

A SOCIO-LEGAL STUDY ON THE HEAD OF THE HOUSEHOLD CONCEPT IN SRI LANKA

Women and Housing Rights Programme



CENTRE ON
HOUSING RIGHTS
AND EVICTIONS



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FORWARD

The Women & Housing Rights Programme (WHRP) of The Centre on Housing Rights and Evictions (COHRE) first began to work on the head of the household concept in 2007. It was found in the course of a study on tsunami affected women and their land rights that the usage of the concept of head of the household had the effect of disempowering women of post tsunami state allocated lands. The WHRP decided to conduct preliminary research into the usage of the concept by state institutions in its dealings with the public. The findings of that study were widely disseminated at trainings, workshops and discussions held by COHRE.

In 2008, COHRE decided to study the head of household concept in more depth and we embarked on a socio legal study to look at the historical roots of the concept and to examine how the state administration has been using this concept . The study is, we believe, the first of its kind in Sri Lanka. We hope the study will be of benefit to those working in the field on land issues, to state and non state sector, civil society groups working on land and property rights, academics, policy makers, law makers, donor organizations and others working in the field of human rights and specifically on the rights of women.

I would like to thank Ms. Lakmini Seneviratne who wrote the study and also supervised the research. I would also like to thank Thiagi Piyadasa and Juanita Arulanantham, the research assistants who conducted the research. My thank you also to the researchers who conducted the interviews.

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Shyamala Gomez

Women & Housing Rights Officer

Centre on Housing Rights and Evictions (COHRE)

Sri Lanka

Chapter I

THE CONCEPT

a) Introduction

The phrase 'head of the household' has been used in the socio-cultural context in Sri Lanka for such a long period of time, that the same phrase or similar terminology has entrenched itself in most official documentation relating to administration and legal affairs in the country. Research indicates that in many instances the usage of this concept has resulted in discrimination against women. This was particularly seen in the aftermath of the tsunami where women were disintitiled to property as a consequence of the stipulation that the male 'head of the household' be authorised to sign official documentation. This is due to the pre conceived notion that a male member of the household i.e. husband, father, elder son etc, must assume the role of head of the household regardless of whether and if so how it is defined by laws and administrative procedures. The terminology is also used in several other South Asian, South East Asian as well as African countries.

Objectives of the Study

This research was undertaken with the following objectives:

- to trace the origins of the concept
- to create awareness among relevant stakeholders, including policy makers about the 'head of the household' concept and its negative impact
- to suggest alternative terminology to the concept
- to produce a report which will be used as a lobby document to urge the government to abolish the use of the concept in public administration

Methodology

The study attempted to achieve its objectives through the employment of various research techniques such as:

- Literature survey i.e. research reports, publications, Law Reports, Acts of Parliament, periodicals, government circulars, gazette notifications, Government forms etc
- Internet research i.e. the work of the Unites Nations Organisation, comparative developments in other countries in the region etc

- Interviews i.e. total of 44 interviews were conducted in person, via telephone and via email. The interviewees included representatives in government ministries, police, Grama Sevakas, Government Agents, District Secretaries, lawyers, women's activists, representatives of UN agencies, academics etc.
- archival research i.e. the records of the National Archives was researched extensively
- Workshops i.e. information generated from discussions with participants at workshops conducted by the Women's Housing Rights Programme, COHRE were also taken into consideration. These participants included representatives of government institutions, administrative service, Grama Niladhari, civil society, donor community etc.

The study was conducted over a period of 9 months (March – December 2008).

b) Definitions

An interesting observation as regards the concept of head of the household in the Sri Lankan context is how deeply it has taken root in the administrative and even legal structures within the country without there being a comprehensive legal definition to the same.

The only existing definition to the phrase as was uncovered by the research is that which is adopted by the Department of Census and Statistics, which defines a head of the household as *'the person who usually resides in the household and is acknowledged by the other members as the head'*¹. Several other conditions are stipulated in the definition:

- *There should be a head of the household for every household unit.*
- *The head of the household must normally reside in the same place in which the other members of the household unit reside. If not, he/she should not be included in the schedule and the husband/wife of the head of the household or a another member residing in the same household who has the confidence of the other members as being able to make decisions regarding day to day activities should be included in the list as the head of the household.*
- *The head of the household need not necessarily have an income.*
- *Where there are more than one households in a unit, each household should have a separate head of the household.*
- *There should be a head of the household even when the household does not have a house to reside.*²

¹ Handbook for Enumerators, Census of 2001 – Sri Lanka, issued by the Department of Census and Statistics, Ministry of Finance and Planning, p. 12.

² *Ibid*

c) Historical Roots

According to Tammita-Delgoda the origins of the concept of head of the household in Sri Lanka is connected with land ownership.³ In Sri Lanka, unlike for example in India, one's status in society is determined *inter alia* on the basis of land ownership (e.g. one cannot find the Indian equivalent of the Vellala and Govigama castes in Sri Lanka which are linked with services rendered involving land). Therefore Tammita-Delgoda considers the concept of head of the household as having its roots in the nexus between ownership of land and social status.

■ Reference to the concept among the indigenous Vadda community

Obeyskere⁴ refers to Kadaimpoth – records on boundary divisions, which contains a census of the vadda community (i.e. an indigenous community inhabiting South Eastern Sri Lanka for centuries, with strong links to the land) conducted during the Kandyan Kingdom. According to him, the First Matale Kadaimpotha during King Rajasinghe's reign (during 1600 AD) refers to six women heads of households known as 'Vedda Women Chiefs' among references to other women. These records have been published as *Kadaimpoth Vimarshanaya* edited by Abeyawardene and translated into English as 'Boundary Divisions of Sri Lanka' (published by the Academy of Sri Lankan Culture). Obeyskere noted that the translation has omitted the reference to vadda women heads of households. Nevertheless, the Second Matale Kadaimpotha recorded hundred years later during King Sri Wickrama Rajasinghe's reign (1798-1815) - the last Sinhalese King before Ceylon in its entirety passed under British sovereignty, had made reference to some women heads of household. Although the reason for the inclusion of women as heads of households alongside men in these records is unknown, it indicates the willingness of the early vadda community to not confine the concept of head of the household to men, by excluding women altogether.

■ Use of the concept during the Sinhalese Kings preceding colonisation:

The ancient system of land tenure of the Sinhalese Kings influenced the Portuguese (1505-1658) and Dutch (1656-1796) systems significantly. This ancient Sinhalese system was premised on the notion of the supremacy of the King and that all lands belong to the King. Accordingly, any land that the countrymen got to use and enjoy was bestowed on them upon condition that they perform some service to the King or in some cases the Lord of the village. Records indicate that these service tenures were undertaken solely by men and therefore the consequent possession/ownership of land (*paravenia*) also came to lie in the hands of men. It is also indicated that succession to such *paravenia* in the event of death of the original owner, seemed to favour male members of the family - "his son if he has one or..."⁵

³ Dr. SinhaRaja Tammita-Delgoda, Historian, interviewed on 23.10.2008

⁴ Prof. Gananath Obeyskere, Historian, Princeton University, USA interviewed on 28.08.2008

⁵ K.D. Paranavitana, Land for Money: Dutch Land Registration in Sri Lanka, Royal Netherlands Embassy, (2001) p.9

■ **Use of the concept during the Portuguese (1505-1658) and Dutch era (1656-1796):**

The system under the Sinhalese Kings in turn influenced the subsequent compilation of the *tombos* (i.e. official registers) during the Portuguese and Dutch era. Paranavitana emphasises the fact that the compilation of *tombos* was not a totally novel innovation of the Portuguese and that it was heavily influenced by the system of land registration that prevailed in Ceylon under the Kings at the time.⁶ According to Juriaanse,

“The tombos were divided into two parallel series, the one called ‘hoofd’ (head) and the other ‘land’, which were complementary to each other. The head (or Poll as cited in the fn) is a compilation preliminary to the land tomo. It was only after the registration of the heads of the families that the appropriate persons should be summoned for the land registration... The hoofd tomo sets down under each entry the full name of every landholder, his “wasagama” (Family name) and ‘patabendi name’ (honorific name), and any alias by which he might have been known, together with his caste and occupation. Below were recorded the names of the individual members of his family – his wife, children, grandchildren, and his remoter kinsmen by blood or marriage (emphasis added).”⁷

However, some of the persons who were interviewed during the research such as Jayawardena was of the opinion that it is unclear if there was any Sinhalese system of land registration as referred to by Juriaanse and furthermore whether it was biased towards males.⁸

Paranavitana notes that, *“the name of the principal land holder who was the principal informant for a particular family (emphasis added) was therefore, prominently recorded in the head tombos entries. His (emphasis added) name was followed by that of his wife and children in chronological order of their age”* Elsewhere in his book, Paranvitana notes that

“the informant was usually the head or the oldest member of a family”¹⁰

According to Paranavitana, “the *tombos* were mainly intended to provide ready reckoner of state dues from the productive land. It is obvious that their intention has been exceeded beyond expectations, encompassing the establishment of native property and civil rights”¹¹ He notes that:

“among other things, the tombos established the identity of the villagers together with their civil and property rights with reasonable documentation. Accordingly, this ‘mania of registration’ assisted the native public in several aspects even in the twentieth century which the Dutch administrators never thought of.”

⁶ *Supra* note 5, p.4-6

⁷ Juriaanse, M. W., Catalogue of the Archives of the Dutch Central Government of Coastal Ceylon 1640-1796, Colombo, (1943) p.244

⁸ Dr. Janaki Jayawardena, Senior Lecturer, Faculty of Arts, University of Colombo, interviewed on 01.04. 2008

⁹ *Supra* note 5, p.83

¹⁰ *Supra* note 5, p 115

¹¹ *Supra* note 5, p.91

What is perhaps the most unintended effect of this process of registration is the inadvertent institutionalisation or endorsement of the acceptance of male members over female members in a family as 'owners' and thereby 'heads' of households. Interestingly, during a personal interview with Dr. Paranavitana for the purposes of this research, he argued that there was no prejudice to women during the Dutch period¹². Nevertheless, Risseeuw points out that even though a systematic research is yet to be conducted on the issue of women's access to land as recorded in the newly introduced toambo register, "*it could be that, within this process, women had already started to lose their traditional rights in relation to land*".¹³

■ **Use of the concept during British Colonisation (1796-1948):**

The most significant influence on the development of the concept of head of the household seemed to have occurred during the period of British colonisation. Prior to British colonisation, the customary laws on marriage and succession had a relatively high degree of emphasis on the rights of females. In a system where several forms of marriage subsisted simultaneously i.e. polyandry, joint marriages involving several brothers and sisters, monogamy etc, the customary laws seemed to have conferred a high degree of independence on women in relation to rights within marriage and at divorce, e.g. a woman had a right to own property on her own without joining the husband during marriage and to reclaim dowry property at dissolution of marriage, voluntary decision of either husband or wife was an acceptable basis for divorce etc..

As regards succession, the custom was to trace descent through females and tracing descent through males was only a later development. This is supported by writers like Hayley who endorse the fact that in earliest times, the rule of matrilineal descent prevailed.¹⁴ While explaining the general approach of the traditional laws towards making equal division among children as regards intestate succession, Hayley refers to the *Nithi Niganduwa* to reveal in his opinion the only instance suggestive of preferential interest i.e. the common practice of assigning the family mansion to the eldest son out of respect for his seniority.¹⁵ However, he is quick to emphasise the absence of a concept of male head of family within the traditional systems of law that prevailed in Sri Lanka, as opposed to the Roman concept of *patria potestas*.¹⁶ Thus, British analysis of traditional law emphasise the equality of sexes in degrees of access to land and property including the absence of the concept of primogeniture in the system.

However, according to scholars like Risseeuw, British accounts of the system that prevailed prior to their advent have to be interpreted carefully. One reason being that these accounts were based on the coloniser's own scope of comprehension and presented in terminology that was understandable to the reader i.e. the British, which did not necessarily represent

¹² Dr. K.D. Paranavitana, Historian, interviewed at the Department of National Archives on 21.04.2008

¹³ Carla Risseeuw, Gender Transformation, Power and Resistance among Women in Sri Lanka: The Fish Don't Talk about the Water, Manohar (1991), p.31

¹⁴ Hayley, (1923) p.165 cited in *Supra* note 13, p.24

¹⁵ C. J. R. Le Mesurier and T. B. Panabokke, *Nithi Niganduwa*, The Vocabulary of Law as it Existed in the Last Days of the Kandyan Kingdom, Government Printer, Ceylon (1880), p.66 cited in *Supra* note 13, p.24

¹⁶ *Supra* note 14

facts accurately or sometimes even led to distortions. The other reason is that the British sources seemed to have promoted what they favoured according to their own values concerning marriage, divorce, rights within family and of spouses etc. Both these approaches would inevitably have influenced the future of traditional customs and laws of Sri Lanka.

Accordingly, the British colonisers ‘infiltrated’ the traditional system in several ways:

Registration of marriage

Some scholars argue that the legal requirement imposed by the British for compulsory registration of marriage deprived women the basis for the relatively high position she enjoyed in relation to right to own separate property, power of voluntary divorce etc.¹⁷

Legislation on Succession

New legislation was enacted which preferred patrilineal inheritance, changed adoption from a family decision to a legal procedure and introduced primogeniture into the Sri Lankan system.

