

Citizenship Law, Nationalism and the Theft of Enjoyment

A Post-Colonial Narrative

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The status of nationalism is ultimately that of the transcendental illusion, the illusion of a direct access to the Thing

–Slavoj Zizek

Introduction

My focus here is on the debates and law on citizenship in Sri Lanka.¹ I shall consider the extent to which *The Ceylon Citizenship Act*, 1948 (which restricted the status of Ceylon citizen to anyone who could claim it by descent or registration and as a result disenfranchised a large proportion of the 700,000 Indian Tamil plantation workforce), fails to establish a self-constituting foundation for the granting of citizenship. I go on to suggest that such legislation can only function by virtue of the (im)possibility of excluding the Tamil other, that is the problem of locating the other. This (im)possibility, I shall argue is another name for Derridean *differance*, the other never absolutely excluded, but never absolutely included either, within the textual framework of this legislation. The inherent anxiety of the relation between the demarcation of citizenship for the Sinhalese and citizenship for the Indian Tamils is elaborated upon in a discussion that draws on Zizek's (1991a, 1993) psychoanalytical account of nationalism/national identification as the 'theft of enjoyment'.² Just as the Sinhalese Buddhist nation exhibits an anxious moment that unsettles the certainty of the relation between the Sinhalese

and the Tamil other, the other whose proximity undermines the possibility of national coherence and consistency, *The Ceylon Citizenship Act* and its derivative legislation similarly experiences this problem of 'placing' the Indian Tamil other. As with the following discussion of the *limit* of Sinhalese Buddhist nationalism, my emphasis with reference to the law on citizenship is with an alterity that can never be absolutely excluded. But first I shall elaborate upon Derrida's concept of differance.

Derrida And The Critique Of Semiology

Derrida locates the possibility of differance in his deconstructive reading of Saussure's structural linguistics. While Saussure established that signs do not have meaning in and of themselves as positive terms and instead establish their meaning within the systematic play of difference, the task of deconstruction is to problematise the relation between signs that guarantee for Saussure the integrity of language as a system of signs. Differance announces a double movement, firstly of spacing, that is of *differing*, to be spatially non-identical, to be other and secondly of temporisation, that is of *deferring*, to be temporally delayed. As a consequence, meaning adequating to a classical economy of representation is continually deferred, thus preventing the sign from ever coinciding with itself.

As to the first movement of spacing or *differing*, the immediate consequence of Saussure's classification is that each sign is inscribed in a chain in which it refers to the other by means of this play of difference (Derrida 1982: 11). The sign is therefore only ever present by means of the relation it has to that which it is not (Derrida 1982: 13). Each sign carries with it the

trace of something, its other against which the sign has constituted itself. By the trace Derrida alludes to the ghost or mark of the past that is inscribed in the *present* moment, a present that is deferred (Derrida 1982: 13). Because the sign stands in for the 'thing itself', the sign is, in this respect, a 'deferred presence' (Derrida 1982: 9).

The sign signifies a deferred presence by which as Derrida notes '[w]hether we are concerned with the verbal or written sign ... with electoral delegation and political representation, the circulation of the sign defers the moment in which we can encounter the thing itself' (ibid). The movement of the sign to presence is therefore conceivable only on 'the basis of the presence that it defers' (ibid). The movement towards presence must travel through the detour of *differance*. Consequently presence is interrupted by *differance*. To the extent that there is *differance*, it is both produced and *deferred* by *differance* (Derrida 1982: 14). What follows is an elaboration of the concept of *differance* through Sinhalese nationalism and the law on citizenship.

Deconstructing The Sinhala Nation

Underpinning much of the work of British writers in the early and middle nineteenth century were the two assumptions that 'in ancient times there was a great Sinhala civilisation, which later went into decline: and that distinct and often antagonistic ethnic groups existed throughout the island's long history' (Rogers in Spencer (ed) 1990: 87). These images were reinforced when, from 1833, both Indologists and colonial administrators began assessing the truth value of the Pali Chronicles which recorded the relationship between the pre-colonial kings of Sri Lanka and

Buddhism from the fifth to the twelfth century (Kemper 1991: 53-78).³ Colonial historiography began to project Victorian concepts of 'race' onto the people and events described in the *Chronicles*. In time 'religion and race became criteria of difference between people, and such difference overrode practices and beliefs that Sinhala's and Tamils shared' (Kemper 1991: 159).

This 'positivistic historiography' (Collingwood, cited by Jeganathan in Jeganathan and Ismail (ed) 1995: 109) based on the affirmation of the *Chronicles* as an 'authentic' history of the island (Collingwood, cited by Jeganathan in Jeganathan and Ismail (ed) 1995: 112-17) in which history and identity were simply objectively represented was one that Sinhalese Buddhist nationalists such as the Anagarika Dharmapala actively appropriated.⁴ For example in a pamphlet from 1902, Dharmapala claimed that 'the Sinhala are a unique race, inasmuch as they have no slave blood in them, and never were conquered by either the pagan Tamils or European vandals' (cited by Kemper 1991: 200). He continues that with the onset of colonial rule, the 'Sinhalese has lost his true identity and become a hybrid' (cited by Kemper 1991: 200). But what this strategy reveals is that the Tamil other can never be fully excluded from the Sinhalese nation.

