

## WOMEN IN STRUGGLE

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Part III (Concluded) – Courtesy CENWOR

### The Plantation Sector

Even though tea provides the backbone of the Sri Lankan economy, it is common knowledge that working and living conditions in the plantation sector have been abysmally bad, despite the fact that the Tamil people working on the plantations consist of 1/5 of our total population and 1/3 of our working population. The plantation workers, being of recent Indian origin were also deprived of their civic rights by being disenfranchised in 1949; this has meant that their rights as workers and as Sri Lankans could be disregarded by the authorities concerned, with impunity. The plantation workers, the products of whose labour contributes nearly half of the domestic budget through the export earnings coming into the state coffers as proceeds from the sale of tea in foreign markets, are themselves very poor, and it is said that the total wealth of over 86% of the plantation workforce does not exceed Rs. 5,000.00.

In terms of labour organising, the majority of plantation workers are members of the Ceylon Workers' Congress (CWC) with a few very much smaller trade unions also becoming active in the plantation sector in the past years.

### The Situation of Women in the Plantation Sector

These adverse conditions affect the entire population of plantation workers equally; however, the women who have to bear the responsibilities of bearing and caring for children as well as for keeping their families fed and clothed are the worst affected in this situation.

According to many documents and research studies done on the situation of Tamil women plantation workers, they suffer from triple exploitation – as women, as workers and as members of an ethnic minority. 98% of the women in the plantation who are in the 'working' age group are classified as workers. Over 75% of Sri Lankan women who are registered members of trade unions belong to the plantation sector; 62% of working women under the age of 18 are also to be found in the plantation sector.

Bad housing, lack of basic facilities such as water and sanitation, shortcomings in the provision of health and education facilities and an inadequate wage all contribute towards the poor health and education status of the plantation people.

Research studies have shown that the rates of maternal and infant deaths are twice as high in the plantation sector when compared with national figures as a whole. 51% of the women in the plantation sector are also said to be illiterate, once again a far higher figure than the national norm. Considering these women to be

ignorant and ineducable, many state programmes – for example the family planning programmes – resort to coercion or bribes in order to gain their consent to changes which would affect their entire lives, as for example, with sterilisation operations. Also, while the entire plantation Tamil population would suffer in times of ethnic conflict, it is the women who are subject to rape and all forms of sexual abuse and harassment as a part of the anti-Tamil aggression. And there are also many reports of plantation women being coerced to offer sexual services to the supervisors or minor officials in order to gain concessions or simply get a daily allocation of work.

As in many other sectors, in the plantations too there is injustice done to women in the allocation of jobs. The women workers in the tea plantations are confined for ever to the types of work that are the most labour-intensive and time consuming, and are yet the lowest paid. They work mainly as tea pluckers, and are in addition employed for tasks such as hoeing and clearing the earth around tea bushes.

There was also a great disparity between the wages paid to men and women in respect of these tasks. Women were paid 16% less than men. In 1984, a man's daily wage was Rs. 17.71, while a woman's was Rs. 14.83. In addition, there was a grave anomaly regarding the wages of the plantation workers in the sense that their basic wage was kept extremely low and their monthly wage calculated on a daily basis – meaning that they were paid only for the days worked.

The wage structures were thus extremely unjust, as these figures for an average daily wage in November 1983 show:

	Basic wage	c-of-1	Budget all.	Increment
Male	4.51	7.75	5.15	.30
Female	4.32	5.26	4.95	.30
Total				
Male	17.71			
Female	14.83			

Even up to 1983, the rate paid to plantation workers as a cost of living allowance consisted of a mere .03 cents on every point of increase in the cost-of-living index. After a great deal of negotiation on this point the Wages Board governing plantation workers agreed in February 1983 to pay an increased rate of .06 cents per point of increase.

Yet the Ministry of Labour did not take any concrete steps towards implementing this decision up to February 1984. The CWC sent repeated reminders regarding this delay to the authorities concerned and as a result of the lack of response from the state called out its entire membership on strike from the 1st April 1984. Their demands included a reform of the wage structure, the removal of wage differentials and speedy implementation

of the decision to increase their payments on the cost-of-living index.

