

Buddhist Perspective on Prevention of Gender Based Violence

Dr. (Mrs) E.A.D. Anusha Edirisinghe (*)

INTRODUCTION

Gender Based Violence (GBV) is a common social phenomenon all over the world. Gender Based Violence is a crucial topic, as it affects women physically, psychologically, and socially in the short term as well as long term. At present, Gender Based Violence is spreading rapidly in Sri Lankan society, threatening women's lives. According to the Annual Police Reports of Sri Lanka, severe sexual abuses, incest, women trafficking, rape, and marital rape have increased in civil society in recent past. Millennium Development Goals reveal prevention of Gender Based Violence in the world and highlight gender equality to be given to every woman. The national development of any state could be suppressed by gender-based violence in any society. According to Buddhism, or any other religion, persons should be respected to gender equality. In Buddhist thought, there are many ethics to prevent gender-based violence in the family, society, and workplace. If every woman has gender equality in society, that equality directs social, cultural, political, and economic development of

(*) Dept. of Sociology, University of Kelaniya, Sri Lanka

the society. This paper focuses on how to prevent Gender Based Violence according to Buddhist Philosophy while sustaining development of the society.

An act committed by an individual or a group which results physical or mental pain to another person can simply be defined violence (Mahajan and Madurima, 1995;17). Generally in many societies, women are victimized in different kinds of GBV, mostly committed by men. Social, economic, physical, sexual, psychological, and legal factors are the main causes influenced by Gender Based Violence. Sexual violence occurs in every country in the world. According to the records of Women and Children Bureau in Sri Lanka (2000- 2003) GBV against women, particularly domestic violence and sexual offences, are increasing rapidly day by day.

Rape, prostitution, unnatural offences, sexual abuse, publishing erotic magazines and papers, and producing blue films are some common offences included in the definition of GBV against women. Above offences have been identified as crimes by the new amendments of the Penal Code in 1995 and 1998 in Sri Lanka. However, some countries do not accept some of above activities as crimes. For instance, Uganda and Philippine accept prostitution as a legal occupation (Joddy, 1998; 29), while Sri Lanka considers prostitution as an offence in a society (Thiranagama, 2003; 05).

Publishing, distributing, selling, and using of erotic magazines and papers are also considered a legal offence in many countries. Additionally, according to criminologists and psychologists, expansion of erotic publications in a society is one of the warning signs of increasing societal unrest as seen by the society's view of sex. Thailand's Annual Report records that offences related to erotic publications during 1995 - 1997 had rapidly increased from 79 in 1995 to 1506 by 1996. During that period the number of cases of murder after raping women were increased significantly (Asian Women Fund, 2000;130). According to some research findings, addiction to drugs and alcohol, as well as some kinds of mental disorders are common issues which are associated with such GBV (Mahajan & Madurima,1995;30).

In many countries, GBV prevails as hidden violence (Bell and Sylvia, 1990; 67). In Sri Lankan society, there are many hidden acts of violence which are not recorded due to many reasons. Socio-cultural factors such as social stigma, a male dominant family, negative attitudes of women in society, and the potential of being a victim of GBV in future; economic factors such as cost of filing a case; legal factors, such as insufficient evidences to prove the violence, long periods taken to finalise a case, and societal experience of disadvantageous of court decisions for the victimised side; and factors such as fear of influence and threats of powerful people in political and other institutions, etc are some of the key reasons for not recording such cases in Sri Lanka.

As a consequence of above reasons, and particularly due to rapid socio-economic and cultural changes in the society – including the impact of widely spreading attractive media; weaknesses in the socialization process; deteriorating of social values and norms and moral development of society – GBV against women is rapidly increased in various ways. Even though several steps have been taken by amending and implementing the law and taking necessary arrangements through Department of Police and Courts to eradicate such GBV in Sri Lanka, day by day the society is becoming an unsafe place for women. Taking into consideration the above situation, this study examined the factors that affect on GBV against the women in Sri Lanka.

OBJECTIVES

The main objective of the study is to examine the Buddhist perspective of Gender Based Violence in Sri Lanka. Specifically the study aimed

- To study relationship between GBV and Sustainable Development
- To identify preventive method of GBV in Buddhist Philosophy

METHODOLOGY

Sources of Data

Secondary data as well as primary data were used in this research. Secondary data were gathered from books, magazines, research reports, official reports, websites, etc. Primary data were gathered from a sample of 100 respondents who had been victims to sexual violence. Further, a victim's family members, 10 police officers, 02 judges, 10 lawyers, 04 medical officers, and 02 counsellors were interviewed.