Legislation on property ownership for married women

Although the provisions of the Married Women’s Property Ordinance No.18 of 1956 guaranteed the right of married women to own property for themselves, in reality this was a privilege only available for elite women i.e. it was only those women who had land ownership in the family that could enjoy this right. Some writers argue that the real objective of this law was to indirectly tackle the conflict between fathers in law and sons in law as regards dowry property at divorce, rather than guarantee property rights for married women.¹⁸

Introduction of a new economic policy that created a market for land

The economic policy introduced by the British rendered land a marketable entity while providing opportunities for individual ownership of land. It has been observed that as a consequence of the struggle for these resources by Sinhalese privileged males’ gaining momentum, access to lands for their women were reduced. Scholars like Risseuw argue that the substantial diminution of access to land for women “was most likely not undertaken out of a conscious effort to reduce women’s rights but more as the latter’s interests shifted to the background in relation to the substantial struggle among the men themselves, as heads of their individual families”¹⁹The revised laws on marriage gained momentum during this era whereby inheritance and dowries provided an additional form of acquiring land, which on the other hand sought to reduce women’s access to landed property even further.

¹⁷ *Supra* note 13, p.42

¹⁸ *Supra* note 13, p.67

¹⁹ *Supra* note 13, p.44

The new economic policy clashed with the traditional system of communal land ownership and its deep commitment towards creating economic security and individual independence for all family members. Although it filled the lacuna in the traditional system by creating avenues for economic mobility, these were almost exclusively open to males in society and benefited women only indirectly as a consequence of the progress by their men. The increased opportunities for men and the lowered access to resources and opportunities for women, created a set of 'implicit principles' that operated within the family which in effect rendered the male the head of the family while women's role in family decision making was increasingly curbed.

“The Sinhalese traditional practise of males dealing with outsiders on the family's behalf was reinforced by the British, so the former “naturally” became their family's and the community's spokesman. Thus they could propose and influence decision about which those whom they were (initially) representing remained ignorant. Therefore, Sinhalese men started with an infinite advantage over their women in dealing with the new reality of the colonial state”²⁰

The Colonisers Point of View

Under these circumstances, the adverse influence on the status of women through the changes introduced by the British colonisers could be interpreted as either deliberate or careless. According to Risseeuw, the British were unaware of the implications of this approach on women within their families – *“They needed one, continuous owner of land per “family”, but in theory the sex of the future owners would make no difference”²¹*. However, in the changes that were introduced preference was given to males over females due to several reasons:²²

- the high degree of internalisation of the 'preference for males' within their own system
- the familiarity with such a system in their home country
- the fact that the colonial staff including informants were exclusively male, thereby influencing the content of the laws and policies introduced by the British
- introducing changes in the wake of forming the colonial state which sets the background for transforming economic, social and gender relations in the guise/interests of 'progress' and 'equal rights for all'.
- The changes which spanned over a century of the British rule sought to conceal the (adverse) effects that were taking place
- The fact that in reality, position of women in the family in the pre-colonial era, although comparatively preferable, had not been on par with their men and that women never had a place in state control either before or during colonial era.

²⁰ *Supra* note 13, p.143

²¹ *Supra* note 13, p.53

²² *Supra* note 13, pp. 53-54, 72 and 136

Risseeuw observes that comparatively, the British were more successful than the former colonisers in that they offered an effective mix of rules and opportunities which ensured the achievement of their targets. Risseeuw points out that for the new economic policy to succeed, the British required hierarchy in families, reduced familial responsibility and swift decision making and not necessarily that males take precedence over females. She attributes responsibility for the discriminatory effect on women not to the demands of economic policy “but to it being implemented by people who were only partly aware of the implications of their actions for gender relations”.²³ As regards the influence of the Sinhalese male elite over the thinking of their colonisers, she opines that it “most likely was not consciously used to curtail their women’s status, but more specifically to obstruct those women who could defy the man’s decisions for the family.”

“Therefore, it may be more accurate to view the gender transformation taking place not so much as a move against women, but rather as a process advantageous to the male heads of family”²⁴

It could be concluded that the concept was not a deliberate construct or an imposition of the colonisers, but a (perhaps an inadvertent) consequence of colonial policies being implemented without proper appreciation of the socio-political landscape of the country i.e. Sri Lanka, by an ignorant and perhaps unconcerned (British) coloniser.

d) Sociological Perspectives: Past and Present

Tammita-Delgoda strongly advocates that discrimination against women is a colonial construct and that women enjoyed considerable freedom and liberty in society during the pre-colonial era. According to Ellawala, from the earliest times when Sri Lanka was ruled under Kings, women were allowed considerable freedom and independence in Ceylonese society.²⁵ Although the father as the head of the family exercised extensive powers over the family during this early era, there is no evidence to show that women were prevented from participating in politics and women had also enjoyed certain rights and power within their families under the pre-colonial economic and social structures.²⁶ Women not only had the right to own property but also enjoyed special privileges in the trade activities they were engaged at early times. However, during the pre-colonial period women were to a large extent excluded from large scale economic activity. Women also enjoyed legal privileges. Scattered evidence also suggests women had access to education though it may not have had been on an extensive scale. Sociologists point out that the general standard of female education may also not have been far behind that of men.²⁷

Despite these securities, Jayawardena expressed her doubts on equality of place for women with men in society in practise.²⁸ Indeed, Ellawala also admits that although nothing

²³ *Supra* note 13, p.138

²⁴ *Supra* note 13, p.144

²⁵ H. Ellawala, *Social History of Early Ceylon, Ceylon*, (1969), p 82 –83

²⁶ *Supra* note 25, p 89 – p 90

²⁷ *Supra* note 25, p 88

²⁸ Dr. Janaki Jayawardena, interviewed on 01.04.2008

indicates that the birth of a girl was 'unfavoured' during the pre-colonial period, sons were preferred for economic, political and social issues e.g. daughters were not entitled to equal shares of property as sons during inheritance.²⁹ Jayawardena added that economic changes in the colonial period contributed to the development of the head of the household concept. The plantation economy gave labour an economic value, whereas previously the focus was on collective labour as regards farming. Most of the job opportunities that were created were also male dominated which led to the emergence of the concept of the bread winner. The civil service too was mostly dominated by men because men were encouraged to join the civil service rather than women, despite the fact that women were qualified for the jobs. On the other hand, women were relegated to service oriented jobs.³⁰

Another consequence of the policies introduced during the colonial period is the loss of women's access to land e.g. through the imposition of the institution of monogamous marriage, individual ownership of property etc.³¹ A concept that was asserted along with these changes and legitimised particularly by the British (consciously or inadvertently) was the concept of the head of the family.

Commenting on the modern context where there is a predominance of allocating houses to male members in the family especially in the slum areas of Sri Lanka, Gurusungha³² pointed out that a contributory factor could be the large number of unemployed young men. In most cases, the women are the bread-winners in the slum communities and the young men rarely find stable employment. Nevertheless, propagating the popular social norm that securing title in a man's name indirectly ensures security to the partner i.e. woman, houses are allocated to a male member of the house. The indirect expectation in this practise is that the women's interests will be looked after by the men in the family.

Observations

The above analysis makes it clear that the concept of the head of the household has strong links with sociological and historical phenomena within the Sri Lankan society. The social customs and usages, the administrative processes relating to rights of ownership and control that prevailed over the years through pre-colonial and colonial times seemed to have contributed significantly to the assimilation of male members of families to the position of 'head of the household' in the Sri Lankan milieu. More significantly, as will be seen in the next chapter, this concept which gained social recognition through usage, gradually seeped into formal legal and administrative machinery of the State thereby institutionalising itself within the governance structures in post-colonial Sri Lanka.

²⁹ *Supra* note 25, p 84 and 97

³⁰ Dr. Janaki Jayawardena, interviewed on 01.04.2008

³¹ Janaki Jayawardena, Cultural Construction of the 'Sinhala Woman' and Women's Lives in Post-Independence Sri Lanka, Centre for Women's Studies, University of York (2002) (*Ph.D thesis, unpublished*)

³² Ayanthi Gurusungha, Country Team Manager-Sri Lanka, Slum Upgrading Facility, interviewed on 01.04.2008

Chapter II

APPLICATION OF THE CONCEPT

a) In the Law

Commitment to patriarchal traditions underlined pre-independence legislation as well as the Commission reports preceding them.³³ An examination of the pre as well as post-colonial laws confirms the following points:

- the law does not give express recognition to the concept of head of the household
- the law does not recognise the concept of head of the household as synonymous with male members of the family
- the law does not prefer male members of the family over females as head of the household

This in turn reinforces the argument that the notion of male family members being synonymous with the concept of head of the household is purely the result of social acceptance and long usage. However, as will be discussed below, *this notion is tacitly acquiesced by the law through the unequal status granted to females on several issues relating to marriage, family and land ownership under the Sri Lankan legal system.* Although the law has progressed over the years in becoming more gender sensitive, the following account of the law governing certain socio-economic and political aspects of life seems to facilitate a *de facto* recognition of the status of head of the household in Sri Lanka.

The Sri Lankan Legal System in Brief

Roman- Dutch Law, English Law and General Law

During the British period, Roman-Dutch Law (RDL) came to be known as the residuary law of the land, because it applied in all situations where a statute or a special law (explained below) did not provide. The RDL as it applies currently in Sri Lanka has been modified from the original Roman-Dutch concepts through judicial decisions and principles of English law introduced during the British period. Therefore, the current amalgamated version of RDL and English Law is also referred to as the General Law.

³³ Savitri W.E. Goonesekere, *Colonial Legislation and Sri Lankan Family Law: The Legacy of History* in K.M. de Silva, C.R. De Silva, and S. Kiribamune (eds), *Asian Panorama: Essays in Asian History, Past & Present*, New Delhi (1990), p. 203

Special Laws

The Kandyan law, Muslim Law and Thesawalamai are three systems of law found in Sri Lanka which are not of general application but apply to sections of the community. They are sometimes called “personal laws” in reference to their application to a particular group of people who possess common characteristics, or “territorial laws” in reference to their application to all persons resident in a particular territory. Most of these customs have now been codified through Acts of Parliament.

Special Laws

The Kandyan law, Muslim Law and Thesawalamai are three systems of law found in Sri Lanka which are not of general application but apply to sections of the community. They are sometimes called “personal laws” in reference to their application to a particular group of people who possess common characteristics, or “territorial laws” in reference to their application to all persons resident in a particular territory. Most of these customs have now been codified through Acts of Parliament.

Kandyan Law

Kandyan Law applies to the Kandyan Sinhalese in Sri Lanka – those who have a long tradition of living in the provinces where Kandyan law prevailed i.e. mainly the Central province of Sri Lanka, following the language and customs that were prevalent there. It is also believed to be applicable through descent. Many aspects of Kandyan law have now been modified through legislation which was introduced during the British period that sought to codify the system.

Thesawalamai

Thesawalamai was introduced to Sri Lanka by Tamil immigrants from India and was modified through later immigrants and influence of Hindu law. It carries aspects of both a personal law as well as a territorial law in that it applies to all persons who are ‘Malabar (Tamil) inhabitants of the province of Jaffna’ (personal) and to certain aspects of property law where the land is situated in the Northern province irrespective of the race of the owner (territorial). Almost all aspects of the law of Thesawalamai have been codified through legislation.

Muslim Law

Muslims who came to Sri Lanka introduced a portion of the system of jurisprudence that were common to Muslims around the world, that originated from religion i.e. Islam. Muslim law applies to all Muslims – whether by birth or conversion, who profess the Islamic faith; and is not dependent on belonging to a particular race or community. Aspects of Muslim law have also been codified.

[For a detailed description of the Legal system of Sri Lanka, see An Introduction to the Legal System of Sri Lanka by L. J. M. Cooray (1992)]

1. Marriage

1.1 Roman Dutch Law

In the Roman Dutch Law which is the foundation of the general law on marriage, a married woman was under the guardianship and marital power of her husband. The concept of the wife's 'coverture' or her inferior legal status during marriage, the husband's marital power, the inferior legal position of the widow and the unity of personality between husband and wife are important features of the English and Roman Dutch legal system.³⁴

1.2 Thesawalamai

Property rights of a married woman governed by Thesawalamai has attracted much debate over the years due to the condition imposed by the same law requiring prior consent of the husband for the woman to dispose of her immovable property.³⁵ It was introduced into the Thesawalamai code through colonial legislative reform and established by a judiciary adopting a very conservative attitude³⁶.

1.3 Muslim law

Islamic law recognises significant rights of a husband over his wife's person. He is considered to be in charge of all her affairs and is expected to deal with them. However, Sri Lankan courts have taken the view that his marital power does not extend to matters regarding property.³⁷

1.4 Kandyan law

According to traditional Kandyan law, during the marriage ceremony, the groom makes a declaration to the effect that all articles in the bridal hall are his property³⁸. In the absence of evidence to the contrary, a marriage contracted under Kandyan law is presumed to be in Diga, where the wife becomes, for all intents and purposes, a member of the husband's patriarchal family³⁹. As a more controversial manifestation of the dominance of the male partner in the marriage, there are suggestions that according to Kandyan law during the lifetime of a husband or after his death his younger brother, a close agnate, or even a stranger could be authorized to have sex with the wife for the purpose of begetting children for the husband, and the wife's own wish appears not to have been consulted for the purpose⁴⁰.

