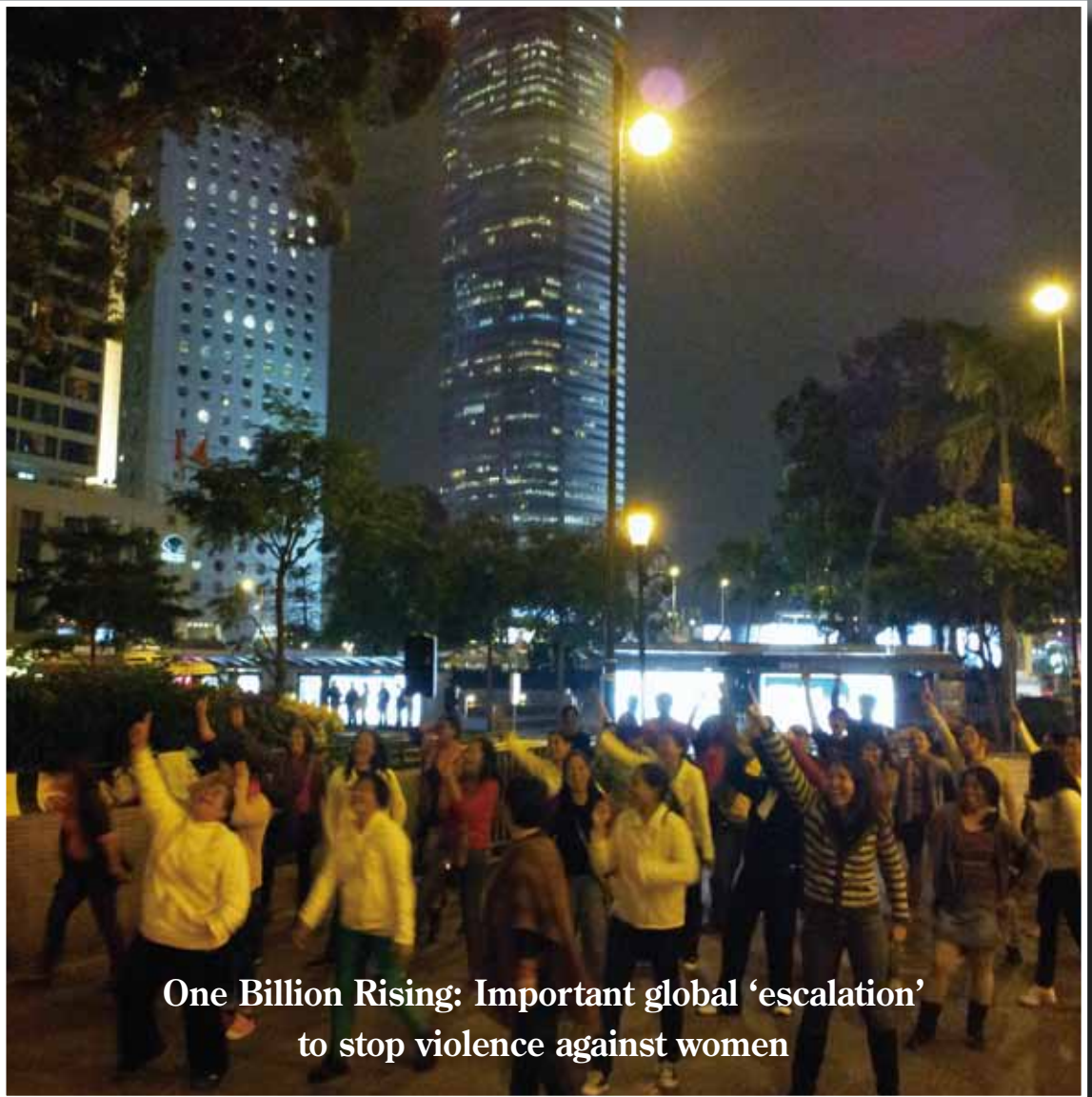


# Ethics in Action

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**One Billion Rising: Important global 'escalation'  
to stop violence against women**



**Asian Human Rights Commission**

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# One Billion Rising: Important global 'escalation' to stop violence against women

*Liliana Corrieri*

February 14 is known worldwide as the Feast of Saint Valentine, Christian saint protector of lovers. However, February 14, 2013 will be remembered for another reason: a single-day global rising on violence against women, one of the biggest and fiercest volunteer action the world has even witnessed.

The choice of February 14 was not accidental. Fifteen years ago to this day, the first V-day took place with the simultaneous staging of 'The Vagina Monologues' by Eve Ensler in hundreds of theatres all around the world, where thanks to these powerful performances a large audience has been reached and every year money has been raised and donated to local organizations supporting victims of violence. The V of V-day stands for victory, valentine and vagina. This global activist movement has constantly grown over the years, and has strongly advocated the end of the perpetuation of gender based violence such as rape and other forms of sexual abuse, battery and domestic violence, sex trafficking and slavery, female genital mutilation (FGM). The "**One Billion Rising**" campaign was launched last autumn, and was called such since statistically one in three women globally experiences some sort of violence at some point of her lifetime. One in three means over one billion women whose lives will be inevitably marked by violence. This new campaign was launched with the intent to further raise awareness about the unacceptable violence and lead women (and men) from all over to rise and dance as a way to remind society of their profound disapproval and condemnation of any form of violence against girls and women. "One billion women violated is an atrocity. One billion women dancing is a revolution." The song "Break the chain" with its choreography, has become the soundtrack and flash mob symbol of this global initiative, and on Valentine's day it was sung, played and performed across the globe. Eve Esler explains the choice of rising through dancing:

Dancing insists we take up space. It has no set direction but we go there together. It's dangerous, joyous, sexual, holy, disruptive. It breaks the rules. It can happen anywhere at anytime with anyone and everyone. It's free. No corporation can control it. It joins us and pushes us to go further. It's contagious and it spreads quickly. It's of the body. It's transcendent.

