report of the Commission to Inquire into the Conditions of Immigrant Tamil Labourers in Sabaragamuwa*, Colombo, 1914.

education of immigrant Tamils.’<sup>2</sup> The Chairman of the Planters’ Association noted in 1903 that “the estate coolie is not likely to feel the want of an education.” Furthermore there was concern that “compulsory education on estates would seriously complicate the labour problem.”<sup>3</sup> By 1920 however, the Ceylon government, under pressure from Britain and with the support of more enlightened planters, passed the Education Ordinance of 1920 making it obligatory for all plantations with over 25 children to provide them with education with attendance being compulsory. By the early 1930s this legislation time gave rise to a generation of workers were able to challenge their exploitation on the plantations, and participate actively in both trade unionism and politics.

### **Ceylon Government after Indenture**

Shortly after the end of indenture, the Indian Emigration Act of 1922 was passed which contained clear requirements for the continued recruitment of labour for the Ceylon plantations. Under this Act, workers were entitled to free transport as well as the possibility to return within a year of arrival, and if the Agent found the reasons for the repatriation valid, the costs were borne by the Government of Ceylon or the Ceylon Planters’ Association (Kurian 1989:127). The Ceylon Government in turn passed the Indian Immigrant Labour Ordinance in 1923 which provided for the appointment of a Controller of Indian Immigrant Labour and the organisation of his Department, the costs of which were met by revenue of Ceylon and the Immigration Fund, the latter being raised by levying an acreage tax on estates employing Indian workers. The Fund also supported the salary of the Ceylon Emigration Commissioner who was the person who could issue licences to ‘emigrant agents’ to ‘assist’ workers to migrate to the plantations. The Ordinance also took away some of the worst forms of indebtedness associated with the kangany system of recruitment by stating that labour contracts were for a maximum of one month, and that advances given by recruiters were not recoverable (Kurian 1989: 129-130).

In 1922, the Government of India Indian took up the need for a minimum wage for Indian estate labour in Ceylon. The Ceylon government and the majority of

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<sup>2</sup> SLNA. PF/1095. Enclosure in letter sent to the Colonial Secy. 15 Sept. 1904.

<sup>3</sup> Summary by Mr. Scott. 16 Nov. 1903, *Planters’ Association Year Book, 1904*.

planters were reluctant to agree to requirement but, as they were aware non-compliance could result in the end of immigration, in the light of the threat that migration would otherwise be stopped, passed the Minimum Wage Ordinance of 1927.<sup>4</sup> In 1922, the government finally abolished the penal provisions of the 1865 Labour Ordinance. The Indian government also pressed for an investigation into the cost of living of estate workers and the Indian Agent in Ceylon, drew up a family expenditure budget for estate labour and came to the conclusion that 40% of the Indian workers seemed to be unable to earn a living wage and said “ill health, inefficiency and low wages form a vicious circle.”<sup>5</sup> In these ways, albeit through the pressures emanating from outside, greater attention was given to social and legal reforms protecting plantation workers in Ceylon.

By 1922 important political changes had taken place in Ceylon; pressure by the Ceylon National Congress had led to constitutional reforms in the early 1920s creating an elected Legislative Council with an unofficial majority with the possibility of plantation workers playing a decisive role in local politics. The following sections discuss the influences and policies that affected the plantation community.

### **The Indian Influence**

The Indian National movement with its call to Britain to ‘Quit India’ was a powerful influence over the Indian community and the plantation workers in Ceylon. Between 1921 and 1923 the Indian National Congress launched the non-cooperation campaign with *hartals* (mass stoppages), and in January 1930, passed a resolution in favour of *purna swaraj* (independence). The Indian community in Ceylon welcomed the visits of Indian political leaders, like Mahatma Gandhi in November 1927 and Jawaharlal

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<sup>4</sup> These gains were relatively short-lived as by 1930 the tea and rubber industries were beginning to suffer from the effects of the economic depression. While there was fierce opposition to lowering of wages in the state Council this lowering was sanctioned in December 1931 and May 1933 (Ceylon Administration Reports of 1931, 1932, 1933)

<sup>5</sup> *Report of the Agent of the Government of India 1926*, p.10 cited in Jayawardena 1972:348.

