

# Domestic violence against women in sri lanka



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## Contents

- Decision

“ Woman is more fitted than adult male to do geographic expedition and take bolder action in passive resistance... There is no juncture for adult females to see themselves subordinate or inferior to work forces... . Woman is the comrade of adult male, gifted with equal mental capacity... . If by strength is meant moral power, so adult female is immeasurably adult male ‘ s superior... . If passive resistance is the jurisprudence of our being, the hereafter is with adult females... ”

## **Mathma Gandhi**

Traditionally Sri Lankan society held adult females in high esteem though the society was a adult male dominated. During last few decennaries it appeared that this state of affairs has been changed and force against adult females is increasing quickly in Sri Lanka every bit same as the other states in the universe.

The first topographic point from where it starts the force against adult females is the family where we are populating. Among the other signifier s of force domestic force has the top in Sri Lanka. There forward, force against adult females has become an issue which needs a quick and definite solution.

Most of the people in our society think that domestic force is a affair that should non vilify to the out of the household. Hence domestic force subsided for a long clip without a solution. However it has been formed new statute law for the domestic force in twelvemonth 2005. But domestic force has

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been increased more than earlier. This research is aimed at analysing the possibilities of return of the degrading procedure of inhuman. Domestic force against adult females is largely based on gender.

The squad gender mean different things to different people. The universe gender comes from the universe gender, this, in bend, comes from Latin genus. Both words mean ' kind ' , " type " or " kind " .

7. This difference in their behaviour, attitudes and values that is superimposed on their biological sex is what is meant by them gender. Hence in other words, gender refers to a set of qualities and behaviour expected from a female or a male by the society. Biological sex is rather different from gender, as it refers to aspect of the organic structure such as the genitalias, hair growing familial make- up and or endocrines.

Harmonizing to the gender word pictures superimposed by society,

8. Male are expected to hold the qualities of Devious, Fearless, Impulsive, Honest, Tough, Violent, Hard working, Opportunistic, Insensitive, Extrovert, Dominating, Independent and female are expected to hold different qualities as Emotional, Weak, Beautiful, Sacrificing, Nurturing, Submissive, Shy, Calm, Polite, Sensitive, Cunning, Soft, Introvert, Compassionate, Enduring, Fearful, Quite, Timid, Tolerant, Dependent

10. These features attribute to each gender are perchance satisfactory from the point of position of the society as a whole. However, when one considers from the point of position of the person of either genders, it may non be so. Impact sometimes it could be even harmful. Similarly, there are many cases

of traditionally imposed features which are disadvantages to the adult females every bit good. This is more so in patriarchal societies like ours.

12. It is traditionally accepted that female should make the cookery, looking after the house etc, while the adult male works in the field. This is satisfactory every bit long as there is common apprehension between the adult females and the adult male and the determination had been arrived at by common consent. Often it is non so. The function of the female has been thrust upon her and she is obliged to execute it even when she is pregnant or ailment. It is this traditional compartmentalisation of these functions harmonizing to gender properties determined by the society that leads to jobs.

## **DEFINITION OF DOMESTIC VIOLENCE**

13. Domestic force is defined as an maltreatment of power perpetrated chiefly by work forces against adult females. The most commonly acknowledge signifiers of domestic force are physical and sexual force, menaces and intermediation, emotional and economic maltreatment.

## **PHYSICAL ABUSE**

14. Physical maltreatment can include slapping, punching, whipping, jostling. It can include efforts to harm the victim with arms, like knives, sticks, or other points found lying in the place. In utmost instances pieces, may besides be used to endanger and/ or helm the victim.

## **SEXUAL ABUSE**

15. Sexual maltreatment includes colzas, physically assailing a adult female sexual organic structure parts forestalling the victim from utilizing birth

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control and/ or safe sex patterns. Rape is coercing adult female to hold sex against their will, which in many instances involves force. In all instances it is a misdemeanor of an person ' s rights her organic structure.

