

Gender Stereotyping and Maternity Protection in Sri Lanka: Reconciling Work-Family Conflict and Promoting Women's Economic Participation

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The conflict between work and family responsibility is a significant barrier to women's economic participation, but addressing this issue could unlock significant potential. Although Sri Lanka has made extensive progress in human capital development, it has not translated to labour market gains. In ancient Sri Lanka, women participated alongside men in an agricultural economy where work and family were harmoniously intertwined. As a result of colonisation and industrialisation, women were incentivised to 'go out to work', changing the work-family dynamics. This physical and ideological separation is gendered and has a disproportionate impact on women and their economic participation. Men are more visible in the public sphere, whilst women dominate the private sphere without any 'real' authority. The public sphere is regulated by the distinction between work and childcare responsibilities and the different people who perform them, the latter biologically and historically being the primary responsibility of women. These distinctive gender roles and paternalistic attitudes towards women influenced state regulation and welfare legislation. The British introduced paid maternity leave in Sri Lanka by statute, recognising the unique position of women as mothers and protecting the special relationship between mother and child. Feminists argue that such legislation perpetuates gender stereotypes and patriarchy, suppressing women's choices, escalating women's subordination, and depriving women of access, let alone equality, in the workplace. Empirical studies support this assumption. The article is a doctrinal study that critically examines the legal approach of maternity protection in Sri Lanka and its relationship to the work-family conflict and low women's economic participation. It does so by engaging in a comparative analysis of the United States' anti-discrimination approach and European countries' family-friendly policy approach to highlight ways Sri Lanka could rethink its legal framework to reconcile women's roles within the family and the workplace to promote women's economic participation.

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