In Dharmapala's narrative, the 'pagan Tamils' constitute the reference against which the Sinhala nation is 'imagined'.⁵ The ambivalence of the relation between the Sinhala nation and the 'pagan Tamils' ensures that the difference between the two can never absolutely be established, for the sign 'Sinhala nation' fails to achieve pure referentiality in the order of presence. In this respect then the 'Sinhala nation' is subject to the play of

differance as its immanent identity is interrupted by the Tamil other who is simultaneously included and excluded. Inscribed in the 'Sinhala nation' is the trace of its other, both against and within which it is 'imagined'. The play of this trace interrupts the possibility of the 'Sinhala nation' ever having either a present or pure 'origin'.⁶

It is the very failure of exclusion which ensures that the 'Sinhala nation' remains insufficiently Sinhalese, while simultaneously remaining 'unable to accommodate' (Perrin 1996: 107) the difference of the other. In effect the Tamil other constitutes the 'limit' of the nation, constantly re-drawing the line as it 'crosses the nation' (Perrin 1996: 107). Just as the sign refuses an absolute presence, the 'Sinhala nation' as an immanent purity can never be established as an unequivocal presence. To the extent that Dharmapala 'imagines' the nation, that which is 'imagined' must have a referent point, an object to be 'imagined' and it is precisely the presupposition of an object to be 'imagined' by reference to an other that disrupts the object it describes. In deconstructive terms this precludes that which is 'imagined' through language from being absolutely present in and of itself. Indeed, if the 'Sinhala nation' could ever be fully realised it would 'also be its dissolution' (Perrin 1996: 107). Having established the 'limit' point of Sinhalese nationalism, the failure to absolutely exclude or include the difference that is the Tamil other my focus now turns to a deconstructive reading of the law on citizenship.

Citizenship, The Other And Differance

The issue of citizenship or rather the denial of citizenship to the Indian Tamils has vexed the political psyche of Sri Lanka for

much of this century. The Indian Tamils were introduced to Sri Lanka from South India by the British as bonded labour to work on the coffee and then tea plantations, principally around Kandy, between 1852 and the 1930s. As they were bonded labour, it was naively expected on the part of the colonial authorities that they would eventually return to South India. Naturally very few did, particularly those that were born in Sri Lanka. A major question that the colonial and later post-colonial authorities faced was the extent to which citizenship rights should be extended to this section of the labour force.

This issue became intimately connected to the increased agitation for self-rule between 1900-1931 (de Silva 1986: 49-51) and the gradual enlargement of the electoral register. Those campaigning for change were conservative reformers (who in 1919 went onto form the Ceylon National Congress as the principle force for pragmatic change) who were opposed to bringing the masses into politics (de Silva 1986: 50). Under pressure, the British gradually increased the electoral register and the size of the legislature. Eventually in 1927 the Colonial Office appointed the Donoughmore Commission to look into the possibility of further constitutional reform in Ceylon.

In June 1928 the Commission published its report and its most controversial recommendation was that universal suffrage be introduced (de Silva 1986: 52-3).⁷ The Commission also recommended the enfranchisement of the Indian Tamils on similar terms to the indigenous population. For the Kandyan Sinhalese (the Indian Tamils were represented in large numbers in districts around Kandy, under the employment of the British plantation owners) this represented a potential threat to their

political interests. The Legislative Council only accepted the report after the Colonial Office altered the proposals of the Commission and placed restrictions on the franchise of the Indian Tamils. They made domicile the test for the franchise and devised other provisions for those undomiciled (de Silva 1986: 54). These provisions were incorporated into sections 7 and 9 of the *Ceylon State Council (Elections) Order-in-Council*, 1931. In this respect then the legislation encompassed the citizenship rights of the Tamil other in a hierarchical relation, their rights subordinate to that of the Sinhalese majority. The issue of citizenship rights of the Indian Tamils was to continue to be an emotive issue on the path to independence. Ironically, universal suffrage which by the 1936 general election brought about an all Sinhalese Board of Ministers, saw the simultaneous emergence of Sinhala-Tamil rivalries (Russell 1982: 243-67, de Silva 1986: 58-60) as the Tamil political leadership began to realise its status as a minority.⁸

During the deliberations of the Soulbury Commission on independence the Indian Tamil leadership argued that in view of the discriminatory impact of the 1931 legislation, both the franchise and immigration (principally from South India) should be reserved for the British Government under any new constitutional settlement. The Commission rejected their argument and the failure of Sri Lankan and Indian delegations to resolve the residency period under which all Indian Tamils would acquire citizenship resulted in D S Senanayake's first post-independence administration imposing its own settlement in 1948-49. The Citizenship Bill was introduced into Parliament in August 1948. Under the terms of this Bill, citizenship was to be acquired by descent (Section 4) and registration (Section 11). Under the terms of the Bill, particularly those relating to

citizenship by descent, many Indian Tamils who had voted in the 1948 general election were to become disenfranchised.

Under the terms of the Act, Section 4(1), provided for citizenship by descent. Under Section 4(1) a person born in Ceylon before the appointed date was to acquire Ceylon citizenship by descent if,

(a) his father was born in Ceylon, or

(b) his paternal grandfather and paternal great grandfather was born in Ceylon.

(2) Subject to the other provisions of this Part, a person born outside Ceylon before the appointed date shall have the status of a citizen of Ceylon by descent, if

(a) his father and paternal grandfather were born in Ceylon, or

(b) his paternal grandfather and paternal great grandfather were born in Ceylon.

s 5(1) Subject to the other provisions of this Part, a person born in Ceylon on or after the appointed date shall have the status of a citizen of Ceylon by descent if at the time of his birth his father is a citizen of Ceylon.