³⁴ *Supra* note 33, p.201

³⁵ S.W.E. Goonesekera, *The Legal Status of the Female in the Sri Lanka Law on Family Relations*, (1980) pp 26-8

³⁶ Savitri W.E. Goonesekere, *Gender Relations in the Family: Law and Public Policy in Post-colonial Sri Lanka* in Palriwala and Risseuw (eds), *Shifting Circles of Support: Contextualizing Gender and Kinship in South Asia and Sub Saharan Africa*, Sage Publications, New Delhi (1996), p 316

³⁷ *Supra* note 35, p 28

³⁸ See Tambiah, *Sinhala Laws and Customs*, Colombo (1968), p 58

³⁹ *Supra* note 38, p 59

⁴⁰ *Supra* note 38, p 62

2. Parental power

2.1 Roman Dutch Law

In early Roman Dutch Law, although parental power of a legitimate minor child was shared by both parents it was referred to as 'paternal power'. This endorses text writers' view that the mother's rights regarding the child were not on par with the father's. The modern law in South Africa confirms this on the basis that he is the natural guardian of minor children to the exclusion of the mother. On the father's death the mother is deemed to succeed as natural guardian if the father has not appointed a guardian. However, the mother is considered the sole guardian of an illegitimate child.

Early court decisions in South Africa and Sri Lanka have been inclined towards giving weightage to the preferential right of the father over the child's best interests. For example, in the South African case of *Calitz*⁴¹ the court held that, "(it) has no jurisdiction where no divorce or separation authorizing the separate home has been granted, to deprive the father of his custody."⁴² Almost two decades later, in *Ivaldy*⁴³ the Sri Lankan court emphasised the need to construe the concept of welfare of the child within the scheme of the father's preferential right.⁴⁴ Thus, Sri Lankan courts have clearly followed the principle that the preferential rights of the father will prevail if not displaced by considerations regarding the welfare of the child.⁴⁵ Pursuing this approach which lasted over a decade, courts also held that even on the father's death, the mother requires appointment by court to deal with a minor's property or accept from a minor's debtor.⁴⁶ The preferential status of the father as natural guardian seems to connect with the legal system's perception that he is the 'breadwinner', thus imposing an obligation on him to support his wife and family.⁴⁷ The woman's obligation to support remains unclear⁴⁸

However, the more recent approach of both South African and Sri Lankan courts has emphasised on the paramount interest of the child.⁴⁹ In the recent case of *Jeyarajan v Jeyarajan*⁵⁰ the Court of Appeal endorsing the position of both the modern Roman Dutch Law and the English Law which gives paramount consideration to the interests of the child, held that the custody of very young children would ordinarily be given to the mother. Therefore, it could be concluded that there seems to a gradual shift in the position of the courts as regards the preferential right of the father in relation to custody.

⁴¹ [1939] AD, 56

⁴² S. W. E. Goonesekere, *The Sri Lanka Law on Parent and Child*, 2nd edition, Colombo (2002), p 215

⁴³ 57 NLR, 568

⁴⁴ *Supra* note 42

⁴⁵ See for e.g. *Madulwathie v. Wilpus*, 70 NLR, 90

⁴⁶ *Supra* note 42, p 217

⁴⁷ Also see section below on *Maintenance*

⁴⁸ *Supra* note 42, p 205-6; *Supra* note 34, p 302 at 317

⁴⁹ *September v Karriem*, [1959] 3 SA, 687; *Weragoda v Weragoda*, 59 CLW, 59; *Fernando v Fernando*, 70 NLR, 534

⁵⁰ [1999] 1 Sri L.R., 113

A consequence of the father's paternal power under Roman Dutch Law was full powers of management of a minor's property, the ability to receive and invest money, control assets and use income from it for minor's maintenance and education.⁵¹

It was the father's consent that was required for the tacit emancipation of a minor, the mother's consent only sufficing when she succeeded him as guardian.⁵²

As regards consent required for the marriage of a minor, in the event of a difference of opinion, the father's view prevailed. The Marriage Registration Ordinance No. 19 of 1907 (as amended) states that the father is first in the order of persons whose consent is required for the marriage of a minor except in certain exceptional situations.⁵³

As the natural guardian the father had the superior right to represent his children in court. A mother could assert this right on the father's death, providing he had not excluded her by appointing a guardian⁵⁴ The mother's right to appoint a guardian could be limited by the father making the appointment himself. This could also exclude her right to represent the child in legal proceedings, take charge of his property etc.⁵⁵ The father, as natural guardian could assert a right to determine the religious education of a legitimate child, even if the mother obtains an order of custody during his lifetime.⁵⁶

2.2 Customary laws of the Tamils and Sinhalese

When the joint family system disintegrated the customary laws of the Tamils and Sinhalese preferred the maternal relations to the paternal relations in granting custody to the child.⁵⁷ The customary laws of the Tamils and Sinhalese also differed from the early religious prescriptions of the *Dharmasastras*⁵⁸ which required that a woman could not adopt except with the permission of her husband⁵⁹.

2.3 Thesawalamai law

It has been suggested that the Thesawalamai recognized the father as the natural guardian of a minor and that on his death, the mother succeeded him but had to hand over the child and its property to the maternal grandparents if she contracted a second marriage; whereas the father of legitimate children governed by Thesawalamai will be able to assert his right to custody even when he remarried.⁶⁰

⁵¹ *Supra* note 42, p 275

⁵² *Supra* note 42, p 218

⁵³ *Supra* note 42, pp. 218, 307-8

⁵⁴ *Supra* note 42, p 297

⁵⁵ *Supra* note 42, pp. 218, 285

⁵⁶ *Supra* note 42, p. 305

⁵⁷ *Supra* note 38, p 54

⁵⁸ *Dharmasastras* are texts consisting of the collection of religious *sutras* mainly in the form of aphorisms which tersely deal with principles of law relating to obligations of a householder, functions of government, administration of justice, inheritance etc., in the shape of legal digests which preceded the caste and tribal customs collected in India in the 19th century.

⁵⁹ *Supra* note 38, p 55

⁶⁰ *Supra* note 42, p 202 and 238

2.4 Kandyan law

The view has been expressed that under Kandyan law the father was ‘by nature and nurture’ the guardian of a minor, and has paramount claim to the guardianship and custody of his child.⁶¹

As regards parental consent for the marriage of a minor, under the Kandyan Marriage and Divorce Act of 1952 (as amended), the mother could give consent only if the father was unavailable due to death, legal incapacity or absence from Sri Lanka.

2.5 Muslim law

In Islamic law, parental power is classified into guardianship of person, property or in marriage. In Islamic law, the father alone is deemed the natural guardian. He has a right of access and is entitled to supervise the upbringing of the child until the age of personal emancipation or majority, even when the mother has the right to physical custody of the child. The mother is completely excluded from the guardianship of property, and occupies a very low place in the order of guardians entitled to succeed the father as guardian of marriage⁶². There is also judicial authority in Sri Lanka to support the proposition that she cannot act in this capacity⁶³

3. Citizenship

The Citizenship (Amendment) Act No. 16 of 2003 recognises the right of a mother who is a Sri Lankan citizen to pass citizenship to her children irrespective of the nationality of the father. Before this amendment, under the Citizenship Act No. 18 of 1948, only a father could pass Sri Lankan citizenship to his children. According to the Act, children born even before the passing of the legislation but after November 15, 1948 will have the right to Sri Lankan citizenship even if only the mother is a Sri Lankan citizen.

Until 1999, the Controller of Immigration and Emigration Sri Lanka followed guidelines for Residence visas (stamped as “Secret - for official use only”) that stipulated in clause 4 “Sri Lanka follows a patriarchal system; hence Residence Visas are normally granted only to female spouses of Sri Lankans”. In the Supreme Court case in 1999, filed on the grounds of infringement of Article 12(1) and (2) of the Constitution relating to equality, the immigration and emigration authorities were directed to halt this secret and discriminatory practice in awarding residence visas. The petitioner, a German national by the name of Bernard Maximilian Fischer who had married a Sri Lankan female was awarded his residence visa and the right to work in the country.⁶⁴

⁶¹ *Supra* note 42, p 202

⁶² *Supra* note 42, p 204, 291-2

⁶³ *Supra* note 42, p. 314

⁶⁴ <http://sundaytimes.lk/990530/news5.html>

<http://lakdiva.com/island/i990523/news.htm#In%20petition%20to%20Supreme%20Court>

4. Maintenance

4.1 General Law

In Roman Dutch Law the duty of support between the husband and wife was reciprocal, but the wife's duty was not on par with the husband's. She only had a legal obligation to maintain a husband who was indigent and unable to maintain himself.⁶⁵ There is some authority in early Roman Dutch Law that as between parents, the primary obligation is imposed on the father of the child. However, in the modern Roman Dutch Law the mother shares the responsibility to maintain the child with the father. The father's primary obligation to provide maintenance for a legitimate may have been influenced by the fact that a married man was considered the manager of community of property. When the wife's right to separate property was recognised under the law, there's authority in the modern Roman Dutch law as applied in South Africa to support the proposition that she must contribute the children's maintenance when she has the means to do so⁶⁶.

4.2 Maintenance Act No.37 of 1999

The Maintenance Ordinance 1889 focused on the man as the sole breadwinner, despite the fact that traditional law recognised a woman's economic independence.⁶⁷ The Maintenance Act 1999 which amended the Ordinance of 1889 contains the General Law on maintenance during marriage. The act requires any spouse with sufficient means to maintain the other spouse, if such individual is unable to maintain him or herself. The law in place prior to the act imposed a duty of maintenance only on a husband. An order for maintenance will not be awarded if the applicant spouse is living in adultery or both spouses are living separately by mutual consent. In cases where a wife is precluded from receiving an award for maintenance under the Maintenance Act, she may still bring a civil action to enforce her husband's common law obligation of support her personal necessities. The Maintenance Act also imposes a duty on a parent to provide for the maintenance of all minor children, needy adult offspring (ages 18-25) and disabled offspring. The applicant-spouse need only prove financial need and the other spouse's ability to provide the required support.

There is also provision for liability on the part of a married woman with separate property under the Married Women's Property Ordinance of 1923.⁶⁸

4.3 Muslim law

Under Islamic law, the mother's liability to support her legitimate children only surfaces if the father is indigent and unable to fulfil his duty of support.⁶⁹

⁶⁵ *Supra* note 35, p 42

⁶⁶ *Supra* note 42, p 432,408

⁶⁷ *Supra* note 33

⁶⁸ *Supra* note 42, p42

⁶⁹ *Supra* note 42, p 445-6

4.4 Thesawalamai law

Jaffna Matrimonial Rights and Inheritance Ordinance No.1 of 1911 imposes maintenance liability on a married woman with separate property.⁷⁰

5. Property

5.1 General Law

Women governed by the General Law were for many years subject to the Roman Dutch Law on matrimonial property. Under this system the property belonging to the woman at the time of marriage ceased to be her separate property under the doctrine of community of property. As the sole repository of marital power, the husband controlled the management and administration of the community property and the wife's separate property. Even an ante nuptial contract was not a safeguard against this. The husband's possessed sweeping power that he could even alienate property without the wife's knowledge or consent. Though British administration abolished 'community of property' i.e. joint ownership of property within marriage by husband and wife, through the enforcement of the Married Women's Property Ordinance of 1956, transfer of the wife's immovable property by an act *inter vivos* was prohibited without her husband's or the court's consent. Additionally, though the legal position of a married woman regarding her immovable property was modified by this legislation her position was made worse than before as regards her movable property as these except for wages and earnings could not be alienated *inter vivos* without her husband's consent.⁷¹

5.2 Thesawalamai

Traditional Tamil law recognised a woman's independent legal status, and her right to own and control separate property, although it appears that under customary law the husband was entitled to possess the dowry property and have the sole management of it during marriage. Though the wife was recognized as owner of her property, the Thesawalamai Code does not indicate that she had control over it independent of her husband. Eventhough early Jaffna society was matriarchal, the geographical and physical condition of arid Jaffna paved the way for the superior position of the husband over the property of the wife⁷².

The customary as well as the statutory law of Thesawalamai recognises the principle that a husband has a concrete interest in the wife's property other than to control or manage it.⁷³ In this regard, Thesawalamai partly reflected Roman Dutch Law concepts regarding matrimonial property. Since the husband's power of administration over the community was inherent in the concept of community of property familiar to Roman Dutch Law, this status was inevitably recognised judicially in the Thesawalamai concept of community of property. This crystallized into the view that a husband

⁷⁰ *Supra* note 42, p42

⁷¹ *Supra* note 35, p 28-30

⁷² See Nagendra, Matrimonial Property and Gender Inequality – A Study of Thesawalamai (2008), p 275-278, p 286- 287. *Supra* note 33, p. 193 at 202.