Nehru in 1931, who had been imprisoned several times for passive resistance (*satyagraha*) and challenging British rule.<sup>6</sup> Their visits to the Island were greeted by large crowds in Jaffna, Kandy and Colombo and elsewhere. During Gandhi's visit to Badulla, Nuwara Eliya and Hatton, key concentration areas of the plantations, he spoke of "the lot of the Tamil labourers in the plantations in Ceylon" saying that he wished he had more time to "see these simple folk in their homes" (Kadirgamar 2012: 34). C. Rajagopalachari, who also travelled with Gandhi, wrote that the Tamil plantation workers "poured in ... to see Mahatmaji in their thousands and made many a hillside alive with men and women" (Gopalkrishna Gandhi 2002a: 208). When Gandhi went by train from Kandy to Badulla there were "enthusiastic" receptions by workers at Haputale and Bandarawela. For the meeting at Badulla several estates in the district "gave leave to the labour forces" to attend the event (ibid: 242). Writing about a meeting in Hatton for Gandhi, Desai writes that "never in the history of Hatton" had such a large gathering been seen and that "People had collected at every point of vantage including the surrounding hills to catch a glimpse of the visitor (ibid: 246). Gandhi's spectacular reception among the plantation workers led to increased anti-colonial and nationalist feelings in this sector that were stronger than in any other section of the working-class in Ceylon.

By the 1930s, several Indian nationalist leaders had visited the country including B.G. Tilak (1919), Sarojini Naidoo (1924), Gandhi (1927), Kamaladevi Chattopadhyaya (1931 and 1937) and Jawarharlal Nehru (1931 and 1939). Moreover, during the 1930s, many organizations with names such as Gandhi Sangham and Bose Sangham appeared in the plantations, and planters reported that workers off-duty in nearby towns could be seen wearing Congress caps. Pictures of Indian leaders such as Gandhi, Nehru and Subhas Chandra Bose were also seen in the homes of workers. During his visit in 1931 Nehru noted that the reduction of the minimum wage of plantation workers that had occurred that year was "monstrous" and denounced the planters for being concerned only about their dividends (Jayawardena 1972:351).

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<sup>6</sup> In March 1930, Gandhi led the famous Salt March challenging British monopoly over the product by marching in a large crowd 240 miles to the shore to gather it. Gandhi was arrested triggering the large non-violent civil disobedience movement as a consequence of which over 80,000 people were jailed. The event led to world-wide publicity, and in 1930 Gandhi was *Time* magazine's 'Man of the Year'.

In 1931, the first trade union was formed in the plantation sector under the leadership of an Indian from Tanjore, S. Kothandarama Natesa Aiyar, who moved to Ceylon in 1920 to edit the Tamil nationalist paper, *Thesa Nesan*, and became editor of *The Citizen*. He also wrote several pamphlets on the condition of plantation workers, including an English journal “The Indian Estate Labourer” and a pamphlet called “Under Planter Raj”.<sup>7</sup> He was a close associate of D.M. Manilal and active in the urban-based Ceylon Labour Union in the 1920s. K. Natesa Aiyar was elected to the legislature, where he frequently brought up issues pertaining to wages and conditions of urban and plantation workers. In the Council Debates of 24th February he demanded that the recruitment of workers for the estates be stopped until the owners had built sufficient ‘cooly lines’ and latrines, stating that the same conditions of the 1870s prevailed on the contemporary estates (Legislative Council 24 Feb 1927).