Sections 4 (2) (a) and (b) were designed to assist Sri Lankan Tamils who had settled in Malaysia, (usually in the employment of the colonial state) so that if the applicant's father had settled in Malaysia, but his paternal grandfather or great grandfather had been born in Sri Lanka, then the applicant would be entitled to Ceylon citizenship by descent. But as G G Ponnambalam (the leader of the Tamil Congress) pointed out during the Committee stage of the Bill, leaving aside the exercise of ministerial discretion,

in the event that proof could not be found (Section 5 (2)), finding such proof would be 'impossible in the case of a person who is domiciled here, in spite of his having property here and settled down here [referring indirectly to the Indian Tamils] or one who is settled down in Malaya, by his having to produce the legal content of this subsection by proof of birth in respect of his grandfather and great grandfather' (Hansard House of Representatives (1948) Vol IV: Col 1831). Furthermore as W Dahanayake pointed out '[h]ow can one prove that a paternal great grandfather was born in Ceylon because, very likely, he may have been born even before the advent of the British' (Hansard House of Representatives (1948) Vol IV: Col 1832). The practical difficulty of acquiring such proof, which it seems Senanayake's Government clearly and cynically took advantage of, was exacerbated by the fact that the official registration of births only began in 1875 (Hansard House of Representatives (1948) Vol IV: Col 1838) and so consequently it would be very difficult to prove the birth of a grandfather or great grandfather in Ceylon.

By implication then sections 4 (2) (a) and (b) were designed to disenfranchise a large proportion of Indian Tamils who could not prove that either their father, paternal grandfather or paternal great grandfather were born in Ceylon. Furthermore, the child of an Indian Tamil born after the appointed date will not be a citizen of Ceylon because his father is not a Ceylonese citizen, even though born in Ceylon (Hansard House of Representatives (1948) Vol IV: Col 1833-1835), even when a brother/sister born before the appointed date would become a citizen. The terms of the Act were classically hierarchical, the Indian Tamils encompassed within a legislative regime that implicitly privileges

the citizenship of the Sinhalese. As G R Motha, the representative of the Ceylon Indian Congress (the political party that represented the Indian Tamils) observed, not only would many Indian Tamils be unable to prove their paternal genealogy, but that, while at least implicitly the 'Sinhalese community is automatically recognised, it will be incumbent on the others [particularly Indian Tamils] to prove their citizenship' (Hansard House of Representatives (1948) Vol IV: Col 1790, my interpolation). Motha went on to observe that 'if his name, instead of being, say, Rajalingham or Rajaratnam [Tamil names], is Rajakaruna [Sinhala name], probably nobody would inquire from him where his father was born' (ibid: Col 1790, my interpolation). As a requirement of administering the Act, it would be necessary for officials to ask for proof from people belonging to the Indian Tamil community, but not the Sinhalese community. Consequently the effect of the Act was indirectly discriminatory against the Indian Tamils.⁹ The legislation was also potentially discriminatory against Sri Lankan Tamils who could similarly be asked by officials administering the Act to prove their paternal genealogy.

In his observation that the 'Sinhalese community is automatically recognised', Motha unwittingly captures the 'limit' point which sustains the (im)possible meaning of this Act. The paternal genealogy of the Sinhalese is assumed by virtue of Sinhala names and it is the Indian Tamil other that must prove his/her genealogy. But characteristic of this Act is the failure to construct its terms of reference, the Sinhalese and the Indian Tamil other.¹⁰ As such this act of construction is left to the administering officials. But the failure to construct the other still renders the Act unable to adequately conceal the figure of alterity, the 'limit'

that gives citizenship its foundation in Sri Lanka. To the extent that the implicit automatic recognition of the Sinhalese people as citizens is guaranteed by the Act (after all, officials administering the Act were not going to ask for proof of paternal genealogy when confronted by a person with a Sinhala name), citizenship is still subject to an undecidable 'origin', a referent that refuses an absolute presence, an other who similarly remains only implicit.

As such, then, citizenship in Sri Lanka refuses an absolute point of 'origin'. This failure signals a simultaneous failure to place the other. The very necessity to establish citizenship in Sri Lanka through a system of genealogical proofs is a response, therefore, to the loss of this point of 'origin', an anxious moment in the Act which signals implicitly 'that which is sought but cannot be attained is ... a certainty ... a referent whose very loss lies at the origin' (Lefort 1986: 211).¹¹ In a certain sense it is the Sinhala name that is sought as the 'origin' of citizenship, but that which is implicit in the Act can never be made explicit, for that would render the Act crudely ethnocentric, violating the liberal facade that citizenship legislation must maintain. To the extent that it is the Tamil name which stands as the 'origin' of citizenship, this too remains concealed, a referent that is implicitly invoked 'only in order to conceal its absence' (Perrin 1996: 101), but which yet becomes manifest in the actual administration of the Act.

To the extent that the name of the Indian Tamil other remains concealed, its very proximity to the Sinhala name, implicit in the Act's requirement of genealogical proof and explicit in the administration of the Act, is that which yet simultaneously undermines the implicit, if automatic recognition of the Sinhalese

community as citizens, given voice to by Motha. To the extent that the Act is characterised by the loss of immanence, that is the (im)possibility of an immanent identity that could give rise to citizenship, what this other threatens (both implicitly and explicitly at the level of the Act and administration respectively) to do is not to undermine an 'already established consistency', but 'to reveal an inconsistency which is only precariously concealed' (Perrin 1996: 104).