## **EMOTIONAL ABUSE**

16 Emotional maltreatment can includes all knowing efforts to minimise the victim ' s concerns and to do them experience back. Humiliating the victim in forepart of the other people, household and friends is a common manner, this is achieved.

## **PSYCHOLOGICAL ABUSE**

17. Psychological maltreatment can include any menaces that are made or carried out with the purpose of fiscal or emotional hurt, blackmail or humiliation. Menace may be made to take the kids off from the adult female.

## **ECONOMIC Maltreatment**

17. Economic maltreatment creates fiscal dependance. The victim can hold her money taken off by her maltreater, coercing her to hold to inquire for money whenever she needs any thing.

## **INTIMIDIATION**

18. Bullying as a signifier of maltreatment can include doing the adult females afraid by utilizing expressions, action and gestures, by destructing their belongings, or by exposing arms.

## **Isolation**

19 Isolation can be used to command and restrict what the adult female does. Whom they see and where they go. The maltreater may forestall them from seeing household and friends.

## **Exploitation PRIVILEGE TO CONTROL**

20. Using privilege to control is besides a Form of maltreatment. By handling a adult female like a retainer and holding the last word about everything, the maltreater is moving like maestro of the palace. He is specifying and stiffly staying by the traditional functions of work forces and adult females

## **THE AGGRIEVED MAY BE**

- a. he father, female parent, gramps, grandma, stepfather or stepmother
- b. the boy, girl, grandson, or expansive girl, stepson, stepdaughter
- c. the brother, sister, half-brother, half-sister, step-brother, step-sister
- d. brother or sister of parent ( an uncle or aunt )
- e. kid of a brother or sister
- f. The kid of brother or sister of parent

## **DOMESTIC VIOLENCE CAN BE CAUSED BY**

a. the partner

b. the ex-spouse

c. the cohabiting spouse

d. parent

## **REASONS FOR DOMESTIC VIOLENCE AGAINST WOMEN**

### **Drunkenness of the attacker**

9. This is a major ground for subjecting married womans to domestic force.

Alcohol appears to be the most proximate cause for many type of force peculiarly in the rural countries where illegitimately brewed intoxicant is available in plentifulness. This is peculiarly a cause for incest where the male parent who is rummy, with all his carnal inherent aptitudes bared, sexually harassed the immature and guiltless girl, frequently with no female parent to protect her as she has gone off to gain for the household.

### **Anger**

10. Another ground given after buffeting adult females by hubby Idahos that.

They got angry and beat the married woman. The duty is given back to the adult females for annoying him and doing him an angry. The common preventative step prescribe to the married woman is non to annoy the hubby. Often no advice is given to the hubby. However there is no justification whatsoever to change over choler in to violence which makes person else suffer. It is said that “ conquer angry by love, conquer immorality by good ” .

### **Fiscal jobs**

11. Unemployment, less wages or rewards, lodging jobs are class to make domestic force because inability to afford the disbursals of the household, still the dowery is besides class to make force.

### **Cycle of the force**

12. The individual who has subjected to force in his childhood or who experienced the force from their parents can act as their parents

### **Incense by the victim**

13. Sometimes the victims incense their hubbies unnecessarily

### **Social factors making with the household**

14. Mistakes occurs twenty-four hours to twenty-four hours workings of adult females in the family ; jobs of kids, misinterpretations of the dealings of the married woman or hubby, have subjected to make force against adult females.

### **Sexual jobs**

15. Intuition of the hubby sing his married woman and presuming that an matter has been built his married woman with another individual, and declining sexual behaviours of hubby when he want are besides coursed to make force against adult females

### **Cultural factors**

16. Dislike to keeping cardinal assignments by married woman and restrict her to the family is besides a major job

### **Structural inequalities**

17. Domination of work forces in the family is besides caused to make force against adult females



## **Extra matrimonial personal businesss beyond married woman or hubby**

### **Chapter**

#### **STATEMENT OF THE PROBLEM**

1. Even though traditionally Sri Lankan society holds adult females in high regard, it is a favourable addition of domestic force against adult females in Sri Lanka. Although adequate depressions and statute laws have been formed in clip to clip it is non appeared that a lessening of domestic force against adult females.

