



*A Sri Lankan Journal for Women's Liberation*

# voice of women

☆ APRIL 1999 ☆ VOL. 5 ☆ ISSUE 3 ☆ ISSN 1319 - 0906 ☆ Rs. 20/=



## VIOLENCE





## Contents

01	Words Fail in Pakistan	02
02	Wider Violence	07
03	Jig-Saw Puzzle	10
04	Rape Sweeping the US	11
05	Inside the FIZ	14
06	The Time is Ripe	16
07	Rape is his Woman	19
08	The City of the Trees	21
09	From the Forum	22
10	Sati	24
11	Stuck to Mammam - I & II	25
12	Sexual Harassment	27
13	That unheard Cry	30
14	Violence in Three Months	32

Editor : Eva Ragnwera

Cover : Nirmalika Dilashani

Illustrations : Janaki Samanthi

Printer : Hitech Prints

Sponsored by SIDA

April, 1999  
Vol 5, Issue 03

ISSN 1319-0906

Voice of Women  
21/25, Polhengoda Garden  
Colombo 05  
Tel. 074-407879

## The Editorial



This special issue on violence exposes not only different forms of violence targeted against women but also the alarming authoritarian situation women are subjected to in Pakistan. Beside the fate of women, we are also aware that 1,941 organizations operating under the Voluntary Social Welfare Agencies Ordinance of 1961, in Pakistan were de-registered.

We are also aware Pakistan which acceded to the Convention on the Elimination of Discrimination against Women in 1996, agreed to take 'all appropriate measures to modify the social and cultural patterns of conduct of men and women based on the idea of inferiority or superiority of either of the sexes.'

In this context, that Pakistan should de-register Voluntary Organizations or deny human rights to women is deplorable. We are concerned about the threats and activities against Shirkat Gul, a women's human rights organization as well as sexual harassment and vilification campaign carried on against journalists and outspoken women. That we are marching onto year 2000 loaded with criminal activities like rape, sexual harassment, denial of equality as well as human rights is to be strongly condemned.

Rape has been used time and again as a weapon to subjugate women. Sexual harassment has kept her as the second class citizen. Sati practised in India puts women in the tortured list for 'purification' of men. We want to greet the year 2000 as equal citizens of this earth.

We want equal right to exist as dignified people in our homes and outside.



# Words Fail in Pakistan

By Valerie Ceccherini

The women of Pakistan have most to fear from their government's attempts to make sharia law supreme.

A woman is raped every three hours in Pakistan. Sixty-five per cent of them are under age and one in four is the victim of group rape. And according to Hina Jilani, a lawyer working for women's rights, that is not the worst of it: "If a woman is raped but has no evidence to prove it, the very fact that she has admitted to the sexual act may lead to her own prosecution for adultery or fornication - *zina*."

Farida Shaheed, a sociologist and member of *Shirkat Gah*, a Pakistani organisation working to improve the status and rights of women tells the story of Safia Bibi: "Eighteen-year-old Safia Bibi was a servant in a wealthy, landed family. She was raped regularly by the man of the house and his son and eventually became pregnant. Her father lodged a suit for rape but, for want of evidence, the court acquitted the rapists and convicted Safia Bibi of *zina*. She was sentenced to 15 lashes and three years in prison. We campaigned against the sentence in the national and international media and she was finally acquitted."

The *zina* ordinance was one of a hotch-potch of laws instituted by Pakistan's then ruler, General Zia ul-Haq, in his attempt to 'islamise' Pakistan in the 1980s. It covers all extra-marital sexual relations, including rape - which is not itself part of the Quranic definition of the term - and abduction for the sake of sexual assault. The federal *Sharia* court acts as the court of appeal for all cases governed by *Sharia* law; it is also charged with determining whether the secular laws of Pakistan conform to Islam.



Under the proposed 'islamisation' of the country's legal system now being debated in Pakistan's upper house, the Senate, its jurisdiction would presumably extend to bringing the whole of the country's legal system into conformity with Islamic legal precepts: in other words it would make Islamic law, complete with all its discriminatory attitudes towards women, supreme.

Fida Mohammed Khan, a judge with the Federal sharia court, has no qualms: "The *zina* ordinance protects the honour of women and their families. For us, women are the jewel of creation; the respect we show them, particularly as mothers, is without equal anywhere. Islam believes fornication and adultery undermines their dignity and, to protect the moral and ethical values of the community as a whole, considers it just and proper to

punish those who have offended. Rape is an even more serious offence."

Chief justice of the sharia court Mehboob Ahmed laughed as he expounded the *zina* ordinance: "I really don't know why this particular law gets people so worked up. With the greatest respect, I think women in western societies are not respected as much as they are in ours. Male chauvinism in the west has seen to it that the law is flexible enough for them to molest women with

impunity. But we cannot allow such attitudes to dominate to the detriment of our women; it is precisely *zina* ordinance that gives them security and freedom."

Crimes under *zina*, as well as rape, are subject to the law's most severe penalties - hadd (literally ultimate punishment) - death by stoning or, in the case of an unmarried person, 100 lashes in public. However Islam is clear that these may only be executed if there is a confession or if four Muslims 'of good standing' have witnessed the crime. While these punishments have never been implemented in Pakistan, the fact that they remain on the statute books acts as a reminder that they still could be.



"They've never been applied because they are totally unacceptable," stresses Jilani. "It would be a very unpopular move." Khan stresses that Islam sees the hadd punishments as a last resort to be used as seldom as possible. "Which is why it has made the conditions of proof so difficult to fulfil. The punishments are there as a deterrent." The mounting daily toll of rapes gives one leave to doubt their efficacy.

If an accused is found guilty by other proofs, he is liable to the less severe punishments known as *ta'zir*. These amount to 10 years imprisonment for violating the *zina* ordinance and from four to 25 years for rape. Until 1996, *ta'zir* punishments included lashing; this was abolished but given the rise in gang or group rapes, the *zina* ordinance was amended and the ultimate penalty under *ta'zir* became capital punishment.

Jilani claims the *zina* ordinance discriminates against women in a number of ways. "In the first place, to come under the hadd penalties, the crime must have been witnessed by four men. The eye witness statements of women are considered indirect proof - as is the statement of the victim herself. Yet in the majority of rapes, the victim is the only eye-witness.

But eye-witnesses must be men, says Khan, "because the Quran says so. But if a woman inspires belief, then the rapist may be given a *ta'zir* punishment on her word alone," he adds.

When an unmarried woman claims to have been raped, the only thing her medical examination proves is that she is no longer a virgin. "And if she is subsequently unable to prove that she has been raped, this fact can be turned against her since the law punishes all sexual relations outside marriage," explains Jilani. "The medical examination of the man establishes nothing." The ordinance discriminates further: women reach their majority - and therefore come under *zina* - at 16 or on reaching puberty, whichever is sooner; men only at 18 or on puberty. "Children as young as 12 have been punished like adults," says Jilani. I ask Khan if he thought it right that *zina* made no distinction between physical maturity and mental age. "There is

a clause stipulating that a woman who is mentally disturbed cannot be convicted," he replies. "When someone who is too young comes before us, we might be able to discuss whether this clause also allows us to take into consideration the mental age of the accused," he adds in continuation.

Unlike the *zina* ordinance, Pakistan's earlier family law, still in operation, considers a woman of age only when she reaches 16. Any form of sexual relation with a minor, even with her husband, is regarded as rape. Now that the *zina* ordinance has brought down the age of responsibility this is no longer the case. "We want marital rape to be returned to the statutes," says Samina Rahman, a founding member of the Women's Action Forum. "Now that this is no longer an offence under the law, no-one takes any notice of it. In a country where many women are married off so young, it's a real problem."

The Pakistani Commission for Human Rights reckons that only about one in three rapes are reported.

"Even those that are," says Jilani "are not always taken up by the police, and there is seldom a satisfactory outcome. I recently followed the case of a man who raped a 15-year-old girl. The court gave him seven years but, on appeal, the sharia court reduced the sentence to two-and-a-half years."



Rape in Pakistan is traditionally seen as degrading to the woman and the police treat victims with a mixture of contempt and disbelief. "It's a joke to them," says Shaheed. "There are times when they even suspect the victim of crying rape to get at family rivals or their employers. And when you take into account that it's not only the legislator, but all those involved in seeing that the law is carried out as well as the medical officers who do the examinations, it's not surprising that women choose to stay silent."

A young woman is sitting in Jilani's office. She looks ground-down and at the end of her tether. She tells her story:



"Aided and abetted by a woman, two men from our neighborhood grabbed me, took me off, beat me and raped me, one after the other. While they were raping and beating me, they took photos. Before letting me go, they told me that if I ever spoke of what happened, they would kill me, kidnap my daughters and send the photos to the press. My sister-in-law told me not to say anything to my husband: no Pakistani man can accept the idea that this could happen to his wife and she was afraid he would accuse me of having consented to all this and leave me" Sometime later the men who raped me wanted me to sing for them. They demanded money from me and threatened to show my husband the photos if I didn't give them something. But I have so little money ... Anyway, in the end, my husband found everything and drove me from the house with the children. I went to stay with my father and we filed a charge of rape against the men. It took eight months before the police even registered the charge. When we went to the police station, the police there were abusive between my father and myself. They were so arrogant. One of them said to me: 'You certainly enjoyed yourself with them then!' They treated me like a loose woman. They laughed in my father's face as well and we had to pay 10,000 rupees (cUS\$200) just to get the charge registered. When the rapists arrived they treated them quite differently, offering them a seat and something to drink."

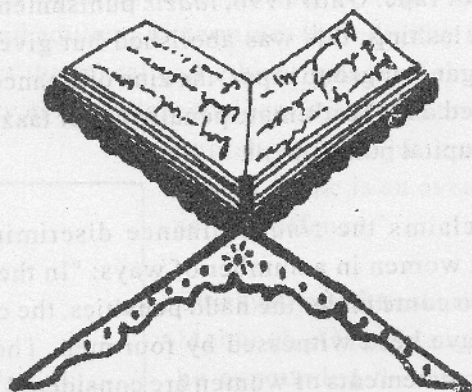
Eventually, they arrested one of the men, but he was released with a caution almost immediately. His accomplices, people of means and influence, were never arrested. While they were at the police station, the rapists confessed, but only verbally; afterwards they bribed the police officers with 50,000 rupees (cUS\$1,000) to suppress the confession. And the photos are now in the hands of the police: I'm terrified that for another bribe they'd get rid of them as well - the only evidence there is of the crime.'

A few days ago a car hit me and I was injured. The drivers said that if I didn't withdraw my charge, the next time would be fatal. The case is still dragging on.'

At this point she collapses in tears:

"If they're really out to kill me I'd rather commit suicide. But I have to go on: I have my daughters and they are still so small."

I also met Azra at the same legal advice centre. She had been falsely accused of *zina* several years ago, and spent a month in jail before being released with a caution and finally, acquitted.



Now she told the story of her arrest:

"The officers took me to the police station and locked me in a room. It was during the elections so they were very busy. They forgot all about me and left me there for a day and night with nothing to eat or drink. I was terribly worried about my children whom I'd had to leave alone at home. I'd left a three-year old daughter and a new-born baby only 15 days old. I had no-one to whom I could turn for help. After several months, a friend brought me news of them. In prison, I spoke about the children to one of the guards who told me she could do nothing for me and I must speak to the judge. My 12-year-old daughter was looking after the little ones as best she could. But she was too young to know how to deal with the baby and she died. My three-year-old was later taken into care but by then she was already very ill and died soon after'



In Pakistani culture women are seen as the repository of a family's honour. "If you want to damage a man's honour, you do it through his wife," explains Iltari. "In our country, rape is not considered a crime. However in my opinion, the use of the term 'sexual offence' is totally inadequate: rape is a violent crime and has nothing to do with honour. If rape is not treated as a crime, then society will simply continue to treat it as a matter of honour. When a woman has been raped, it's seldom her feelings, the injury to her that is uppermost in the minds of the people around her."