As such this Indian Tamil other is neither fully included nor fully excluded, and which in the absence of any self-constituting foundation constitutes the 'limit' against which citizenship is to be ascertained in Sri Lanka. The category 'citizen of Ceylon' can only be approached as a mediation through the other that is implicit in the Act, that is the other who fails to establish an adequate paternal genealogy. To the extent that citizenship is determined by that which it seeks to exclude, it can only do so on the basis of this implicit Indian Tamil other that it simultaneously seeks to include. Consistent with my elaboration of difference, the category 'citizen of Ceylon' persists through the paradoxical (im)possibility of establishing the unequivocal presence of the category 'citizen of Ceylon' and the simultaneous (im)possibility of 'establishing its unequivocal absence' (Perrin 1996: 17). Consequently, to the extent that this implicit other is destined to have a relation to the category of Ceylon citizenship, then this other constitutes the 'limit' of citizenship, a 'limit' that does not deconstitute this implicit other, but which guarantees the (im)possibility of citizenship.

In-between the two opposites, citizenship and the implicit Indian Tamil other resides difference, the other both, as and in

the category 'citizen of Ceylon'. Developing my earlier argument of the trace that is inscribed in the sign, the other as a trace is inscribed in the category of Ceylon citizenship, the other against which this category has constituted itself. As such, the signifier 'citizen of Ceylon' can never be 'present in and of itself, in a sufficient presence that would refer only to itself' (Derrida in Cornell et al (ed) 1992: 13). Consequently 'this difference, which ought to have been excluded, never was' (Perrin 1996: 104).

Citizenship And The Theft Of Enjoyment

The *Indian and Pakistani Residents (Citizenship) Act* 1949 provided for the application of the conditions of the *Citizenship Act* to Indian Tamils. Its principle objective was that it provided for the granting of citizenship by registration to Indian Tamils who had fulfilled the qualification of residence in Ceylon for a period of seven years (Hansard House of Representatives (1948) Vol V: Col 524, 541-42). While this may have had the effect of disenfranchising between 30,000-40,000 of the Indian Tamils (Hansard House of Representatives (1948) Vol V: Col 541-42), it was the requirement that the paternal father and paternal grandfather of an Indian Tamil be born in Ceylon that was to result in disenfranchising most Indian Tamils. The requirement of documentation (rare amongst a group of largely illiterate workers) accompanied by a list of witnesses and affidavits was to prove a further hindrance to the registration of Indian Tamils as citizens (Hansard House of Representatives (1948) Vol V: Col 524, 541-42: Col 577-80). On top of this the total cost of 2,000 Rupees that each application would entail, was to add to the burden placed on Indian Tamils seeking registration as citizens (Hansard House of Representatives (1948) Vol V: Col 578-79).¹²

In the course of the debates surrounding this Act, the Prime Minister, D S Senanayake made frequent reference to the Indian Tamils having come from South India for reasons of economic migration and as a consequence 'depriving the Kandyan of their territory' (Hansard House of Representatives (1948) Vol V: Col 433), the purpose of the legislation being to restore the land back to the landless Kandyan peasantry (Hansard House of Representatives (1948) Vol V: Col 454-55, 496-97). Referring to India, he observed that 'there were in the neighbouring country people driven to such desperate measures that they thought that rather than die in India they might cross over to Ceylon and get a living although that might increase the hardship of the people of this country' (Hansard House of Representatives (1948) Vol V: Col 433). In addition to this, in Senanayake's narrative, the Indian Tamils brought with them diseases such as cholera with the effect that they 'spread the disease amongst the villagers, so that all that these immigrants did was that they killed some of the villagers' (Hansard House of Representatives (1948) Vol V: Col. 433). To the extent that, in this Sinhalese narrative, the Indian Tamils 'stole' the land from the Kandyan peasantry, it was the Left that pointed out that the opening up of the Kandyan highlands for the development of a commercial plantation economy took place with the active support of the land owning Kandyan aristocracy, many of whose descendants were represented in Senanayake's Government (Hansard House of Representatives (1948) Vol V: Col 452-454).¹³

This metaphor of 'theft' was consistently articulated by Sinhalese politicians in favour of the legislation. For example A Ratnayake said that '[t]he Indians in Ceylon are much better off than the inhabitants of Ceylon at all levels' (Hansard House of

Representatives (1948) Vol V: Col 485). In the view of M D Banda they had medical facilities which were denied to the Sinhalese villagers of Kandy and so had to be denied 'full rights' (Hansard House of Representatives (1948) Vol V: Col 514).¹⁴ In a similar vein T B Panabokke observed that they have had 'maternity benefits and other benefits which were not available to the people of this country' (Hansard House of Representatives (1948) Vol V: Col 527), and in T F Jayewardene's view 'the Indians of this country have got more than they deserve. From the small boutique in the village to the big business house in Colombo every business is, to some extent, controlled by Indians' (Hansard House of Representatives (1948) Vol V: Col 528). Apart from Sinhalese capital, in effect what the Indian Tamils threaten is a certain Kandyan Sinhalese rural and ecologically harmonious 'way of life'.¹⁵ What I want to argue below is that a Zizekian approach can be of help in elaborating upon the essentially indeterminate strategy of national identification taking place in these debates on citizenship.¹⁶

Zizek's psychoanalytical account of nationalism draws upon Lacan's triadic schema of the Imaginary, the Symbolic and the Real (Bowie 1991: 88-112). In this schema the Imaginary is a transformative moment in which the subject assumes discrete images of others in the social. To the extent that '[t]he Imaginary is the scene of a desperate delusional attempt to be and to remain 'what one is' by gathering to oneself ever more instances of sameness, resemblance and self-replication' (Bowie 1991: 92), the two dominant forms of identification present in the Imaginary are both narcissistic and aggressive as the ego is split along the axis of identification (Bowie 1991: 33-34, 92, Elliot 1994: 93-95). If the Imaginary then is the scene of a primary alienation,

the ego already 'becoming an 'other' to itself in the act of contemplating' (Elliot 1994: 95) its 'relationship with the external world of people and things' (Bowie 1991: 92), the Symbolic is the scene of a secondary alienation, the 'domain of received social meanings ... and differentiation – in and through which the [ego] begins to represent desire and is thus constituted as a "subject"' (Elliot 1994: 95, my interpolation).