On receiving intimation of the strike, the state hurriedly announced that the difference between male and female wages should be eradicated and a daily wage of Rs. 20.50 guaranteed. But the CWC's demand for an overhaul of the total wage structure had been ignored; therefore the CWC decided to proceed with the strike as planned.

A strike in the tea plantations would have an immediate impact on the economy; at the same time, the timing of the strike was such that it took place at the height of the plucking season, thereby maximising the loss to the industry. Thus, the strike was more or less assured of receiving immediate attention, and within ten days, an agreement had been reached. The state agreed to two of the major demands of the strikers - the equalisation of the male-female wage and an overhaul of the wage structure. Thus an inequality which had persisted in the plantation sector for over 150 years was rectified literally overnight.

#### The Role of the Plantation Women in the Strike

The CWC put forward the demand for equalising male-female wages as a part of its strategy to obtain a general wage increase; it is not known whether women members of the CWC were particularly consulted regarding this issue, and organised around it, even though half of the CWC's membership is female. Undoubtedly, when one looks at the dire financial straits of the majority of the plantation population, it is clear that the prospect of a higher wage would have played a major role in ensuring maximum participation in the strike by men and women alike.

However, when one looks at the real struggle as it took place on individual plantations, the 'Matha Sangams' (Mother's Societies) set up by the CWC seemed to have played a key role in the agitation. This is particularly so because the tasks allotted to men have no direct links to the process of production itself; therefore, men going on strike would not have such an impact. But the work assigned to women, that is, the plucking of tea leaves, is something which cannot be put off for even one day without incurring drastic economic losses. It is clear that the CWC was fully aware of this factor; as its President said in an interview, "Women are our real strength".

But whether the women themselves perceived of the strike as being one which would redress an injustice to them as women, or whether they were aware of the key role that they would play in the strike is a question. However, the actual experience of participation in the strike and the protest campaigns associated with it would mean that the plantation women have gained a degree of awareness which would serve them in good stead in the future. Even though the women do not yet seem to have a specific consciousness of the issues linked to the question of women's oppression and subordination in society, participating in trade union

struggles aimed at bettering living and working conditions would help them accumulate a store of experience that could lead them on to broader fronts of struggle in other spheres.

#### The Delhena-Raddegoda Strike

The estates of Delhena and Raddegoda as well as the Rambadagalla Rubber Factory are situated in the wet zone in the North-West Province, in an area predominantly occupied by Sinhala people. Both Sinhala and Tamil people work on these estates. Unlike in the tea sector, there is no tradition of unionism.

The estates consist of about 1200 acres of land, cultivated primarily with coconut and rubber, inter-cropped with cocoa, pepper and bananas. 544 persons belonging to 101 families live on these estates; more than half of them were under 15 years of age. 93 of the families are Tamil, and of these, 42 lacked citizenship rights. Of the 544 people, only 114 were provided with work on the estates, and of this number, 66 were women. There were 121 rooms, 2 toilets, 2 stand taps and 4 wells for the use of these 544 people. These figures make it clear that working and living conditions on these estates was as bad as on the tea plantations.

On 11th September 1986, a worker was assaulted by an estate manager; initially, about 200 of the workers struck work in protest, under the leadership of the United Democratic Estate Workers' Union; they were later joined by workers at the Rambadagalla Rubber Factory as well.

As a means of pressuring the workers to return to work, their food ration was suspended on the 22nd September. However, support from villagers round about as well as from other organisations that were in solidarity with the strike enabled the workers to resist this pressure.

Despite threats and harassment by the Police and by the management of the estates, the strikers did not give in. They continued to block the roads to the estate, preventing any produce from leaving the premises; some women even sat in front of a lorry loaded with dried coconut for over three hours in order to prevent its leaving.

The management soon entered into a process of negotiation with the workers, and on the 29th October 1986 the workers returned to work triumphant, after winning most of their demands.

This strike is significant for two reasons; one is that it was based on the unity between Sinhala, Tamil and Muslim workers; the other is that it saw a group of estate working women with no previous experience or organising or of getting involved in a labour struggle of any kind whatsoever, come forward to participate in public demonstrations, to speak out regarding their plight and to intermingle with women and men workers

and organisers from various other sectors and from all parts of the country. The women organised one public demonstration in Rideegama, the town closest to their estates, and paraded through the streets of the town shouting out slogans; they organised a fast; and they addressed public gatherings. The experience they gained from this as well as from interacting with other groups and other women can certainly be of value to them in the course of their lives as workers and as members of a militant trade union in the plantations sector.