The response to this initiative has been impressive, outstanding, remarkable. Ministers, first ladies, actresses and sport champions, musicians and other celebrities, artists, doctors and nurses, migrant workers, NGOs, activists, students organizations, trade unions, national councils and whole international bodies such as the European Parliament and the UN: they all supported this campaign, recorded video-messages, shared their experiences, posted interviews and documentaries on their Facebook pages, and at last rose. Rising events were organized all over: from New Zealand to Columbia, from the Congo to the Philippines. From India to Italy, Mexico, Argentina, Egypt to Indonesia. More than 150 countries took part in this initiative. The media coverage was also extensive, with well known news channels such as BBC, CNN and Al Jazeera dedicating large space to this global event with videos and articles on their web sites.

Violence against girls and women is a human plague, and therefore it is borderless. It reaches out across tribes, classes, countries. It is a global epidemic and not a personal or national matter. Some forms of violence such as acid attacks and female genital mutilation actually tend to occur in specific areas and are often related to unfortunately rooted harmful customs and conservative mentalities. However, other forms of violence against women take place anywhere, regardless of the continent, the flag fluttering in the wind, the skin color of the population, the religious faith professed. It is not just a problem of the remote areas and the underdeveloped regions. It is not necessarily a matter of a low social status or religious fundamentalism. It involves everybody. Rape, harassment and assault, abuses in the workplace, passion and honor killings, domestic violence, physical and verbal offence continue to be widespread even in the so called 'west' and 'north' of the planet. Here, emancipation is often confused with safety.

There is no doubt that the social status of women in the European and North-American continents enjoys a much higher recognition in comparison with areas such as Africa or the Middle East, especially in terms of civil and political rights, but also in terms of personal freedom (what to wear, read, listen to, where to go, who to marry and so forth). Nevertheless, despite the progress of the 20th century, a sense of "leadership" over women continues to endure in the minds of many men. Girlfriends and wives especially, and daughters too, have to know their limits, and they'd better not dare to overly disagree or respond. The high incidence of domestic violence in a country like the United States provides a clear example of the way religion and tradition are not always the main framework within which oppression and abuse against women occur. Moreover, many such boyfriends/husbands are not necessarily drugs dealers or people who spent time in jail, but ordinary citizens working in schools, offices, shops, supermarkets, banks even. Battering occurs among people of all races, ages, socio-economic classes, occupations and educational backgrounds.

A direct consequence of this alleged “subordination” is that sense of possession that unfortunately permeates the way many men live their private relationships with women. For some women divorcing an oppressing husband or breaking up with a boyfriend who proves not to be a suitable partner, is not an option. It is not a matter of legal impediments or moral issues, but simply a matter of mad jealousy. The “west” deals every year with an increasing number of the so called “passion killings” or “femicides”. A small example: in Italy only, about 120 women were killed last year by either their (ex) husband or boyfriend, because they decided their relationship was over, because they fell in love with another man, or simply because they were tired of being oppressed and wanted to go their own way. This number means one woman killed every three days. It is the worst record in Europe, a very dramatic number for a supposedly free and safe country.

Last but not least, regardless of the country they live in or the way they look, many women have to deal with the “blame” of having been raped. This is a kind of disputable heritage of those old medieval days when every war, every plague, every catastrophe, every famine, every sin, every fit of madness was due to women or a consequence of female “provocation”. The mentality of blame, very much embedded in society and institutions all over Latin America, Africa and Asia, continues to silently linger in the West as well. When a woman is raped in Europe or North America, she is likely to be blamed because her skirt was too short or even worse, because she was wearing a skirt, as if wearing a skirt is an official invitation for assault. True, some women could be quite provocative in the way they dress, but it is a matter of personal choice (and taste) and not a matter of explicit proposition, because some women might enjoy being looked at, but no woman enjoys the thought of violence being used against her. Notwithstanding, the reality is that many of the women raped in New York rather than in Moscow, were probably wearing jeans, a plain blouse and sneakers when they were harassed. The right approach therefore, is not asking the victim “what were you doing/wearing/saying before you were raped?”, but rather questioning the perpetrators as to what made them believe that harassing and abusing a woman was allowed, legitimate, justifiable and fair on her. It cannot be the woman’s fault because she was walking along that street, or because there was no bus service and in order to reach the market, she had to walk through the fields from her village. Blame must cover the perpetrators. Instincts, desires and frustrations have to be obviously dealt with in different ways and society has to become properly gender sensitized, for a world which can finally be fair to women, without threat or terror, fear, intimidation, harassment or judgment.

Women are equally valuable, intelligent and respectable humans. Women are no man’s possession and deserve the due freedom and respect, as citizens and as individuals. Enough is enough.

*I am over how long it seems to take anyone to ever respond to rape...  
 I am over the thousands of women in Bosnia, Burma, Pakistan, South Africa, Guatemala,  
 Sierra Leone, Haiti, Afghanistan, Libya, you name a place, still waiting for justice.*

*I am over rape happening in broad daylight.*

*I am over a woman being gang raped and murdered on a bus in Delhi or gang raped and  
 violated in Steubenville Ohio...*

*I am over women still being silent about rape, because they are made to believe it's their fault  
 or they did something to make it happen...*

*I am over the passivity of good men. Where the hell are you? ...*

*We need to END RAPE in every school, park, radio, TV station, household, office, factory,  
 refugee camp, military base, back room, night club, alleyway, courtroom, UN office. We need  
 people to truly try and imagine -- once and for all -- what it feels like to have your body  
 invaded, your mind splintered, your soul shattered. We need to let our rage and our compassion  
 connect us so we can change the paradigm of global rape...*

*(Extracts of Eve Ensler's poem 'Over it')*

# **‘Digital education an opportunity for a better world’**

*Interview with Jan Kunzl*

*Jan Kunzl works on ‘Focus Human Rights’, a project of the German non-profit le-politik. del e.V. and edeos-digital education. The ‘Focus Human Rights’ series consists of:*

*Introduction movie: <https://www.youtube.com/watch?v=kbul3hxYGNU>*

*First Dimension: Civil and Political rights, Violations, History*

*<https://www.youtube.com/watch?v=3L4r47WiqMw>*

*Second Dimension: Economic, Social and Cultural Rights, NGOs, Women’s Rights*

*<https://www.youtube.com/watch?v=k0lsAYnBNaM>*

*Third Dimension: Collective Rights, Justiciability, Improvements*

*<https://www.youtube.com/watch?v=AEO6xRpo024>*

## **How did you get the idea of digital education? Explain what it means and why you think it is so critical in today’s world.**

We are facing a digital revolution which might turn out to be of a similar importance to the industrial revolution. It goes without saying that such a change affects how we gather and share information, and how we learn in general. The digitalization of education brings a number of huge opportunities. It paves the way for new didactical approaches, which are more network-oriented, interdisciplinary and motivating.