It follows then that the Symbolic is truly 'intersubjective and social' (Bowie 1991: 93), a domain that 'does not allow any one of its members to be himself [or] keep himself to himself' (Bowie 1991, my interpolation). The Symbolic is anchored in language, the 'medium in which desire is represented, and through which the subject is constituted to itself and to others' (Elliot 1994: 95). It is language, conceptualised following Saussure as a system of signs that guarantees the 'intersubjective order of symbolisation' (Elliot 1994: 95) once the subject is separated 'from the narcissistic fullness of the imaginary order' (Elliot 1994: 96).

But the attempt by the subject to represent him/herself within this order proves an (im)possibility 'since the subject has become an 'effect of the signifier', inserted into the spacings or differences which constitute language itself' (Elliot 1994: 96). As such then language is 'a mask covering over the [im]possibility of desire' (Elliot 1994: 96, my interpolation), as 'desire sinks or fades into gaps which separate word from word, meaning from meaning' (Elliot 1994: 96). That element which escapes symbolisation Lacan calls the Real, the traumatic 'kernel of enjoyment' (Zizek 1993: 202), 'a world that falls entirely and irretrievably outside the signifying dimension' (Bowie 1991: 94).

As such then, the Real signals that moment when the Symbolic is fractured, a moment that is 'irreducible to the signifiers that define him' (Bowie 1991: 103). As Lacan notes 'the real does not wait, and specifically not for the subject, since it expects nothing from the word' (cited by Bowie 1996: 95).

What is at stake in these debates on citizenship (in the Act itself) is a relationship to the Thing (the national Thing), that which has been lost, the void of this loss being filled out by means of fantasies (Zizek 1993: 201).¹⁷ As such it is the other which threatens a Sinhalese 'way of life', as represented in some form of primordial attachment that the Kandyan peasantry have to the land 'stolen' by the other, as echoed in the narratives of citizenship presented above. But the national/our Thing remains paradoxical, simultaneously 'conceived as something inaccessible to the other and at the same time threatened by him' (Zizek 1991a: 165).¹⁸ But this national Thing remains, in a manner consistent with deconstruction, inaccessible, only ever elusively present in what Zizek calls 'our way of life', in the way a nation organises its 'collective enjoyment' (Zizek 1991a: 165, Zizek 1993: 201).¹⁹

While the national Thing remains inaccessible, it yet 'appears' (Zizek 1993: 201) through this Sinhala 'way of life'. It 'appears' to the extent that the Sinhala politicians participating in this 'way of life' '*believe in their Thing*' (Zizek 1993: 201, his emphasis) where belief in this national Thing has a 'reflexive structure' (Zizek 1993: 202) so that belief in the national Thing 'equals "I believe that others (members of my community) believe in the Thing"' (Zizek 1993: 202). As such then A Ratnayake confirms this 'reflexive structure' when he cites the petition of the Kandyan National Assembly against this legislation on the

grounds that in 'the present Parliament, Kandyans living in no less than six areas have virtually been disenfranchised as they do not have the faintest prospect of their ever being able to be represented by one of their race' (Hansard House of Representatives: (1948) Vol V: Col 484). This would seem to confirm Zizek's observation that '[t]he national Thing exists as long as members of the community believe in it' (Zizek 1993: 202).

It follows then that the national Thing is the *Cause* of the nation, that which produces the subject of the nation (Zizek 1991a: 165) around a field of 'enjoyment', the national Cause being 'the privileged domain of the eruption of enjoyment into the social field' (Zizek 1991a: 165). This Cause 'obtains its positive ontological consistency' (Zizek 1993: 202) through 'enjoyment', for the Sinhala (Buddhist) nation that is implicitly privileged by this body of citizenship legislation '*exists* only as long as its specific *enjoyment* continues to be materialised in a set of social practices and transmitted through national myths that structure these practices' (ibid, his emphasis). As such then, one form of 'enjoyment' that sustains the Sinhala Buddhist nation is the violence intrinsic to the practice of Sinhalese nationalism (Kapferer 1988: 99-103). As a contingent moment then, what this legislation reveals is not only the (im)possibility of a consistent and closed definition of the category of citizenship analogous to the (im)possibility of the 'Sinhala nation' itself, but also its possibility as confirmed in the 'remainder of some *real*, nondiscursive kernel of enjoyment which must be present for the Nation [and citizenship legislation] qua discursive entity-effect to achieve its ontological consistency' (Zizek 1993: 202, my interpolation, his emphasis).²⁰

Sinhalese Buddhist nationalism is then one such moment of the 'eruption of enjoyment into the social field' (Zizek 1993: 202). Characteristic of these debates is the attribution by Sinhalese politicians, that the Indian Tamil other 'wants to steal our enjoyment (by ruining our way of life)' (Zizek 1993: 203), by 'stealing' our land and our jobs, our medical services, and our parliamentary representation. What is of concern to the Sinhalese then is the manner in which the other 'organises his enjoyment' (Zizek 1993: 203), for the other is simultaneously both hardworking and a 'thief' (Zizek 1993: 203) and citizenship is a means by which the 'enjoyment' of the other can be regulated. In a paradoxical move, the national Thing, a possession that would allow the 'Sinhala nation' 'to live fully' (Zizek 1993: 204), although inaccessible 'to the other', is simultaneously 'threatened by him' (Zizek 1993: 203).