Women are frequently raped while being held in custody. In 1992, a Human Rights Watch survey showed that 75 per cent of women in prison had been violently assaulted; 62 per cent were the victims of sexual assaults. Today, 47 per cent of all the women in Pakistan's jails are waiting to be tried or sentenced for *zina*. "It's the most common offence for which people are brought to court," says Iltari. The majority of the cases are poor, rural women. Since 1979, when the *zina* ordinance was introduced, thousands of women have been convicted; the majority have eventually been acquitted for lack of proof. But while awaiting a hearing they are imprisoned, often for many months. And even when acquitted and released from jail they find it hard to return to any sort of normal life.

"Attitudes to these women are appalling," says Iltari. "They are seen as women of easy virtue and excluded from society. Their families usually abandon them and it is not unknown for them never to be allowed contact with their children again. They find it hard to get work and some end up as prostitutes. Others seek shelter in the few women's refuges there are in this country. It is next to impossible to rehabilitate them."

Azra relates what happened to her when she finally got out of prison:

"By the time I got out of prison I'd already lost two children, but I found my eldest daughter. Her clothes were in tatters, she was under-nourished

and her head was alive with lice... In my cell, I had often wondered how I was going to face the world, my neighbours and friends once I was out. I wanted the earth to open and swallow me up. When I finally did go back to my place, most of the people I knew despised me; many avoided me altogether. They thought my honour had been stained. Someone I know helped me to get work but even today, 13 years later, I still have problems. My daughter is married now, but not long ago some of her neighbours told her husband about me. He drove her from home and now wants to divorce her!

Syed Afzal is a lawyer in the supreme court and a member of the Council for Islamic Ideology charged with advising parliament on the extent to which its legislation conforms to Islam. He stressed that what he was about to say was a strictly a personal view, one not shared by the majority of the council; "By definition, a law must have the potential to cover all eventualities. In this respect I have to say the *zina* ordinance is seriously defective. But this law has not been passed by Parliament; it was imposed by the military dictator General Zia ul-Haq."

"Our society is deeply religious, but though the religious parties make a great song and dance, they have no intention whatsoever of allowing people to think or make up their own minds. Not a single election in Pakistan has given the religious parties a big enough mandate to form a government. However no sooner has one or other of the secular parties won power than it consorts with the religious ones. This is a betrayal of its mandate and an insult to the people who put it where it is."

All the religious parties supported the military dictatorship and got power that way. They have penetrated the judiciary, the administration, the army and politics. And they have all been used and manipulated by the west, in particular by the USA. The latter has financed and armed them. Even the Taliban benefited from its support. It's a sick game played to the detriment of the interests of the people of this country. Western human rights organisations denounce the current dysfunctional nature of our society, but their analysis seldom looks far below the surface."



## Interpretation

Even the religious community is not of one mind on the *zina* ordinance. In 1981, a number of ulema [religious scholars] asked the Federal sharia court to abolish death by stoning on the grounds that there was no Quranic authority for this. "However in the end they refused," says Fida M Khan. "Even if it's not actually in the Quran, the Prophet himself ordered it to be carried out."

Syed Afzal Haider sees things differently. "This ordinance does not conform to the basis tenets of Islam, that is to say the Quran. It has many anomalies and the council should look into it."

We should not forget that there is a great difference between the Quran itself and the many 'interpretations' of it. While the text itself is unchanging, interpretations shift constantly depending on when they are made and, the state of society at the time and so on. The Pakistani constitution stipulates that our laws must conform to the Quran and the sunna (islamic traditions). But in my view, we should develop a new body of laws, one that also takes into account the prevailing attitudes of the present. Today the accent is on human rights, the search for peace, the development of the potential of all peoples and brotherhood. Nations and peoples are in search of mutual understanding. We must interpret the 'Revelation' in the spirit of our own age and in keeping with internationally accepted principles as outlined in the United Nations Charter, the Universal Declaration of Human Rights and so on. Interpretations from the past may guide us, but they are not the last word on anything. We can discuss these things with people from all over the world and take advantage of other views: no single principle or ideology is adequate for the development of the whole of humanity.

Khan, on the other hand, considers the *zina* ordinance perfectly adapted to contemporary needs. "The laws laid down by Allah apply for all time because they relate to fundamental human nature.

Men's basic needs and desires do not change though their society may: there will always be murderers and thieves. Allah's laws were good enough for Mohammed's time and so they are today."

In the course of its campaign against the *zina* ordinance, the Women's Action Forum has canvassed the views of religious leaders who also oppose it. "This law has nothing to do with the spirit of the Quran," explains Samina Rahman. "In the first place, the Quran and sunna say that no punishments should be inflicted where social inequalities prevail.

We have analysed the ordinance clause by clause and exposed the discrepancies between it and the Quran.

For instance, if the Quran says that *hadd* punishments can only be inflicted if four Muslims of good standing witness the act, this is tantamount to saying the individuals concerned should be given the benefit of the doubt. Nor does the Quran mention rape: linking rape to *zina* is unquranic and *unislamic*. A feminist interpretation of the Quran to this effect by a female theologian has been printed in one of our dailies.

Credit: This article was originally published in Index on Censorship 1/99. For more information contact:

Telephone: +44 (171) 278 2313

Fax: +44 (171) 278 1878

Email: [contact@indexoncensorship.org](mailto:contact@indexoncensorship.org) or visit Index on the web at:

[http://www.oneworld.org/index\\_oc](http://www.oneworld.org/index_oc)





This year 1999 is seeing an unprecedented number of reported cases of violence which has filled our minds with preoccupations of fear and how to overcome what seems to be a national crisis created by disregard for the rights of others along with the increasing need to be the most powerful person in her/his field, whatever the means or the form it may take.

In my mind, there is at the back of this increased violence an economic situation caused by commercial involvements in a nationwide manner, affecting a large section of people. We are involved with what can be bought and sold and invested. We buy household goods, personality enhancing products, office equipment, pharmaceuticals, cars, lorries, containers, land, houses, etc investing large profits in electronic ware, shipping, airlines, armaments, nuclear products etc. Individuals as well as states are involved in this business. This process is based on competition and resorts to violence for its achievements. Larger sections of women remain buyers rather than producers, sellers or investors.

There is another factor to contend with - "Millions have migrated to urban slums where poverty, overcrowding and poor sanitation make life almost unbearable and where the chief form of entertainment involves sophisticated communications technologies constantly parading the images of wealth before the realities of poverty. Traditional community structures and values have long since broken down and a significant proportion of the desperate have turned to crime, or are seeking relief in alcohol and drugs. Social divisions and old ethnic tensions have increased and in the resulting political turmoil democracies have faltered leaving the way open for demagogues and dictators ..." SOWC, Panel 1, 1995.

All these violations pale into insignificance in violence is what is used by states to put down its free thinking masses and subsequently step onto smaller states, and then onto bigger states who do not toe

## Wider Violence

their line of profit-making by accepting exploitation of natural resources outside their boundaries. Resorting to bombing and threatening nuclear disaster is one of the worst forms of violence which disregards human rights. It is beyond the use of individuals. If and when a powerful state decides to bomb a developing country, devastate it and kill its inhabitants, how can it, being poor and ill-equipped, give protection to its peoples?

If a powerful state, made more powerful by exploiting the resources of the weaker by acceptable or unacceptable means decides not to like your form of development and therefore lay an economic blockade, what do you do? Where are the rights and dignity of the weapon-weak, poor nation? What do you call this form of violence?

"If someone holds a classroom of children hostage with a machine gun, and threatens to kill them unless his demands are met we consider him a dangerous, crazy terrorist. But if a head of state holds millions of civilians hostage, with nuclear weapons many consider this perfectly normal." John Galtung Dietrich Fisher in Weapons of Terror.

While we are cogitating and categorising violence into physical, mental, domestic, sexual and other gender-related forms, we have this deadly threat of a nuclear disaster to proclaim the powerful rights of a nation over the no rights of another.

In this context I will quote Charlone Bunch whose commitment to non-violence is well known. I quoted her nine years ago and I quote her once again in a situation made much worse by the proclamations of national interests of smaller states which run contrary to big brother's (not sister) interests.

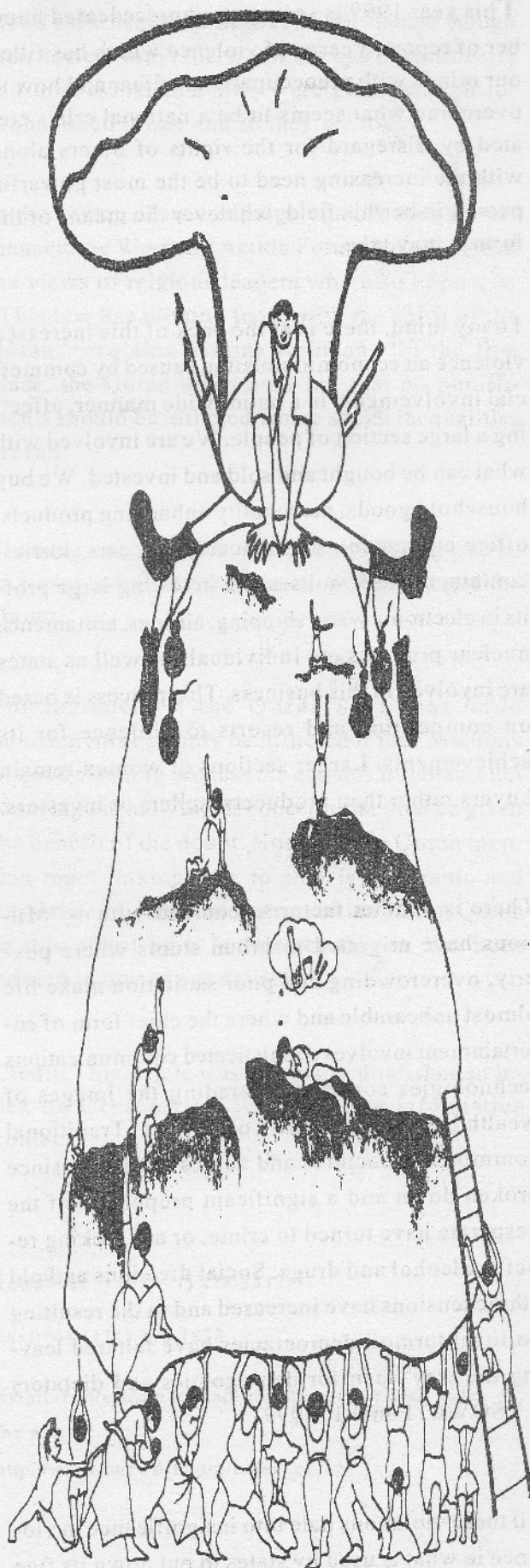


"The state of permanent readiness for war between the US and the Soviet Union and actual warfare in the Third World has permeated our globe with a militaristic atmosphere that glorifies violence and accepts domination by some others as inevitable. This militarism of society has been accompanied by high levels of violence against people because of their race, ethnicity, religion, sex, sexual orientation or class." On the Issues Fall 1990

There is no Soviet Union now but the so-called warring Third World is still warring. She is no longer the Third World but the Developing World. Yet the powerful are still militarising themselves. What has changed in these nine years? The quality and quantity of violence has increased whereas we should have been engaged in thoughts and deeds of how to control warfare, injury to people, control and misuse of power and ailments caused by environmental hazards. As Charlotte Bunch has stated, ideas of permanent readiness and the militaristic atmosphere that glorifies violence accepts domination by some over others as inevitable, is still largely, boldly on the boards for those who want to see.