⁷³ *Supra* note 72, p 292-293

acquired and could exercise marital power over his wife's property. Despite statutory reforms granting women powers of management and administration they had not enjoyed before, disposition of immovable property *inter vivos* required the husband's consent. This requirement has been the justification for continuing the concept of marital power, even after legislative reform. Even court's consent has been judicially interpreted as 'of the same order as the husband's consent.' Thus it is considered that court cannot emancipate the wife permanently from her husband's right or duty of protection with regard to immovable property.

Influenced by the general law courts even gave the husband exclusive powers of management over *thediathettam* (property originally owned by both spouses - community of the profits of the separate property and acquired by either of them by their own efforts during marriage)⁷⁴. When the marriage subsisted he was described by court as the 'sole and irrevocable attorney of his wife as regards alienation of that property by sale or mortgage.' He could thus alienate and mortgage *thediathettam* without the wife's consent. The case of *Easwaralingam* accords with the principle that the husband as manager has the sole right to invest the *thediathettam* money. He also has the sole right to decide whether and when to sue for recovery⁷⁵. Further, the wife could not be sued alone as regards *thediathettam*⁷⁶. This judicial trend continued despite statutory reforms. Court has interpreted the Jaffna Matrimonial Rights and Inheritance Ordinance of 1911 as supporting the inference that the husband has significant powers of management over his wife's property⁷⁷. Three judges of the Supreme Court agreed that 'although a woman under the general law is a *femme sole*, the married woman governed by Thesawalamai is still under the marital power of the husband.'⁷⁸ *Ponnupillai v. Kumaravetpillai* interpreted the Ordinance to conclude that a wife under Thesawalamai needs to be protected by either the husband or court⁷⁹.

The rights of the spouses under the Thesawalamai were based on the premise that property in general belong to the family and that the husband as the head of the family had the right to administer the property. He was thus treated as the manager of the family property⁸⁰. Although it was the property of the wife that was first used in giving dowry, the Code does not empower the wife to alienate without associating the husband when they are living together. In contrast, the husband had the right during coverture to grant a dowry of any property belonging to the spouses. This difference in treatment is accounted for by the husband's exalted position in the family and the marital rights awarded to him⁸¹. The law awarded certain property rights to a widow that were not available to a widower. This is attributed partly due to the fact that a husband was considered the head of the family and thus able to fend for himself⁸².

⁷⁴ *Supra* note 72, p 348-351, p436-438

⁷⁵ *Supra* note 72, p 432-433

⁷⁶ *Supra* note 72, p 433-434

⁷⁷ *Supra* note 72, p 283-285, p 352 -353

⁷⁸ *Supra* note 35, p 32-34. *Supra* note 69, p 279-280

⁷⁹ *Supra* note 72, p 291

⁸⁰ *Supra* note 72, p 342-346

⁸¹ *Supra* note 72, p 293-294

⁸² *Supra* note 72, p 319

5.3 Kandyan law

The legal unity of the husband and wife under the English law and the community of property under Dutch law has no place in the traditional Sinhala system. In as much as the estates of husband and wife are entirely separate, the divorced wife was able to retain her separate property.⁸³ Although a woman had separate property rights in traditional Sinhalese law,⁸⁴ local elite influenced by Victorian values and trends in Roman Dutch Law substantially modified the indigenous law on marital property, inheritance and legitimacy, by statutory reforms introduced prior to independence. These reforms diluted a woman's rights in the area of matrimonial property and inheritance⁸⁵.

Although several elements of probable or certain matriarchal influence are evident in the early law e.g. relating to intestate succession,⁸⁶ except in a binna marriage, property is passed according to strict patrilineal rule under the Kandyan Law.⁸⁷

5.4 Land Development Ordinance No. 19 of 1935

The Land Development Ordinance makes provision for making state land grants for agricultural purposes. It was revealed that generally priority is given to male applicants during this process since land is granted for agricultural purposes.⁸⁸ Furthermore, under section 172(b) of this Ordinance, a table of inheritance is created that favour the eldest male heir where the original owner dies intestate without naming his heirs.⁸⁹

6. Right to File Action or Standing in Court (Locus Standi)

6.1 Thesawalamai

Though Thesawalamai law admits a separation of interest and property between husband and wife, *Wallinachy v. Cadergamer* (1844) decided that a wife cannot maintain an action against the husband to recover her dowry property until she gets a divorce⁹⁰. In *Visvalingam* the husband sued for himself and on behalf of his wife for the recovery of a mortgage bond involving his and his wife's inherited property. The court held that the wife should be joined as a party and recognized the difference of her position under Thesawalamai from that of Roman Dutch law where a woman becomes a minor on marriage subject to the marital powers of her husband⁹¹. When action was filed against the wife however, court held that the wife cannot be sued without joining her husband⁹².

⁸³ Hayley, *The Laws and Customs of the Sinhalese - Kandyan Law*, Navrang - New Delhi (1993) pp 285-287. Interview conducted with Dr. Janaki Jayawardena on 01.04.2008

⁸⁴ *Supra* note 33, p. 193 at 202

⁸⁵ *Supra* note 36, p 312-313

⁸⁶ *Supra* note 38, p 60-61, p 69-70. See also *Supra* note 31

⁸⁷ *Supra* note 38, p 60

⁸⁸ M. A. C. Perera, Official in the Land Commissioner General's Department, interviewed on 03.04.2008

⁸⁹ Ss. 71, 72 and Third Schedule Rule I. See also *Supra* note 33, p. 193 at 202

⁹⁰ *Supra* note 72, p 411, 434-436

⁹¹ *Supra* note 72, p 414-415

⁹² *Supra* note 72, p 416-417

Through the Jaffna Matrimonial Rights and Inheritance Ordinance 1956, Roman Dutch law exerted a significant influence on Thesawalamai⁹³ that the court eventually accepted the Roman Dutch Law applicable to women governed by the Thesawalamai as regards the right to sue e.g. in *Mariamamma* Swan J. declared that “it is a common ground that a married woman governed by the Thesawalamai cannot sue alone. She must be assisted either by her husband or obtain the sanction of the court to sue alone.”⁹⁴ In *Deveraja* Macdonnell C.J. stated that the intention of the Ordinance was in fact to deliberately refrain from interfering with the marital power of the husband⁹⁵.

Thus, it could be concluded that although the Sri Lankan legal system does not expressly recognise the concept of head of the household nor its synonymity with males, the operation of multiple laws i.e. special laws, the general law and statutory law, in the sphere of Sri Lankan private law has resulted in tacit recognition of the concept of ‘male head of the household’ through the privileged position granted to males over females in matters relating to marriage and family relations.

b) In Public Administration

The implications of the use of the head of the household concept within the administrative processes in Sri Lanka seem to have been considered seriously for the first time following the Tsunami of 2004.⁹⁶ This itself is an indication of the inadvertent nature in which the concept has seeped into day to day affairs of the community and managed to institutionalise itself within the administrative processes. An officer involved in public administration who was interviewed was of the opinion that the continuation and progression of such concepts are significantly influenced by cultural practices and values.⁹⁷

Although the definition adopted by the Department of Census and Statistics is gender neutral, the general public perception seems to attribute it to the husband, failing which the eldest son.⁹⁸ When questioned about this preference for males as head of household, several officers of the administrative service in Sri Lanka were of the opinion that the typical lifestyle of the Sri Lankan woman being brought up under the ‘orders’ of the father, tends to create a culture of giving precedence to the husband’s ideas within the marriage.⁹⁹ Referring to households where even when the husband is unemployed or where the husband is away in military service the other family members tend to name them as head of the household, Mr. Kodikara explained how the concept can even be considered a traditional construct through attitudes that prevailed over a long period of time.

⁹³ *Supra* note 72, p 421-425

⁹⁴ 55 NLR, 114 at 115 cited in *Supra* note 72, p 422

⁹⁵ *Supra* note 72, p 428-429

⁹⁶ Interview conducted on 01.04.2008 with Ayanthi Gurusinghe

⁹⁷ Mr. A Saaranan, Assistant Secretary, Ministry of Nation Building and Estate Infrastructure Development (Development Division), interviewed on 03.04.2008

⁹⁸ *Revisiting the Concept of the Head of the Household*, Briefing paper, Issue 1-August 2007, Women’s Housing Rights Programme, COHRE, p1

⁹⁹ Mr. S. T. Kodikara, Secretary, Ministry of Agriculture, Land, Livestock and Health, Irrigation and Tourism of the Western Province (Former Head of The E- Sri Lanka Government Network Project) interviewed on 04. 04. 2008

A study conducted by COHRE, Sri Lanka (2007) on the use of the head of the household concept in Sri Lanka identified several areas of civil life where the concept is in use:

- Direct reliance on the concept in state administrative processes e.g. Revision of Electoral Registers, House Holder's List (Ministry of Public Administration and Home Affairs), Application for admission to the first grade in State Schools, Initial Report on Application for T.B. Assistance [Basic] (T.B. Assistance Scheme of the Department of Social Services), Form for collecting details of occupants in houses, business premises and buildings for security purposes (Sri Lanka Police), Housing Damage Assessment and Social Verification Survey of the North East Housing Rehabilitation Project (Ministry of Nation Building). *[See annexure for specimen forms]*
- Indirect reliance on the concept in administrative processes through gender bias e.g. Birth Certificate gives priority to the ancestry of the father, the application form for obtaining a registered identity card for the first time requires only the details of the father, only a woman complainant at a Police Station is inquired about the details of her spouse. *[See annexure for specimen forms]*
- Use of the concept in relief and reconstruction programmes implemented by state and/or non-state actors after exigency situations such as armed conflict, natural disasters e.g. the form utilised for the North-East Housing Reconstruction Programme (NEHRP) of the Ministry of Nation Building and Estate Infrastructure Development¹⁰⁰
- Use of the concept in statistical surveys conducted at state level e.g. the Department of Census and Statistics uses the concept extensively in conducting census and surveys relating to labour force, income-expenditure etc.

Mr. Fernando from the Department of Census and Statistics who was interviewed reiterated the fact that the concept has been in use for a long time and that the details of the head of the household play a crucial part in analysing the socio-economic status and categorisation of the family unit.

Interestingly, as early as the Ordinance No.5 of 1868 which provided for the first Census of the island of Ceylon (undertaken in 1871), contained a form of 'Householder's Schedule' which carries a column titled 'Relation to Head of Family' and a form of 'Enumerator's Book' which carries a column titled 'Name of Head of Family'. Furthermore, the instructions issued to the officials to carry out the Census stipulates:

*"The name of the head of family must be entered opposite the figure 1 in the Schedule. Then enter in same, i.e. first column, in order of relationship – Wife, Children, Visitors, Servants (domestic), and Servants (outdoor)."*¹⁰¹

¹⁰⁰ According to Mr. A Saaranan, Assistant Secretary, Ministry of Nation Building and Estate Infrastructure Development (Development Division), this form was formulated under the guidance of local consultants to the World Bank and the final draft was cleared by the World Bank.

¹⁰¹ Refer annexure for copies of the documents relating to the Census of 1871.

In a majority of cases where the concept was used in administrative processes within the country, heavy reliance was placed on 'usage' and without any definition on who is required to sign/appear as 'head of the household'. For instance, many officials who were involved in implementing these processes expressed the fact that they do not insist on a male person when using this concept. Nevertheless, there was at least one instance where there were gender sensitive guidelines in using the concept i.e. NEHRP requires joint bank accounts, registers deeds and other documents in the names of both husband and wife etc.¹⁰²

Why is the concept used in administrative structures?

Several interviews conducted with officials in the public sector dealing with public administration presented the following justifications as regards the use of the concept of head of the household in public administration in Sri Lanka:

- for purposes of identifying a family unit and its members (in relation to the head of the household)
- one person being identified as the person responsible for that particular household
- ease of implementing administrative duties e.g. conducting census, distribution of relief

Commenting on the work of the National Disaster Management Centre, Mr. N. D. Hettiarachchi stated that there are no hard and fast rules which bind the Centre to the concept of head of the household and that the concept is used as required. Explaining how immediate emergency relief such as cooked meals is distributed during an emergency on an individual basis as opposed to being identified as a family unit, he added that certain relief projects implemented with foreign aid carry conditionalities imposed by the donor, such as the requirement to distribute relief through welfare societies formulated within IDP camps consisting of a minimum of 60% women.

Re-iterating these uses for the concept, several IT officials involved in compiling the 'Sri Lanka Government Network' of the Ministry of Public Administration and Home Affairs (commenced in 2005) which when complete would carry information relating to every member of a family unit belonging to all the Grama Niladhari divisions (i.e. lowest administrative division) in the country in one centralised data base, opined that *concepts like head of the household founded on family relations would be irrelevant once a system is in place that allows the state to identify information relating to the public on an individual basis.*

¹⁰² House, News Bulletin, Vol.1, Issue 2006/1 February-March 2006, North East Housing Reconstruction Unit (NEHRU), p.8

When questioned about the pre-requisites to be identified as a head of the household, the following criteria were generalised by the public officials:¹⁰³

- there is no gender discrimination in the concept,
- anyone who takes responsibility for the household,
- anyone who acts as the main economic provider and looks into the needs and interests of the other members in the family,
- anyone who generally resides in the household and is constantly with the family, and/or
- one who is generally the eldest member of the household

will qualify to be the head of a household. Some of the officials also added that a head of a household does not enjoy any special benefits or privileges by virtue of being identified as head of the household¹⁰⁴ and one official stated that he sees no harm in there being such an understanding between spouses.¹⁰⁵ It was also pointed out that the head of the household is not always important and that the concept does not detract from the importance of other members in the family.