Several Indian women political leaders also paid attention to the problems experienced by women on the plantations. Kamaladevi Chattopadhyaya and Meenakshi Ammal were Tamil speakers who were concerned also about male domination and patriarchal structures in society in addition to their economic exploitation on the estates. Kamaladevi Chattopadhyaya wrote a foreword in later years to a novel entitled *Refuge* by Gopalkrishna Gandhi, set in a tea plantation, depicting the life of a worker Valliamma and contrasting her exploitation to the lives of planters. In the 1920s and 1930s, Meenachi Ammal wrote songs on the exploitation of women on the plantations and the political and economic grievances of plantation workers. She spoke and sang on public occasions to large crowds of workers and in the journal *Desabhaktan*, which she edited from 1928 with her husband Natesar Aiyar, she raised questions of women’s rights and female franchise at a time when universal suffrage – including voting rights for plantation workers – were being hotly debated. Another Tamil women writer who supported the cause of women’s franchise was Mangalammal Masilamani, a journalist, who in 1923 founded the *Tamil Mahal* (Tamil Woman).

The plantation workers were also influenced by the Dravidian movement in South India which spoke of the need to fight the oppression of the Brahmin-dominated caste system, leading to greater awareness of their ‘Tamil’ and ‘Dravidian’ consciousness. The founder of the Self-Respect Movement, (*Suyamariyathai*

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<sup>7</sup> For details see Kurian and Jayawardena 2016.

*Iyakkam*) E.V. Ramasami Naickar, known popularly as *Periyar* (Great Elder) was concerned with the social oppression and obscurantism of Tamil society, and the movement “drew attention to the social, ritual and cultural oppression of the masses of the... non-Brahmin and lower castes” (Ram1979: 393). In 1932 Periyar visited Ceylon giving lectures in Colombo, Kandy and Jaffna, speaking against religion, blind faith, Hindu gods and priests as well as against Brahmin domination and caste oppression. Other influences on Indians in Sri Lanka included the Dravida Kazhagam (DK) movement of south India. Periyar continued to oppose the freedom movement as merely an attempt to form a ‘Brahmin Raj,’ while C.N. Annadurai, leader of the *Dravida Munnetra Kazhagam* (DMK) opposed the ‘Aryan domination’ of the Congress and also spoke out against foreign rule.<sup>8</sup> Inspired by Periyar and the Self-Respect Movement in the Madras state, a Self-Respect Movement had been started in Colombo, supported by groups who formed part of the Tamil and Malayali working class of Colombo which included cooks, barbers, domestic labour, rickshaw men, hotel workers, grass-cutters and bottle-sellers. There was also some support in the plantations. In 1945 the movement became the Ceylon Dravidian Federation; by 1948 it emerged as the DK, and in 1949 became the DMK, which held its first meetings in Kandy and Talawakelle, with A. Ilancheriyar, a former hotel worker, as its Secretary (Interview with Ilancheriyar by authors, Colombo).

### **Deliberating Franchise**

The 1930s were in many ways a defining period the politics of the plantation community in Ceylon. While deliberations on universal suffrage had begun by the 1920s in Ceylon as part constitutional reforms in the country, this also opened the possibility for plantation workers having the right to vote in local and national elections. The potential electoral significance of the plantation community became a serious concern not only for the local Sinhalese but also for the bourgeoisie as a whole. The deliberations in the Legislative Council reflected nationalist, communal/ethnic and class divides.

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<sup>8</sup> In 1949, a new party called the *Dravida Munnetra Kazhagam* (DMK) was created as a breakaway from the *Dravida Kazhagam* (DK).

Some Sinhalese politicians raised the fear that giving franchise to the plantation workers would mean not only a loss of their electoral power in Kandy where the plantations were concentrated but that their interests would be subsumed by the bigger neighbour India. According to D.S. Senanayake, (later the first Prime Minister) “*We have only this small bit of land for ourselves... we want this country for ourselves.*” (*Hansard*, 8 Nov. 1928; emphasis added). The competence of the plantation workers to exercise their franchise in a responsible manner was also doubted. According to V. de S. Wickramanayake “The Indian labourer... goes to work at 6 in the morning and returns to his coolie lines, at 6 at night; what does he know of events in the island?... therefore I say he is not fit or competent to give a vote on matters political.” (*Hansard*, 2 Nov. 1928)