In Charlotte Bunch's quote I see three important words - (1) militaristic (atmosphere), (2) glorification (of violence) and acceptance of (3) domination (as inevitable). This sentence gives the cause of the violence, its working agenda and the resulting end product "domination".

Violence has built up a culture of its own, creating heroes/heroines of violence, glorifying them through literature, mass media, cinema and song, setting a new method and purpose to the ultimate achievements of development, education and peaceful existence. Existing values are threatened (i) if not wiped out (laughed at) and the methods of replacement seem to be unacceptable because they are harmful to life and nature.





Popularisation of armament manufacturing and warfare has victimised even children. They play war games with toy guns, artillery, tin soldiers etc and are the target of toy makers - a very lucrative trade indeed! Thus from childhood you are geared for violence. In youth it is manifest in thuggery, power of the fist and at university level in ragging. Second degree initiation to violence takes place in the "rugs". Ragging has killed three students, maimed one and caused stress to many during last year. "Raggers" use savage atrocities in proclaiming their adulthood. For us this year this has brought in rape, incest, killings, stabbings, wiping out two families including a dog (one escaped to continue guard duty in the cemetery).

Meanwhile we take into consideration the ongoing war and its killings; justifying and legitimizing killing on the one hand, and on the other the law and religion prohibiting it. This situation has created and spread violence and has put to question accepted values. A state purchases weapons while limiting or prohibiting it to the general public. It indulges in war activities for "defence" and employs its male inhabitants for legal murder to defend the country and the people. Rich nations manufacture armaments on a large scale, compete with each other for markets among the poorer nations and create their own hotspots. The wars and their continuity are very important to weapons manufacturers. The militarisation of society referred to in Charlotte Bunch's quote is thus justified. We in Sri Lanka are now considering re-introduction of "hanging" for convicted murderers as a desperate bid for ending violence in society with violence.

In a heightened atmosphere of accepting violence (state or otherwise) as "inevitable" we read most gruesome cases of rape, gang rape and killings occurring daily. Woman is inevitably the victim whether in Kosovo, in Iraq, or in Sri Lanka and her human rights are negligible.

In a militarised society so ridden with domination, the old spirit of the patriarchal family rises to the fore to recognise its easy doorman. He

makes the weapons, he uses the weapons, he makes war. Margaret Thatcher may declare a war on the Falklands but it is patriarchy that decides through her, her patriarchal position and patriarchal decision making.

We may get together and concur on how to reduce violence, between man and woman and man and man but hardly can we raise our voices against wider forms of violence threatening us and our earth.

Perhaps if we remove from our midst warring causes, then we can settle for peace between man and woman but we should keep in mind hotspots in the world for the weapons manufacturers. How can we remove the greed in the heart of the human and his need to be the powerful. If we are back in our dear, old forests, not travelling more than a few miles, eating leaves and satisfied with one old bark to wrap around then maybe we will not be victims to greedy manufacturers. As it is, let us look to supportive areas in the law, prohibit use of many cars, possession of many houses and limit clothing to the minimum. What a poor world, not satisfying the need for glamour and exhibitionist spirit of the human. It would be so drab.

To come back to reality, militarisation of society gives the impression of "living for the day" a sort of instability and impermanence. It is hopefully to be shortlived and one has to survive this state of mental make up. Some resort to drugs, excessive use of alcohol, robbing, murder, in fact to violence. I feel this form of thinking (living for the day) cannot take place in a secure, peaceful country. Is this living for the day the provocative thing behind violent persons' thought process?

I say, or rather question so because of certain set patterns in the media-recorded violent crimes in this country. Firstly there is the legal and prohibited murders as said earlier in a war-ridden country. Secondly there is a very wealthy and very poor



social division presently making obvious presences felt in gatherings, TV, meetings, social occasions. Thirdly life has become the cheapest thing going and the cheapest thing available. For some it is a burden. Most of the recorded crimes contain at least one deserter from the forces, if not two or three. He is trained in the use of weapons and to him, in a confused manner, "humans" are targets. Even the pretence of recognising "woman" as a human being of equal status can vanish at some moments. Whatever values the rural youth possessed vanishes with army training and men who think twice about killing animals are forced to kill humans professionally. He has shed his old values and his replacement is full of violent deeds and thoughts with not even victory in sight.

Militarisation of society begins with the forces and is continued all the way to all the peoples. Soldiers were once people with sane thoughts and set values. Once trained to soldiering, he ceases to be the rural youth who joined perhaps seeking employment, perhaps for national reasons. Many cannot take easily to the hardships of the soldiers' life. He runs away from the army and is not welcomed in civil society.

Earlier as a soldier he was the defender of the nation. He is the deserter, the failed one who flees. May be he is the easy-made violator who increases the incidence of violence.

Although I have tried to axe the biggest violators who go scott-free I have come back to the society-created poor villain of the piece.

Eva Ranawceera



## Jig-saw Puzzle



Breasts bruised, brains battered  
Skin scarred, soul shattered  
Can't scream - neighbours stare,  
Cry for help, no-one's there.

In the intervening silences,  
I gather up the jagged fragments,  
Try to rearrange them into some semblance of  
The jig-saw puzzle I once called 'me'.

Try this one here, that one there,  
Something's missing, can't tell where.  
There's still a hole, can't find the piece,  
Must cover it up with any silk saree

In the hollow gaps, I try to make  
Sense of senseless pieces that  
Won't fit into any pattern,  
Not even the new one they insist is 'me'.

Must not fight, must be mute,  
That's your strength, turn your cheek.  
All my fault, people say,  
What have I done wrong today?

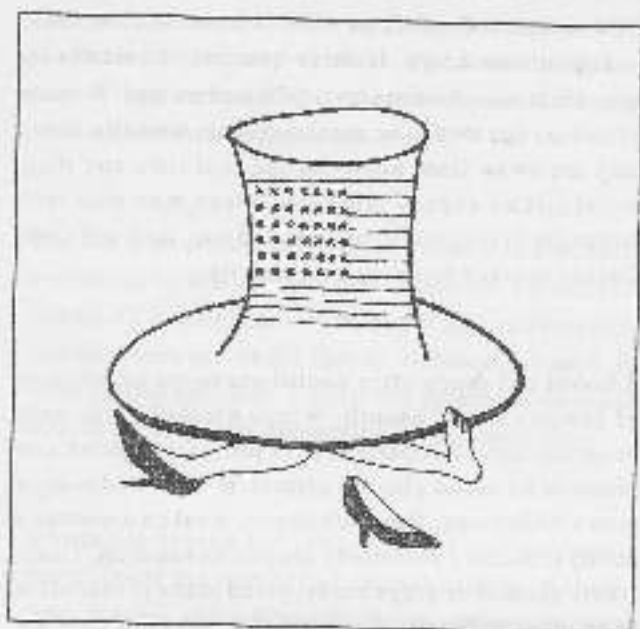
In the vacant voids, I finally see  
I'll be lost forever, chasing isolated  
Pieces of fantasy, useless I go out to  
Find new pieces of another 'me'.

I see you've got some fragments too,  
If we put them together, can we start anew?  
There are lots of pieces everywhere  
But the picture we'll make is one we'll share

Nina Nehru from 'Awake - Asian women and the struggle for justice'



# Rape - Sweeping the US



In recent years, American women have been the targeted victims of a rising tide of violence both in the streets and in their own homes. Police, hospital emergency rooms, rape crisis centres and battered women's shelters have recorded an increasing incidence of rape, sexual assault and domestic violence against women. The violence cuts across race, class, age and religious boundaries. The only similarity these victims have is their sex: they are all women.

Even those women who are not victims are affected much as travellers are affected by all terrorist activities: all live with the fear of an attack, and the restriction in freedom such fear brings. Their anxiety is justified by hard statistics on the widespread and growing prevalence of violent sexual crimes.

A woman is 20 times more likely to be raped in the United States than in Japan; the US rape rate is 17 times higher than Great Britain's and four times higher than Germany's (US Department of Justice, 1988). Unlike other crimes, such as robbery, rape and other forms of sexual assault, crimes against women are based on the fact that they are women. 89% of all of all sex crime victims over the age of 12 are women.

In the past rape was regarded merely as an act of sexuality. Later, experts refuted that argument and maintained that rape was an act of aggression where the perpetrator was motivated by a desire to dominate, control and degrade a victim. Today, most people who work in the field of violent sexual crime assert that it is a combination of the two. One working definition of rape is "the sexual expression of aggression". Despite the high incidence of rape, few perpetrators are ever arrested, much less convicted. Less than 40% of reported rapes result in an arrest.

The burden of proof placed on rape victims is exceptionally high. Rape victims are subject to demeaning examinations of their personal life, attire and previous sexual history in order to establish that they did not consent to the act. Rape victims often report feeling report feeling humiliated, accused and alienated from the very system that is supposed to help them. Police, judges, juries and defense and prosecuting attorneys alike are susceptible to traditional views of sexual activity and gender which obstruct justice for rape victims. The NOW Legal Defense and Education Fund cites instances where judges dismissed rape cases or granted a light sentence because they found the defendant handsome or thought the victim "ended up enjoying [herself]." (Statement to the Senate Judicial Committee, 20 June, 1990.)

Other examples of mistreatment by criminal justice officials reveal that the very system that is supposed to help rape victims does just the opposite. One study found that in several cases the police officer who first responded to the scene of a rape actually took advantage of the victim's vulnerable situation to sexually assault her.

The effect of these crimes against women extend to women who are not victims. Many of women's daily activities - such as jogging in a park or working late at night - are restricted due to the fear of an attack.

Over the past decade the fear of contracting AIDS has increasingly become a major issue for rape survivors. In urban areas a large number of assailants are intravenous drug users or prison parolees, causing many victims anxiety about possible exposure to AIDS. In at least one recent case, a convicted rapist was given a reduced sentence in exchange for taking an AIDS test. Some experts believe that accused rapists will take advantage of women's fear of AIDS in order to receive more lenient treatment.



## Acquaintance rape

There is a myth about rape in our society - one in which a woman is pulled into the bushes by a complete stranger and brutally attacked. Although this is tragically true for some rape victims, the overwhelming majority of rapes are acquaintance rape - those committed by persons known to the victim before the crime. Victims of acquaintance rape face a unique set of difficulties following their attack. One study found that acquaintance rape victims blame themselves more and rate themselves as less recovered than victims of stranger rape for up to three years after the rape. This self-blame along with peer pressure, threats by the perpetrator, disbelief and shock, and - in the case of rape by a family member - feelings of family loyalty contribute to the low reporting rate for victims of acquaintance rape.

A victim may find her sense of trust in friendship destroyed, as well as her own sense of judgement. As a result, many victims of acquaintance rape report the crime months or even years later, or not at all.

In the courts, acquaintance rape victims are subjected to a higher burden of proof and are more likely to have their private life scrutinized by the defense than victims of stranger rape. A perceived "hazy" line between consent and force often makes such cases difficult to prove. In general, convictions are much more difficult to obtain in the case of acquaintance rape.

The reporting rate for rape is very low. Only 34% of stranger rapes and 13% of acquaintance rapes are reported to authorities compared to the reporting rates for robbery (53%), assault (46%) and burglary (52%). (Koss, Woodruff, Koss, 1990). Another major factor in the non-reporting of rape is distrust of the efficacy of the legal system - either that the victim will not be believed or that nothing will be done in the courts.

Other reasons for not reporting a rape include feelings of shame and embarrassment, fear for one's safety and concern over the reactions of others. Those women who do report rapes often take a long time to do so.

Victims who wait before reporting a rape are sometimes penalized by statutes of limitation and victim compensation programs that require victims to report soon after the crime to receive services.