Study Area

As the study area, 11 police divisions in Kelaniya in the Western Province and 13 police divisions in Rathnapura in Sabaragamuwa Province in Sri Lanka were selected.

Sample of the Study

A total of one hundred (100) cases were selected, 50 from Kelaniya area and 50 from Rathnapura area, according to the records of Women and Children Divisions in Police. Victimized women were initially met, and 50 from each division, who were willing to provide information, were selected for interviews.

Techniques of Data Collection

Basically, the data was collected from the sample using unstructured interview method as the key source of primary data collection. Also, in-depth interviews were conducted to investigate the situation more deeply. Additionally, professionals involved in the study used a formal interview method.

In this study, offenders were not met. However, to confirm the authenticity of data and to confirm collected data and information with the officers' information, records of the cases were examined. In this way, it was possible to obtain some important information about the lifestyle of offenders, such as addiction to alcohol and illegal drugs, etc, when the crime was perpetuated.

Observation was used as an important tool while interviewing and particularly when visiting select places where offences occurred. Two Research assistant and counsellors involved in data collection.

LIMITATIONS OF THE STUDY

This study was limited to specific theoretical and empirical boundaries. Particularly, theoretical consideration was given to the sexual violence of GBV in social context. Furthermore, based on statistics of crime, this study was conducted within the two Police Divisions where the highest GBV have been reported in the country. Additionally, this study gave special attention to rape cases. When selecting the sample, it was concerned only women married or unmarried and above 18 years of age.

Concepts and Theoretical Background: Defining Gender Based Violence

Gender Based Violence is central concept of this study. So many scholars have defined GBV in various perspectives. In 1993 the UN Declaration on the Elimination of Violence against Women offered the first official definition of Gender Based Violence.

Article -1

Any act of GBV that results in or is likely to result in physical sexual and psychological harm or suffering to women, including threats of such acts, coercion, or arbitrary deprivation of liberty, whether occurring public or private life.

Article 2

Article 2 declaration states that the definition should encompass but not be limited to acts of physical, sexual, and psychological violence in the family community, nor be perpetrated or condoned by the government wherever it occurs. These acts include spousal battering, sexual abuse, dowry related violence, marital rape, incest, female genital mutilation, forced prostitution, trafficking of women, and sexual exploitation at the work place.

In 1995, the Beijing platform for action expanded on this definition, specifying that it includes: violation of rights of women in a situation of armed conflict, including systematic rape, sexual slavery, forced abortion, and forced prostitution. It further recognized the particular vulnerabilities of women belonging to minorities: the elderly and the displaced; indigenous; refugee and migrant communities; women living in impoverished rural or remote areas; or those in detention.

Millennium Development Goals (MDGs)

Both concepts of GBV and sustainable development are interrelated concepts. MDGs were established under the Millennium Summit of the United Nations in 2000. All United Nations Countries committed are to achieve the MDGs in 2015. The countries have been following eight goals. Among the MDGs, gender equality and women empowerment are the most important concepts for the sustainable development. This study focuses on women's empowerment and GBV in Sri Lankan Society. This is a key concept in the Universal Declaration of the Human Rights. Gender equality, known as sex equality, sexual equality, or equality of the genders, implies that men and women should receive equal treatment, unless there is a sound biological reasons for different treatment.

The word "empowerment" is used in many different contexts and by many different organizations. The United Nations defines women's empowerment as having five components, including a woman's sense of self worth, her right to have and to determine choices, her right to have access to opportunities and resources, her right to have power to control her own life, both within and outside the home, and her ability to influence the direction of social change to create a more just social and economic order, nationally and internationally (www.fanpop.com/united-nations-definitions, 01/01/2014).

According to these components, women's empowerment means women have strong power in their life by the way of economic, social, political and legal issues. It is a very important concept for the sustainable development of country. The idea of power is at the root of empowerment. Power can be understood as operating in a number of different ways.

Power over: This power involves an either/ relationship of domination/ subordination. Ultimately, it is based on socially sanctioned threats of violence and intimidation. It requires constant vigilance to maintain, and invites active and passive resistance.

Power to: This power is related to having decision-making authority, and power to solve problems, and can be creative and enabling.

Power with: This power involves people organizing with a common purpose of common understanding to achieve collective goals.

Power within: This power refers to confidence, self awareness, and assertiveness. It relates to individual ability to recognize, through analysing one's own experience, how power operates in one's life, and gain the confidence to act to influence and change this. Power is a main concept of the empowerment, especially women empowerment. Empowerment should lead to the liberation of men from false value systems and ideologies of oppression. It should lead to situations in which everyone can become whole being regardless of gender, and can use their fullest potential to construct a more humane society for all (Batiwala,1994;127-138).