Another important aspect, especially for our project, is that it is possible to reproduce digital educational material at no cost. With one investment, we can therefore produce an educational video that can be used and shared worldwide, by any number of individuals and institutions.

Making education more accessible and affordable, especially in developing countries, is a great opportunity to create a better world.

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Jan Künzl is a political scientist based in Berlin, Germany, with a special interest in International Politics and Global Learning. He is the Co-Founder of edeos-digital education (with Jörn Barkemeyer) and manager of the project WissensWerte.

## **What impact have your Focus Human Rights series made on civil society, both in Germany and internationally?**

It is hard to analyse what impact has been created on the hundreds of thousands of individual viewers. Through personal feedback however, we are aware that NGOs and governmental institutions throughout the world are keen to have this toolbox for many types of educational trainings. In particular, small NGOs from developing countries, which mostly do not have the financial means to produce high quality material on their own.

## **Who works on these videos, and how do you gather your material?**

It's a small team, consisting of my colleague Jörn Barkemeyer, who is a specialist in filmmaking and motion design, and myself, a political scientist.

## **What role do you think these videos, as well as digital education in general, can have on human rights education and awareness within society?**

The videos and other digital educational material are definitely not changing the game alone. However, they can have a considerable impact as a supportive tool for other more focused activities like trainings, workshops, discussions and so on.

## **Are some societies more open to digital education, or would there be a bigger impact on some societies rather than others? Why and in what way?**

First of all, digital education depends on certain technical preconditions, like computers, smartphones or internet access. I would say that countries which are characterized by a recent strong development but still unequal and mostly weak educational institutions, such as the BRIC states, have a particularly great potential for digital education.

Another example from our Human Rights Project are the Arab states. We have a strong emphasis on Social Media as a mode of diffusing the videos, which works very well in this part of the world. In the wake of the Arab Revolutions a huge number of Facebook Pages and Twitter accounts were created, often with very high numbers of Fans/Followers. Altogether, they can be seen as a digital Pan-Arabian public sphere by now.

## **Many governments, particularly in Asia, are increasing censorship on the internet. What do you think of this trend?**

I guess these states are aware of the dangers the internet brings to traditional forms of executing (authoritarian) power. The already mentioned Arab Revolutions were not, as some observers claim, Facebook revolutions. But Social Media and digital communication in general played a very important role.

**Would you like to share any particular anecdote regarding your experience with digital education, or something that motivated you?**

We are always happy when we learn that our output has a direct impact--for example, when small NGOs like NOPRIN (Network of Police Reform) in Nigeria or Childrens First Suriname tell us, that they use our videos in workshops.

**What is your next project?**

We are still working on some of the translations of the recent clips. Additionally we are producing a video about the Rights of the Child for kids. After that, we will see, what comes next!

# Fr. Tissa Balasuriya: A radical and innovative theologian passes away

*Edited text of a statement issued by the Asian Human Rights Commission: AHRC-STM-023-2013, 17 January 2013*

Fr. Tissa Balasuriya OMI, a Sri Lankan Catholic priest who once came to the attention of the world due to his excommunication by Rome (which was later lifted), passed away yesterday in Colombo. He had been unwell for some time and was 89 years of age at the time of his death.



He was a trained economist and was ordained as a priest in 1953. He worked in many capacities, such as the rector of the Aquinas University College, which was developed as an alternative for those who could not attend University, and was the founder of the Centre for Religion and Society in Colombo. He played a prominent role in developing close links with all other religions and participated in many progressive initiatives relating to various issues in Sri Lanka.

Beginning his career as a conservative priest under the tutelage of renowned Fr. Peter Pillai, Fr. Balasuriya responded to the social changes that were taking place in Sri Lanka and began to call upon the Catholic Church to understand these changes positively, and not take a reactionary stance. His political acumen was, in fact, recognised by SWRD Bandaranayke, who later became a prime minister who invited Fr. Balasuriya to work with him. He refused, wanting to respond to the changes in Sri Lanka in his own way.

When Pope John XXIII announced the Second Vatican Council in the early 60s, Fr. Balasuriya and a few others, such as Bishop Leo Nanayakkara, responded positively. In fact, this Council's teachings were to change their world views and lifestyles. Later, other prominent persons like Fr. Michael Rodrigo, who was assassinated in 1987 and Fr. Alloy Peiris, as well as many others, took the same teachings as a guiding light for their lives and work.

Perhaps some of Fr. Balasuriya's most active years were those immediately following the Vatican Council, when he devoted his time to introduce these ideas to Sri Lanka and Asia as a whole. He was one of the pioneers of the Asian theological groups who would approach the problems of religion with a deep commitment to society, particularly the

issues of justice. He also gained recognition as one of the most prominent writers on theological issues from this perspective in Asia.

His passionate pursuit of the Vatican perspectives led him to engage with the most progressive social thought of his time in many fields. He took the issue of gender seriously and studied feminist thinkers and theologians. It was his engagement on this issue which led to his excommunication, relating to a book he wrote entitled *Mary and Human Liberation*. Though attacked on some technical expressions, close observers say that the actual attack was on his agreement of the ordination of women as priests.