## Campus assault

The incidence of acquaintance rape and subsequent under-reporting is especially prevalent on college campuses.

Demographically, college women are most vulnerable to acquaintance rape. In three-quarters of assaults by acquaintances, victims are 15-24 years of age. Women of college age tend to be more at risk emotionally, since they are away from home for the first time and their social circles expand rapidly. College men also face insecurity during this transition, and may seek self-confidence through forced sexual activity.

Alcohol and drugs often contribute to the occurrence of campus sexual assault. Where alcohol is the only beverage served at parties, peer pressure to drink can promote its mood altering effects. Besides reducing a man's inhibitions, these substances weaken a woman's ability to assess a potentially dangerous situation. Cases where alcohol or drugs are involved make prosecution even more difficult, as these substances not only diminish a woman's memory or perception of the attack, but make others see her as a "willing" participant. The fraternity system on campuses, often a source of alcohol, has also been identified as a contributor to sexual assault, especially in the instance of gang rape.

Rape is the most under-reported crime on college campuses. One study showed that only 10% of victims reported the incident. Few schools have advocates to help victims prosecute, and many students may be unaware of their legal rights.

## Domestic violence

Often there is a cycle of escalating violence in which attacks increase in frequency and intensity. Violent husbands and partners have learned that increasing the level of violence increases their domination and control over women.

Federal programs to address violent crimes against women have been extremely limited, both in scope and funding. As with most crimes, rape and domestic violence fall primarily under the purview of states and localities.



However, the Federal Government has only a few, small programs to assist states in helping female violence victims.

The Family Violence Prevention and Services Act of 1984, administered by the Department of Health and Human Services, provides grants to states to establish, maintain and expand shelters, child care programs, counselling and related services to domestic violence victims and their dependents.

The law also allocates funds for training and technical assistance to law enforcement agencies, authorizes a National Clearinghouse on Family Violence Prevention, and provides grants for family violence research and other related activities. Eighty-five percent of the money is used for state-run domestic violence programs.

Starting in September 1992, colleges and universities must report the number of serious crimes, including rape, murder, and robbery involving students on or near campus. Congress included a provision, to be enacted within two years, which mandates that states receiving Drug Control and System Improvement Formula Grants require convicted sex offenders to undergo AIDS testing at the request of their victims. About 30 states have already enacted AIDS-testing laws for sex offenders, some more stringent than the federal requirement.

The Violence Against Women Act of 1994 has five broad goals:

- \*to make the streets safer for women
- \*to create safe homes for women
- \*to extend civil rights protection to victims of gender-motivated crimes
- \*to ensure women's safety on college campuses; and
- \*to educate judges and prosecutors on violence against women

This bill, which is the first to deal with violence against women in a comprehensive manner at the federal level, was unanimously approved by the Senate Judiciary Committee on 18 July, 1991 and by the House Judiciary Subcommittee on Crime and Criminal Justice on 27 September, 1992.

The bill would also require and expand victim restitution in sex crime cases. In the area of domestic violence the bill would create interstate enforcement of state protective orders for battered women, triple funding for battered women's shelters, and provide federal grants to encourage states to employ mandatory arrest procedures against abusive spouses and partners.

Under the legislation, sex crimes would be designated as "hate" crimes that deprive victims of their civil rights.



### Steps taken

Congress approved an amendment that directs the National Institute of Justice to develop a model anti-stalking law that would serve as a constitutional and enforceable framework for states to adopt. The bill also requires the Attorney General to report to Congress within a year on additional federal action needed to combat stalking.

The Women's Equal Opportunity Act of 1991 includes a title that provides for the disclosure of campus crime, funding for rape prevention education and domestic violence awareness, increased penalties for repeat sex offenders, mandatory HIV testing of offenders and mandatory restitution to victims of sexual assault. This legislation also calls for the creation of an Attorney General's task force on Violence Against Women and procedural reforms in federal sexual assault cases that include admitting evidence of a defendant's past acts of sexual assault in criminal and civil actions.

Source: The Internet



# Inside the FTZ

There are five Free Trade Zones in Sri Lanka. They are at Katunayake, Biyagama, Koggala, Mihintale and Kandy.

Foreign and local investors are encouraged to set up business through a range of incentives. In Sri Lanka, these incentives include a 100% tax-holiday for a period of 5-15 years from the first year of commercial production, free remittance of capital and earnings at the end of the venture and earnings of foreign personnel to be remitted abroad free of exchange control. (A Review of Free Trade Zones in Sri Lanka, July 1997).

By the end of 1996, the FTZs recorded a 4.4% share of the total employment of the country - about 90% of workers in the FTZs are women. Products produced in the FTZs include garments and other clothing accessories such as shoes, jewellery, printing and paper products, electronic and electrical goods.

Kelly Dent Transnationals Information Exchange (TIE) - Asia, co-ordinator, describes the ways in which women in the FTZs experience harassment - both at and away from work.

Every day, including Sundays and public holidays, from 4pm until late in the evening, throngs of young women walk along the airport road around the perimeter of the Katunayake Free Trade Zone. Many more walk the dirt lanes and roads near Katunayake. Others can be seen squashed into buses. Katunayake is Sri Lanka's oldest FTZ. It is heavily guarded and surrounded by a high barbed wired fence. The situation in the Biyagama FTZ is the same.

These women are workers spilling from the nearby factories of the Zone on their way home from work to their cramped, substandard boarding houses. Their journey home is often hazardous. On the buses and on the streets they experience sexual harassment, including verbal abuse, touching or groping and sexual advances.

Petty theft occurs on the buses and women are at risk of being robbed when they walk home. Organised gangs of men, aware that women who work in the FTZ are vulnerable target them, raping or robbing them.

Incidents have been reported of women being raped on empty buses in the Biyagama FTZ but such crimes are under-reported to the police.

Other men may befriend women and form relationships to benefit financially and have their meals cooked. These men often have several relationships simultaneously and they usually only last a short time. If sexual relations are involved, the women are exposed to the risk of contracting HIV and other sexual diseases or pregnancies resulting in illegal and unhygienic abortions hazardous to health.

Many young women come from rural villages to work in the FTZs and are often naïve about the world outside their villages, making them vulnerable when they arrive. Some come by choice, others because of economic necessity but whatever their reason, most contribute money to their family's finances.

While women should be free to have relationships with men, they should do so from a position of strength and awareness about the risks - and about how society perceives their actions. Women Workers in the Free Trade Zone of Sri Lanka A Survey (April 1993) concluded there is hostility toward women who work outside the home, and this hostility has an added dimension for women FTZ workers. According to this research, women are idealized in the domestic sphere, as mother and as wife, and any deviation from those roles is viewed with hostility.

"Cultural and religious values not only support this but are heavily relied upon and utilized to perpetuate this image. These idealized roles are used to depreciate a woman who is not totally performing these roles by becoming a working woman, and when the working woman is also single and away from home, then she does not even play partial the role of mother, wife or daughter." In this environment, the obstacles to confronting sexual harassment become even greater for the Free Trade Zone worker.

The Katunayake FTZ is close to the airforce base, and there are many instances of harassment by airforce men.



Fear of the power of military men means that while harassment by the armed forces is well-known, it is even less likely to be challenged or reported than harassment by non-military men.

\* \* \*

Women who work in the export-orientated factories in the districts may be forced with little notice to work overtime that same night, with no time to inform their families. Worried family members turn up at the factory gates only to be informed by security that their daughter, sister or wife is working overtime and they are refused permission to speak with them.

On completion of their night work women are forced to sleep on the factory floor, often under their machine as it is not safe for them to travel home late and buses do not run. Inadequate transportation, particularly late at night, is an issue for all workers. Some married women are abused or assaulted by their husbands when they return home in the morning from night shift because their husbands accuse them of being with other men.

At work, women are yelled at, insulted and abused for failing to meet unrealistically high production targets set by management. In one case, at Sky Sport Lanka the Managing Director physically assaulted a worker who had allegedly made a mistake in production.

Also reported are incidents where supervisors have sex with managers in secure promotions or where women are singled out by supervisors/management, often because of their attractiveness and given additional pay, promotions or presents. Workers are expected to have sex with the person granting these privileges. Such attention is usually unwanted. So how can conditions be improved for women in the FTZs, particularly concerning the issue of sexual harassment?

\* \* \*

Sexual harassment should be treated as an occupational health and safety issue. It leads to an unsafe and unhealthy workplace. Viewing harassment as a health and safety issue allows it to be addressed as an industrial issue and, as such, systems and procedures for preventing and dealing with workplace harassment can be implemented and disciplinary action taken against perpetrators.

The legal avenue available to women who are sexually harassed is under criminal law, in the penal code. This law relates to sexual harassment against women and child abuse.

Under this law the person being harassed must make a complaint to the police and charges then must be laid against the perpetrator. The matter is heard in a trial before the Magistrate's Court. Few cases relating to harassment are taken under this law, probably because of the time required to seek redress, the formality and the requirement to lay charges.



The outcome of such cases does little to encourage the implementation of procedures to stop harassment within the workplace and within the systems and institutions of society. It also means that only a small amount of cases of harassment involving assault or rape are dealt with. This can work to make other forms of harassment less visible.

Unions and NGOs have taken up the issue of harassment, but more work is needed. Laws need to be tested and in some cases reformed, the jurisdictions in which harassment cases can be heard need to be widened. Legal reforms and redress are an important tool in fighting harassment but they are not the only way. Systems and institutions must also be challenged. Harassment needs to be recognised as an inequity in power relations and redefined as an issue that affects all of society, not just women.

- Kelly Dent



# The time is ripe

Nicola Romany Gunasekera

*"She's a bit like the harmaid at the local. Not exactly pretty. Not attractive either. But she's got that odd 'something'. The something that would make you want to take her off to the woods, and sort of, see what she's like. If you know what I mean."*

Description of a motorcycle in *Hondaway Magazine*

*"In spite of the fact that most candidates were girls, the Maths and Science results were excellent."*

Report of J. Almond of an Academic Board in a British College

*"They first thought the driver was a woman because the vehicle was being reversed with difficulty and the lights had not been switched on."*

Crime Report in *Newcastle Evening Chronicle*

*"Mr Suthee said, that corruption in Thailand has three root causes: legal loopholes, power abuse and bad wives."*

New Sunday Times, Kuala Lumpur, Malaysia

**Would these extracts explain patriarchy or male dominance in society that leads to gender-based violence?**

"Sir Matthew Hale, a judge delivering a judgement in 1736 said, a husband cannot be guilty of rape committed by him on his lawful wife, for by the mutual matrimonial consent and contract, the wife has given up herself in this kind unto the husband which she cannot retract."

The husband, a lorry driver, was charged with attempted rape at the time, and the appeal against conviction was also dismissed.

After a couple of decades had passed The House of Lords came up with a new verdict with a fresh approach which held that, "Since the verdict was enunciated

and ... today (in the 90s modern set up) any reasonable person must regard that conception as quite unacceptable."

And from there onwards the structure of many legal systems in many parts of the world has been re-thought and amended.

On March 3, 1993, the Sri Lankan Government approved the women's charter based on the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) - (Ratified in Sri Lanka) as a step towards recognizing gender-based discrimination and violence. The areas covered by the Charter are:

- The right to protection from social discrimination
- The right to protection from gender-based violence
- Political and civil rights
- Rights within the family
- Right to education and training
- Right to economic activity and benefits
- Right to health care and nutrition

Then how does one begin to explain the rape and strangulation of a schoolgirl in August last year, the rape and murder of Rita John (given wide media coverage), the Lenin Ratnayake case (discharged on the grounds of lack of evidence). These are the reported cases of gender-based victimization and the violation of their basic human right, the right to live. This kind of gender-based violence perpetrated against women has now grown beyond the boundaries of harassment and abuse.