Recent UN conferences have advocated that women's empowerment is central to development. The United Nations Conference on Environment and Development, (UNCED) Agenda 21, mentions women's advancement and empowerment in decision making, including women's participation in national and international level talks of eco-system environment and control. The International Conference on Population (ICP) in Cairo and The Copenhagen Declaration of World Summit on Social Development (WSSD) has mentioned Women Empowerment for Development.

Buddhist Perspective on Prevention of Gender Based Violence

Based on the findings of the research highlighted, there is a relationship between using drug and alcohol and committing sexual crime. Family members committed crimes of violence against members in the family. Most of the rape cases have been reported outside of the family as well as inside the family. The Buddhist Philosophy has explained how to prevent violence against human beings and animals.

Sila (Buddhist Morality) and six directions highly related to the GBV. Buddhist morality is based on the universal law of course and effect. Five precepts have been introduced to adjust to the lives of people. These five precepts may be considered two-level, such as mutual trust and respect for other people and liberation that was emphasised by the Buddha. Living according to three of the precepts is a very important step to prevention of GBV in society.

1. I take the precept to abstain from destroying living beings.
2. I take the precept to abstain from sexual misconduct.
3. I take the precept to abstain from taking anything that causes intoxication or heedlessness.

According to first percept, it is very important control anger and develop loving-kindness such that a person regards and respect the lives of other beings as own. “*Kamesu Michchacara*” is sexual misconduct or adultery. The offence is that of taking sexual pleasure from a woman who is under protection of her parents and guardians or is the wife of another man. Abstinence of drinking alcohol is very valuable norm for social order. Drug-related crimes have rapidly increased in Sri Lanka. Usage of illegal drugs and alcohol is one of the major reasons for GBV in the family and society. All people should follow the five precepts, and GBV will be prevented in society.

The Buddha Philosophy guides us on how to worship in six directions. The six directions are considered as interpersonal relationship between household and people. *Sigalovadha Sutta* in *Digha Nikaya* (Long Discourses of Buddha) has explained the six directions. Among these directions is the highly supported social order, as well as family order.

1. Parents as the East: how children should treat their parents and how parents should treat their children
2. Teachers as the South: how students should treat their teachers and how teachers should treat their students
3. Wife and Children as the West: how a husband should treat his wife and how a wife should treat her husband

4. Friends and companions as the North: how friends should treat their friends and how their friends should reciprocate

5. Servants and workmen as below: how employers should treat their employees and how employees should treat their employers

6. Monks as above: how laypeople should treat monks and how monks should treat lay people

The practical advice on how family and community members ought to treat one another can be seen as a constructive ethic complementary to the proscriptive ethic of the Five Precepts, both of which are crucial to the wellbeing and prosperity of society. Noble discipline of the six directions and five precepts are valuable norms for conducting social order. The qualities of gender equity and gender equality are explained in Buddhist Philosophy. All humans are deemed equal as human beings, and all human have freedom. Gautama Buddha expressed many times ideas of freedom of women in society. On the other hand *Parabhawa Sutta* and *Mangala Sutta* are relating to the social organization and it causes to prevention of GBV in Society.

The Dhammapada verses (129-145) explained regarding violence (<http://www.buddhanet.net/e-learning/buddhism/dp10.htm>, Accessed, 11.01.2014). It highlights all forms of violence such as physical, verbal, and mental violence in society. Dhammapada says “All tremble at violence; all fear death. Putting oneself in the place of another, should not place of another, one should not kill nor cause another to kill” (Dhammapada 129). “All tremble at Violence; Life is dear to all. Putting oneself in the place of another, one should not kill nor cause another to kill.” (Dhammapada 130). The above Dhammapada scriptures give special attention to prevention of violence. Pali canon gives clear indication that physical violence can’t be accepted even as a mean of solving social problems or punishment. Physical violence is rejected in the pali canon in Buddhism.

FINDINGS AND DISCUSSION

Demographic and Social Background of the Victims of Rape

Table 02: Age group of victims

Age	Percentage
18-25	47
26-35	28
36-45	12
46-55	09
56-above	07
Total	100

The highest percentage (47%) of victims of rape was in very young age group, i.e. 18-25. Compared with the all raped women, the majority that means 75% or 3/4th of women are in young age (18-35). However, it should be taken into consideration that there is not only the females who are in over 46 year of age but for the old aged females who are in over 55 years of age also had to victimise to rape.