When the excommunication was announced he openly challenged it and demanded to be shown the issues on which he had erred theologically. This challenge was never answered. However, he was under severe pressure due to one of the most intense international campaigns in his favour which caused severe embarrassment to the Catholic Church. A team of theologians of his religious order arrived in Sri Lanka and had several days of negotiations with him and he was requested to make some statement for the sake of compromise. Later his excommunication was lifted. Perhaps this is the only excommunication in the Catholic Church which was lifted within a very short period.

Fr. Balasuriya was essentially a thinker. He tried to provoke thought on national issues and also theological issues within the Church.

He lived the last years of his life very much in quietness as the overall environment within the Catholic Church had become hostile to the theological positions of the Vatican Council. However, to the last he remained a disciple and promoter of these teachings.

His work and writings will survive him and may contribute to the development of discourse in the future.

Fr. Tissa Balasuriya was a friend of the Asian Human Rights Commission (AHRC), which played an active role in creating a global protest against his excommunication.

May he rest in peace.

# **Petition: India's Bar Council should work towards gender sensitive trials**

To:

Chairman

Mr. Manan Kumar Mishra, Sr. Advocate

Chairman, Bar Council of India

manankumarmishra@gmail.com

Respected Sir,

This is an appeal to the Bar Council of India to take the lead in responding to the issues that have followed the dastardly sexual assault and murder of the 23-year-old medical student in Delhi on 16 December 2012. Her friend, who survived this horrific assault, has made a public appeal to all of us, with whom we stand in firm solidarity, to take our protests to the heart of law. It was reported recently that the Delhi Bar Association has decided not to represent the accused in this case on moral grounds. We appeal to you to desist from refusing to provide legal representation to any accused on moral grounds, since every one has the right to legal representation and fair trial. Further, any violation of due process and natural justice is an adequate ground for appeal.

At the same time, we appeal to you to bring about changes in the way defence lawyers and prosecutors argue rape trials; and change the culture of courtrooms to ensure gender equality and dignity to all women. We believe that the Bar Council of India has a special duty in this time of despair and anger to lead judicial reform. The Bar Council of India does not need to wait for a judicial commission to direct it to act; rather it could demonstrate that the legal profession sincerely mourns with the people of India by bringing about the following changes:

1. Take steps to ensure that women lawyers are active members of the Bar Council of India and bar associations in the country.
2. Institute prevention and redressal anti-sexual harassment committees, on the lines of the Vishaka judgment through a democratic process. These committees should be representative of all hierarchies within the court. Model policies of JNU and University of Delhi may provide a template for the same.
3. Debar any male lawyer who has been convicted of sexual harassment, rape and sexual assault.

4. Develop ethical guidelines for defence lawyers on how to argue rape cases without causing prejudice, harassment and injury to rape survivors, while maintaining fair standards of trial.
5. Debar any defence lawyer who pressurises a rape survivor to compromise a rape trial.
6. Debar any defence lawyer who produces false statements of compromise on stamp papers and produce defence witnesses who testify to previous instances of compromise in so-called unreported cases. This introduces past sexual history to prejudice the victim's testimony.
7. Build gender sensitization programs for lawyers and prosecutors.
8. Mandate that all law schools teach feminist jurisprudence, build courses on gender, violence and law; and conduct critical legal literacy workshops in other universities and in communities.
9. Mandate that research be conducted on sexual violence, and broadly violence against women in law schools.
10. The disciplinary proceedings of the Bar Council should be made available online.

We, the undersigned, sincerely hope that the legal profession will honour the memory of this young woman who died to awaken the mass conscience of the Indian people for the first time in Independent India.

Yours Sincerely

*To sign the petition, please visit: <http://petitions.halabol.com/2013/01/17/appeal-gender-sensitive-changes-rape-trials>*

# **‘Look after three of us’: Call for help from Sri Lankan chief justice**

*Basil Fernando*

As the Sri Lankan Chief Justice Dr Shirani Bandaranayake left her official residence under duress from the heavy police squad that surrounded her and tried to prevent her from making any statement, she still managed to say a few words reaffirming her innocence and that whatever she did was according to the law, and the interest of the people was what she cared for.

However, the most moving words of her brief comment were, “take care of three of us,” meaning her family. These words of a Supreme Court judge in Sri Lanka for 16 years should echo in the minds of every conscientious citizen; even the country’s chief justice lives under the threat of assassination and has to alert the people about her security.

She has a valid reason to be worried, as even those who have dissented with the government in much smaller ways have had to pay a heavy price for their dissent. It is therefore not surprising that Dr Bandaranayake, who has put President Rajapaksa’s regime to its biggest challenge in the last few months of her being in the office, should fear for her life and that of her family.

There are many reasons for the Rajapaksa regime to want to silence her. The very issue of the falsity of the charges that were made against her will remain one of the great problems for the Sri Lankan government, in the country as well as outside. The exposure of the vicious intentions behind the charges has already prevented the government from appointing a competent and impartial tribunal. It will in fact trouble this government for a long time to come. Moreover, the falsity of the charges will rubbish the claims of the government to have acted in good faith and removing her in the best interests of the country, as the government propaganda machine has been trying to insist, in one of the most vicious character assassination campaigns carried out through the state media.

Her continuing capacity to challenge the conduct and claims of the government makes her an exceptional target for attack.

The impeachment debate preceding her forced removal has already brought very uncomfortable questions to light, including the issue of judicial independence and the way the rule of law is being violated in the country. With this act, the very nature of Sri Lanka as a democracy is now under scrutiny. Yesterday (January 15th), a US State

department spokesperson gave voice to international concerns in stating that doubts have arisen regarding whether Sri Lanka is still a democracy. The forced removal of Dr Shirani Bandaranayake as well as the appointment of a new Chief Justice has been severely condemned across the world. The Commonwealth Secretariat and other associated initiatives have also questioned whether Sri Lanka still abides by the core values of the Commonwealth, such as the independence of the judiciary and rule of law.