### The White-Collar Sector

In Sri Lanka, the so-called 'white collar' sector - for example, clerks, nurses, teachers, minor government officers and so on - has been highly organised and unionised from the very inception of trade union activism in this country. The majority of workers in this class are seen to be 'privileged' in a certain sense, since many years of trade union activity have won them many concessions and advantages from their employers.

### The Nurses' Strike:

The Public Service Nurses' Union (PSNU) is an independent trade union that represents a majority of the nurses presently working in Sri Lanka. The union has a membership exceeding 7000 members in all 312 hospitals that form the basic state health services network in the Island. The Union was formed over 100 years ago; its President, the Ven. Muruttettuwa Ananda, was elected to this post in 1965. Even though there are very few men in the nursing profession, the hierarchy of the trade union shows a significant proportion of men in decision-making roles.

In July 1980, the PSNU had presented a number of demands to the Ministry of Health; some of the demands concerned wage increases, increases in allowances paid for performance of special tasks, and a return to the 'Galatea' uniform. Despite a number of reminders, there was no response; in June 1985, the PSNU formally gave an ultimatum to the Ministry of Health asking for an early settlement of the issue. Since this too elicited no response, from July 1, 1985 onwards, the nurses began to implement their decision to mount a protest campaign.

At first, their protest took a very mild form; the nurses reported to work in their slippers, and refused overtime work. A few minor concessions were then granted, and the Ministry committed itself to hold discussions with the union regarding certain of the other demands.

But once the nurses returned to work, the discussions did not seem to receive the attention of the Ministry. During this period, both the Government Medical Officers' Association (GMOA) and the Government Dental Surgeons' Association (GDSA) successfully put forward similar demands to the state; it became clear to the nurses that these higher medical officers were being listened to while their own demands were falling on deaf ears.

Mobilised into action by this injustice, the nurses decided to once again resort to trade union action; from 16th March 1986, they put forward a demand for a temporary allowance of Rs. 700.00 to be paid to them until such time as the re-structuring of wages would be carried out; from 18th March, they began the protest campaign by taking 'sick' leave en masse; this was a strategy that had been adopted by the doctors in their agitation, and was in no way illegal. Yet, the state response was totally unprecedented. The health services were brought under the purview of the Essential Services Act; all nurses who had reported 'sick' were asked to return to work immediately and unconditionally; those who failed to do so would be treated as having 'vacated their posts'. When it became clear that the PSNU was un-moved by these threats, the government invoked Emergency Regulations and proscribed the union, a move which was condemned by many other trade unions, human rights organisations, women's organisations and political parties. A picket organised by the PSNU, in collaboration with a number of other organisations, in support of the nurses' demands, was broken up by the Police and by 'commandos' of the Special Task Force (STF).

Along with the banning of the union, its bank account was frozen and nurses were given three days in which to vacate the official quarters in which some of them resided. On the 28th and 29th of March, the state initiated the process of evicting nurses from their quarters at the Castle Street Women's Hospital and the Lady Ridgeway Children's Hospital in Colombo as well as in several of the provincial hospitals. Officials of the security forces as well as thugs threatened and intimidated the nurses. But the nurses declared that even under the Rent Control Act, their evictions were illegal since rent had been paid up to date as stipulated; some nurses even filed cases against the eviction in the Courts.

One week after the strike began, the newspapers reported that 21 out of the 24 major hospitals in the Island were barely functioning. Over 7000 of the 7100 nurses in state employ were not at work. In normal times, the number of operations performed in state hospitals per day would be about 450; the number of patients seen at out-patient level would be 60,000. During the period of the strike, only about 100 out-patients could be seen per day. In many of the provincial hospitals, some wards had to be closed down. The nurses had made 'contingency' plans to be available in a time of emergency and continued with their strike campaign, enlisting the support and solidarity of many other groups and organisations, including the GMOA and GDSA. There were pickets, demonstrations, meetings and collection of funds for the nurses in many of the provincial towns throughout the country.