Thus, only a small proportion of incidents are actually brought to the attention of the *polis*, civil society, law enforcement personnel, policy makers, implementers and even women's organizations.



However even with the lack of statistical evidence "The Women's Rights watch" published by the Women and Media Collective records reveal the number of gender-based violence and sex crimes cases to have topped the 300 mark in 1998.

The increase in these incidents that include murder (domestic and general), attempted murder, assault (domestic and general), rape (adult women and minors), rape and murder, attempted rape, rape by armed forces personnel, sexual molestation, sexual abuse and harassment is phenomenal.

A close analysis of the social structure will tell us that there are the local mechanisms that have gone into destroying the positive agents of social change in Sri Lanka. Thus, research will also reveal that mere masculinity does not explain conventional attitudes of stereotyping and subordination bound by the traditional laws of patriarchy. Militarisation, economical oppression, inequality in wages etc religiosity, social control patterns, media are some of these mechanisms that demand society's attention - in conform causing it to fall prey to a kind of bondage. And society chooses this "bonded living" as against freedom from such oppression, rationale and liberal thought.

Many European societies like Denmark, Sweden, Norway, Canada and the United States have recognized marital rape as illegal. These legislative provisions are the radical steps and bold stand undertaken by women in those countries that have continued to envelop other regions fighting for the causes of the whole human race. The violence perpetrated on women, therefore, should be treated as a threat not only to women but also to humanity - both men and women.

Women's movements around the globe have begun to revise their gender ideologies but revival is still in the making - it's yet to come. And revival requires, in my opinion, a penetration of the 'total structure' by re-thinking 'avenues of freedom' from oppression, suppression and exploitation that leads to discrimination and violence.

I propose here the creation of new processes. First, a fresh outlook in terms of a third gender. Second, seek-

ing solutions to the crisis of representation both in the First World, but more so in the Third World and the turning point to face the challenges of the Year 2000, the fulfilment of women's participation on the road to political empowerment.

The crisis of representation in terms of the 'All-male' representation that Feminist Movements worldwide strenuously work against. The deprivation that takes place in the socio-economic, socio-cultural and political spheres. The misrepresentation, malrepresentation and/or non-representation, whichever term used, class for instance manifests itself in stigmatization, stereotyping and subordination in society.

Even today these manifestations are significantly apparent yet still entertained by the very societies that have ratified and adopted the necessary provisions that were established in the hope of protecting and protesting against such discrimination and violence.

The process of occupational mobility has paved the way, to some extent, for social mobility to manifest itself. However, the chains of patriarchy and its modes which grip half the population need to seek a wider and more liberal path towards an egalitarian status. The women's movement in Sri Lanka too has the potential to create the very platform for such a state but only through a new focus. This new focus will of course trigger new processes challenging both men and women. It will, in turn, ensure a process of total human liberation.

In creating a third gender I would like to reiterate my position by quoting Nehru in a speech he made to a group of Women's College students in 1928. He refers to Nora in Ibsen's "Doll's House" in his direct attempt towards contributing to women's emancipation in Asia,

*"I wonder if any of you here has read Ibsen's Doll's House. If so, you will perhaps appreciate the word 'doll' when I use it in this connection. The future of India cannot consist of dolls and playthings and if you make half of the population the playthings of the other half an encumbrance on others, how will you ever make progress?"*



None of us will ever contest the fact that these are the contributions that paid-off in the 19th Century in India and the Asian region. The effect the slamming of the front door Nora made has echoed not only down the ages in Europe but throughout the world.

The effect this consciousness brought has become widespread but needs further representation through national campaigns and a global orientation. And proposing, working and sometimes fighting for alterns and subalterns to the crisis of representation. The crisis of representation is considered three-fold - gender, class and race, which stigmatize all minority groups on the basis of their sexual preference, social standing and cultural heritage. Today, all ethnic minority groups like religious, charismatic movements experience a code for survival - fear for their lives.

We could draw many examples from the recent past to support this perspective. This year's Nail Bomb attacks in London's suburban town of Soho where destruction was the ultimatum for an extremists group against the gay community was borne out of discrimination. But the questions are for what purpose, what did they gain and what did they try to attain by destruction?

These are perhaps some of the very questions that we all ask ourselves when high school children go on a killing rampage heavily armed, with self-produced explosives. Could it be that they have no alternatives to express their attitudes, feelings, etc on such issues. Whatever the explanation might be it has to go beyond the current explanation that television and video games are impacting society's psyche to perform these bloody violent and criminal acts.

Can one assume a broader perspective for a brief moment?

Then could we continue to say that like in the cases of violence against women that "the victim remains the accused?"

Can one justify this mindset with regard to the violence many women underwent in the recently held PC elections? The polls linked violence in the Wayamba Province is a direct attack targeting women entering the mainstream political process. Propelling of this process continued in the Central Province when an Independent

group borne of grassroots women's NGOs networking nearly 100 villages in the district contested the polls. This group was faced with the same challenges which they keenly took up. But they were no sooner faced with a bigger tragedy than the women in Wayamba did.

But we need to commend their courageous stand and learn from their steadfast inspiration into the leadership forum. They have resisted the resistance to women's political activity and slowly but surely continue to penetrate the bastions of male power.

As Geraldine Ferraro, 1984 Vice-President candidate in the United States observed at the 1992 Women's Day event, "what we need are not just a few women who make history, but many women who make policy".

The Independent Group therefore will carry on their trail blazing, advancing not only the position of women but civilization as a whole. The "lament" the male supremacy upholds (which these women experienced) was that "women cannot understand politics" or that "women and politics don't mix".

I wonder what the self-fulfilling motive really is. My contention is that men need to be liberated for in a day and age when liberated women seek progressive paths towards empowerment, men feel inadequate and threatened. Even the changing socio-cultural norms in Sri Lanka will explain this. Yes, society is slowly but surely shedding its cultural norms.

However, humanity can and should rise up against this post-modern crisis of representation for the sole purpose of ensuring the dignity of the individual. This meant creating a platform for action consisting of both men and women to ensure their dignity.

Edward Said's insightful reading in the social structural process of Orientalism explains the crisis of representation in terms of race. The political, cultural hegemony thus created by certain interest groups has built walls between the Orientals and the rest of the world. Thus our focus should be on the wider processes that formulate the "total structure". The violence perpetrated on women and children could be therefore understood in this light.

The time is Ripe for the whole human race to come together to form unity and solidarity in the simple conviction that everyone's lives are at stake.



# Rape is his weapon

From time immemorial, plunder and rape have been considered the spoils of war. A form of 'psychopathic liberation' resulting in looting, rape and heavy drinking is reported to follow major stressful events (Kinston and Rosser, 1974).

Although the total number of rapes during the Indian army operations are not known, it seemed to reach epidemic proportions. It has been verified that quite a large number, ranging from young girls who had just attained puberty to old women well past the menopause stage, were brutally raped.

What is said about violence in general is applicable to sexual violence. However aggressive sexual assault has its own unique characteristics and consequences. Thus,

rape is a violent crime in which sexuality is used to express power, anger and aggression, with a core meaning of devaluation, humiliation, sheer terror and most intimate violation of the self for the victim. What is translated to the victim is the life-threatening nature of assault, her helplessness, her loss of control and her experience of herself as an object of the assailant's rage

(Mezey, 1985)

Rape became common in the context of total war as it obtained in the months of October to December (1987), when all the customary discipline and restraint operative in the army disappeared. There appears to have been a policy decision to apply terror in the face of early losses and frustration over the prolongation of the conflict. The public was seen as being too sympathetic to the Tigers, harbouring and helping them against the Indian army. Thus terror became an instrument of control, a punishment for the lack of support and a lesson to the public. The army hierarchical structure worked to allow the *jawans* to carry

out the acts on their behalf, although at times, lower-rank officers also vented their pent up frustrations in this way. But rape was much more gruesome as it was aimed specifically at women. It was carried out with considerable brutality and impersonality, where the victims were publicly defeminised and destroyed.

*Rape can be seen as a loss event for the victim where she loses her trust in others, self-respect, sense of security, chastity and virginity, social identity and becomes liable to secondary victimisation due to social norms and values.* The psychological reactions to rape have been described as a three-stage phenomena with an initial state of 'shock and disbelief' with disruption of normal behaviour. This may be followed by feelings of guilt, self-blame and physical complaints. If the resolution to the psychological trauma is incomplete, long-term consequences include depression (40 per cent of victims), psychosomatic problems, sexual dysfunction, specific rape-related phobias, impaired task performance, social maladjustment and risk of suicide attempts (Mezey, 1985).

In our cultural setting, sexual violence takes on a more serious significance and has a severe psychologically traumatising effect on the victim and her close relations, including her husband. Chastity is traditionally considered one of the supreme virtues of women, to be safeguarded with the same diligence as their life. The screams and pleading of a young, attractive girl, whom three soldiers were trying to rape at gun point still echoes in my ears. She fell at their feet and begged, 'Please brother shoot me, but don't do this .....'. Fortunately for her, her pleading got through to an officer who took pity and let her go, after slapping her. A young rape victim in Tinnavelly immediately after attempted to commit suicide by jumping into a well. Loss of virginity in a young girl even if against her will, meant that she could not aspire to marriage in our society and if already married, there is a good chance that she will be abandoned. All rape victims are socially ostracised and this usually extends to the family also. It is not surprising that rape victims were not forthcoming to report such incidents and usually swallowed the suffering and injury silently.





These incidents of rape, the lack of protection for women and the rumors that spread, created great fear among the women of Jaffna. The threat to womanhood was very real in the months of October and November. Most women experienced sexual anxiety and felt exposed and vulnerable. Many fled to areas they felt were safe, a large exodus reaching Colombo in December, when transport became available. Those left behind started acting with circumspection by following the well-meant advice of sympathetic, Tamil-speaking *jawans* of 'wearing saris, putting *poddus* and staying indoors'.

At the beginning, there was lack of action by the commanders, probably because they had to maintain troop morale in a difficult situation during the first two months and rape itself became part of army action. Later, disciplinary action was taken with identification parades and punishment, usually in the form of public thrashing and transfer to another unit. After December, the *jawans* were more discreet and circumspect. By 1988, the higher authorities showed much sensitivity to the issue of rape, probably due to the wide publicity outside Jaffna. They even brought in female police and paramilitary to allay the fears of local women.

The public outcry and wide publicity of this aspect of the Indians' occupation that gained momentum from December reflected the deep-rooted feeling of insecurity and the cultural significance of this threat to our women. A young lady who fled to Colombo, confessed that when, on her return to Jaffna in January, she saw the Indian army all over the place, a fear clutched at her heart and her immediate instinct was to get back to Colombo by the same bus.

But she soon sensed, as only a woman can, that the men were now different, better behaved and disciplined.

From *Scarred Minds The Psychological Impact of War on Sri Lankan Tamils* by Professor Daya Somasundaram (courtesy Sage Publications India and Vijita Yapa Bookshop)





## The Cry of the Trees

It's the cry of my fathers  
The cry of the trees in the air  
Generations were standing  
in many rows.  
The trees were bewildered,  
the sky watered  
on the muddy earth,  
Generations were waiting,  
Terror was the call that came,  
For division and partition,  
who puts the axe to the mighty life trees?  
Food of my mothers,  
food of my children to be,  
Lying big, and still

A chill spread in the air  
rows of the dead lying in state  
not a flag to cover their nakedness  
not a tear to wash the blood stain  
dead in the prime of bearing,  
Tree of my life  
make me a costly box to sleep in

*Evi Ramawera*  
(Selected Poems)



## *From the Forum*

The following statement was issued by the Sri Lanka Women's NGO Forum in the wake of election related violence in Wayamba Province this year. We also print a letter, in part, which appeared in the *Island* in response to the statement and our response to that letter.