The class issue was also deliberated with several labour Party and trade unionists supporting the provision of franchise to the plantation workers. C.H.Z. Fernando, a member of the Ceylon Labour Party and an active supporter of urban labour and trade-union activities and ridiculed the “mythical dangers of Indian domination” (*ibid*). Legislators from minority communities, like K. Natesa Aiyar, A. Mahadeva and T.B. Jayah, also perceived the danger of ethnic chauvinism, which lay behind the campaign to deny political rights to plantation labour. in the way of the grant of the franchise to his Indian brother” (*Hansard*, 8 Nov. 1928). A.E. Goonesinha, the Sinhalese trade union leader. 1928 also publicly spoke out in favour of Indian workers’ political rights (*Ceylon Daily News*, 10 Sept. 1928).

In spite of these concerns, and on the basis of the recommendations of the Donoughmore Commission of 1927, universal franchise was given in 1931 to all British subjects above the age of 21 who had a) Ceylon domicile of origin or choice (domicile of choice to be dependent on five years’ residence) (b) Literacy and property or income qualification or Possession of a Certificate of Permanent Settlement granted by a duly appointed officer on the condition of five years continuous residence in Ceylon. The Donoughmore Commission had been specifically concerned about the position of the plantation workers reported and suggested that five years’ residence in the country would qualify workers to participate in elections. The workers were active in the elections, no doubt stimulated by the fact that the Education Ordinance of 1920 had obliged planters to provide education to workers’ children and thereby created a generation of persons from the

community that could follow political discussions and participate effectively in airing their grievances and understanding challenges and options in the country.

The general elections in 1931 and 1936 witnessed considerable political campaigning in the plantation areas. In 1931, two Indians, Peri Sunderam and S.P. Vytilingam were elected to the Hatton and Talawakelle seats respectively, and a planter (A. Fellowes-Gordon) was elected at Bandarawela. In the new State Council, Peri Sunderam became the Minister of Labour, Industry and Commerce. There was renewed political agitation in plantation areas in 1936, when the number of Indian voters had risen to 145,000 (ibid:12). At the general election in 1936, two Indian Tamils were elected, S.P. Vytilingam (Talawakelle) and K. Natesa Aiyar (Hatton). The election of Natesa Aiyar was a step forward for the Indian workers, for he was the first Indian politician to have directly challenged the planters by introducing trade-unionism to the plantations in 1931.

In the late 1930s there was again a period of political fervour, partly in preparation for the elections due in 1941. This election enthusiasm extended to the estates, where 225,000 persons from the up-Country Tamil plantation community had voting rights by 1939. Because of the outbreak of the Second World War, however, the elections of 1941 were postponed and it was not until 1947 that the next elections were held for the new parliament. But the influence of plantation community in general electors in the 1930s served to promote anxiety amongst some Sinhala politicians, as well as the Tamil and bourgeoisie.

### **Controversies on Political Rights**

The 1930s also witnessed increased backlash against the labour and political rights of the plantation community. The anti-Indian rhetoric and practice increased during the depression of the 1930s when the Ceylon government, in the face of increased unemployment in the country, decided that Indian labour had to be replaced with Sinhalese labour. This position was in contradiction to the Report of a Commission appointed in 1936, headed by Sir Edward Jackson, that had a mandate to investigate whether the immigration of workers from south India was increasing or decreasing; whether this immigration was the cause of unemployment in Sri Lanka; and whether controls should be imposed on immigration. The Report noted that no economic disadvantage had been suffered by the permanent population on account of Indian

immigration while indicating that large numbers of Indians would be necessary to work the estates for some time to come and emphasized that Indians dominated those fields of employment where the Sinhala people did not desire to work<sup>9</sup>. The findings of this report were not, however, accepted by the Ceylon government even though the planters put forward a resolution on the importance of maintaining the migration of workers from India.<sup>10</sup>

Shortly thereafter there were attempts made to curtail franchise rights of the plantation community through amending the Village Committes Ordinance in 1937. Since 1889 Village Committees had functioned as the unit of local government with the Village Committes Ordinance exempting Europeans, Burghers and Indian workers from participation on the grounds that they did not pay village taxes or form part of the life of the village. In 1937 a Village Communities (Amendment) Ordinance was drafted to include plantations in the village areas allowing the removal of Europeans and Burghers from the class of “excepted persons,” but retaining the exemption on Indians. In effect Indian workers were the only group of persons who were denied the village franchise. This exclusion was to prevent the ‘outnumbering’ of Sinhala villagers by plantation workers in local government elections in plantation districts.