The information generated through these interviews illustrates several important points:

- the concept of head of the household has been absorbed into administrative procedures in Sri Lanka through usage and custom
- the concept is used in public administration predominantly for administrative convenience
- the gender preference for males is not an administrative requirement but a propagation of traditional practises and values

Some Statistical Data on the Use of the Concept in Sri Lankan Administrative Practise

Research indicates that 30% of Sri Lanka's households are managed exclusively by females.¹⁰⁶ The following statistics were obtained from a study conducted in 2007 on the impact of the head of the household concept in the aftermath of the tsunami:¹⁰⁷ The study was conducted in Hambantota, Matara and Galle in the Southern Province and

¹⁰³ See list of interviewees for details of those who were interviewed from the public administration sector.

¹⁰⁴ However, Mr. G.Y.L. Fernando, Director (Sample Survey), Census and Statistics Department stated that there may be exceptions to this situation such as in the case of collection of income for purposes of Samurdhi relief, which is assigned to the head of the household (interviewed on 02.05.2008).

¹⁰⁵ Mr. Kumarasiri, Project Director, World Food Programme, Ministry of Nation Building and Infrastructure Development interviewed on 03.04.2008

¹⁰⁶ 'Post Tsunami: Women and their Right to Own Property, Report of 100 Case Studies from the Southern and Eastern Provinces in Sri Lanka', COHRE, *Supra* note 98, p1. See also Report of the *Dialogue on: Joint Ownership and the Head of the Household Concept*, 31st October 2007, COHRE, p 10

¹⁰⁷ *Supra* note 106, p 5-7

in Ampara and Batticaloa in the Eastern Province. Responses were gathered from 100 women and the findings are summarised below.

Property

- 85% of the women said the property given by the government or private sector was given in their husbands' names although it had been in the wife's name prior to the tsunami.
- 3% of the women said the property was received in their name
- 3% said it was received in the name of a 3rd party
- None said it was received in joint ownership

Documentation

- In 86% of the cases the husband had signed the form given by the government to receive the land.
- Only in 3% of the cases had the wife signed the above form.
- There was one case where the husband signed the form and requested that the land be granted in the wife's name
- 85% of the women stated that the form had stated that the HOH should sign
- 3% said that the form did not contain any such specific instruction

Government Aid

- 60% of the women said that aid from the government had been received in their husband's name although granted with regard to property owned by the women.
- 5% of the women said the aid was given in their names
- 2% of the women said it was given in the name of a third party

Legal/Other Action

- 30% of the women said they had taken legal action to claim the title for the property given by the government for the damaged property which was in their names prior to the tsunami
- 31% said they had instituted complaints
- 10% said they had taken other action

Women's Perception

- 83% were of the view that women should have the right to their own property
- 4% were of the view that they did not need such a right
- 48% were of the opinion that certain problems could arise in the future as a result of the property not being allocated in their names.
- 18% were of the view that they would not have to face any such problems as they had absolute faith in their husbands

Chapter III

IMPACT OF THE USE OF THE CONCEPT

This section seeks to summarise the benefits and adverse effects resulting from the use of head of the household concept within Sri Lanka.

a) The Case *For*: Beneficial Effects

- Administrative convenience i.e. identifies an individual who is accountable to the state as regards one's family
- Imposes a sense of responsibility on that individual towards the other family members
- Helps to maintain a clear process of decision making and accountability within the family which also contributes to maintain discipline and harmony within the family
- The concept which is founded on traditional values such as respect for the father, would not function in a manner that is detrimental to the well being of women in this modern age of urbanization with higher levels of education and social awareness¹⁰⁸
- Helps to retain strong family links between parents and children, even within families in the urban settings. It was pointed out that this was especially so in family units where there are children who are incapable of making decisions on their own due to inexperience.

b) The Case *Against*: Adverse Effects

- The concept will be able to foster a culture of responsibility and accountability within a family only in ideal circumstances i.e. where the head of the household will ensure the contribution and consultation of other family members in making decisions concerning the family

¹⁰⁸ Mr. S. T. Kodikara, Secretary, Ministry of Agriculture, Land, Livestock and Health, Irrigation and Tourism of the Western Province (Former Head of The E- Sri Lanka Government Network Project) interviewed on 04. 04. 2008

- The concept violates international standards

The inequality of status based on gender that is implicit in the use of the concept of 'head of the household', violates Sri Lanka's international legal obligations under the following legal instruments:

- a) International Covenant on Economic, Social and Cultural Rights 1966 – Articles 2, 3 and 11 relating to the enjoyment of rights set forth in the Convention including the right to adequate housing without discrimination between men and women.
- b) Convention on the Elimination of All Forms of Discrimination against Women 1979 – particularly Articles 2, 5, 13, 15 and 16 on the state's obligation *'to take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women'* with special reference to gender stereotyping and aspects of economic and social life and marriage and family relations.
- c) Convention on the Elimination of All Forms of Racial Discrimination 1965 - Articles 1, 5 and 7 on the state's obligation to prohibit and eliminate racial discrimination in all its forms and to guarantee everyone's right without distinction based on race, colour, or national or ethnic origin *inter alia* to housing and to adopt immediate and effective measures, particularly in the fields *inter alia* of culture and information, to combat prejudices that lead to racial discrimination. Article 1 of the Convention defines 'racial discrimination' as *'any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life'*

General Recommendation 21 of the Committee on the Elimination of Discrimination Against Women in 1994 urges states not to define the rights and responsibilities of married partners exclusively relying on customary law, which *"often result in the husband being accorded the status of head of household and primary decision maker and therefore contravene the provisions of the Convention"*.¹⁰⁹

Significantly, the Concluding Observations of the Committee on the Elimination of Discrimination Against Women in 2002 urged the government of Sri Lanka *"to develop policies and programmes to improve the situation of women-headed households...including recognising women headed households as equal recipients and beneficiaries of development programmes."*¹¹⁰

¹⁰⁹ Paragraph 16 (1)(c) of General Recommendation 21 of the Committee on the Elimination of Discrimination Against Women, 13th Session, 1994 at <http://www.un.org/womenwatch/daw/cedaw/recommendations/recomm.htm#recom22>

¹¹⁰ Paragraph 297 of Concluding Observations of the Committee on the Elimination of Discrimination Against Women: Sri Lanka 01.02.2002 at [http://www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/A.57.38%20\(Part%20I\),paras.256-302.En?Opendocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/A.57.38%20(Part%20I),paras.256-302.En?Opendocument)

- The concept violates local constitutional standards relating to equality and non-discrimination on following grounds:
 - Creates a hierarchy in the household and confers more ‘power’ on one member of the household
 - Undermines the contribution of the other family members and they are sidelined in policy making or programme designing.
 - reinforces the idea of social leadership as being inherent exclusively in men and that only the head (usually male) provides for the family.
 - Identifying one head of the household based on conventional criteria leads to stereotyping. For example, consider the following scenarios:
 - a) A family unit where a girl child provides the income, father is unemployed and the grandmother has the title to the house: who should be the head of the household?
 - b) A family unit where the husband is unemployed and the wife is the sole provider: who should be the head of the household?
 - c) A family unit consisting of only minors e.g. where the children lose both parents: who should be the head of the household?
- The adverse emotional impact on the increasing number of female heads of households who are confronted with the socially and officially established norm that a male is the ‘head’, in addition to the emotional trauma involved in losing a loved one e.g. land grants are made to the male head of the household and in intestate succession preference is given to the male¹¹¹
- Impact on political rights of women:
 - i.e. the acceptance of the concept of head of the household in administrative procedures tends to relegate the status of women to a secondary position by which the male ‘head of the household’ is at best expected to represent the interests of the other householders and at worst expected to authorise the existence and will of the other householders e.g. by signing the householder’s list, voter registration forms etc. In abusive households, this situation can lead to the deprivation of many rights for women including the rights to vote, access to aid and housing etc.,¹¹²

¹¹¹ *Supra* note 106

¹¹² Interview conducted with Dr. Deepika Udagama, Head of the Department, Faculty of Law, University of Colombo on 04.04.2008

- Impact on women's right to property, which in turn impacts adversely on her ability to:¹¹³
- to take independent decisions regarding their property regarding ownership and control
- enter into or dissolve marriage (through security of property ownership)
- secure the future of one's children and to ensure economic empowerment and independence.

In General Recommendation 21 of the Committee on the Elimination of Discrimination Against Women 1994, the committee observed that:

*"In most countries, a significant proportion of the women are single or divorced and many have the sole responsibility to support a family. Any discrimination in the division of property that rests on the premise that the man alone is responsible for the support of the women and children of his family and that he can and will honourably discharge this responsibility is clearly unrealistic. Consequently, any law or custom that grants men a right to a greater share of property at the end of a marriage or de facto relationship, or on the death of a relative, is discriminatory and will have a serious impact on a woman's practical ability to divorce her husband, to support herself or her family and to live in dignity as an independent person."*¹¹⁴

Also noteworthy, is the UN-HABITAT Discussion Paper on *Monitoring Housing Rights* which seeks to develop housing rights indicators. Outlining the conceptual, methodological and contextual concerns in building indicators for monitoring the realization of housing rights the paper notes:

"The issue of definition and terminology for indicators will have to be addressed in order to have an acceptable monitoring and evaluation system for housing rights. There has to be a balance between the need to have comparable cross-country indicators and the need for indicators to accommodate contextual differences in the nature and fulfillment of housing rights at the national and sub-national levels. Similarly, there has to be clarity in the use of certain terminologies.

*For instance, in this context, an issue that needs to be considered is the possible gender bias in 'head-of-household' terminology. If the 'head-of-the-household' is defined as being either the person who legally has title of the house, or the person who brings in the largest proportion of household income, chances are most 'heads-of-the-household' will be male. This is problematic in that it may serve to reinforce gender stereotypes, albeit unwittingly. There is a case for developing a more appropriate terminology, which does not reinforce gender hierarchies, as 'head-of-the-household' characterizations are likely to do."*¹¹⁵

¹¹³ See also *Supra* note 106, p7-8

¹¹⁴ *Supra* note 109, Paragraph 28. See also paragraphs 30-35

¹¹⁵ Discussion Paper, Expert Group Meeting on Housing Rights Indicators (26-28 November 2003), p.10

CHAPTER IV

CONCLUSION AND RECOMMENDATIONS

- The only existing definition to the concept of head of the household, used by the Department of Census and Statistics is gender neutral.
- The adoption of the concept as well as its synonymity with males seems to be coincidental:
 - a) Service tenure under the early Sinhalese Kings: the services were undertaken predominantly by men, which resulted in the consequent land allocation to men. The *paravenia* also passed among males in the family.
 - b) Portuguese and Dutch *tombos*:
 - The ‘head’ *tombos* which preceded the ‘land’ *tombos*: the principle land holder in the family was also the informant who inevitably was a male. This person was prominently recorded in the ‘head’ *tombo* which then led to the registration of the land (‘land’ *tombo*) under his name.
 - *Tombo* registration created individual land rights even though this was not the main objective of the colonisers. The stated objective was to have a ‘ready reckoner of state dues from the productive land’.
 - What is perhaps the most unintended effect of this process of registration is the inadvertent institutionalisation or endorsement of the acceptance of male members over female members in a family as ‘owners’ and thereby ‘heads’ of households.

c) British era:

British economic policy rendered land a marketable entity. By this time, the general trend in the Sri Lankan system was that males had better access to land. This was fostered by the consequent changes in the law introduced by the British to their liking. Therefore, men had a better chance to compete for these resources/rights than women. Consequently, women were sidelined even though it was not deliberately intended.

“The Sinhalese traditional practise of males dealing with outsiders on the family’s behalf was reinforced by the British, so the former “naturally” became their family’s and the community’s spokesman. Thus they could propose and influence decision

*about which those whom they were (initially) representing remained ignorant. Therefore, Sinhalese men started with an infinite advantage over their women in dealing with the new reality of the colonial state*¹¹⁶

Therefore, rather than the demands of the new economic policy, it was the dynamics of the Sri Lankan context in which it was implemented and the inadequate awareness on the part of the colonisers as regards the same that led to the institutionalisation of the concept of head of the household and its synonymy with males.

*“Therefore, it may be more accurate to view the gender transformation taking place not so much as a move against women, but rather as a process advantageous to the male heads of family”*¹¹⁷

- The law neither recognises the concept of head of the household expressly nor its synonymy with males. The only indirect reference to it is through gender discriminatory laws which encourage practises that foster the head of the household concept.
- The concept is used in administrative practise merely for administrative convenience and does not identify a male member of the household as a requirement. The synonymy of the concept with males seems to be propagated by mere long usage.