"The Sri Lanka Women's NGO Forum which strongly supports the participation of women in decision-making and political processes notes with deep concern and dismay the rising levels of violence linked to the Wayamba Provincial Council elections to be held on 25 January, 1999. We are appalled at the type of violence which has been directed at women involved in campaigning for the contesting political parties, in particular the incident involving a woman canvasser who was brutally attacked. Such incidents go against the very grains of justice and the foundations of a civil society. Incidents such as these are serious obstacles to the participation of women in politics and should be condemned outright.

We find that targeting women entering the field of politics is a violation of the principles enshrined in the constitution of the Government of Sri Lanka, the Convention on the Elimination of Discrimination Against Women (CEDAW) to which Sri Lanka is signatory and the Women's Charter of Sri Lanka. Verbal and physical intimidation of women is totally unacceptable and deplorable and is an indictment on Sri Lankan society in general.

We strongly call upon all those responsible for upholding and safeguarding democracy and democratic principles including ALL contesting political parties and candidates to take immediate steps to stop incidents of violence which are seriously threatening holding of free and fair elections in the country. We call upon all contesting parties and candidates and supporters to ensure that no incidents of violence against women will be committed during and after elections."

22 January 1999

**Excerpt from the letter printed in the *Island* under the heading Women why this outrage?**

"The statement by the Sri Lanka Women's NGO Forum relating to polls-linked violence is embodies a disturbing and increasingly evident trend that seeks to emphasise the violation of women while subtly acquiescing in the violation of men. It is clearly evident from all available reports that poll-related violence has predominantly been directed against men. Yet it is the violation of women that has been presented in this statement as cause for outrage and described as 'going against the very grains of justice and the foundations of a civil society' implying that such violations of men are part and parcel of civilisation.

Poll-related violence has been portrayed as being a serious obstacle to the participation of women in politics and the fact that it is in every way as serious an obstacle to the participation of men in politics has been ignored. If, as claimed in this statement, the principles enshrined in the constitution of Sri Lanka prevent the violation of women but not the violation of men, then this is indeed cause for serious concern. If, as the statement goes on to say, 'the verbal and physical intimidation of women is totally unacceptable and deplorable and is an indictment on Sri Lankan society in general' then such actions directed at men must be stated to be equally so unless it is to be assumed that they are not, or that women are for some unstated reason more entitled to men to a violence-free society.



It is time we acknowledge that the rising tide of violence within our context is primarily directed at men and it is men who are repeatedly condemned by the political system, jointly perpetuated by both men and women, to take up arms and and kill and be killed - a gruesome preoccupation that may possibly be brought to a swift and sharp end if entrusted to women. The widespread sexual abuse of men within the penal system and other sexually segregative institutions including schools and school hostels is carefully ignored. Homosexual harassment in the workplace and within the public transport system is brushed off as fantasy or hallucination. The harassment of men within the family is denied and a recent advertisement which highlighted the depressingly oppressed situation of men within the family was shouted down by women's groups.

I do not seek to deny that the currently obtaining context subjects females to forms of violence and exploitation peculiar to their sex but .... these gender specific forms of violence are limited. The generalisation of



gender specific violence in a manner such that all violence against women is portrayed as gender specific and the use of this portrayal as a vehicle by which women seek to protect themselves from violence that is general and not gender specific at the expense of males who seek equal protection from such violence is totally unacceptable.

It is time that men who are not overawed or intimidated by the gender biased documentation of violence and massive developmental aidflows that support its publication organise themselves in order to ensure that they receive equal protection from all forms of violence and harassment as well as relief from the subtle psychological pressures and gender roles that compel them to lead the often dangerous, destructive and suicidal lifestyles that they do."

Nirmalan Dhas  
Colombo 03

## Our response

As an organisation which believes it is vital to document "gender-biased violence", as the author puts it, Voice of Women would like to respond to the writer of this letter.

The reason polls related violence is largely directed against men is because men - with a few high-profile exceptions - are the major participants in political life.

It logically follows that the main victims of political violence must be men, by sheer weight of numbers. In the past 51 years, women in Sri Lanka have never had more than 5% representation in any of the political bodies (Pravahini WERC Newsletter December 1998).

The incident which occurred at Wayamba is gender based if you scratch the surface a little and examine the implications.

Compared to the other forms of election violence, stripping carries with it a special brand of humiliation and brutality.

Stripping a woman carries with it yet even more painful and humiliating consequences in a society which values a woman's modesty and 'modest' dress as much as Sri Lankan society. While the level of political violence must deter some men from entering politics, such an

act alone is unlikely to stop them from considering involvement with politics. But it sends out a clear message to any woman with political ambitions and desires: this is the price you will pay for daring to enter politics.

Feminism does not seek to ignore the violence directed against men but once again, even a superficial analysis of statistics will reveal that in any nation, it is always women who are the overwhelming majority of victims of violence - particularly sexual and domestic violence - and men who are, overwhelmingly, the aggressors. By nature of their sex, women are more at risk of violence. This applies to all forms of violence.



The battle to increase awareness of violence against women - with the aim of stopping it - can only benefit society as a whole. Feminists do not seek to stop violence against women at the expense of men. Arriving at that conclusion ignores the fact that we all live in society together. Any event or occurrence, good or bad, which affects one group ultimately has implications for us all.

Men, by nature of their gender and patriarchal society undoubtedly face problems. The writer has named some of these issues including: 'subtle, psychological pressures and gender roles that could compel them to lead the often dangerous, destructive and suicidal lifestyles' that they do. We support men who have the courage to challenge the status quo, but we urge men not to complain about the strength and muscle of the women's movement in the process, or to assume that the two groups are working towards opposite goals.

Finally, what have men to be over-intimidated or over-awed about concerning the publication of "gender biased documentation of violence". Is the writer feeling a sense of guilt or an unwillingness to acknowledge that men are responsible for most of the violence against women?



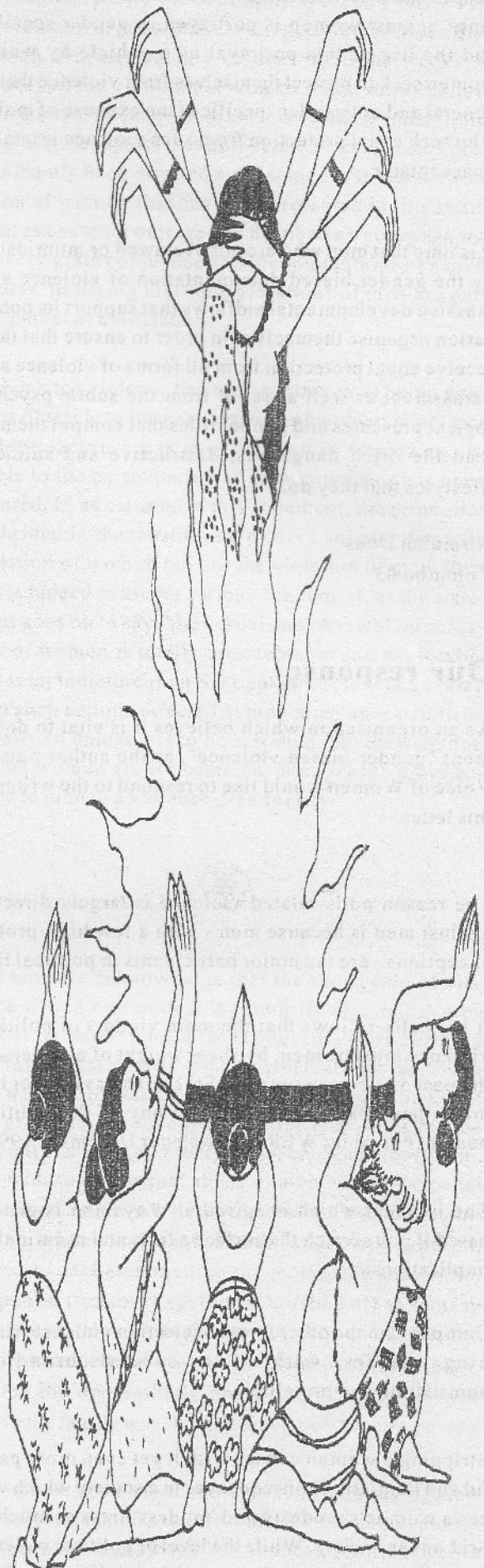
# Sati

This then is the picture - a touch of cerulean  
 Along the upper margin indicates the pond  
 In which they plunged her, dressed in rich attire  
 And golden ornaments. Her palanquin  
 Stands empty. upper left, draped in white flowers.  
 Brahmins and relatives, an eager crowd of friends  
 Form a bright circle - ochre, scarlet, green  
 Stroked deftly. They lift their hands  
 Admiringly towards her - yet some are seen  
 To carry torches, some clay pots of ghee,  
 And ranged in double line about the field  
 Black-bearded Brahmins brandish sword and shield

And now the purohita Brahmin bearing holy fire  
 Raises his hand in signal - the pyre  
 Is lit (dead centre), contents of the pots  
 Are emptied on dry wood, and saffron flames  
 Flare upward. A rosy glow  
 Spreads out across the burning field  
 Enveloping the corpse - an aged man -  
 (In neutral pigments). His fair-skinned wife  
 With flowing raven hair and slanting Moghul eyes  
 Still in the very prime of life  
 Is dragged towards the pyre, is lifted high,  
 Then cast upon his body. Her fierce cry  
 Is drowned in acclamations - they smother her screams -  
 (The fire blazes fiercely now in tints of blue and red)  
 Her smooth skin puckers, flames flow from her head,  
 And when she struggles wildly to be free  
 The Brahmins raise their swords, confining her  
 To burn. And burn. And burn. Until she is quite dead.

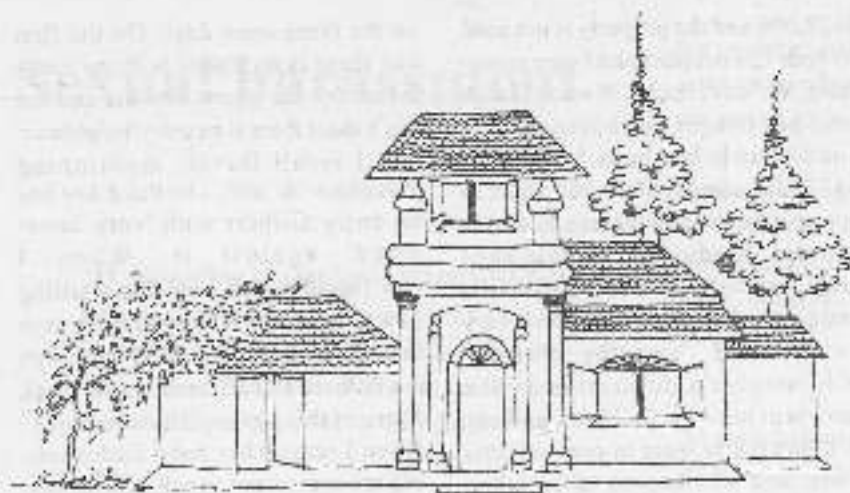
The caption to the picture elucidates  
 That while the widow preserved calm, and a serene  
 Demeanor as the long procession wound  
 Its way unto the burning ground  
 When she beheld that dreadful scene  
 Was made to leave her palanquin,  
 Her looks were fixed upon the pile  
 In terror. All that while  
 They tore jewels from her ears and neck,  
 And pulling, dragging, prodding from the back  
 They made her walk three times around the pyre  
 Before committing her unto fire.