2. Domestic force is the first action which occurs among the members of a household in side a house clasp. This includes assorted signifiers of sexual torments every bit same as other signifier of physical torment, unwritten or mental maltreatments. Generally it is non reported mental torments but it occurs more than other signifier of torments with in a family.

3. The domestic force which takes topographic point in a family largely targets the adult females. Domestic force against adult females normally does non happen in public. In the public " Ladies foremost " is the abstract. Hence it is non detected domestic force because it appears that all are giving due regard for adult females.

4. Even though the authorities and some non authorities organisations have collected informations on this issue they could non be able to do a effectual solution for forestalling domestic force against adult females.

## **Justification**

5. Womans have to confront assorted type of force for the interest of being born a adult female. This survey is chiefly focused on determining the grounds for misdemeanor against adult females in Sri Lanka and to do recommendations to get the better of the job. Research findings and recommendations could be critical to the authorities and several governments to do effectual solutions to extinguish this force. A proper analysis carried out may bring out avenues to help steps in forestalling domestic force against adult females.

6. Hence, this research could be used to get at feasible solutions on the issue of domestic force against adult females. Subsequently the remedial steps may be included in the national policies depending on the relevancy and cogency.

## **Scope OF THE STUDY**

7. There are so many facets in domestic misdemeanor against adult females. The range of the survey is to happen why these things happen and what safeguards that can be taken to forestall the domestic force against adult females.

## **GENERAL OBJECTIVE**

8. To developing a well-bred household and it adopted to construct up a well-bred state

## **Specific OBJECTIVES**

9. Specific aims are as follows ;

To happen grounds for the force and type of force return topographic point

To propose solutions to forestall domestic force against adult females

To analyze the ability to pattern the solutions in Sri Lanka

To analyse the statistical informations

## **Hypothesis**

10. Domestic force against adult females is unable to forestall by the Law with out doing an environment that promote to execute duties of each others of the household.

## **Methodology**

11. This survey will be chiefly based on the primary informations, which will be collected through questionnaires from a random sample of adult females to roll up the qualitative informations and it is to be used the information that has been collected from authorities and non authorities organisations concerned this job in hall the island. The information drawn from the above methods will be used to finalise the study to turn out or confute the hypothesis drawn from the research.

## **Chapter III**

### **PAST AND THE PRESENT**

Sri Lankan society has built on Buddhist civilization since 2500 old ages ago.

The basic instruction of Buddhism, redemption by one ' s ain attempt put frontward the religious equality of all existences irrespective of gender.

Singalowada Sutra at Sutra Pitakaya has defined duties of a hubby and every

bit same as a married woman to execute for each others. That taught to esteem each others in the household.

After presenting unfastened economic system, societal values which gained from Buddhism have been loosed. It is started to import assorted goods and services. It created a consumer society in Sri Lanka. Privations of the people were increased. To accommodate this society and carry through these wants adult females besides have to use to gain money. Further the adult females has bee used a commercial silent person. This system really much cute to give some mental payoffs to adult females who were missed their societal values on money and introduced adult females rights in stead of the duties adult females. Womans are sing to win their rights but the love from his hubbies. Obligations of hubby and merely the rights of married womans were remained. As a consequence of this state of affairs, it started to destruct the image which had drawn in our head set as a female parent, sister, married woman and girl and the force against adult females were increased.