It follows that this paradox betrays a certain fragility that undermines the possibility of the 'Sinhala nation' ever having an identity in itself. When Sinhalese politicians impute to the Indian Tamil other, that they have 'stolen' the land, medical services and parliamentary representation, what following Zizek they 'conceal ... is the traumatic fact that *we never possessed what was allegedly stolen from us*' (Zizek 1993: 203, his emphasis), as the 'Sinhala nation' can only constitute its own 'enjoyment' through a narrative trope in which the other 'steals' that very 'enjoyment'. It follows that the Sinhalese can only constitute their own 'enjoyment' through a narrative of deprivation, the other having deprived the Sinhalese 'of the vital part of enjoyment the possession of which would allow it to live fully' (Zizek 1993: 204).²¹ This fantasy of deprivation is 'rooted in hatred of one's own enjoyment' (Zizek 1993: 204), a movement of fantasy

through which the Sinhalese ‘repress their own enjoyment by means of obsessional activity, and it is this very enjoyment which returns in the *real*, in the figure’ (Zizek 1993: 204, his emphasis) of the ‘filthy Tamil’, a popular trope in the everyday language of the Sinhalese (Gombrich 1988: 213), who both works hard and steals our (Sinhalese) jobs.²²

But that which institutes the dynamic of the ‘theft of enjoyment’ is not the actual reality that the Indian Tamil other happens to live in the predominantly Sinhalese province of Kandy, ‘but the *inner antagonism inherent*’ (Zizek 1993: 205, his emphasis) in the ‘Sinhala nation’ itself, (which remains both explicit and implicit in these debates on citizenship), by which the perception of the other is ‘mediated by a symbolic-ideological structure which tries to cope with social antagonism’ (Zizek 1993: 205). As such, ‘the real “secret”’ (ibid) of the Indian Tamil is the antagonism inherent to the ‘Sinhala nation’ itself, its inability to achieve authenticity. It is through this process of displacement ‘*that desire is constituted*’ (Zizek 1993: 206, his emphasis). It is through the discourse on citizenship and its attendant legislation, the purpose of which is to ‘restore’ the land back to the Kandyan peasantry (Hansard House of Representatives (1948) Vol IV: Col 451-55), that the Sinhalese (by transposing the inherent social antagonism of the ‘Sinhala nation’ onto the other) constitute the ‘fantasy-organisation of desire’ (Zizek 1993: 206) through the narrative of ‘deprivation’, the ‘theft of enjoyment’.

As Zizek observes such a narrative exemplifies that ‘enjoyment is ultimately always enjoyment of the Other, ie. enjoyment supposed, imputed to the Other, and that, conversely, the hatred of the Other’s enjoyment is always the hatred of one’s

own enjoyment' (Zizek 1993: 206). Such fantasies of the Indian Tamil other's form of 'excessive enjoyment' (Zizek 1993: 206), such as his/her 'special relationship' (Zizek 1993: 206) to work or to the land is a means by which the Sinhalese 'organise [their] own enjoyment' (Zizek 1993: 206, my interpolation). The other 'gives a body' (ibid) to the inherent social antagonism of the 'Sinhala nation' itself and in doing so prevents the nation from achieving a full identity with itself (Zizek 1993: 206). What we encounter then in the articulation of the Indian Tamil other as a 'thief of enjoyment' is the *Real*, that traumatic moment in which the Symbolic order of the 'Sinhala nation' fails (Zizek 1993: 208-11), in a manner analogous to the failure of language to ever attain pure signification.

The narrative of 'theft' is the means by which the Sinhalese organise their 'enjoyment'. But the role of 'enjoyment' is that it gives effect to the structuration of Sinhalese 'desire around some traumatic element that cannot be symbolised' (Salecl 1994: 15), the nation-Thing, around which 'reality' is constituted. This is a 'reality' determined by fantasy. As Salecl observes '[s]ocial reality is always traversed by some fundamental impossibility, by an 'antagonism' which prevents reality from being fully symbolised' (Salecl 1994: 15). She continues that '[it] is fantasy that attempts to symbolise or otherwise fill out this empty place of social reality. Fantasy thus functions as a scenario that conceals the ultimate inconsistency of society' (Salecl 1994: 15).

But what the citizenship legislation and the debates surrounding this legislation demand is a 'stable and clearly defined social body' (Zizek 1993: 211), one that cuts 'off the 'excessive' element' (ibid) and restores the 'Sinhala nation' to harmony. But

this demand is destined to fail for what it *displaces* is the antagonism that is inherent to the 'Sinhala nation' itself (Zizek 1993: 210). What the Indian Tamil other displaces is the (im)possibility of symbolising the 'Sinhala nation'. The nation hence occupies the place of the Real, in that the nation 'is an element in us that is 'more than our selves', something that defines us, but is at the same time always undefinable' (Salecl 1994: 15). Citizenship is one means by which the '*empty place of the nation* in the symbolic structure of society' (Salecl 1994: 15) is filled out. As such Ceylon citizenship is organised around fantasy and is a means by which the Sinhalese Buddhist nation can perceive 'itself as a homogeneous entity' (Salecl 1994: 15).

Such an analysis reveals that the construction of citizenship legislation in Sri Lanka as a discursive process functions by virtue of its 'fantasy-support' (Zizek 1993: 213). To the extent that citizenship constitutes a discourse in which its object(s) are constructed, fantasies organised around the 'deprivation' of land, medical services, and parliamentary representation, constitute a 'limit' that prevents the linguistic signs that make up Ceylon citizenship from ever achieving a self-referential unity. That which is partially excluded in the affirmation of citizenship remains at the presubjective level of the unconscious (Obeyesekere 1990: 278), but momentarily reveals itself in the 'ambivalence toward the [Indian Tamil] other's fantasmatic enjoyment' (Zizek 1993: 213, my interpolation), an excessive 'enjoyment' which is encompassed within the hierarchical set of criteria established for the granting of citizenship in this legislation.