This debate, the biggest since Sri Lankan independence, and the consequent embarrassment to the regime, is not going to die anytime soon, neither in Sri Lanka, nor within the international community. Moreover, what Dr Bandaranayake has to say will matter a lot.

In short, she is an embarrassment to the Rajapaksa government locally as well as internationally. The cause of concern is that this regime and particularly its Ministry of Defense have demonstrated in the past that they do not lightly ignore those who cause such problems. They have always gone all out for those who gain the sympathy of the people. Dealing violently with its opponents has remained one of the most consistent principles followed by the regime, and that is why we should stand in defense of Dr Bandaranayake and her family.

The need of the hour is a response from the Sri Lankan people as well the international community to her call, "look after three of us". The ferocity with which the regime behaved in the courts as well as near her residence yesterday has made the Ministry of Defense's intention of silencing her clear. It has also made the aggressive perusal of this agenda clear.

What we need to do was put out best by *Frederica Jansz*, former editor of The Sunday Leader. To paraphrase her, what we need is not a dead heroine but a living person able to contribute to her family and society in the years to come.

# **‘Karo Kari’: The term may implicate men, but the practice is cruelty against women**

*Interview with Akmal Wasim*

*Akmal Wasim is a professor at the Hamdard School of Law, Karachi. This is an excerpt from a lengthy interview conducted with him in February 2013. It was transcribed and edited by Liliana Corrieri.*

‘Karo Kari’ is a Sindhi term used for honor killing, specific for the province of Sindh. Karo means black man, and Kari means black woman; the term means they have blackened themselves by committing this sin, dishonoring the family. Another term used in southern Punjab is ‘Siyah Kari’; a different name, but the norm is the same.

The issue of honour is not limited to karo kari and it is not only related to Islam. It goes way back in time and space. In India, one manifestation of a man’s honour was his wife. There used to be a custom in the Hindu society, “sati” which was a sort of misinterpretation or reinterpretation of the Hindu scriptures. According to the custom of sati, when a man died his widow had to go with him. This custom was prevalent when the British East-India company entered India, at the time Sir Charles James Napier was sent from England. He was the one who came out with a ban forbidding sati and providing punishment for it in the name of security of life. It represented an evolution of the rule of law based on legal order. Nevertheless, the custom continued and it was very hard to eradicate it from the subcontinent.

A reformist ruler in Bengal, Raja Rammohan Roy, came up with another interpretation of the same text. The woman could decide not to undertake sati, although she would remain the honor of her husband even after his death. She would be wearing white clothes for the rest of her life so that people could know she was a widow and therefore she could not remarry. Little by little, sati was totally eradicated from India. Sir Charles James Napier was then sent to Sindh province. Before this moment, the practice of Karo Kari is not found in Sindh.

There is a famous poetic compendium by Shah Abdul Latif Bhittai (1689 – 1752), called *Shah Jo Risalo*, which narrates of seven heroines, seven Queens of Sindh and the tragic romances they go through. Despite the troubles recounted, none of the stories ever mentions karo kari. The nature of Sindh people is very mellow, mild, not inclined

to violence. We don't find violence to such an extent that brings about the death of the woman. There are actually two areas in the subcontinent known for their mellowness, peace and harmonious aspirations: one is Sindh and the other one is Kashmir, and both became victim to politics. In both areas, violence was brought in. Politics has played a major role in the spreading of karo kari in Pakistan, as a powerful instrument to control the people.

Violence began with tribal conflicts involving Baloch tribes. Balochistan is known for its fierce and nationalistic attitude. Balochistan being a region with scarce water, Baloch tribes pushed into Sindh territory, which is richer of water and more suitable for cultivation. They brought with them their traditions and customs. In Sindh, honor was not related to women, but to the wealth of a man, the land he possessed, his properties and his social status. As soon as tribes from Balochistan moved in, a cultural change occurred within the Sindh region, and the custom of karo kari started to take place.

When Sir Charles James Napier arrived in 1848, he came out with the same sort of ban he had imposed in India against sati, but with some changes against the custom of karo kari. Between 1848-1852 there was an intense attempt to control the incidence of karo kari in the region, but it was very difficult. He even held consultations with the Jirgas [tribal council of elders], threatening to burn down their villages and cultivations if killings in the name of honour continued to occur. At that point communities made sure that the custom no longer took place in the usual evident way. Instead, the number of women committing suicide increased, and it was either because they were forced by the circumstances or more frequently it was the case of honor killings made to look like suicides. Sir Charles J. Napier went with a last try: he threatened to send the perpetrators to Karachi, which was a perceived as a big sacrifice as these communities were really attached to their lands and properties. But even then, killings simply continued to occur.

A karo kari can happen independently, but often involves the judgment of the Jirga, being the only judiciary and administrative forum available in rural areas especially. The decision in these cases is usually to kill the woman, or giving away girls from the perpetrator's family or from the victim's family, depending on the case, as a settlement between the parts. So in this case we have other women "wiping out" the alleged sin committed. This practice is called 'vani' and became quite common in Punjab. It is a clear example of the way women are considered sexual property. Once a tort occurs, the other man's property is up for barter.

All these customs come from a very shameful mindset. Since Pakistan has come to be in 1947, the State has cooperated and agreed with the tribal elders. General Zia-ul-Haq's evil conduct penetrated all spheres of life in the country. It was a general degeneration. When he came to power, the idea of governance was to control people through religion,

as religion was an area where he could find unity within the population. In order to rule, he had to cooperate with the tribes. And at this point the problem of karo kari becomes a serious human rights issue.

While karo kari is about gender violence, there are also other issues. It is important to remember the original meaning of the expression karo kari, which implies both a man and a woman. When you declare a man “karo”, you also declare a woman “kari”. Pakistani society lives in a state of denial however. There is a diffuse refusal of introspection. This refusal goes from the society to the state and from the state back to the society. There are many issues that do get even touched or discussed, and it will be difficult to overcome those taboos without a proper emancipation, coming out, rising awareness and discussion of reality.