All these points are indicative of the tacit acceptance of a male member of the household as head of the household through long usage, without due regard to its (adverse) impact. During public workshops conducted by COHRE in Sri Lanka involving officers in public administration, civil society engaged in relief and resettlement etc., views were solicited from the audience as regards application of the concept and the necessity to continue its use. While administrative convenience and close links with Sri Lankan culture in having persisted over a long period of time through socio-political changes were advanced as major defences to mitigate the adverse effects and against the abrogation of the concept, there was considerable agreement on the potential of the concept to be abused in individual households given the high level of discretion involved in the concept and the failure of the law to address the issue.

Noteworthy in this regard are the comments of UN-HABITAT for developing housing rights indicators:

“...in the past, UN-HABITAT has suggested that with regard to security of tenure indicators, percentages should be given by sex of the household head, counting separately the women and men-headed households. This approach allows crucial information for a gender based assessment of security of tenure. As UN-HABITAT has noted, a number of field studies on security of tenure suggest that ‘women-headed households’ often constitute a majority under the precarious tenure status. Using this

¹¹⁶ *Supra* note 13, p.143

¹¹⁷ *Supra* note 13, p.144

*arrangement, women will most likely be regarded as the 'head-of-the-household' only if they are single or otherwise unaccompanied by a man. It is suggested, therefore, that a more appropriate and accurate term be developed and utilized within the framework of the set of housing rights indicators such as gender of person with legal title to the home, or gender of person who contributes the largest share of household income.*¹¹⁸

Considering the (potential for) adverse effects created by the use of the concept in its current form, the current study proposes to offer alternatives to the concept of head of the household. The overarching considerations in developing new terminology are:

- Acknowledgment of the contribution by all members of the family to the family's economic stability
- Acknowledgment of the contribution of all members of the family to decision making
- Acknowledgment of the different family types (other than the nucleus family) that are in existence today.

¹¹⁸ *Supra* note 115

Alternatives to the Concept of head of the household

a) Joint ownership of property¹¹⁹

Except for the primogenital concept in the 3rd Schedule to the Land Development Ordinance, the current legal framework does not contain an express prohibition against the concept of joint ownership.¹²⁰ Therefore, the reluctance to grant joint ownership is primarily due to a perception that single ownership is more convenient from an administrative point of view. However, initiatives have already been taken on an *ad hoc* basis to recognise the concept of joint responsibility e.g. the North East Housing Reconstruction Programme issues documents regarding housing to maintain joint responsibility between husband and wife.¹²¹

In this option, any two or more members e.g. husband and wife, could sign the document and assume responsibility on behalf of the matter concerned. While this does not take away the possibility to ensure identification and responsibility, the objective is to prevent concentration of responsibility or power on one person with the potential for abuse. However, this option may be criticised for the presence of multiple users, which might not be administratively convenient.

b) 'Occupant of the House' or 'One Who Assumes Responsibility'

Under this option, any member of the household who may be available and/or capable may assume responsibility for the issue concerned. This would be a viable option for 'unconventional family units' that exist in society today with busy professional lives, unconventional relationships, often without the presence/support of extended family.

While it meets the administrative requirement to identify a person in the household for purposes of imposing responsibility regarding the issue concerned, constant changes in the person who signs / assumes responsibility has potential for creating problems from an administrative point of view.

c) Person who has the confidence and consent of everyone in the household

Under this option, any person who has the confidence and consent of the other family members, who will not necessarily be the oldest male in the house would be able to be the representative of the household and may also change according to the issue concerned. While this would undoubtedly avoid the concentration of authority in one person and thereby acknowledge the contribution of each member of the household to its economic stability and decision making process, it is not without problems. Because, guaranteeing that the person who appears as the representative has the consent of the other householders and that such consent is not forced would be a crucial determinant of the viability of this option and a mechanism would have to be devised to ensure the same.

¹¹⁹ Interview conducted on 01.01. 2008 with Ayanthi Gurusinghe

¹²⁰ *Supra* note 106, p3

¹²¹ *Supra* note 102

d) Two Dotted Lines

A simple option would be to leave two dotted lines in the form concerned allowing any two members of the household to sign the document and to assume responsibility in that regard, without specifying the nature of the person required to do so. While this may be a simple way to prevent concentration of authority in one person and to acknowledge the contribution of more than one member of the household to its stability, the mere simplicity may lead to its abuse.

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- Discussion Paper, Expert Group Meeting on Housing Rights Indicators (26-28 November 2003)

LIST OF INTERVIEWEES

1. Ms. Ayanthi Gurusinghe, Country Team Manager-Sri Lanka, Slum Upgrading Facility
2. Dr. Janaki Jayawardena, Lecturer, Faculty of Arts, University of Colombo
3. Dr. Subangi Herat, Head, Department of Sociology, University of Colombo
4. Dr. Sepali Kottegoda, Director, Women & Media Collective, Colombo
5. Dr. K. D. Paranavitana, Department of National Archives
6. Dr. Marion Staunton, International Organization for Migration
7. Ms. Sumitra, Field Officer, Trincomalee, International Organization for Migration
8. Prof. Gananath Obeyesekere, Princeton University
9. Dr. Deepika Udagama, Head, Faculty of Law, University of Colombo
10. Mr. K. A. Vimalenthirarajah, Asst Director of Administrative Reforms, Ministry of Public Administration and Home Affairs
11. Mr. G. D. Anura Piyabandu, Senior Additional Secretary, Department for the Administration of Grama Niladharis, Internal Administration Division, Ministry of Public Administration and Home Affairs.
12. Mr. S. T Kodikara, Secretary, Ministry of Agriculture, Land, Livestock and Health, Irrigation and Tourism of the Western Province (Former Head of The E- Sri Lanka Government Network Project)
13. Mr. Mahinda Wijesinghe, IT Assistant, E- Sri Lanka Government Network Project
14. Mr. Sajith Disanayake, IT Assistant, E- Sri Lanka Government Network Project
15. Mr. A. Saaranan, Assistant Secretary, Ministry of Nation Building and Estate Infrastructure Development (Development Division)
16. Mr. Kumarasiri, Project Director, World Food Programme, Ministry of Nation Building and Infrastructure Development
17. Mr. G. Y .L. Fernando, Director (Sample Survey), Census and Statistics Department
18. Mr. W. L. Namaratne, Deputy Director (Finance), Rehabilitation of Persons, Property & Industries Authority (REPPIA), Ministry of Resettlement & Disaster Relief Service
19. Mr. N.D. Hettiarachchi, Director, National Disaster Management Center,
20. Mr. Pradeep Rathnayake, Divisional Secretary, Panadura

21. Dr. Kumari Jayawardene, Economist, Social Scientists' Association, Colombo
22. Mr. Gamini Dissanayake, Attorney-at-Law, SSP, Police HQ
23. Prof. Nira Wickramasinghe, Senior Lecturer, Faculty of Arts, University of Colombo
24. Prof. Sharya Scharenguivel, Associate Professor, Faculty of Law, University of Colombo
25. Prof. Savitri Goonesekere, Emeritus Professor of Law, University of Colombo; Former Member of the UN Committee on the Elimination of Discrimination Against Women
26. Mr. Nilaweera, UN Habitat
27. Mr. M. A .C. Perera, Officer in charge of Archives, Land Commissioner General's Department
28. Mr. K. G. Thilakaratne, Deputy Director, Sample Surveys Division, Department of Census and Statistics
29. Mrs. Murugesan, Commissioner General, Land Commissioner's Department
30. Mr. N. Selvakumaran, Dean, Faculty of Law, University of Colombo
31. Ms. Naazima Kamardeen, Lecturer, Faculty of Law, University of Colombo
32. Ms. Chulani Kodikaara, Researcher and Activist on Women's Rights
33. Mr. M.A. Sumanthiran, Attorney-at-Law
34. Dr. SinhaRaja Tammita-Delgoda, Historian
35. Ms. Prabhjot Kaur, COHRE, India
36. Mr. C. K. Mayadunna, Grama Niladhari, Oruwala
37. Ceylon Electricity Board, Customer Care Service Centre, Malambe
38. Management Assistant, Planning Division, Municipal Council, Colombo
39. Mr. A.Gunasinghe, Principal, Pollambegoda Maha Vidyalaya, Mawanella.
40. Sister D. Gunaratne, Base Hospital, Panadura
41. Mr. M. L. D. L. Gunaratne, Accounting Officer, Head Office, Sri Lanka Telekom
42. Mr. Kasun Aberathne, Deputy Manager, Peoples' Bank, Dehiwala Branch
43. O.I.C. Amaratunga, Police Station, Panadura
44. Ceylinco Insurance Company Limited, Colombo

ANNEXURES

SECTION 01 - DEMOGRAPHIC CHARACTERISTICS

Serial No.	Name of all persons who usually live in this household	Relationship to head of the household	Age as at last birthday	Ethnicity	Religion	Level of Education (5 years and over)	Marital status	Usual Activity	For Employed persons only		For persons 10 years and over						
									Main Occupation *	Industry **	Did this person engage in any of the following activities during last month or last cultivation year as employer, employee or own account worker?	15	16	17	18		
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
01																	
02																	
03																	
04																	
05																	
06																	
07																	
08																	
09																	
10																	
11																	
12																	
13																	
14																	
15																	
41		Relationship to head of the household															
42		Names of the persons who are members of this household & usually live elsewhere in the country or abroad															
43																	
44																	
45																	

CONFIDENTIAL

The information collected in this survey will be treated as strictly confidential and no individual level information will be divulged to any person or agency.

HOUSEHOLD INCOME AND EXPENDITURE SURVEY - 2005

NATIONAL HOUSEHOLD SAMPLE SURVEY PROGRAMME

SURVEY SCHEDULE

Department of Census & Statistics
Ministry of Finance and Planning
Sri Lanka

'Household Income and Expenditure Survey 2005 - Final Report - Department of Census and Statistics 2007'

Class Number	337-22
Accession Number	15712

Month				
Sector				
Division				
U.S. Division				

PAUNo.	
S.S.V. & Household No.	

Section 2 - Expenditure

ජන්ද හිමි නාමලේඛන ප්‍රතිරෝධනය - 2007
தேருநர் இடாப்புக்களின் திருத்தம் - 2007
REVISION OF ELECTORAL REGISTERS - 2007

මැතිවරණ කොට්ඨාස අංකය සහ නම
 தேர்தல் மாவட்ட இலக்கமும் பெயரும்
 Electoral District No. and Name

ජන්ද ප්‍රදේශ අක්ෂරය සහ නම
 வாக்குமூலப் பிரிவு எழுத்தும் பெயரும்
 Polling Division Letter and Name

ජන්ද කොට්ඨාස අංකය
 வாக்குமூலப் பிரிவு இலக்கம்
 Polling District No.

ග්‍රාම නිලධාරී කොට්ඨාසය
 கிராம அலுவலர் பிரிவு
 Grama Niladhari Division

ගම / වීදිය
 கிராமம் / வீதி
 Village / Street

විවේචනා / ගෘහස්ථයාගේ ලැයිස්තු අංකය
 வரிமதிப்பு / பிரதான குடியிருப்பாளர் நிரல் இலக்கம்
Assessment / House Holder's List No.

ඉහත විස්තර සඳහා අදාළව ප්‍රතිරෝධනයක් ලෙසින් සඳහා නිකුත් කළ ආකෘතිය
 ගණන් ගන්නා නිලධාරී / ග්‍රාම නිලධාරී වෙතින් භාරගනිමි
 மேற்குறிப்பிட்ட வீபரங்களைடங்கிய வீட்டில் வாக்காளர் பற்றிய வீபரங்களை ப உள்ளடக்கி
 විස්තරයක් පිරිනැමීම සඳහා ප්‍රධාන ඉදිරිපත්වීම් කළයුතුය. / கிராம அலுவலர் இடமிருந்து
 பெற்றுக்கொண்டேன்.
 Received the Electoral revision form from Enumerator / Grama Niladhari in
 respect of the above household.

අත්සන / සාක්ෂි සාධක / Signature

දිනය
 திகதி
 Date } 2007

ඉහත විස්තර සඳහා අදාළව ප්‍රතිරෝධනයක් ලෙසින් සඳහා නිකුත් කළ ආකෘතිය
 ගණන් ගන්නා නිලධාරීගෙන් අත්සන
 மேற்குறிப்பிட்ட வீபரங்களைடங்கிய வீட்டில் வாக்காளர் பற்றிய வீபரங்களை ப உள்ளடக்கி
 විස්තරයක් පිරිනැමීම සඳහා ප්‍රධාන ඉදිරිපත්වීම් කළයුතුය. / கிராம அலுவலர் இடமிருந்து
 பெற்றுக்கொண்டேன்.
 Received the duly perfected electoral revision form from the house holder.