However, the state utilised its access to the mass media to paint a very negative picture of the nurses and of their demands. In addition, many comments were made regarding the 'suitability' of a Buddhist monk to lead the union; this led many Buddhist monks to come

forward to express their solidarity with the struggle of the nurses. Several persons, including a Buddhist monk, were arrested by the Police at Borella (Colombo 8) while distributing a leaflet setting out the position of the monks regarding the strike and the nurses' demands. Five Buddhist monks also launched a protest fast at the foot of a Buddha statue at a main cross road in Colombo (Thunmulla) on 9th April 1986 in order to focus public attention on the callous disregard displayed by the state regarding thousands of innocent lives that were being victimised by its refusal to enter into negotiations with the PSNU. The next morning, the five monks had 'disappeared'. They were finally discovered in places as far apart as Hendala and Avissawella; they had been abducted by some unidentified persons in a van, assaulted and then abandoned.

By mid-April, despite all the pressure and intimidation, 6000 nurses remained out on strike. Finally, Minister of State for Defence, Mr. Athulathmudali had to intervene to bring about some agreement between the PSNU and the Ministry of Health; the nurses reported back for work on the 18th April, without any firm commitment from the state that their demands would be met, but with a mere promise of continuing negotiations.

#### Some Specific Features of the Nurses' Struggle:

Nursing is a profession that has been traditionally open to women, and is, in fact, an extension of the conventional woman's role of 'caring' and 'nurturing'. Many women who go into the nursing profession do so not merely because they seek employment but because they feel it is a 'noble calling'. Thus, they are motivated by a sense of commitment to others at the cost of one's own interests; many of them also come from a lower middle-class background and do not identify themselves as 'workers' in the classical sense. Nor do they have a sense of identification with other workers, or with other trade unions in times of struggle. In fact, their perception of the PSNU is that it is a 'non' political union and one has found it extremely difficult to enlist the support and solidarity of the nurses for protest campaigns or demonstrations organised by other trade unions or organisations. Thus, when it came to going out on picket lines or distributing leaflets in public places asking for support for their own strike, the nurses were diffident and inhibited. The very fact that the small number of men in the profession are all voted into office at Union elections in a Union which has a large majority of women in its membership, gives some indication of the level of awareness among the nurses.

The strike of 1986 was a first and bitter experience of trade union action for many of the members of the PSNU. They were forced into confrontations not only with the Police but with hired thugs from the underworld. The media played a big role in discrediting the nurses out on strike, calling them 'heartless criminals' and 'murderers'. Some even accused them of being 'traitors' to the nation because they were not on

hand to tend the injured being brought in to the hospitals from the war front.

Given the above factors, it is significant that the nurses carried on with their campaign of protest and agitation for so long a period as thirty days; at the same time, they stood up to unprecedented abuse, harassment and intimidation and did build links with other organisations and groups as well as organise all kinds of activities to win the support of the public for their demands. It can only be hoped that this experience has left some lasting impressions on the members of the PSNU in terms of their consciousness regarding their position as workers and as women.

#### Some Pointers for Future Work

I can only draw some tentative conclusions based on the above material, since I feel it is an area which requires a great deal more work and study in the future.

However, it is certainly clear that the participation of women in large numbers in the labour force in certain specific sectors that are all among the top-rank foreign exchange earners in the country - tea, garment manufacturing, tourism and foreign employment - is a phenomenon that is rapidly changing many of our preconceived notions regarding the labour force, unionising and labour activism in general.

The women workers in the tea plantations are perhaps the only ones in the area covered by this study, who are almost completely under the control of their trade unions. Burdened by their ethnicity as an additional factor, they still seem to lack proper consciousness of their oppression as women and of the specific manner in which their sexuality and reproductive abilities are exploited by their managers and by the plantation economy as a whole. The unions too do not seem to give much priority to consciousness-raising activities among the women; the poor health conditions of the women, as well as their lack of basic literacy skills lead to concentration on programmes that have practical goals such as primary education and provision of water and sanitation facilities.

The women in plantations in the rubber and coconut sectors also work under very bad conditions, with a low pay for extremely back-breaking and monotonous work. They too work and live as families on the estates on which they work, and thus are open to all forms of sexual intimidation and harassment as well, at the hands of the managers and bosses on the estates. Many of these women are also illiterate and bound to a cycle of hard work and regular child birth which results in their poor health and decreasing level of activity. Unfortunately, this sector is not well unionised; even the unions under which some of these women are organised do not pay attention to the specific problems of women, nor do they seek to plan any special activities for their female membership.