# Achieving substantive gender equality in Indonesia

Answer Styannes

Earlier this year, the government of Lhoksemauwe in Aceh, Indonesia disseminated a circular to the public prohibiting women to ride straddle on motorcycles. According to the text of the circular as well as the statements given by the government of Lhokseumawe, such a prohibition is needed in order to 'enforce Sharia law', 'preserve the local culture's values and traditions' and 'prevent immorality'. The circular has been called discriminatory by human rights activists and even the central government. While human rights may be restricted when strictly necessary and in the pursuit of a legitimate aim, neither requirement is met in this case. Experts have spoken out explaining that straddling is the safest position for anybody to ride a motorcycle, striking down the government's argument that this prohibition was also aimed at protecting women. Despite the controversy, the regulation entered into force for residents of Lhokseumawe on 7 January 2013. Although the central government, through the Home Ministry, has promised to review the straddle ban prohibition and other local regulations discriminatory towards women, the Ministry does not have any record in repealing such regulations in the past.

## Summary of Circular No. 002/2013 signed *inter alia* by the Mayor and Head of Local Legislators of Lhoksemauwe:

1. Women who are given lift on a motorcycle by a men or women should not be sit in straddling position unless in emergency situation;
2. It is not permitted for anybody to act inappropriately such as hugging, touching each other and/or doing other things that are not in accordance with Sharia law as well as the culture and tradition of Aceh on any type of vehicle, whether it is a motorcycle, car or anything else;
3. Men and women should not be seen wearing clothes that do not cover their aurat, tight clothes and others that are violating Sharia law and dressing ethics.

The straddle ban prohibition is not the only regulation discriminatory towards women, and Aceh is not the only province in Indonesia which issues such regulations. The National Commission on Violence against Women (*Komnas Perempuan*) noted there are

at least 282 discriminatory local regulations issued in various parts of Indonesia since 2008. These include those regulating the way women should dress, imposing a curfew on women, or obligating women to be accompanied each time they are travelling. These were all issued on the grounds of protecting women. West Java is recorded as the province that produces the most such discriminatory regulations, followed by West Sumatra with its 33 discriminatory regulations spread across the province.

Indonesia's central government has been taking several measures to achieve gender equality within the country. The parliament and government, for instance, have been consistently requiring a 30 percent quota for women parliamentarians since 2008. The old law on nationality which automatically granted mixed-nationality couples' children the citizenship of their father was amended in 2006. The Constitutional Court recently declared that children born outside marriage have a legal relationship with both parents, not only with their mother as stipulated in the Marriage Law, which made it possible for the fathers to walk away from their obligation to raise their child.

Starting last year, the Indonesian parliament has been discussing a draft bill on gender mainstreaming. One of the ends the bill would like to reach is the elimination of stereotypes, customs or any other practices which are based on the perceived inferiority or superiority of one sex over another. Predictably, the bill is supported by human rights and women activists in the country, but rejected by Islamic groups. The latest version of the bill obliges government institutions as well as private entities to ensure all their policies are gender sensitive. Furthermore, the bill requires central and local governments to report any measures taken in achieving gender equality to the Minister of Women Empowerment.

This new bill as well as most of the measures taken by the Indonesian government, however, are mere legal steps that cannot address the substantive problem of gender inequality within society. Substantive equality can only be reached when negative stereotypes against women are eliminated from society.

Eliminating negative stereotypes against women in Indonesia however, given its religious society and patriarchal character, is a considerable challenge. This is aggravated by sexist remarks made by different high ranking officials of the country, reaffirming the negative stereotypes of women. Last year, the then governor of Jakarta told the media that women should not wear skirts in public transportation to avoid rapes, while Marzuki Ali, the Chairman of the Parliament was promoting an internal regulation prohibiting women from wearing skirts above their knees. In the selection process for Supreme Court judges this year, candidate Daming Sanusi, who is also the Head of Banjarmasin High Court, made a disgraceful joke before the members of parliament, saying victims of rapes enjoyed the rape as much as the rapists did. Equally embarrassing was the response of

the parliamentarians, who laughed at the joke instead of criticising it. Only after heavy public criticism did Sanusi finally give a public apology. Meanwhile, the Regent of Garut in West Java, Aceng Fikri, divorced his 17-year-old second wife via SMS early this year, after learning that she is no longer a virgin. His action sparked outrage from the public, particularly those concerned on women and children issues. Upon request of the local parliament of Garut, the Supreme Court later examined the case and delivered a judgement ordering the removal of Aceng from his office.

While a dynamic and critical civil society in Indonesia raises hope for the improvement of gender inequality within the country, those working towards this however, are often negatively labelled and their characters assassinated by groups who do not share their idea of equality. In a public discussion concerning religion based local regulations discriminatory towards women, an activist based in Nusa Tenggara Barat province shared her story of how she was called a 'whore' by the local newspapers. Other stories reveal that women activists are also called 'disbelievers'. According to one human rights activist from Banda Aceh, the biggest challenge of working on women issues and gender equality in Aceh is that the Islamic leaders and government always tell the public that human rights and gender equality are not on the same side as religion and the teachings of god.

As clichéd as it may sound, education is essential in achieving substantive gender equality, as ideas can only be challenged with ideas. Laws and regulations have a limited capacity to address problems, but one function those written rules serve well is to send out the government's message to the public, regarding their perspective on a particular matter. The plan to enact a gender mainstreaming law is therefore certainly a step to embrace, but more concrete measures to raise public awareness on the necessity of gender equality are still needed. Sexist remarks should no longer be tolerated, and those delivering them should be publicly shamed, particularly if they hold a public office. Regulations in all branches and at all levels of government should be sensitized and discriminatory provisions against women should be immediately repealed.

# Post-war Sri Lanka denies rights of women ex-combatants

*Dushiyanthini Kanagasabapathipillai*

It is estimated that nearly 11 000 former LTTE (Liberation Tigers of Tamil Eelam) combatants either surrendered or were captured by the Sri Lankan security forces at the end of the civil war in May 2009. Tens of thousands of civilians from the north of Sri Lanka were displaced due to the nearly three decade long war.