දිනය
 திகதி
 Date } 2007

ගණන් ගන්නා නිලධාරීගෙන් අත්සන
 வாக்குமூலப்பாளரின் සාක්ෂි සාධකය.
 Signature of Enumerator

II වැනි කොටස - ගෘහස්ථයා විසින් සම්පූර්ණ කිරීම ලිඛිතයි / பகுதி II பிரதான குடியிருப்பாளரினால் பூர்த்தி

1	2
<p>වයස අවු. 18 ට වැඩි අයගේ නම් සම්පූර්ණ වාසගම සහිතව ජාතික හැඳුනුම්පතේ ඇති අන්දමට සඳහන් කළ යුතුය. සියළුම නම් සැකැස්වීම් ලිඛිත යුතුය.</p> <p>18 வயதக்கு மேற்பட்டவர்களின் முழுப்பெயரையும் தேசிய அடையாள அட்டையில் குறிப்பிட்டுள்ளவாறு எழுத்துதல் வேண்டும். எல்லாப் பெயர்களும் தெளிவாக எழுதப்படுதல் வேண்டும்.</p> <p>Full names with surnames of persons over 18 years of age be written as appearing in the National Identity Card. All names be written in block capitals.</p> <p>සැ.ප්‍ර. - 2 වන තීරයේ ජාතික හැඳුනුම්පත් අංකය සඳහන් කරන්න. ජන්ද විවේචකයාදී එය ඔබට ප්‍රයෝජනවත් වනු ඇත. கவனிக்கவும். - 2 ஆம் நிரலில் தேசிய அடையாள அட்டை இலக்கத்தைக் குறிப்பிடவும். வாக்குமூலப்பாளரின் போது அது தங்களுக்கு உதவியாகவிற்கும்.</p> <p>N. B. - Furnish your National Identity Card No. in Column 2. It will be useful to you at an election.</p>	<p>සුදුසු ලෙසින් ලියාපදිංචි කිරීමේ දෙපාර්තමේන්තුව විසින් නිකුත් කරන ලද හැඳුනුම්පත් අංකය. අංකය සහ නොමැති නම් ඊට හේතු දක්වන්න ஆட்களைப் பதிவு செய்யும் திணைக்களத்தால் விநியோகிக்கப்பட்ட அடையாள அட்டை இல. இலக்கம் குறிப்பிடப்படாவிட்டால் அதற்கான காரணம் No. of the Identity Card issued by the Department for the Registration of Persons. If Number is not furnished give reasons.</p>
1	
2	
3	
4	
5	
6	
7	
8	
9	
10	

- (අ) මිවියන් ඉහත සඳහන් කර ඇති කරුණු මගේ විවාහයේ සහ දැනීමේ හැටියට සත්‍ය සහ සිටුවා දීමට බවත්;
- (ආ) මෙහි නම් ඇතුළත් කර ඇති සියලුම අය සාමාන්‍යයෙන් මගේ ගෘහයේ පදිංචි සිටින ශ්‍රී ලංකා සුරැවැසියන් බවත් 2007 ජූනි මස 01 දිනට මවුන්ගේ වයස අවුරුදු 18 හෝ ඊට වැඩි බවත්;
- (ඇ) සඳහන් කර ඇති එකම නමක් සුදුසුකම් ඇති ජන්ද හිමියන් වශයෙන් වෙන කිසිදු ගෘහයක් යටතේ ඇතුළත් කර නොමැති බවත්;
- (ඈ) 7 වන තීරුවේ සඳහන් කර ඇති ලිපිනය මගේ දැනීමේ හැටියට සිටුවා දීමට බවත්; සහ
- (ඉ) අසත්‍ය තොරතුරු සැපයීම සම්බන්ධයෙන් දැනෙන දඬුවම් කඩවරද යනු දන්නා බවත් මෙයින් ප්‍රකාශ කරමි

ඇතුළත් කර ඇති නම් ගණන:
 දිනය: 2007.....
 ගෘහස්ථයාගේ අත්සන.

කාර්යාලයේ ප්‍රයෝජනය සඳහා	
01. ආදි ශිෂ්‍යා	02. දැනට අදාළ පාසලේ දැරුවත් සිටින මව්පියන්ගේ දැරුවත්
03. ස්ථාන මාරු ලැබූ නිලධාරීන්ගේ දැරුවත් හා වෙනත්	
04. විදේශගතව සිට පැමිණි තැනැත්තන්ගේ දැරුවත්	
05. පාසල් අධ්‍යාපනයට සම්බන්ධ කාර්ය මණ්ඩලවලට අයත් තැනැත්තන්ගේ දැරුවත්	
06. ගෘහ මූලික නොවන	07. ගෘහ මූලික

200.... වර්ෂයේදීවිද්‍යාලයේ

පළමු ශ්‍රේණියට ඇතුළත් කිරීම සඳහා අයදුම් පත්‍රය

01. ළමයා පිළිබඳ විස්තර

- 1.1 සම්පූර්ණ නම
(වාසගමට යටින් ඉරක් අදින්න)
- 1.2 ස්ත්‍රී/පුරුෂ භාවය
- 1.3 අධ්‍යාපන මාධ්‍යය
- 1.4 උපන්දිනය
- 1.5 200..... ජනවාරි මස 31 දිනට වයස : අවුරුදු මාස දින

02. දෙමව්පියන් පිළිබඳ විස්තර : මව/පියා/නීත්‍යානුකූල භාරකරු

- 2.1 සම්පූර්ණ නම
- 2.2 පුරුදු/වැඩසටහන
- 2.3 පුරවැසි හැඳු: අං:
- 2.4 ආගම
- 2.5 ස්ථීර ලිපිනය
- 2.6 නිවාස අංකය
- 2.7 විදිය/මාවන..... නගරය
- 2.8 ග්‍රාම නිලධාරී කොට්ඨාශය
- 2.9 ඔබ ස්ථාන මාරු ලැබ පැමිණ සිටි නම් එම විස්තර :
- 2.10 ඔබ පාසලට ඇතුළත් කිරීමට ඉල්ලුම් කරන ළමයා සමග විදේශගතව සිට පැමිණ ඇත්නම් එම විස්තර :

03. පදිංචිය පිළිබඳ විස්තර

- 3.1 දෙමව්පියන්ගේ/නීත්‍යානුකූල භාරකරුවන්ගේ ස්ථීර පදිංචි ස්ථානයේ සිට පාසල දක්වා ඇති කෙටිම දුර (ලිපිනය සඳහන් කරන්න)
- 3.2 ඉහත ලිපිනයෙහි පදිංචිය ආරම්භ කළ දිනය :
- 3.3 ඉහත 3.1 යටතේ සඳහන් පදිංචි ස්ථානයේ සිට පාසල දක්වා ඇති කෙටිම දුර (ලිපිනය සඳහන් කරන්න) :
- 3.4 අයදුම්කරු ප්‍රධාන ගෘහමූලිකයාද යන වග :
- 3.5 අයදුම්කරු ප්‍රධාන ගෘහමූලිකයා නොවේ නම්, ගෘහමූලිකයාට ඇති නූ සබඳකම :
- 3.6 ගෘහමූලිකයා තම පියා හෝ මව නම් ඔවුන් සමග එකම නිවසේ පදිංචි බවට ඇති සාක්ෂි :

(ගෘහ මූලිකයා නොවන අයදුම්කරුවන්ගේ පාසලට ඇතුළත් වීම සඳහා පිටපත් මේ සමග එවිය යුතුය.)

04. පාසල සමග ඇති සම්බන්ධතා

- 4.1 අයදුම්කරු සහ/හෝ කලත්‍රයා මෙම පාසලේ ආදි ශිෂ්‍යයෙකු/ශිෂ්‍යාවක් වේද යන්න සහ එසේ නම් පාසලෙහි ඉගෙනීම කළ කාල සීමාව :
- 4.2 අයදුම්කරුගේ ළමයෙකු/ළමයින් මෙම පාසලෙහි ඉගෙනුම ලබමින් සිටින්නේද යන්න සහ එසේ නම් ඔහුගේ/ඇයගේ/ඔවුන්ගේ නම/නම් සහ ඉගෙනුම ලබන ශ්‍රේණිය/ශ්‍රේණි සඳහන් කරන්න :
- 4.3 අයදුම්කරු සහ/හෝ කලත්‍රයා දුෂ්කර පාසලක/ මෙම පාසලේ ස්ථීර තනතුරක නියුක්ත වුවකු ද/ පාසල් අධ්‍යාපනයට සෘජුවම බලපාන ආයතන වල සේවය කරන්නේ ද යන්න. එසේනම් ආයතන හා සේවා කාලය

05. අනෙකුත් අදාළ තොරතුරු

- 5.1 පාසල් යන අතෙක් ළමයින් පිළිබඳ විස්තර : (ඔවුන්ගේ නම්, ඔවුන් ඉගෙන ගන්නා පාසල් සහ ශ්‍රේණි සඳහන් කරන්න)
- 5.2 ඉල්ලුම් කරන ගණය/ගණයන් (ප්‍රමුඛතාවය අනුව)
- 5.3 වෙනත් අදාළ විස්තර

06. ප්‍රකාශය

මගේ ළමයා ඉගෙනීම පිණිස යම්කිසි රජයේ, පෞද්ගලික හෝ අනුමත හෝ පාසලකට දැනට නොයන බව මෙයින් ප්‍රකාශ කර සිටිමි. තවද මෙහි ඉහතින් සඳහන් කරනු ලැබූ තොරතුරු සත්‍ය බවත්, මව්පියන් මෙහි සඳහන් කළ ස්ථීර පදිංචිය පිළිබඳ සතුටුදායක සාක්ෂි ඉදිරිපත් කිරීමට එකඟ වන බවත් ප්‍රකාශ කරමි. මව්පියන් සඳහන් කරන ලද යම් තොරතුරක් අසත්‍ය බව හෙළි වුවහොත් මගේ ඉල්ලුම් පත්‍රය ප්‍රතික්ෂේප කරනු ලබන බවත් මම දනිමි. ළමයා පාසලට ඇතුළත් කළ පසු තොරතුරු අසත්‍ය බව හෙළිවුවහොත් ඔහු/ඇය පාසලෙන් ඉවත් කොටගෙන අධ්‍යාපන දෙපාර්තමේන්තුව විසින් නම් කෙරෙන ප්‍රදේශයේ වෙනත් පාසලකට ඇතුළත් කිරීමට මම එකඟ වෙමි.

.....
 දිනය මවගේ/ පියාගේ/ නීත්‍යානුකූල භාරකරුගේ අත්සන

1871.—CENSUS OF CEYLON.

INSTRUCTIONS.

Registrar General's Office,
Colombo, 15th November, 1870.

1. THE Enumerator will leave a Schedule at every dwelling in his District, four days before the 26th March, 1871.

2. On leaving each Schedule he must fill in the particulars required in the heading, marking with one erasure of his pen each item in such heading which is not applicable to the case in question; as shown in the annexed specimen B. He must then fill into his Book the numbers of the Schedule and House, and the name or designation of the house, as shown in the specimen A.

3. Where there are more than one family resident, he must give a Schedule and a number to the head of each.

4. He must then leave the Schedule in the custody of the head of the house, or his best representative, explaining that he will return on Monday the 27th March, to receive it back again, filled in by the head of the family—explaining that in cases of doubt or difficulty he will assist at filling in the particulars, or, if necessary, do it himself.

5. On Monday, the 27th March, he must make every exertion to collect all his Schedules.

6. In filling up the Schedules the following points must be attended to:—

Only the actual inmates of each house on the specified night are to be counted.

Members of family not to be counted when watching in their fields.

The name of the head of family must be entered opposite the figure 1 in the Schedule.

Then enter in same, i. e., first column, in order of relationship—Wife, children, Visitors, Servants (domestic), and Servants (out-door).

In the second column state whether the person is a freeholder, or Servant.

“Widow” against the names of all persons, except young children.

In fourth column write M or F, according as male or female is to be implied.

In the fifth column give the age last birthday. In the case of children under 1 year, give the age in months.

In the sixth column give merely the actual occupation—such as Clergyman, Captain, Ensign, Barrister, Notary, Registrar, Clerk, Farmer, Planter, Merchant, Shopkeeper, Engineer, Printer, domestic Servant, out-door Servant, &c. If living on private means without any occupation, say “no occupation.”

It is of great consequence to ascertain very accurately the number of persons originally immigrants from India, who are now resident in the Island in other positions than on Coffee estates. The Enumerators all over the Island are therefore strictly enjoined to use their best endeavours to elucidate this subject; and in each case of man, woman, or child so settled in Ceylon, in addition to the present occupation, the words “Indian Immigrant” must be added in the column thus:—

Boutique keeper.
“Indian Immigrant.”

In case of child:—

“Indian Immigrant.”

In seventh column the Enumerator may accept such a reply as India, Ireland; but where it can be done, without trouble, it will be better to get some precise locality in a country.

In the eighth column, say, as the case may be, English, Scotch, Irish, French, German, Danish, Dutch, Sighalese, Tamil, Hindu, Chinese, &c., &c.

The Enumerator is not to reply; nor is he to insert any without the consent of the head of the household.

In the respective words—Blind, Deaf and Dumb, Cripple, Insane, are to be used as required; when not required a — is to be made; where any affiliation has been since birth, enter thus “blind” since birth.

The Enumerator must then tick off in his Book the having received back each Schedule, and go on to the next house.

8. As soon as possible, he must complete his book by filling in from the Schedules the

final entry of “number in family,” writing his figures as neatly as possible, to facilitate future check in the adding up. In doing this he will have the opportunity of checking his other entries.

9. If he observe any likely error or mistake, he will take such steps as may be necessary to correct it, either by informing the household, and getting the requisite amending information from him, or in any other way he deems best.