Much later,  
 The ashes were sifted, and remnants of bone  
 Placed in the slim copper urns - some to be thrown  
 Into the waters of Ganges, - sacred river,  
 Purifier, and giver  
 Of life, - and some to be ground  
 Into powder mixed with new rice boiled in ghee  
 And eaten by twelve Brahmins  
 Ceremoniously



Anne Ranasinghe





## Stuck to Mammon - I

First, the outside walls were white, fairly rare in the suburban replication of bricks from liver to pale egg yolk and various unlikely and startling combinations. Then the floor was black and white recalling the generous black and white marble of the breakfast terrace from the past, so loved. Unbelievably the view from a favourite chair is of roly-poly hill with the splendid coral tree at the top to the emerald sweep of the downward slope and the eye enticed further, beyond the finely leaved gum trees to the valley of the Parramatta River and then to the blue hills far away. Dare I - but I have to - recall the far more generous upward slope of Chinaman Hill and the eye inevitably led across the paddy fields to the gold-tipped stupas on the far hill, on one side of Lunenburg. On the other side of Lunenburg I dare to recall leafy, bushy, winding terraces going down, down to the magnificent waters of Duddswa Lake and the wild island; and like a rather queer relation our own meagre terraces going down to the impressive 70-foot tall blues butt gum and beyond the tops of suburbia to the Blue Mountains. But the stillness, peace and endless bird-

song, punctuated, it is true, by the whoosh of passing cars, is the place that has become the place of contentment, barely 20km as the crow flies, from the centre of the busiest, largest, noisiest metropolis in Australia.

I hear the dull, flat, totally unfeeling but I dare say professional, monotone of the auctioneer, and with each second the heart gets heavier, the stomach flutters with apprehension, and mouth and hands get dry with tension. I sit on my stone slab facing roly-poly hill, my back to the motley crowd on the back lawn, each poker faced, playing this comedy of errors. Does anyone of them know what it is to love this place like I love it? I raise my head momentarily from the paper I have been so frantically writing on. A crested pigeon, so utterly elegant, finely delineated wing feathers in dark pink, green, grey black and white, bright ruby eye and jaunty crest like a cheeky, black exclamation mark - a pair of them now, dowager shaped, are on the balcony so confident, looking at me unafraid, pink feet glistening in the noon-day sun. I am glad I am not blind. Just then a flock of eastern

rosellas fly past, I hear them before I see them - subdued, rather genteel cries in a quick crescendo and decrescendo. I am glad I am not deaf.

Obviously I am not attuned to the pragmatism and hardheadedness of the market place. How to stop the frantic beating of the heart and the brain-storm in my mind, and let this place go under the hammer for X number of dollars? 'What are similar properties in this area going for?' asks D. I throw a fit and scream 'There is no other property in this area like this one' and stalk out in a blind fury. I can see the desperation on C's face as our agent David, walks back and forth trying to come to some compromise on price. I see the impatience on son A's face 'Why must Mama get so bloody hysterical?' On the coffee table is the GB book, the first one. On the back cover is a picture of G silhouetted against roly-poly park sitting on my rough stone slab. G will never come again to visit us in Sydney; he has been felled by three strokes and two bouts of pneumonia; he acknowledged reluctantly 'Quite nice, your home' after maybe the third of his twice-yearly visits. Everyone is kind and helpful - 'Take ahead to the new place you will be going to - it will be exciting.' Yes, I think to myself, a bloody hole in the wall to creep into and die. I have to leave behind Lahir and Lorraine and Tess and Jean and Joan, greivillon Ned Kelly, the vineyard the camellia the unnamed blue flowering bush and the Lemon Lisbon. How much? Not much if you can't subdivide, commented a very successful millionaire to a friend. Am I as stuck to mammon as he is? I am again close to tears. I have to do something, I go to the piano and for three and a half minutes the horror is eased as the heart and head are immersed in Bach Prelude number 22 in B flat major, book 1.



## Stuck to Mammon II

**Day 1** - The die is cast. We are selling our home, 60 Terry Road, after living in it happy and contented - very happy and contented - for 21+ years. I go around to all my neighbours and tell them - Terry, Walter and Willi, Pam and Jerry and the old couple John and Leslie Eades. I tell them we are hoping to get \$500,000. They all express polite sorrow and suggest alternatives so that we do not have to leave. We even ask John Eades if he and Leslie would consider joining with us in selling the bottom halves of our adjoining properties to a developer. I doubt he understood. He is very old and feeble.

**Three weeks later** - The house has been put on the market for auction. More than 55 people have come to the three 'open house' Saturdays, one person to all three. He is Carl.

### Friday, the day before the auction

Christopher and I are talking with the agent, David, and his sales assistant Clark at the dining table in the sun room. The main item for discussion is fixing the reserve price, which is the lowest price the auctioneer can accept before the hammer goes down. I go for the \$500,000 which I am told for the nth time is unrealistic. I reiterate for the nth time that that is what I want - otherwise no sale - simple. Then the door bell rings. I get up to answer it and there all dressed up in, collar and tie, creased dacron trousers, shoes and socks, is John Eades. I usually see him in rather shabby long shorts, faded checked shirt and worn sandals. He comes in and says "I've come to wish you all the best for the auction tomorrow". We say "Thank you John, that's very kind." He walks to where David and Clark are seated. He says "Well, you must have a high reserve" and "If I had the money I would buy this place for my grandson." We smile indulgently.

**Saturday** - The auction closes at

\$429,000 and the property is not sold. At 4pm Christopher and I sign something. We don't read it. We don't know who has bought our house. We do know that it has been bought for \$437,500, almost \$600,000 short of my reserve. We shake hands with a bearded, beady-eyed middle-aged man, his totally unmemorable wife, and a girl called Bronwyn, who is very young and 'swarthy-looking' (Christopher's description). She scowls at me - I scowl back and say "I didn't really want to ever sell this place, and was hoping to be taken out of it in a box." Dinner that night was with Charmaine, Reuben and Merrill (Dilmah Tea) Fernando.

**Monday** - Christopher calls our agent, David, to ask who bought the property. "An architect called Graham Edds, whose wife is a professor of building at the University of Western Sydney. They are buying it for their son who is in the States" a bit of a shock because Carl is not in the picture, nor the party called Gilbert who had made contact with our lawyer and taken a contract. I get curious and remember John Eades telling me a long time ago that the family name was Edds in the Doomsday Book, and that later it changed to Eades. I rush over - they are at home - and ask if an architect called Graham Edds is any relation. A smiling and happy Leslie Eades answers "Yes, he is our son - and we didn't know a thing about his buying your home until a couple of hours ago." I burst into tears. The daughter who is visiting, brings me a tissue which I accept, and offers to make a cup of tea which I refuse. The daughter, Margaret, is an interesting looking, sixtyish woman who has just got off the phone to her nephew in the US, the boy Michael for whom the house has been bought. Margaret is very vocal and rants on and on about how she wishes we would never leave the house, how she doesn't like her brother Graham. "We don't communicate" she says and also something like "he is a hard, tight man." She comes over and sees our house because according to her, if her brother has bought it she never will. After she has gone I look over the three sheets listing the people who saw the house

on the three open days. On the first day there is an Eades with no comments by the agent. On the second day's sheet there is an entry 'neighbour' and I recall David mentioning 'daughter-in-law'. The third day has an entry Gilbert with 'very interested' against it. When I call David to tell him this startling news, he is dumb-struck but he says that the swarthy, scowling Bronwyn is a Gilbert, and affianced to Michael. More of this jigsaw falls into place when I remember John Eades telling me some time ago that his grandson has a Sri Lankan girlfriend and this morning Leslie telling me that Mr Gilbert is Sri Lankan and Mrs Gilbert is English. Battling the mix-up in my head and the emotional turmoil of the past two days, I think how happy for the grandparents to have a grandson living next door, and quietly endorse Christopher's hope that this house bring the family together again. In the five years John and Leslie Eades have lived next door, I have never seen Graham Edds. However, I have seen and met the other son who looked very ill and sad. Margaret told me this morning that he is in Africa and dying of "some terrible African disease."

## Epilogue

Another memory is retrieved - long forgotten and only surfacing after the relevant key in the brain has been pressed. Art dealer, John Bergerhaus, lived next door before the Eades. A burly, bearded, solitary figure, walking his golden retriever Honey, twice a day, he once told me that one sale a month was all he needed for his business. Not many people ever came to his place, but he did have a full-page advertisement in the *Sydney Morning Herald* proudly proclaiming "House of Berger" etc etc. One day he told me that a developer he knew in Epping was interested in buying our two properties for \$500,000 each ie \$1 million! Would we be interested in selling our property for \$500,000? he asked. This was seven or eight years ago. My reply was instant "John this is our home and I suppose we will live in it until we die."

Carmel Raffel



# Sexual harassment

"By requiring an employee to contend with unwelcome sexual actions or explicit sexual demands, sexual harassment attacks the dignity and self respect of the victim both as an employee and as a human being."

*Janzen and Goverett v Platy Enterprises Ltd (1989)*  
59 D.L.R. (4th) 352 (S.C.C.)

Sexual harassment in the workplace is a form of violence against women which takes place in all types of workplaces and at all levels of seniority, from the lowest ranks to the highest. It is both under-reported by those who experience it and under-recognised by those who can improve the situation of women at work, i.e. employers and other senior staff who may dismiss or trivialise the problem.

It is a form of violence against women which is damaging in numerous ways - to the individual in many levels and to society as a whole. And it is largely gender-based - women experience sexual harassment because they are women.

It is true that a small number of men have experienced sexual harassment in the workplace but in the overwhelming majority of cases, those who harass are men and those who are harassed are women.

For women to take their place in society and be able to make the fullest possible creative, intellectual and economic contribution, all employees must know that sexual harassment is unacceptable and that it will not be tolerated or dismissed by employers or laughed off by colleagues.

No society - including Sri Lanka - has achieved a situation in which sexual harassment in the workplace does not occur. In fact, facing sexual harassment in the workplace, and even on the way to and from the workplace if public transport is used, is something few Sri Lanka women can say they have NOT experienced. Consequently, women are being restricted from contributing to their full potential in society.

At a workshop on sexual harassment attended by Voice of Women, it became clear that the definition of sexual harassment itself can cause confusion in a patriarchal society. The mainly female participants attending the workshop grappled with the issue of defining sexual harassment in some work situations, so it is important to define it before exploring this form of violence any further.

## Definition of sexual harassment

According to the Supreme Court of India, sexual harassment is any unwelcome:

1. physical contact and advances
2. demand on request for sexual favours
3. sexually coloured remarks
4. display of pornography
5. any other unwelcome physical, verbal or non-verbal conduct of a sexual nature

This is a good definition of sexual harassment and is applicable not just to India but universally. The key part of this definition is that it highlights the fact that sexual harassment is any unwanted and unwelcome sexual attention - from a remark or a glance to a touch - directed to another person in the workplace. It is not the man's intent but the woman's reaction that is the deciding factor about whether harassment has occurred.

## How does sexual harassment affect Sri Lankan women?

There are features about some aspects of work in Sri Lanka which make some women workers more vulnerable to sexual harassment, not only at the workplace itself but in undertaking unavoidable work related activities, such as using public transport to travel to and from employment.



The FTZs - Many cases of sexual harassment have been documented in the Free Trade Zones. In the report 'A Review of Free Trade Zones in Sri Lanka' (July 1997), by the Dabindu Collective, the authors state that women workers face sexual harassment at their lodgings and on the way to and from work. Night work creates an even more dangerous risk, especially for women workers travelling home late at night. The report documents incidents where women workers were raped on the way home from work. An earlier study by Voice of Women (published 1983) into the FTZs found that: 'Though none of the workers interviewed explicitly stated so, sexual favours and exploitation appear to influence the opportunity and speed' of promotion.