The Ordinance led to a number of protests by various Indian associations in Ceylon and by the Government of India which alleged that the Bill was based on racial discrimination. The Lanka Sama Samaja Party (LSSP) also opposed the

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<sup>9</sup> *Report of the Commissioner of Labour, Ceylon Administrative Reports for 1939, Part I, O21 and O22.*

<sup>10</sup> “The Planters’ Association of Ceylon is aware of the anxiety that exists amongst the estate labourers due to the recent action being taken by the Government against certain classes of non-Ceylonese employed in Government Departments. The Planters' Association of Ceylon ... desires to publicly assure all concerned that estate labour is a matter in which it is vitally interested, that it will oppose with all strength at its command any measures which are likely to affect the well-being of estate labourers and will especially resist any action which might be directed towards involuntary repatriation of Indian labourers on estates in Ceylon”. (*The Hindu*, 15 August 1939: 10 cited in Kurian 1989:257)

Ordinance, and N.M. Perera, the LSSP member in the State Council, attacked the policies of the Board of Ministers:

They have no objection to enfranchising European planters... Those people who have property, even the very Chettiars who have no other interest in the country but the lending of money at very exorbitant rates of interest, ...are enfranchised. But when it comes to the poor labourer who has not the fortune to possess land, he is not enfranchised... This bogey of swamping is entirely imaginary ... the interests of the Indian labourers and the vast mass of peasants and workers in this country are the same. The fight is against the capitalist class, whether they are Indians or Ceylonese (*Hansard* 1937, Vol.III p. 4150-52).

In the wake of these protests, a second Ordinance was passed in the State Council and assented to by the Governor in 1938, under which *all workers resident* on plantations, whatever their ethnic origin, were to be excluded from the village committee franchise. Since the number of Sinhalese workers resident on plantations was small, the bill mainly had the effect of debarring all Indian plantation workers from the local franchise.

The Indian government challenged the repatriation of urban workers of Indian origin indicating that this was a form of discrimination against all Indian workers in the island. Various Indian associations in Ceylon felt that this was yet another method of restricting the rights of Indians. In July 1939 the All-India Congress Committee passed a resolution condemning the employment policy of the Ceylon government and sent Jawaharlal Nehru to Ceylon to explore ways of avoiding a conflict on this issue. He was also invited by the associations of Indians to visit the island and review the situation. An important result of the Nehru visit was the amalgamation (on his advice) of 16 Colombo associations of Indians and the subsequent inauguration of the Ceylon Indian Congress (CIC). The CIC adopted the view that the Government of India had to influence the Ceylon government to support the interests of Indians in the island.

During this visit, Nehru addressed the plantation workers at a well-attended meeting in Hatton on the 22nd of July 1939. Natesa Aiyar also spoke stating that the immigrant workers had been drawn to Ceylon by the promise of full citizenship rights and prosperity, but at the moment they were neither Indian nor Ceylonese citizens. He

emphasized the need to determine their status, and appealed to Nehru to use his good offices to see that the workers and others were allowed to settle down as citizens of the country without discrimination (*The Hindu*, 24 July 1939 cited in Kurian 1989:255).

An editorial comment in *The Hindu* newspaper was highly critical of the stance of the Ceylon government:

Is it not obviously unfair that the Indian who sweats on estates to enable Ceylon tea to retain the world market should be debarred from handling the tea at the railway station, the warehouse, or the harbour? He has been denied the right to acquire land, vote or move about. Even his nearest relations cannot visit his residence for which he pays rent. This keeping apart of assisted and unassisted immigrations is part of the plan to keep estate labour helpless and ignorant of their rights (*The Hindu* 1939:7 cited in Kurian 1989:256).