At present in Sri Lanka, it was estimated that around 60 % of adult females are subjected to domestic force. \*

## **Chapter VI**

### **LEGISLATIONS TO PROTECT VICTIMS**

1. It had non certain statute law for domestic force in Sri Lakethe penal Code besides does non hold several commissariats with respect to domestic force against adult females. Therefore victims of the domestic force has to be consider under other general subdivision like subdivision 324- assault or subdivision 311- doing dangerous injury. Although the amendment s to the

penal codification in 1995 expanded the definition of dangerous injury it did not take in force against adult females as an offense. This amendment besides did not concern victims who may have suffered merely light hurts and those subjected to emotional maltreatment which precisely points to the entry not decisive by its CEDAE duties.

2. However the Act made favourable proviso in twelvemonth 2005. The freshly passed jurisprudence on domestic force is an act to supply for the bar of any act of domestic force which may be either physical maltreatment or emotional maltreatment between two people who are related. The proviso of domestic force act no 34 of 2005 stipulate the grades of relationship.

3. This jurisprudence is a civil redress and is gender neutral and does not upset the condemnable jurisprudence redress as it is not an option to the condemnable procedure. This jurisprudence focuses on guaranteeing the safety of the aggrieved party. To obtain a protection order you need to use to the Magistrate Court. You can submit your application through an Attorney at Law or personally or through a Police Officer.

4. Any individual against whom an act of domestic force has been committed or likely to be committed may do an application. Such an individual is referred to as an aggrieved individual under this Act. An application should be made to the Magistrate's Court with in that legal power the aggrieved individual resides or the relevant individual resides or the act of domestic force took topographic point. Upon having such application the tribunal can see the application and find whether an interim protection order is desperately needed to guarantee the protection of the aggrieved party

## **Domestic Violence and Women Health**

1. Violence as defined by WHO is the knowing usage of physical force or power, threatened or existent, against oneself, another individual, or against a group or community that either consequence in or has a high likelihood of ensuing in hurt, decrease physical injury, mal development or want

2. The victim s adult females tend to hold many upset which, when considered superficially, do non look to be connected to force. A WHO study done late identified following complications that could be associated with force.

### **Shed bleeding during gestation**

3. It is now that physical assault can do shed bleeding ' in gestation due to partial separation of the after birth ( placenta ) , while the babe is still with in the uterus.

### **Low birth weight**

4. There are case where the female parents present babes with lower weight than respective their adulthood. These babes excessively face hazards the mental emphasis that the female parent undergoes due to force, effects of inactive smoke through hubby ' s smoke are factors taking to the effects of assault.

### **Lack of attending and attention**

5. It is frequently seen that the female parents who are victims of force tend to go to prenatal clinics late or non go to such clinics at all. This late or non attending is seen at the maternal decrease reappraisals where each maternal

decease is looked into in item. This leads to non acquiring necessary attention and

altering attitudes that permit such maltreatment, developing legal and policy models to forbid and reject it, and bettering adult females ' s entree to economic resorts and misss ' entree to instruction.

## **Chapter V**

### **THE IMPACT ON CHILDREN**

Children may prove their parent by acting severely. Children are dependent on grownups to state them what is right and incorrect. Children need to experience loved, recognized and safe in their household. This means life in a place where there is no uncertainty when force may break out.

Children attempt to do sense out of what happens in the universe ; to believe that there is a ground for what happens. This may take them to experience that it is female parents ' mistake that she is beaten. They may believe that it is their mistake. They may experience guilty that they can non assist parents. They may take male parent ' s side because they feel safer to be on the side of power. This may go on more with male kids. Though kids rose in violent places are at hazard for committing or sing force in their maturity.

## **Chapter VII**

### **THE WAY THE BUDDHIST TEACHINGS**

5. Buddhism condemns any signifier of force in no unsure footings. Buddhist learning Buddhist learning extends beyond the universals Buddhist construct of ahimsa or non force and provides waies for the ballad followings to

populate a happy, peaceable and fruitful life with out struggles in the household with in the boundaries of Dharma.