Table 03: Education Levels of Victims

Level of Education	Percentage
Not Schooling	06
Grade 1 - 5	15
Grade 6 - 9	30
Grade10 - O/L	37
Up to A/L	06
Diploma/ Degree	01
No respond	
05	

This table shows that majority (more than 50%) of respondents have not gone even up to grade 10. Among them, 5% had never gone to school. All in all such figures imply that there is a closer relationship with low education level and victims of rape.

Table 04: Marital Statuses of Victims

Marital status	Percentage
Married	45
Unmarried	50
Widow	03
Divorced	01
Not stated	01
Total	100

Table shows that 50% of women who are victims of rape are included in the unmarried group. Some of the significant reasons for the increasing of the above figures are unmarried women's migration to the urban areas for jobs; lack of proper attention and security; their stubborn behaviour and vulnerability; love affairs, etc. The other remarkable factor is that some girls who were working in garment factories had love affairs. Initially, such girls may have sexual intercourse with their boyfriends with their consent. When the affair ends, the girl made complaints to the police as a rape case. However, such cases cannot be considered as rape cases and criminal justice system had to face difficulties in such situations.

When considering the consequences of such incidences, a critical picture is created, especially concerning young, unmarried girls. Due to cultural and social values and norms, the future of such victims is in an unclear condition in considering their marriage due to the influence of societal attitudes of virginity, etc. The other hand, the married women's percentage is also closer to unmarried group. It implies that threat of sexual violence is not limited to the unmarried ladies.

Additionally, majority of women (87.5%) work in private sector, from them 33.4% have been working in garment factories. In private sector,

28.8% had been involving in night work shifts. This study identified that there is a relationship between night work shift and fear of crime because; many of them were suffering from fear to do night work. By the period of reach, there transport facilities provided to girls who do night work shifts were not adequate. Some women in Kelaniya police division had to victimise sexual violence due to this reason. One woman told that she had to victimise to sexual violence activities continuously until she left from her working place in Kelaniya.

Table 05: Type of Sexual Activity

Type of activity	percentage
Sexual harassments	24
Rape	69
Sexual abuse	07
Total	100

This table shows, a huge number of respondents i.e. 69% (nearly 4/3rd) have been victims to rape. According to theoretical views of sexual violence activities, almost all theorists highlighted that rape is the severest crime against a woman. The victims of rape have to face physical, mental, and social problems in the short term as well as in the long term during their lifetime. Not only the women themselves, but their close relatives also have to face direct or indirect consequences of such incidences.

The other remarkable factor that should be mentioned here is the ‘type of offender’. This study found that 59% of the accused in rape cases have been recorded as external people. However, the majority of offenders were friends. Some are boyfriends. Some criminological as well as sociological theories accept that some close friends tend to do such things. There are several empirical evidences in the practical context too. For instance, Australian police records in 2006 indicated that many friends of victims were accused as offenders of raping. This study also found the similar result. Additionally, ten percent of the rapists recorded were related to

the victims. These figures indicate that even family members are not trustworthy as genuine protectors of females in some occasions

Table 06: Type of Rape

Number of people did the act	Percentage
One person	71%
Two or more (Gang rape)	29%
Total	100

The harshness of the violence committed can be recorded in considering the number of people who were the offenders in a rape case. In most such cases, the victim was severely injured. In many countries, including Sri Lanka, the law considers it as a ‘severe offence’. This study found that 29 respondents were victims of gang rape. Among them, 10 woman were raped by two people, while 14 women had to endure the crime of being raped by 2-5 people at the same time, and 05 women have been victimised by a gang rape of 5 people. The rest of the rape cases (71) were committed by one person. One of these cases is a marital rape in which the woman was raped by her divorced husband. However, one other significant factor found here is that the duration of time taken to disclose the crime done by an individual is longer than gang rape.

INFLUENCE OF ENVIRONMENT

When considering the relationship of frequency of rape with the urban/ rural location status, the study found that in Kelaniya police division, the majority of cases occurs within sub-urban areas, particularly around Biyagama Free Trade Zone. However, in Rathnapura, a higher number of cases recorded from rural areas as Kalawana, Nivithigala and Embilipitiya. Environmental factors, such as being in an isolated area,

having long distances between two houses, and having isolated homes that are situated in rubber estates, tea estates, and shady lands, etc are some of the identified influential factors for rape cases.

Table 07: Place Where the Crime Occur

Place	Percentage
Out of home	56%
At home	44%
Total	100

The majority of respondents were engaged in occupations. Therefore, 56% of them were victims of rape outside of their homes. Such incidences have been occurred inside their working place, on the way to their homes after leaving the working place, and in hotels and rest houses, etc. Some of victims had been taken to the hotels by force.