In the light of the Ceylon government's intransigence, the government of India in August 1939 enacted a ban on the emigration of unskilled labour from India to Ceylon. This move by the Indian government was welcomed by the Ceylon Indian Congress (CIC), whose President V.R.M. Letchmanan Chettiar issued a press statement applauding the action (*The Hindu*, 19 August 1939). The CIC held several meetings on the estates explaining the significance of the ban to the workers, and indicating that it was a means of placing pressure on the Ceylon government to provide them a better legal and political status in the country. According to another CIC leader A. Aziz, the workers at that time were keen on gaining citizenship and other democratic rights in Ceylon (Aziz 1988 Interview with authors).

### **Class Alliances and loss of Political Rights**

As noted earlier, the main fear of the Sinhala bourgeoisie was related to the growing influence of the Indian working-class vote on electoral politics. By 1936 the Indian electorate had risen to 145,000, and two Indian representatives were elected to the State Council. In addition, several others had been successful because of the votes of plantation workers including oppositional politicians such as George E de Silva in Kandy. Sinhalese leaders on their part made complaints that regulations had not been properly followed resulting in a higher electorate amongst the plantations workers than was warranted (Kodikara 1965:78). In 1939 the Indian population was about one

million and constituted approximately one sixth of the population in the island. The fear was that if Indian workers were given citizenship rights and specifically the franchise, it was likely that Sinhalese interests would be threatened by a numerical “Indian” bias in the up-country regions.

Nationalist sentiments among the Sinhalese majority during this period were usually expressed by defining the Indians in Ceylon as “a predominantly alien community” (Kodikara 1965: 90). The future Prime Minister, S.W.R.D. Bandaranaike, then Minister for Local Administration, at an exploratory meeting between India and Ceylon, held in November 1940 to discuss the issues of citizenship and franchise highlighted “the fear” of extending political franchise to the plantation workers who could become “a force which could control the whole life of the country”<sup>11</sup> Peri Sunderam, former minister who had been elected from Hatton, was highly critical of increased restrictions on “the Indian franchise by a tightening up of the procedure of the registration of voters in the plantation area” which viewed as “a step” that could result in “unfairness, discrimination and serious prejudice to the interests of plantation labour. (*The Hindu*, 3 September 1939: 13 cited in Kurian 1989:255). This reduction in voters from the plantation community was later criticised by the Soulbury Commission (Devaraj 2008:12-13).

The Ceylon Indian Congress and the Left Parties had made substantial gains in the 1947 parliamentary elections with the support of the plantation workers’ vote resulting in a source of concern for the Sinhala and Tamil bourgeoisie, who had a stake after the country gained independence in 1948 in curbing the political strength of the plantation workers. The franchise rights of the plantation workers were removed and their voting rights in national politics.

Six months after independence of Ceylon in 1948, the newly elected parliament lost no time in enacting discriminatory citizenship and franchise laws. These were:

- a) The Ceylon Citizenship Act of 1948
- b) The Indian and Pakistani Residents (Citizenship) Act of 1949

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<sup>11</sup> Indo-Ceylon Relations Exploratory Conference. Report of the Ceylon Delegation. *Sessional Papers* No.8 and 9 of 1941 (Government of Ceylon, Colombo, 1941, p.12) cited in Kurian 1989:260).