According to the Minister for Prisons Reforms and Rehabilitation, Chandrasri Gajadeera, only 700 ex-combatants of 11 000 remain in the rehabilitation centers. Of these, an estimated 3000 were women. A group of 104 women ex-combatants were recently released by the Government of Sri Lanka. These brave women fought equally on the battlefields and won many battles. Families and friends were delighted when these women won battles, but now, they are isolated from society.

In Sri Lanka's post-war period, the process of reintegration for women ex-combatants is a difficult task. This is largely because Tamils, an ethnic minority community of Sri Lanka, are very conservative and traditional. Most family members of these women ex-combatants are reluctant to take their daughters, daughter-in-laws, sisters, sister-in-laws, mothers and mother-in-laws back into the family. The family members say, "It will lead to security problems for the rest of the family, we feel ashamed if they come back." It is also very difficult to find life partners for most of the unmarried women ex-combatants.

Although reintegration and rehabilitation is difficult for men ex-combatants as well, it seems to be a bigger struggle for the women, as described in the following testimonies:

## **Sutha (32), ex-child soldier and ex-sea tigress, North of Sri Lanka**

*"I joined the Liberation Tigers of Tamil Eelam (Tamil Tigers as it is popularly known) in 1995 as a child soldier and became a sea tiger. I fought in many battles against the Government security forces. I lost my left arm in a battle in Paranthan (North of Sri Lanka) in 1997, but I continued to fight. I fought till the last moment and surrendered to the Sri Lankan Government security forces on 17 May 2009 in Vattuvaagal (North of Sri Lanka).*

*I have been in the Boosa prison for one year and three months. I was released in July 2011 after the rehabilitation.*

*My relatives and neighbors say that I am having relationships/ affairs with the Government security forces. The relatives use very bad language and scold me in Tamil with words such as 'whore', 'prostitute' and 'sex worker'. I have been abused with these words for the first time in my life. The neighbors often say that I paid a lot of money to the politicians and got released, that I slept with many men including the government security forces. 'You are inauspicious', 'you are a bad omen', 'you bring ill spirits', 'you are a witch', 'you are a bad woman' they say. I am proud to say that I was the only woman who was brave enough to join the Liberation Tigers of Tamil Eelam from my remote village. I have come alive! And people are very jealous.*

*The IOM (International Organization for Migration) gave me 63,000 rupees worth of materials to put up a small shop to earn an income. But I am unable to do so because my relatives and society treat me very badly and kill my character daily. People around me talk badly and treat me like an alien. This is yet another tragedy in my life.*

*I tried to go to the Middle East as a house maid. Since I'm disabled however, the job agent said he cannot find a job for me in the Middle East.*

*My parents are elderly and sick. I don't want to be a burden for them. I want to commit suicide, because I cannot listen to these bad words and talks anymore. I told my younger sister to sell the materials given by the IOM and make use of the money for my funeral!*

### **Kavi (29), ex-child soldier, Pottu Ammaan Mines Unit, North of Sri Lanka**

*"I have joined the Liberation Tigers of Tamil Eelam in 1995 as a child soldier and later served with the Puttu Amman Mines Unit. I surrendered on 17 May 2009. I was taken to Boosa prison and released on 22 January 2012.*

*My father was killed in a shell attack on 2 January 2009 in Murasumottai (North of Sri Lanka). My elder brother was a sea tiger and was killed in 2003 in a sea battle between the Liberation Tigers of Tamil Eelam and the Navy. I am not educated; I am jobless. I'm hurt and sad when I hear others passing bad remarks such as "Killers!" and "Murderers!" I am unable to get married, because I need money to give as dowry to the bridegroom. Nobody gives me work, because I am an ex woman combatant".*

### **Abi (25), North of Sri Lanka**

*"I was working as a preschool teacher in the Vanni district (North of Sri Lanka). I was*

*forcefully recruited by the Liberation Tigers of Tamil Eelam in 2008. I was trained in firearms. I got injured, and was transferred to Mannar hospital by the Government security forces in 2009.*

*After the head injury, I am unable to move my left hand and leg. The neighbours treat me badly, as do the relatives. They often ask me, "Why are you still alive?" I want to leave from this place and live with others who are physically challenged!"*

### **Priya (25), North of Sri Lanka**

*"I had chest pain. So, my mother took me and left me with my maternal Uncle in Vanni to get local treatment for the illness. I was forcefully conscripted by the Liberation Tigers of Tamil Eelam in 2008, while I was studying in Vanni district (North of Sri Lanka). I was trained in firearms for a short period. I was with the medical team of the Liberation Tigers of Tamil Eelam. I surrendered in May 2009. I was released in January 2010.*

*I don't want to marry, because nobody wants to marry me, since I have been a combatant. Tamil men think that women ex combatants are too dangerous to get married to, and difficult to handle". I don't want to get married and get tortured. I am not ready to face yet another tragedy in my life. I like to stay single!"*

### **Uma (22), North of Sri Lanka**

*"I was forcefully taken by the male combatants of the Liberation Tigers of Tamil Eelam in 2008 from my home. I was trained for a month in handling weapons. I got injured in the head and leg in February 2009. I was transferred to the hospital by the Government security forces.*

*Neighbours and relatives hurt me with the worst words in Tamil language, such as 'Bitch' and 'Don't come in front of us'. I want to study further and find employment. But, if I begin to go out, the neighbours and relatives will start to call me with so many bad names, therefore, I have decided to confine myself to a corner of the house."*

### **Leela (49), ex-commander of women tigers, North of Sri Lanka**

*"I have joined the Liberation Tigers of Tamil Eelam in 1984 and fought till the last moment. I was a commander for the women tigers. We won many battles. I got injured numerous times, but continued to fight in the jungles as a single woman and a married woman without food and water. I have been a front line fighter for many years. My husband surrendered to the Government security forces, but no news about him yet. I have handed over the women fighters who were with me to the security forces and surrendered myself as well on 18 May 2012, as the decades long war was coming to an end.*