6. When one considers the cardinal principals elaborated in Buddhism, one can non see a gender differentiation. The three cosmopolitan features ( tilakkana ) which are anicha, dukka, bete noire are common to both genders likewise. The Ariya Attangika Magga, the way that is to be followed for emancipation, is available to both genders and it is to be followed in the same mode by both genders. Hence emancipation or Nibbana is common and is come-at-able by both genders that follow the right way. When facts are so, the logical decision is that, in Buddhism there is no gender equality. However, when it comes to reading of the Buddhist doctrinal issues, at times, this cardinal Buddhist societal rule is non really clearly presented. The attitudes towards gender as depicted in the Pail Canon reflect the attitude towards gender with in the society at the clip of the Buddha, every bit good as the Buddhist attitudes towards it. It is besides accepted that there are parts from beginnings other than the Buddha eighth in the Canon

7. When we are analysing the job of domestic force against adult females it appears that the mistake is ever transferred merely towards the work forces. All the good work forces and adult females raised their fingers towards work forces. Actually this society is a adult male dominated society. Men ever seek to keep the domination. Further he has got some strength more than adult female by the nature. The true love can fall in these barrios to populate together for adult male and adult female until the terminal of the life. But unluckily the societal system which we have to confront restrict to the peace of the household. Therefore both adult male and adult females should hold

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duties and duties for each others to beef up their household. The Lord Buddha preaches following duties and duties for the model household.

### **Five Kinds of Duty for a Husband**

A A A A A a. A hubby must be sort to and adore his married woman

A A A A A B. He must non handle his married woman in an impudent mode.

A A A A A c. He must non prosecute in sexual misconduct with other adult females.

A A A A A d. He must give her control and authorization over domestic affair.

A A A A A e. He must supply his married woman with garments and decorations.

### **Five Kinds of Duty for a Wife**

A A A A A a. A married woman must set up jobs of the family good and run it swimmingly.

A A A A A B. She must administer gifts reasonably between her relations and her hubby ' s relations.

A A A A A c. She must non prosecute in sexual misconduct married woman other work forces.

A A A A A d. She must maintain and keep all things orderly that are handed over by her hubby.

A A A A A e. She must be adept and diligent in all her house works.

8. If this codification of behavior is adhered to there is no room for domestic force to happen. But what normally happens is wholly ignoring the need to remind work forces of their divinities

## **Chapter VIII**

### **Analysis**

1. At present there is no systematic mechanism for information aggregation in relation to the prevalence, causes and effects of force against adult females and there are no disaggregated statistics available referring to intimate partner violence. However records of ailments to adult females, the organisation helping adult females affected by domestic violence, constabulary statistics and newspaper studies suggest a higher prevalence of intimate partner violence. Recent surveys on this subject estimate the prevalence to be between 18.3% and 60% in Sri Lanka.

Year

1997

1998

1999

2000

2001

2003

2005

2006

2007

2008

2009

Incidences

791

895

1020

1208

1514

2015

2688

3154

3207

3612

4523

2. Following statistics in regard of domestic force against adult females in whole the island receive from Women In Need ( WIN ) , which provides free

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guidance and legal advice to victims of domestic force shows an thought of resent tendency of force against adult females in Sri Lanka.

3. Above chart shows that the figure of forces who has got leagle advises from Women in Need each old ages. It clearly indicate that the figure of forces who have got advices for domestic force from Women in Need has increased quickly twelvemonth by twelvemonth.

4. Although the Prevention of Domestic Violence Act came in to operation from 3rd October 2005 it appearse that problrems sing domestic force against adult females. Actually it has been increased. Therefore it is hard to state that the jurisprudence is an effectual one to forestall domestic force against adult females in Sri Lanka.

Legal Advices

Capital of sri lanka

Kandy

Matara

Badulla

Anuradapura

Jaffna

Puttalam

New

1844

627

422

396

265

31

282

Repeat

2679

316

2028

1015

1009

242

315

Entire

4523

943

2450

1411

1274

273

597

5. The chart shows that the figure adult females who faced domestic force and petition adviser from the Women in Need from January to October in twelvemonth 2009. 4523 individual have got consult and Most of them have got adviser at the repetition list. If there is a new proviso in the jurisprudence to work out domestic force against adult females and they have got legal audiences why they came once more and once more to acquire legal audience is a job.