c) Parliamentary Elections Amendment Act of 1949

There were clear class biases behind the first Citizenship Act in parliament in August 1948, with the purported intention to “confer Ceylon citizenship on people in Ceylon who are not citizens of another country,” adding that “we have the right to determine our own citizenship and to enact our own laws for that purpose.”<sup>12</sup> The Act provided citizenship not through the principle of birth, but rather through descent and registration – conditions that were particularly problematic for the plantation workers. According to the 1948 Act, persons could claim Ceylon citizenship if they had two out of three immediate ancestors in the paternal line, born in the country. Further, an applicant born after the fixed date was eligible for citizenship if the father had been a citizen at the time of the applicant’s birth. The Act automatically granted citizenship for the ‘indigenous’ groups in Ceylon, such as the Sinhalese, Ceylon Tamils, Ceylon Moors and Burghers, while Indians had to request this status through registration, and providing adequate documentation, including proof of second and third generation ancestry in the country. These conditions made it extremely difficult for the plantation workers to qualify for citizenship. The most important reason was that most workers could not prove that their fathers and grandfathers had been born in the country – a factor made near impossible as registration of their births had not started until 1895. Shelton Kodikara, in his study on the Act, concluded that it “not intended to provide for citizenship for the vast majority of Indians in Ceylon” (1965: 109). The Satyodaya Bulletin of the Coordinating Secretariat for Plantation Areas, commenting on this issue at a later date, noted that even D.S. Senanayake, Prime Minister in 1948 would have found it difficult to have to produce the birth certificate of his father as proof of his entitlement to a Ceylon citizenship if he was asked to prove that he was a citizen of Ceylon (*Voice of the Voiceless*, March 1986: 4)

The discrimination in the Act was decried by several left politicians from the the Communist Party (CP) and the Lanka Sama Samaja Party (LSSP) (*Hansard*, 19 August 1948). The LSSP stressed the class bias in the Act whereby a large section of the working class had been deprived of basic democratic rights. Pieter Keuneman, the main speaker of the CP, claimed that the legislation “operated in favour of the rich and educated and militated against the poor, the working people of this country”

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<sup>12</sup> *Hansard*, 19 August 1948

(ibid.) In a similar vein, Colvin R. de Silva also highlighted the class implications of the Bill:

There is the cloven hoof of the class approach peeping from under the mantle of an impartial citizenship principle. In defining the principle of citizenship what this government has kept in the forefront of its mind is neither human justice nor social justice, but precisely restriction in the interest of a particular class (*Hansard*, 19 Aug. 1948)

In the Senate (the upper house), an Independent member and leading lawyer S.Nadesan Q.C., also spoke up for the human rights of plantation workers, noting the injustice and unfairness of denying citizenship to “a very large number of people, who have been responsible for the present prosperity of this country” (Speech in the Senate, 15 September 1948).

While the Left parties exposed the class implications of the legislation, they also highlighted its discriminatory ethnic aspects. N.M. Perera of the LSSP condemned the income restriction of the citizenship clauses and noted that such restrictions were not placed on the Sinhalese:

If an unemployed so-called Sinhalese man is fit enough to get rights, why should an Indian who has no income be deprived of those rights? If that is the criterion, is that not racial prejudice of the worst type? (*Hansard*, 10 Dec. 1948)

Similar sentiments were expressed by other left leaders. Colvin R. de Silva described the Bill as a “thoroughly black record,” saying that it was “another dig with a racial spade to make a future grave for universal adult franchise” (*Hansard*, 19 Aug. 1948). The Ceylon Indian Congress (CIC) also argued against the provisions of the Citizenship Acts, with S. Thondaman stating that “his people” had “toiled and made the waste land productive” and were “as much Kandyan as anyone else”(cited in Sabaratnam 1990:36). In response to the query by J.R. Jayewardene as to whether he was a “Kandyan Tamil” Thondaman replied that “Yes...I am a Kandyan Tamil” (ibid).

At the same time, certain Sinhalese politicians took chauvinist positions on the issue of citizenship, a notable example being T.F Jayewardene, who said:

If some of the members of the opposition had the same depth of feeling for their own people as they have for their *cochchi sahodarayas* [Malayali comrades] they will agree with me that 40 males living in a house with 4 or 5 Tamil or Sinhalese women are hardly the type of people who are to be encouraged to become citizens of Ceylon (*Hansard*, 10 Dec.1948)