*I thought several times about whether to live or kill myself. I have decided not to bite the cyanide capsule (which was around my neck) and commit suicide, because there is nobody to take care of my children.*

*The Tamil people were very proud when we Tamil women broke the traditional barriers and joined a fighting force in the early 1980s. But, sadly, now they are not willing to accept us (women ex combatants) into the same society! I'm sad to see their endless bad behaviour and treatment towards us.*

*I get up very early to fetch water from the well before dawn. And, I go to the well again only in the night to fetch water and wash, because I don't want to see anybody. I neither go out nor send my children to play out. People don't think twice before they move their tongues with the worst words to hurt us.*

*I lead a life in a cow's shed now. People asked me 'how much money and gold jewellery did I bring along when I returned from the war zone?' We have fought for the Tamil community as a whole, but we are neither respected, nor is our service recognized."*

## **Women's economic, social and cultural rights**

Despite the war being over for several years, most of these women ex-combatants are still traumatized. They are struggling to get back to normalcy. Some of them have young children. The majority of them are married and their husbands are either killed, disappeared, detained or being rehabilitated (if they were combatants). These women ex-combatants were undergoing a yearlong government rehabilitation programme.

These ex-women combatants are dumped and abandoned by society. Social stigma continues to haunt them. The discrimination against these women continues endlessly in many forms. While the Tamil community took pride and praise in these women decades ago, it now refuses to provide a helping hand to them in their hour of need. They still fear for their lives: they are verbally and emotionally stamped upon, leading them to fear that the 'Tamil Tiger' label will be stuck with them forever. They face a tough time returning to civilian life, with fewer prospects for education, employment and marriage due to the prevailing social stigma. They suffer silently. They are dismayed and demoralized.

These women were frontline fighters for nearly 30 years. Many of them stopped their schooling and joined the LTTE (Liberation Tigers of Tamil Eelam), trained to fight, they fought, were injured, survived, and finally surrendered. The indignity and social stigma faced by these women is unacceptable. They fought for self determination, but now face isolation by society.

In fact, their society should be a source of strength for them. Society has failed to protect the basic rights of these women ex-combatants. Their economic, social and cultural rights are violated in post-war Sri Lanka. Their rights to livelihood, to freedom, to speech, education, and their right to work are all being denied and violated in myriad ways.

Society should remember that every woman is an agent of change. It is the society's duty to make them WINNERS from VICTIMS.

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\* LTTE or Liberation Tigers of Tamil Eelam ((Tamil Tigers as it is popularly known) fought for nearly 30 for a separate state (North and East) in Sri Lanka. The war was officially brought to an end on 19 May 2009.

\* Boosa Prison is where the LTTE suspects are detained.

\* Names have been changed to protect identities

# Eulogy for Girl X

*Meenakshi Reddy Madhavan*

Feminism is not a dirty word.

Feminism means you either have a vagina and believe that doesn't make you inferior or you know someone with a vagina and believe they're not inferior.

A vagina is not an invitation.

Your body is not an invitation. In fact, it's members-only and the members are whoever you'd like them to be.

That means you can still take pride in your long legs, your shapely calves.

You can love your high breasts, your slightly low but large ones. You can wear flattering necklines. You can accentuate your waist, or your butt, or your boobs. All totally your call.

You can choose to let the person who gives you tingles rest their hand on your knee. You can let them make love to you or make love to them. You can kiss them in the back of an auto rickshaw till you're both cross eyed with desire.

People might look at you. Chances are, that they will. Don't let that stop you. Looks can't hurt you.

Wear your body like a banner. Let your vagina be a badge of merit. Sure, you can only pee sitting down, but you have magical things going on over there.

The human body is a wonderful thing. All of it. Innies or outies.

If someone grabs you, don't go along with them because you don't want to make a scene. Make sure everyone knows your body is YOUR body. You give it pleasure, you feed it, you nurture it. Your body belongs to you.

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Meenakshi Reddy Madhavan is the author of *You Are Here* and *Cold Feet*. You can read her blog at [www.compulsiveconfessions.com](http://www.compulsiveconfessions.com) or follow her on twitter at [twitter.com/reddymadhavan](https://twitter.com/reddymadhavan). This eulogy was written for the Delhi gang-rape victim of 16 December 2012.

If someone grabs you, yell. If someone lays a hand on your beautiful members-only breasts, tell them your breasts are your own. It might need a little knee to the groin to get this message across, but you are only to be admired from a distance.

You are a feminist, not because you hate men, but because you love women. You are a woman who believes in equal rights--including walking down the street in that fuck-off red dress--you are a man who thinks women can walk down the street doing whatever they like, as long as they're not harming anyone else.

You will not be raped today.

# Practicing Ethics in Action

*Ethics in Action* begins with the realization that both law and morality have failed the people of many countries, who are today facing incredible forms of cruelty that they have little power to eradicate. Despite all the rhetoric of empowerment, the reality witnessed in most Asian countries is desperation and powerlessness. The two ingredients necessary for any real empowerment of ordinary people are law and morality. If living conditions are to improve, defective legal systems and the failures of upholding ethics and morality cannot be ignored. *article 2*, a publication of the Asian Legal Resource Centre, sister organization of the Asian Human Rights Commission, is devoted to discussing matters relating to defective legal systems obstructing the implementation of human rights. *Ethics in Action* will be devoted to discussing how movements and leaderships claiming to uphold ethics and morality have failed to promote and protect human rights.

The AHRC invites submissions to *Ethics in Action* by individuals and organizations interested in issues of human rights, ethics and morality in Asia. Submissions can include articles, poetry, fiction and artwork. For more information, please write to [eia@ahrc.asia](mailto:eia@ahrc.asia).

## Other regular publications by the Asian Human Rights Commission:

**Article 2** – This quarterly publication covers issues relating to the implementation of human rights standards as proposed by article 2 of the International Covenant on Civil and Political Rights.

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