In the garment manufacturing industry, outside the GCEC area, there is a fairly high level of unionising

and the women are aware of their rights as workers; more than once they have shown us that they also have the courage to stand up for those rights. However, they are still very susceptible to pressures from their homes and families, from society at large and from the men whom they work for, since the traditional values of patriarchal society still predominate both within the factory and outside it.

As far as the women within the GCEC area are concerned of course, they are still very much restrained from taking collective action in support of their demands for better working conditions and a decent living wage because of the regulations laid down by the GCEC itself. However, there are various initiatives bearing fruit both in the GCEC area as well as in the Ja-ela and Ratmalana areas, to set up recreation centres, libraries and reading rooms, health facilities and consultation clinics for women workers in these industrial areas; given the specific nature of this workforce, it may be that such steps may be more conducive to gather these women together and work out some initial projects for collective actions.

In the white-collar sector, women as well as male workers are among those most severely hit by steep rises in prices and of course it is the women who must bear the major burdens created by a deteriorating standard of living. However, given their consciousness and class background, it is extremely difficult to mobilise women in the white-collar sector as one would mobilise women workers in other sectors. This is not to say that these women do not have problems; the large numbers demanding creche and child-care facilities as well as a regular supply of pre-cooked foods is indicative of the needs of this particular strata of women. Yet it is still up to some groups to identify the particular needs of this strata and come forward with some innovative and concrete ways of mobilising them into some forms of action for common aims and objectives as women.

The women who are in foreign employment are the worst off among all, since most of them are working as domestic servants with no controls or regulations to protect them and no recourse to any form of redress in case of an injustice. Their low level of education and lack of awareness of their rights as workers and as citizens of a country means that they are open to all forms of exploitation at all stages of their journey and employment; their low social status also makes them 'invisible' to society as a whole, and little public concern is voiced regarding 'abandoned families' and 'delinquent children'. The challenge here is to avoid playing any patronising role and to take up the cause of these women as workers and not as slaves isolated in individual households.

In any case, the fact that these women become economically independent, at least to some degree, and therefore gain in social status and decision-making power within the family in most cases cannot be denied; some of these women also go on to become more deeply involved in organisational work, at the level of trade unions, peasant groups, or women's organisations and

attain a level of social activism that would have been impossible if they had not ventured out into the job market in the first instance. Their involvement with work outside the home and the domestic sphere also exposes these women to a broader world-view and in some ways can help them to challenge traditional role models and stereotypes of 'subservient' and 'subordinate' women. Above all, involvement in wage work can give women a sense of identity and self-esteem which can in no small way contribute towards making them more socially conscious and active human beings.

What historical experience of women's activism in Sri Lanka shows us very clearly is that given the opportunity and the awareness, Sri Lankan women have always stood up for their rights and for the rights of others in very positive and constructive ways. The challenge for the future is to devise ways and means of mobilising and conscientising the 'new' female labour force that is on the labour market today in order to make them partners in the struggle for social justice and democracy in our country.

(My grateful thanks to Kumari Jayawardena, Bernadeen Silva and the Women's Education Centre, who made the first draft of this study possible)

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## LAW AND ETHICS IN MEDICAL PRACTICE

by Mervyn St. S. Casie Chetty

(Talk delivered at a WHO sponsored Workshop organised by the Faculty of Medicine, University of Ruhuna, Galle on May 6th 1990)

The field is vast and with the rapid progress of medical science and technology in the advanced countries on both sides of the Atlantic, the law has been slow in adjusting itself to meet the complex issues that have arisen. In Third World countries, like Sri Lanka we are already enjoying benefits of some of these technologies which give rise to moral and ethical issues. Alas in Sri Lanka the law is woefully silent on medical ethics although religions of various brands obstruct progress on unfounded moral grounds. However the Penal Law creates offences to protect human life from the embryo to old age. The ethical issues can be broadly categorized into three -

- (1) the rights of individuals (patients),
- (2) the rights of the community or the State vis-a-vis the individual and
- (3) the rights of the medical professional inter se and inter alia.

The circumstances and situations in which the issues