Anti-minority sentiments were also evident amongst some urban labour organizations in the country with the former labour leader, A.E. Goonesinha, raising the cry of ‘Ceylon for the Ceylonese’. By 1947 he became a Minister in the UNP-led government. When accused by LSSP member T.B Subasinghe of ‘racism’, he responded:

If for the protection of the interests of the nationals of this country, the interests of hundreds of thousands of workers of this country, I have to be racial then I am indeed racial and I shall continue to be racial. (ibid)

In spite of the opposition to the Citizenship Act of 1948, it was passed with 53 members voting for and 35 members against. Those who voted for the Act included several Tamils, Muslims, and European members - clearly members of the bourgeoisie who belonged to the bourgeoisie (Jayawardena and Kurian 2015:203). The Indian and Pakistani Residents (Citizenship) Act of 1949 provided the possibility of obtaining citizenship by registration under some conditions of domicile, including residence and income qualifications enabling Indian traders and businessmen but remaining difficult for the vast majority of the plantation community to qualify. – reflecting again a blatant form of class-biased legislation. The administrative procedures were “cumbersome and slow-moving,” making it very difficult for the estate workers to attain citizenship (Kodikara 1965: 113). At its ninth annual session in April 1949, the CIC adopted a resolution condemning the Acts as “humiliating, discriminatory and anti-social” particularly for estate workers and pointed out that the qualifications required “were complex and involved, and beyond the capacity of workers with little or no education”, a position supported several Indian newspapers and the Madras Legislative Assembly (Kodikara 1965: 111). As just an “infinitesimal” number of Indians could claim citizenship under the 1948 Act, the only possibility for the major of them to apply for Ceylon Citizenship was under the 1949 Indian and Pakistani

Residents' Citizenship Act. The latter came into force in 5 August 1949 with a two-year deadline for the filing of applications (ibid:113).

The third Act - the Parliamentary Elections Amendment Act of 1949 – restricted the franchise to those who were citizens of the country. This was the outcome of the policy followed by the ruling party to remove the voting power of plantation labour and thus decimate their political strength. It served also to satisfy the mounting pressures from some sections of the Sinhalese in the plantation region who feared the electoral strength of the plantation workers. The historian K.M. de Silva noted that citizenship legislation “not only served to assuage the fears and suspicions of the Sinhalese in general and the Kandyan in particular, but also to demolish a potentially powerful prop of the left-wing groups. The immediate effect of this was to distort the electoral balance even more markedly than before, and to make the Sinhalese rural voter the arbiter of the country's politics” (de Silva 1981: 493)

These three Acts represented a major shift in politics from lip service to 'liberal' democracy during colonial rule to a blatant flouting of democratic values under the independent government. It was also a major blow for the democratic aspirations and human rights of the plantation workers and marked the beginning of a long struggle over their political exclusion. The seriousness of this political exclusion became apparent in the 1952 General elections, As most of the plantation workers were not registered or included in the 1950 electoral list, there was also little possibility for their leadership (the seven members of parliament) to get re-elected in parliament.

The electoral districts and the seat allocations for the 1952 elections were based on the size of the population. Since the majority of plantation workers lived in the Kandyan region, but were disqualified from voting, the Kandyan Sinhalese were able to benefit from these extra seats. The removal of the plantation vote also meant that minority representation was reduced in parliament, and the majority Sinhalese had extra representation. This strategy was effective in decimating the electoral power of the plantation workers, and in spite of their large numbers the plantation workers were *unable to return a single representative to parliament in the 1952 election* as a result of the Citizenship and Franchise Acts of 1948 and 1949. These laws reflected the “majoritarian tyranny” of parliamentary democracy through rights of minorities were challenged and abused by the majority through democratic practices that served to “legitimise and sustain the majority's holding of power” (Salih 2003: 105). The

Sinhala bourgeoisie in parliament feared the electoral and mobilisation power of the plantation workers that had been demonstrated in the previous decades, and were determined to ensure that this potential threat to their own political authority was eliminated in the subsequent period. From being an important and strategic factor in national politics, these Acts effectively barred plantation workers from national politics and made them dependent on the goodwill of other parties and the government.

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