10. He must ascertain and make an out-door return (on the leaf in his Book provided for the purpose,) of cartmen, tavalium men, &c., camping for the night in his Division. See specimen C.

11. He must make in his Book concise note of any alteration.

12. When complete he must deliver the Schedules and Book to the District Enumerator, with his name, Division, Number, District and Province, written on the outside cover.

13. The District Enumerator will compare the respective Schedules with their appropriate Books, and apply his local knowledge to the detection of any errors, — taking the speediest

means of enforcing correction by the Enumerator.

14. When he has completed these examinations he must tie up the Schedules in order, and send them with their appropriate Books to the Agent of the Province.

15. The Agent will employ a Clerk to check off the receipt of every such parcel, and send them on to the Registrar-General, with a Receipt written in duplicate, thus:—

Province	District	Province	District
Divisions	to	Divisions	to

one half of which will be receipted by the Registrar-General and returned to the Government Agent.

16. The duties of the District Enumerator and Enumerator will then cease, except that they may be called on subsequently for explanations or to effect corrections.

W. J. MACCARTHY,
Registrar-General.

Specimen A.—Mode of filling up Enumerator's Book previous to delivery of Census Papers.

Specimen B.—Mode of filling up House Schedule.

Specimen C.—Mode of filling up Out door Return.

A.		House.	Locality.	Name of Head of Family.	Number in family (present on night designated.)
No. of House.	Schedule.				
1	1	Soyia's	Polwatte	J. James	✓
2	2	Do.	"	T. Sileva	✓
3	3	Lake House	"	F. Jones	✓
4	4	The Cottage	"	M. Perera	✓
5	5	Next to Cottage	"	B. Joseph	✓
6	6	Old Store	"	Kali	✓
7	7	Do.	"	Mudu.	✓
8	8	Do.	"	Tombo	✓

(Form of

CENSUS, 1871.—ANNEXURES TO REPORT.

xxvii

Broad Sheet.)

Western Province.		Colpoetty District.		Division No. 10.		Schedule No. 2		Examined T. Aletis, District Enumerator.	
Locality and Description of House.		Broad Street		Colombo Town or Village		Tiled		Thatched	
No.		NAME.		Sex.		Age last Birth-day.		Profession or Occupation.	
1	James Smith	Head of Family	Married	Male	40	Merchant	English	England	English
2	Jane Emma Smith	Wife	Married	Female	30	—	Do.	do.	Do.
3	Edwin George Smith	Son	—	Male	9	—	Do.	Colombo	Do.
4	Emma Smith	Daughter	—	Female	6 mos.	—	Do.	Bath, England	Do.
5	George Gordon	Visitor	Unmarried	Male	9	Planter (Coffee)	Scotch	Elgin, Scotland	Presbyterian
6	Carolis Appu	2nd Servant	Widower	Male	27	Domestic Servant	Sinhalese	Colta	Ch: English
7	J. Arnolis	3rd Servant	Unmarried	Male	23	Ditto	Do.	Sloop Island	Buddhist
8	Rosina	Ayah	Widow	Female	25	Ditto	Eurasian	Pondicherry	R. Catholic
9	Juse	Cook	Unmarried	Male	30	Ditto	Sinhalese	Galle	Buddhist
10	Kamasami	Horsekeeper	Unmarried	Male	30	Outdoor Servant	Tamil	Puttalam	Gentoo
11	Arimoogam	Ditto	Unmarried	Male	22	Do. "Indian Immigrant"	Do.	Madras	Hindu

Under section 6 of Ordinance No. 5 of 1868, any one refusing or neglecting to fill up this Return correctly, or neglecting or refusing to return it to the Enumerator when called on, is liable to a fine of £5, and to be detained in custody until he complies.

W. J. MACCARTHY, Registrar-General.

The above is a true Return of all persons who were in this house on the night of Sunday, the 26th March, 1871.

Witness my hand, James Smith.

C. The Enumerator to enter here all Travellers or other persons he may find resting for the night of Sunday, 26th March, 1871, in his Division.

No.	Name.	Condition.	Sex.	Age.	Occupation.	Religious Denomination.	Race.	Where born.	Permanent residence (if any.)	If Deaf, Dumb, Blind, Cripple, or Insane.
1	Susey Appu	Married.	Male	35	Cartman	Buddhist	Sinhalese	Hangwella	Hangwella	—
2	Solomon Sitra	—	Male	13	Do.	Do.	Do.	Do.	Do.	Cripple "since birth."
3	U. S. Bouca	Married	Male	30	Peddler	Mohometan	Moor	Madras	Colombo	—
4	Sinne Muttu	—	Male	40	Coolie	Gentoo	Tamil	Baticaloa	Do.	—

508 - 5,000,000 (85/00) ඉ ලංකා රජයේ මුදල් දෙපාර්තමේන්තුව
 Registration B 1
 (High Reg. P. & S.C.)*
 12/78

ශ්‍රී ලංකා / இலங்கை / SRI LANKA
රජයේ ලියාපදිංචි කිරීමේ දෙපාර්තමේන්තුව
பிறப்பும் பதிவுப் புத்தகம்
REGISTER OF BIRTHS

අංකය }
 இல. }
 No. }

රජයේ සහ මරණ ලියාපදිංචි කිරීමේ ආඥාපනත (110 වන පරිච්ඡේදය)
 பிறப்புகள் இறப்புகள் பதிவுப் செயல் சட்டம் (அத்திணை 110)
 Births and Deaths Registration Act (Cap. 110)

★

දිස්ත්‍රික්කය } மாவட்டம் } District }	කොට්ඨාසය } பிரிவு } Division }
1. ලාභ දිනය හා ස්ථානය ¹ பிறப்பு திகதி இடம் ¹ Date and place of birth ¹	
2. නම பெயர் Name	
3. ස්ත්‍රී පුරුෂ හැඩය பால் Sex	
4. පියාගේ தந்தையர் Father's	සම්පූර්ණ නම முழு பெயர் full name
	ලාභ දිනය பிறப்பு திகதி date of birth
	ලාභ ස්ථානය பிறப்பு இடம் place of birth
	ජාතිය ² சாதி ² race
තත්ත්වය හෝ කාර්යයේ වෘත්තිය அந்தமில்லாத அல்லது தொழில் rank or profession	
5. මවගේ தாயர் Mother's	සම්පූර්ණ නම முழு பெயர் full name
	ලාභ දිනය பிறப்பு திகதி date of birth
	ලාභ ස්ථානය பிறப்பு இடம் place of birth
	ජාතිය ² சாதி ² race
වයස வயது ago	
6. මව්පියන් විවාහයේදීද ? பெற்றோர் විවාහයේ යෙදුණෝද ? Were parents married ?	
7. මුත්තා ලාභයේදී ශ්‍රී ලංකාවේදීද ? පාපියාගේ මුත්තාගේදීද ? பிறப்புகள் இலங்கையில் பிறப்புகள் அல்ல ? If grandfather born in Sri Lanka ³	මුත්තාගේ සම්පූර්ණ නම முழு பெயர் his full name
	මුත්තාගේ වයස பிறப்பு வருஷம் his year of birth
	මුත්තාගේ ස්ථානය பிறப்பு இடம் his place of birth

¹ සහ ² කාලයේ මුල් පවරණයට පැයකට පසුව ලියාපදිංචි කළ යුතුය.

[අතිරේක පිටුවක් ඇතුළත් කරන්න / P.T.O.]

<p>8. එක ඉ ලංකාවේ හෝ ඉදිරි මුද්දරය ඉ ලංකාවේ උපතක්වීම මුද්දරයේදී අයුරින් ඉගෙනගත් පියවරයන් පුළුල් ඉගෙනගත් පියවරයන් යුතුය If the father was not born in Sri Lanka and if great grandfather born in Sri Lanka great-grandfather's</p>	<p>මුද්දරයේ නම Full name උපත වර්ෂය year of birth උපත ස්ථානය place of birth</p>	
<p>9. දැනුම්දායකයෙහි මුද්දරයේ නම, වැඩි ස්ථානය හා දැනුම් දුන්නේ කවරෙකු වශයෙන්ද යන්න අයුරින් දැනුම්දායකයෙහි නම, වැඩි ස්ථානය හා දැනුම් දුන්නේ කවරෙකු වශයෙන්ද යන්න Informant's full name, residence, and in what capacity he gives information</p>		
<p>10. දැනුම් දෙන්නාගේ අත්සන අයුරින් දැනුම් දෙන්නාගේ අත්සන Informant's signature</p>		
<p>11. ලියාදැනීමේ දිනය පවුලේ ලියාදැනීමේ දිනය Date of registration</p>		
<p>12. ලේකම්ගේ අත්සන පවුලේ ලියාදැනීමේ ලේකම්ගේ අත්සන Registrar's signature</p>		
<p>13. ලියාදැනීමේ කිරීමෙන් පසුව ඇතුළත් කරන ලද නම ඇතුළත් කරන ලද නම Name inserted or substituted after registration</p>		
<p>14. 13 වැනි අංකයේ ඇතුළත් විස්තර කෙරෙහි දැනුම් දුන්නේ කවරෙකු වශයෙන්ද යන්න දැනුම් දුන්නේ කවරෙකු වශයෙන්ද යන්න Name of person on whose information particulars relating to item 13 were supplied and in what capacity he gave information</p>		
<p>15. නම ඇතුළත් කිරීමේ හෝ වෙනස් කිරීමේ දිනය හා දිස්ත්‍රික් ලේකම්ගේ හෝ රේජිස්ට්‍රාර්ගේ අත්සන දිනය හා දිස්ත්‍රික් ලේකම්ගේ හෝ රේජිස්ට්‍රාර්ගේ අත්සන Date of insertion or substitution and District Registrar's or Register-General's signature</p>		

**North East Housing Rehabilitation Project
Housing Damage Assessment and Social Verification Survey**

Date of Survey : _____ Verified by: _____

Name of the Investigators: 1. _____ House No.: _____

2. _____ FRC No: _____

3. _____

Name of the Village/Town: _____

1.0 Displacement Condition:

1.1 Head of the Family

(a) Name

(b) Date of Birth:

(c) Age:

(d) Date of Marriage

1.2 Family Particulars

(a) No. of family Members:

(b) No. of Children

(c) Children under 12 years:

(d) Children between 13-18 years

(e) No. of Children over 18 years supporting Parents:

(f) No. of Children over 18 years not supporting Parents:

1.3 Vulnerability condition:

(a) Single Head (Male/Female)

(b) No. of Disabled Member :Parents/Breadwinners Children Others

i. No. of disabled due to war:Parents/Breadwinners Children Others

ii. No. of disabled by other reasons :Parents/Breadwinners Children Others

(c) No. of elders over 60 years:Head of the family..... Others.....

(d) No. of unaccompanied minor/orphans:

1.4 Displacement:

(a) Were you displaced before? Yes/No

(b) How many times displaced :

(c) Years of displacement:

1.5 Year of last return:

1.6 No. of family members yet to return:

1.7 Place of their present residence:

1.8 Due to the conflict (a) No. of family members lost/missing::

(b) No. of family members badly injured:

1.9 Occupation:

(a) Labourer:

(b) Salaried:

(c) Self employed:

1.10 Monthly family income Rs.:

1.11 Bank Account

Yes/No

1.12 No. of earning members:

1.13 Do you have mechanized capital equipments: Yes/No

If yes give details:

2.0 Property Status

2.1 Land/House Ownership Status

(a) No land : (b) Owned : (c)Estate House:

(d) Public House: (e) Squatered (Govt/Private/Temple/Mosque/Church):

(f) How long the family occupied the land before the displacement:-

2.2 Present Housing Status:

(a) Owned house:

(b)Rented:

(c) Living with relations/Friends

(d) Temporary shelter:

(e) Living in vacated property:

2.3 Distance from Original Residence (Km):

ගෘහ මූලික ලැයිස්තුව - හදිසි තීන් රෙගුලාසි 23 යටතේ කරනු ලබන ප්‍රකාශය
 குடியிருப்பாளர் விபரம் அவசர கால சட்டம் உறுப்புகள் 23
 HOUSEHOLDER'S LIST EMERGENCY REGULATION - SEC: 23

ප්‍රධාන ගෘහ මූලිකයා
 பிரதான குடியிருப்பாளர் (பி/கு)
 CHIEF OCCUPANT (C/O)

සම්පූර්ණ නම முழுப்பெயர் Full Name	ජා.න. අංකය தே. அ. அட்டை. இல NIC No.	ලිපිනය விலாசம் Address	පොලීස් බල ප්‍රදේශය பொலீஸ் பிரிவு Police area

පවුලේ සාමාජිකයින් පිළිබඳ විස්තර
 குடும்ப அங்கத்தவர் விபரம்
 DETAILS OF FAMILY MEMBERS

සම්පූර්ණ නම முழுப்பெயர் Full Name	වයස வயது Age	ජා.න. අංකය தே. அ. அட்டை. இல NIC No.	ප්‍රධාන ගෘහ මූලිකයාට ඇති අංක பி/கு. உறவு முறை Relationship to C/O

RESPECT WOMEN'S HOUSING RIGHTS



**CENTRE ON
HOUSING RIGHTS
AND EVICTIONS**

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