Table 08: Time of the Crime

Time	Percentage
Morning	14%
Afternoon	45%
Night	41%
Total	100

Findings of study show that women were victims of rape in the night as well as in the afternoon without considerable differentiation of time. However, the least number of women were raped in the morning. Further, it is worthy of noting that there may be any relationship with time and socio, environmental, psychological, and security factors which influence on the both sides as victims and offenders.

USE OF ALCOHOL AND DRUGS

Police reports confirm that all offenders who were accused of gang rape, and 52% of offenders who committed the crime of rape as an individual had consumed alcohol before they committed the crime. Even when the case of incest occurs, family members also had taken alcohol. Not only was alcohol associated with such attacks, but also drugs such as heroin were associated with rape cases. For instance, in two cases, accusers were heroin-addicted persons. Therefore, this study clearly identified that environment, time, and use of alcohol or drugs has close relationship with rape cases.

CONCLUDING REMARKS

This study found that 69% of women were victims of rape, while 24% faced sexual harassments, and the other 07% were victims of sexual abuse. From them, in 59% cases, offenders are external people. However, the majority of accused are boyfriends of victims. The remarkable factor is that even though the figure is comparatively less than with external persons, 10% of offenders are family members. Furthermore, 44% of rape cases have occurred within the victim's home. Accordingly, these figures imply that even own home is not a safe place for women.

The majority (47%) of victims were included in the 18-25 age group. Without major differences between marital status, 50% of married and 47% of unmarried women were victims of rape. Another important fact is that a higher percentage of respondents are in minimum level of education.

Environment factors highly affect such crimes. Concerning the place where the crime happens, many places are mostly isolated. Therefore, location of residence, engagement in night work, transport difficulties, improper security even at home, etc are some major factors for rape cases. Additionally, when the women were raped, 52% of criminals had taken alcohol or drugs. Particularly, in gang rape cases, all accused had taken alcohol.

Gender Based Violence is the most common phenomenon in Sri Lanka and other countries. Sri Lanka police department says sexual violence

and other severe violence are increased in all districts in Sri Lanka, due to use of alcohol and drugs globalization, migration from rural to urban areas, and other socio-cultural factors. These factors are a major root of GBV in society, and are, in this situation, directly related to sustainable development of society. Peaceful family and peaceful society are directly resultant of the development of women. Therefore all people should respect the freedom of another people in society. Any people who follow the Buddhist norms support to development of society.

BIBLIOGRAPHY

- Asian Women's Fund, (2000), Expert Meeting, Women and Legal Justice, No.19 & 20, Hokone, Japan.
- Batiwala S.,(1994),The Meaning of Women's Empowerment :New Concepts from Action, Population policies reconsidered : Health ,Empowerment and Rights, Harvar University Press, Boston.
- Bell J. Daniel & Stalnaker D.Sylvia, (1990), Police Referrals of Family Violence, A Texas Family Code Process Assessment, Police Studies,Vol.13, No.2, Summer, The International Review of Police Department, Anderson Publishing Company, U.S.A.
- Joddy Miller, (1998), the Sex Sector, The Economic and Social Bases of Prostitution in South East Asia, International Labour Office.
- Mahajan Amarajith & Madurima, (1995), Family Violence and Abuse in India, Deep & Deep Publication, New Delhi.
- Penal Code Amendment (1995) & (1998),Sri Lanka Government Printing, Sri Lanka.
- Tiranagama Kalyananda,(2003), Trafficking of Women and Children for Sexual Exploitation and Employment in Exploitative, Women's Desk of the Lawyers for Human Rights and Developments, No 01, Magazine of Kantha, Kotte Rd, Borella.
- The United Nation Fourth World Conference on Women, (1995), September, Action for Equality Development and Peace, Beijing .China.
- UN Declaration on the Elimination of Violence against Women,(1993).
- The United Nations, Fourth World Conference on Women, (September

1995), Action for Equality, Development and Peace Beijing, China.
 Women and Children Bureau in Sri Lanka (2000-2003), Sri Lanka Police
 Department Sri Lanka.

WEBSITES VISITED

www.fanpop.com/united Nations, Accessed 10.01.2014.

[http://www.un.org/millenniumgoals/summitstroy.
 shtml](http://www.un.org/millenniumgoals/summitstroy.shtml), Accessed, 10.01.2014.

[http://www.buddhanet.net/e-learning/buddhism/dp10.
 htm](http://www.buddhanet.net/e-learning/buddhism/dp10.htm), Buddhadarma Education Association, Accessed ,11.01.2014