It follows that the determination of citizenship only succeeds in the paradoxical moment that announces the failure

of its universalisation, 'the very moment of its splitting' (Zizek 1993: 222), a moment marked by the partial separation of the 'inside' - citizenship - from the 'outside' - statelessness (Zizek 1993: 222). The classification of 'Ceylon citizenship' operates in a manner that seeks to encompass the 'explosive potential' (Zizek 1993: 222) of the Indian Tamil other 'even if the price to be paid for such containment is the neglect of elementary democratic principles' (Zizek 1993: 222). Consequently, following Hegel, the collective Indian Tamil populace constitute a 'rabble' (cited by Zizek 1993: 224), the inevitable by-product of establishing Ceylon citizenship. As such they constitute a partially integrated 'segment in the legal order, prevented from partaking of its benefits, and for this very reason delivered from any responsibilities toward it – a necessary structural surplus [partially] excluded from the closed circuit of [the] social edifice' (Zizek 1993: 224, my interpolation).

Conclusion

The Sinhalese narrative on citizenship and its attendant legislation is a 'tale of ethnic roots' (Zizek 1993: 232), the articulation of a 'myth of ... Origins' (Zizek 1993: 232). Its function is that of displacement, an 'ideological fossil created retroactively' (Zizek 1993: 232) by nationalist discourse 'in order to blur' (Zizek 1993: 232) or mask over the antagonism inherent in the Sinhalese Buddhist nation itself (Zizek 1993: 232). The category of 'Ceylon citizenship' reveals the fact that the Indian Tamil other was never excluded, but never included either. The failure to exclude the other and its continued insistence as an excessive moment that guarantees the very (im)possibility of citizenship ensures that citizenship can have no self-constituting foundation and yet

remains 'unable to accommodate the difference' (Perrin 1996: 107) that is the other. If citizenship devoid of 'ethnic roots' could ever be established, such a realisation would paradoxically signal its dissolution as citizenship would leave behind any relation to the other.

Drawing an analogy between my earlier discussion of the relation between the Tamil other as an experience at the 'limit' of the 'Sinhala nation', the 'limit' of citizenship, the other, can similarly 'be understood as insurpassable; as a line which crosses [citizenship] and which redraws itself every time it is crossed' (Perrin 1996: 107, my interpolation). Citizenship in Sri Lanka is confronted by the (im)possibility of forgetting the other, and yet paradoxically it is in this (im)possible forgetting that citizenship may be said to have a beginning, but a beginning that cannot consign the other to the past (Perrin 1996: 108-9).

Notes

Sri Lanka (or Ceylon until 1972) gained independence from Britain in 1948. The Sinhalese (predominantly Buddhist) comprise 74 percent of the population, the Tamils (predominantly Hindu) comprise 18.2 percent, the Muslims who are the descendants of both Arab traders and Tamil Hindu and possibly Sinhalese Buddhist converts to Islam comprise 7.1 percent, the Burghers (descendants of Portuguese and Dutch settler communities) and Eurasians comprise 0.3 percent, the Malays comprise 0.3 percent and the Veddhas (the indigenous inhabitants of the island) and other ethnic groups comprise 0.2 percent (de Silva 1986: 417).

- 2 The debates surrounding the law on citizenship are dominated by the metaphor of 'deprivation', that is that the Indian Tamil other stole or took away certain privileges once enjoyed by the Sinhalese people and as such is open to an analysis that utilises a psychoanalytical account of nationalism as the 'theft of enjoyment' (Zizek 1991a, 1993).
- 3 Pali, a language derived from Sanskrit, is the sacred script of Buddhism. Buddhism arrived in Sri Lanka in approximately 250 BCE from North India (Gombrich 1988: 1-3).
- 4 Dharmapala was born into a mercantile Buddhist family. Under the influence of Madame Blavatsky he was introduced to Theosophy and learnt Pali. He adopted the name Dharmapala which means 'Defender of the Buddhist Doctrine'. The reference to 'Anagarika' was an innovation and in Pali it means 'homeless', the classic epithet for a Buddhist monk (Gombrich & Obeyesekere 1988: 205-6).
- 5 In Ben Anderson's account, nations 'are to be distinguished, not by their falsity/genuineness, but by the style in which they are imagined' (Anderson 1991: 6).
- 6 As an 'excess' which is always surplus to that which can be actually identified (Bhabha 1994: 66-84), the Tamil other succeeds in breaching the boundary and distorting the outline of the Sinhalese Buddhist nation's claimed self-identity (Perrin 1996: 104). The boundary (ie. the external 'limit') of the nation's self-identity confronts its 'limit', what it can never fully be as it finds itself tethered to the 'excess' that is the other. This internal 'limit' prevents the Sinhalese nation from achieving a full identity with itself (Zizek 1991b: 102-12). Simultaneous to the failure of a full identity is the ultimate failure of exclusion. Its identity fails through the undecidable relation between the Sinhalese and Tamil other as the other insists upon being 'present'. It is

this failure to either exclude or include the other which undermines the coherence of the 'Sinhala nation'.

⁷ For a detailed analysis of the operation of the Donoughmore Constitution and its impact on Tamil politics and the gradual fragmentation of Sinhala-Tamil relations see Russell (1982).