· Middle East/foreign employment - many women seeking domestic work in the Middle East are sexually harassed by their employers. There is no shortage of incidents documented in the newspapers, but the number of women sexually harassed or who experience other forms of violence such as beatings while working overseas is probably under-reported due to their fear and vulnerability

· Tea plantation workers - There is historical evidence that sexual harassment and abuse were features of life on the tea plantations for women workers. According to research published in 1981: 'The factor of forced sexual services to superiors was an ever-present phenomenon. It can be said to have eased somewhat at present as it cannot be practiced as blatantly as before. But even today it occurs though concrete evidence is hard to bring out. Women are also not encouraged to complain due to the attitudes of managers or officials concerned, who more often than not place the blame on the woman for her sexuality'

In addition to these aspects of work which are major sources of employment for women, sexual harassment is likely to be a common occurrence in offices - both government and private.

Diverse as they are, these forms of employment have one thing in common - they leave women feeling divided and often that they are alone when problems such as sexual harassment occur.

*"In the vast unorganised sector, where women are most vulnerable, consenting to sexual exploitation is often made a conditionality - no this is not sensationalism, it's just that this factor of a working woman's life is goes underground because of economic imperatives."*

Femina (November 1998)

## Sexual harassment - a health hazard

Apart from causing the person who is being harassed misery and fear, sexual harassment in the workplace is a health hazard. The range of physical conditions frequently reported (Crull 1982; Gutek 1985; Lindsey 1977; Loy and Stewart 1984; Safran 1976; Salisbury et al. 1986) by women subject to sexual harassment include:

- gastro-intestinal disturbances
- jaw tightness
- teeth grinding
- nervousness
- binge-eating
- headaches
- inability to sleep
- tiredness
- nausea
- loss of appetite
- weight loss and crying spells

As well as damaging women's physical health it can also lead to depression and emotional problems. Victims have reported experiencing anger, fear, depression, anxiety, irritability, loss of self esteem, feelings of humiliation and alienation and a sense of helplessness and vulnerability (Gutek 1985; Safran 1976, Silverman 1976-77, Tong 1984; Working Women's Institute 1979)

Sexual harassment affects a woman's ability to earn her income to her full capacity. Constantly faced with the stress of sexual harassment, it is impossible for her to perform her job effectively or with as much enthusiasm - particularly if the problem is being ignored by those around her.



## What must be done?

'The most important tool in the prevention of sexual harassment is the education of both the employee and employers'

*Janzen and Govereau v Platy Enterprises Ltd*  
(1989) 59 D.L.R. (4th) 352 (S.C.C.)

Sexual harassment demands both an official response from the company or organisation involved and from the laws of the nation - sexual harassment is a human rights issue as much as a 'women's issue'. It is too serious and widespread a problem to deserve any approach less than that.

Sexual harassment in Sri Lanka was criminalized by the amendments to the Penal Code of September 1995. To date there have been few sexual harassment cases brought before the courts, despite the amendments, and even fewer convictions.

The last word - which is interesting and open to debate - goes to *femina* (November, 1998):

*"We have to stop viewing ourselves as victims. When that happens, harassment, abuse and rape will not be the worst thing that happens to us, nor will we be made to feel worthless all our life. Even words like "violate", "ruin", "ravage", "despoil", which are always used in conjunction with crimes against women, have to be delinked from them. If it is not seen as an irreversible ordeal, but a criminal assault, then the man's feeling of conquest and triumph is taken away."*

- Jacinta Bender





# That unheard cry

Of all forms of violence against women, domestic violence is among the most sensitive because it occurs in the confines of an intimate relationship and often in the realms of the home.

It occurs at the heart of patriarchal society, the family, and for this reason it is a crime that society - from the neighbors to the government - will often ignore. From her book, *Scream Quietly or the Neighbours Will Hear* Erin Pizzey has summed up the situation: "Nobody usually wants to know about brutality within the family. To strangers, a man's home is his castle and that castle is not to be scaled by outsiders."

According to Women In Need's (WIN) executive director Savithri Wijesekera there is still much work to be done in changing attitudes on the subject in Sri Lanka. "We have to create awareness. It happens, it is there. There is abuse of one kind or another happening every day," she said. "You only have to read the papers to see how much violence is happening."

Women In Need provides a free counselling and legal advice for victims of violence. Since joining the organisation as a legal officer in 1991, Ms Wijesekera has seen an increase in domestic violence.

"We have had a steady increase in client numbers every year at WIN. It is hard to say whether the violence is increasing or whether awareness is increasing. I think domestic violence has always been prevalent in the country, but the problems we see now are more complex. It used to be that a woman was battered by her husband, but now in addition to that there may be issues of rape, bigamy, sexual assault, extra marital affairs, it can be very complicated."

Recent research has uncovered the possibility of a link between domestic violence and progress towards

equality for women (for example the closing of the literacy gap between men and women). Evidence suggests the risk of violence rises when male partners feel that their traditional position of superiority and control is being threatened (Roxanna Carillo, *Battered dreams: violence against women as an obstacle to development*, United Nations Development Fund for Women (UNIFEM), New York, 1992; and Lori Heise, Jacqueline Pitanguy and Adrienne Germain, *Violence Against Women: the hidden health burden*, discussion paper, World Bank Population, Health, and Nutrition Department, Washington DC, 1994.)



This is also discussed in a report on domestic violence in Japan from *Asiaweek* (9 April 1999). According to that report: "As women become more educated, Japanese men feel threatened and emasculated. This deep-seated insecurity runs through all strata of society." Sri Lankan society, which is undergoing dramatic social change, including changes to the role of women, also may be experiencing this trend but more research is needed.

While many feminist organisations have been working hard to raise awareness of the issue in an attempt to change attitudes, it is still a topic that many consider taboo, something that should be kept private and not discussed in public.



Ms Wijesekera said this attitude made it very difficult for women who were subject to violence to leave the situation. "There is still a lot of social stigma attached to divorce or separation where single women are not looked upon very well in society. There is a double standard for single men and women. Single, divorced men are seen as eligible, while divorced women are seen as easily accessible and readily available."

"This attitude is fading, but it is very slow. If you are a professional woman or a woman with your own income, it doesn't affect you as much, and doesn't matter so much. But in the middle and lower classes, and for a woman without her own income, it does matter and it is a very hard struggle for her."

Family support is not always there during this often-traumatic period. "There is the extended family system in Sri Lanka, but it is not always supportive when it comes to divorce, especially for women. If you are youngish and still have unmarried brothers and sisters then the family doesn't encourage you to come home as it will affect the potential marriage chances of your siblings. The woman is seen as at fault and of "poor character", so if she has divorced then it is thought that her sister will also be unsuitable for marriage," Ms Wijesekera said. People say to the woman, "you must be a little patient, why did you have to walk out? It [violence] is expected as part of their marriage." Sometimes women are brainwashed to believe that he has the right to beat her - you're my possession therefore I can do what I like to you.

Ms Wijesekera said many women were affected not only by the attitudes of men in society but of society in general. "Men are mostly not sensitive to the issue of violence against women. It is not important in their agenda, it's not a priority. And if it is acknowledged there are many off-the-cuff remarks like 'the woman needs a good slap here or there to keep her in line'. There is a gender disparity in our society." In Japan, work is being done with the aggressors to make violence against women part of the agenda for men, as reported in *AsiaWeek* (9 April, 1999). Therapist Kasannyagi Kazuyuki states:

"The whole issue focuses too much on the wife. "What we need to address is the fact that the solution involves helping men as well." He adds "The men who come to me keep blaming their wives for forcing them to be violent. My first step is to help them acknowledge that it is not their wife's fault but theirs."

Ms Wijesekera believes the media is an important medium that should be used in helping to create awareness. "They have a big role to play, particularly the electronic media. In the tele dramas women are seen as miserable, harassed, subdued people, serving the master. This is a very negative image. There are no confident women who are seen to be taking up issues. There should be more positive images to make an impact on society."

Current laws are not sympathetic to the plight of women and children who are victims of violence, in fact the eyes of the law, domestic violence doesn't exist.

"Some laws for domestic violence are needed. At the moment it comes under the criminal law of hurt," Ms Wijesekera said. "Establishing laws on domestic violence is vital to take action against the perpetrators." Ms Wijesekera said the Government should offer financial support to single women who had left a violent domestic situation and also provide permanent shelters where they could be housed.

-Melanie Brehaut and Jacinta Bender





# violence in three months

The total number of acts of violence against women reported in the print media from October to December 1998 was 337 according to Women's Rights Watch which is dedicated to monitoring the print media for reports of violence against women.

For the last quarter of 1998, the greatest number of offences were committed against children, with 76 girls being raped. The report produced by the organisation states: "The high number of rape of minors is indeed a very frightening indication of the tragic state of affairs regarding sexual violence against women in Sri Lanka. Of the 76 reported incidents, 17 were girls under the age of 10. Fourteen were raped by male family members, mostly fathers. There were several cases of custodial rape: three by teachers, one by the manager of a home for orphaned girls. In addition there were three different reports of rape by Buddhist monks.

In the two cases in which sentences had been handed down, men suspected of the rape of minors were given sentences of 10 years rigorous imprisonment and fines were imposed on them as well, as compensation for the girls." Of the 48 cases of rape of adult women reported, 7 were of girls between ages 16 and 18, and 17 of the rape victims were between ages 18 and 25. Six of the women were between ages 55 and 74.

## Methodology: A Note

The information collected in this report is based on the monitoring of the newspaper media in the three months - October to December 1998. The newspapers examined are in Sinhala, Tamil and English languages and cover, therefore, a broad range of press reporting on women's rights issues in the country.

The issues covered are: violence against women; political and conflict related violence and violations as they affect women; women and work; women migrant workers and reproductive health issues.

An extensive database, covering the above subjects, of all incidents involving women and girls reported in the press was first collected. Thereafter, for purposes of concise presentation, the data was edited. The data in relation to violence against women is tabulated by incident ie assault, murder, rape (adults), rape (minors) and so on.

It must be noted however that the information provided is limited to reports in the press and is also limited to where a correspondent is based and reporting from. The information is not a comprehensive collection of all incidents of violence against women occurring in the month.

(Courtesy Women's Rights Watch Fourth Quarter 1998)

## Violent acts against women

Assault-domestic	14
Assault-other	39
Murder-attempted	07
Murder- domestic	42
Murder- other	48
Rape-adult	49
Rape- attempted	26
Rape- children	76
Rape- murder	04
Rape- armed forces	10
Sexual harassment	18
Sexual molestation	04









*A Sri Lankan Journal for Women's Liberation*

# voice of women

## *Jig-saw Puzzle*

Breasts bruised, brains battered  
Skin scarred, soul shattered  
Can't scream - neighbours stare,  
Cry for help, no-one's there.

In the intervening silences,  
I gather up the jagged fragments.  
Try to rearrange them into some semblance of  
The jig-saw puzzle I once called 'me'.

Try this one here, that one there,  
Something's missing, can't tell where.  
There's still a hole, can't find the piece,  
Must cover it up with any silk saree.

In the hollow gaps, I try to make  
Sense of senseless pieces that  
Won't fit into any pattern.  
Not even the new one they insist is 'me'.

Must not fight, must be mute,  
That's your strength, turn your cheek.  
All my fault, people say,  
What have I done wrong today?

In the vacant voids, I finally see  
I'll be lost forever, chasing isolated  
Pieces of fantasy, useless I go out to  
Find new pieces of another 'me'.

I see you've got some fragments too,  
If we put them together, can we start anew?  
There are lots of pieces everywhere  
But the picture we'll make is one we'll share

Nina Nehru from '*Awake - Asian women and the struggle for justice*'



Voice of Women E - mail Address, [voicewom@sltnet.lk](mailto:voicewom@sltnet.lk)