6. Harmonizing to the inquirers it appears that Sri Lankan adult females do n't wish to state their jobs out of the family and they ever think about the hereafter their kids. Most of the adult females married with love personal businesss and person married with out the authorization of their parents. Therefore they have a job to state even their parents.

7. After established the bar of domestic force against Act Child and adult females agency has started to acquire entries sing domestic force. But in 2009 merely the 236 incidents were reported and 55 incidents have been reported from January to September in 2010 in the full Island.

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## Chapter IX

### Recommendation

1. After presenting liberalisation policies in twelvemonth 1977 in Sri Lanka media played enormous function to alter attitudes of the state towards traditional adult females and to fall in her traditional values. Hence it has been proved that the media can make a major function to alter attitudes of the state. Therefore it is recommended to utilize media on the authorization of the authorities to make good planed public consciousness plan to esteem all adult females as a female parent.
2. Another responsible party is concern universe who sole adult females in Sri Lanka with their goods and services by advertizement. Therefore it is recommended to lend them to do a societal selling run to alter attitudes of the state towards adult females as a must.
3. Government should take an action to live together Tele-dramas which make people to sing hatred to each others.
4. It is recommended to get down school degree consciousness plans to educate misss and male childs sing the expected qualities of male and female and to learn to patience others sentiments. Buddhist and other spiritual instructions sing the household life and duties of each individual who are playing a separate function with in a household should be thought. Through this consciousness plans it is able to present these massages to their parents besides.

5. Police or the several governments should do a mechanism to roll up informations with respect to the ailment of domestic force against adult females individually and vitamin D.
6. Awareness plans should shave for the populace to inform rapidly sing domestic force incidences that take topographic point in the following door to the constabulary and obtain their aid instantly.
7. Domestic force should be considered as a wellness issue and specialist physicians should attached to the infirmaries to handle victims of domestic force. Police officers who got ailments of the victims of force should educate and develop to handle them in a supportive mode.
8. The instruction system that has been focused merely to the scrutinies and competition should alter and should buildup a state who has humanity.
9. Try to supply attention for them with emotionally sound grownups with whom they can associate.
10. It will assist them to see grownups who can settle differences without maltreatment or force. It is of import for them to see grownups who respect each other.
11. Accept that you are non perfect. Do non experience guilty about it. Keep making your best and be unfastened to alter and larning new ways.
12. Remember that your kids need to be able to depend on you. Do n't depend on them to move as your spouse. Let them to be dependent. Promote them to hold friends and activities in a new community every bit



shortly as you settle. Friendship can assist them to recover security. They need to belong excessively.

13. At past Sri Lankans has experienced to travel to temple to work out their jobs because they know that the venerable monastics have solutions all the jobs they have. There forward people got solutions with out prejudice for anyone. Hence once more it is utile cubic decimeter to get down that past experience.

## **Chapter Ten**

### **Decision**

1. Four type of married life is described In the Pathama Sutra Sanvasa Sutra of the Anguttara Nikaya.

a. Foolish adult male with foolish adult females

B. Foolish adult male with a goddess

c. A Good with foolish adult females

d. A good with a Goddess

2. The last being the best and is being encouraged.

3. It is of import to observe that in this sutra, the qualities of adult male and adult females have been giving equal prominence and in no manner the adult male considered superior. Further this sutra explains how the ideal married woman and hubby could go on their relationship to the following birth.

4. " If both have equal saddha, sila, coop and panna, they will run into in the following birth excessively. "

5. Equally shown as the information analysis it is unable to forestall domestic force but punish person attacker who committed a force by the jurisprudence. Harmonizing to this Analysis lone manner that can forestall Domestic force against adult females is carry throughing duties described in this research to each others. Therefore a authorities besides should hold an duty to make a just environment with in the state to do good mannered state without force.