⁸ In addition Russell notes that 'the struggle for leadership within the Sinhalese and Tamil communities themselves caused rifts which inhibited united communal political action.... The centripetal social forces within each community were not powerful enough to counteract the fissiparative tendencies' (Russell 1982: 334).

⁹ As a consequence of the *Citizenship Act*, the electoral register had to be amended. The *Ceylon (Parliamentary Elections) Amendment Act, 1949* had the effect of removing those Indian Tamil voters who had been disenfranchised of citizenship by the former Act from the electoral register. Not only did this remove a potential source of support for the Left from electoral politics, but in distorting the electoral balance it had the effect of making the 'Sinhalese rural voter the arbiter of the country's politics' (de Silva 1986: 155), as confirmed with the results of the 1956 general election when the forces of Sinhalese Buddhist nationalism came to power.

¹⁰ Instead the provisions of the Act are outlined in liberal neutral terms.

¹¹ I am grateful to Colin Perrin for this citation.

¹² The current exchange rate is about 100 Rupees to 1 Pound sterling. It only takes a small leap of imagination to realise how out of reach 2000 Rupees would have been to a plantation labourer 50 years ago.

¹³ The Left, the Federal Party (which split from the Tamil Congress owing to the latter's support for the citizenship legislation) and

the Ceylon Indian Congress opposed the legislation on the grounds that it was racist, its sole objective being to facilitate communal passions, and the Left added with good reason that it was overtly anti-working class, as a majority of the Indian Tamils had voted for the Left in the 1948 general election (Hansard House of Representatives (1948) Vol V: Col 457-58, 557-58, 578-80).

- ¹⁴ In fact under the *Medical Wants Ordinance*, Indian labourers were not entitled to free treatment in hospitals opened in the plantation areas and had to pay 30 cents (Hansard House of Representatives (1948) Vol V: Col 533).
- ¹⁵ This idyllic rural setting, often associated with the pre-colonial past, was organised around the central symbols of the Buddhist temple, the water-tank and the village (Tambiah 1992: 112).
- ¹⁶ This is not where the story of citizenship legislation in Sri Lanka ends, but my own analysis here is confined to the 1948-49 period. In 1964 and 1974 agreements were negotiated between the Indian and Sri Lankan governments 'according to which the Sri Lankan government agreed to award citizenship to approximately 46.2 per cent of Indians (and their descendants) living in Sri Lanka in 1948' (de Silva in Goldman & Jeyaratnam Wilson (eds) 1984: 118). The Indian Government 'agreed to accept the others, and by 1980 there were approximately 400,000 Indian Tamils who had gained Sri Lankan citizenship' (de Silva in Goldman & Jeyaratnam Wilson (eds) 1984: 112). Finally in 1986 the *Grant of Citizenship to Stateless Persons Act* had the effect of granting citizenship by registration to the remaining 469,000 Indian Tamils.
- ¹⁷ This reference to the Thing is used in its Lacanian 'sense as a traumatic, real object fixing our desire' (Zizek 1991a: 162), the object filling out the place of 'the trauma as memory' (Forrester 1991: 76). Drawing upon an analogy with Freud, Lyotard

observes that 'according to Freud we must dissociate secondary repression (which gives rise to the "formations" of the dream, the symptom ... [and] all the representations of the unconscious on the edges of the conscious scene) from what Lacan called the Thing, and Freud the unconscious affect, which never let themselves be presented' (Lyotard 1991: 33). So primary repression for Freud is analogous to the Lacanian Thing, that which remains inaccessible, but which yet must be filled out through fantasy.

¹⁸ This experience is analogous to that of castration, which for Freud is 'experienced as something that "really cannot happen", but whose prospect nevertheless horrifies us' (Zizek 1991a: 165).

¹⁹ 'Enjoyment' (jouissance) 'is not to be equated with pleasure (Lust) ... [for] it designates the paradoxical satisfaction procured by a painful encounter with a Thing that perturbs the equilibrium of the "pleasure principle". In other words, enjoyment is located "beyond the pleasure principle"' (Zizek 1993: 280, n 1, my interpolation).

²⁰ In Lacanian terms the 'Real is a dimension which is always missing, but which at the same time always emerges; this elusive dimension, which society tries to incorporate in the symbolic order and thus neutralise, always exceeds society's grasp' (Salecl 1994: 15). Although the Symbolic order is oriented towards equilibrium 'it can never attain this state because of this alien, traumatic dimension at its core' (Salecl 1994: 15).

²¹ Zizek, in this respect, develops Jacques-Alain Miller's question '[w]hat is the cause of our hatred of him in his very being? It is hatred of the enjoyment in the Other. This would be the most general formula of the modern racism we are witnessing today: a hatred of the particular way the Other enjoys.... The question of tolerance or intolerance is ... located on the level of tolerance or intolerance toward the enjoyment of the Other, the Other as

he who essentially steals my enjoyment ... The problem is apparently unsolvable as the Other is the Other in my interior. The root of racism is thus hatred of my own enjoyment. There is no other enjoyment but my own. If the Other is in me, occupying the place of extimacy, then the hatred is also my own' (cited by Žižek 1993: 203).

- ²² The 'theft of enjoyment' in this respect follows the logic of paranoia, which consists of the 'externalisation of the function of castration in a positive agency appearing as the "thief of enjoyment"' (Žižek 1993: 281, n 7). Elaborating upon Žižek's argument the paranoia of the 'Sinhala nation' may be said to result from the failure of the 'Sinhala nation' to establish itself as sufficiently Sinhalese Buddhist. This failure, predetermined by the very structure of the Symbolic order "returns in the real" in the shape of the Other, the "thief of enjoyment"' (Žižek 1993: 281, n 7).

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