

# GENDER DISCRIMINATORY SOCIAL NORMS AND THEIR IMPACT ON RIGHTS AND FREEDOMS OF WOMEN



## Participatory Research in the Northern Province

**TRANSFORM**  
Building Inclusive Communities and Promoting Women's Leadership  
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## Foreword by Law and Society Trust

Gender inequality has haunted Sri Lanka for decades. On the one hand, women enjoy high rates of literacy; they have enjoyed universal franchise for decades, and many laws (though not all laws) are gender-neutral. Nevertheless, gender inequality exists and is socially accepted. There is no burning sense of an injustice that must be addressed. No realization that all of society is impacted by this state of affairs.

Typically, gender inequality is addressed through law reforms – enacting laws that formally prescribe discrimination, amending the most discriminatory laws and even mandating special provisions to uplift women and other marginalized groups. But even these reforms have not had an impact. There have been some policy changes to enable women to access land and trainings given to women to improve their livelihoods. But these measures have not created the required paradigm shift for women.

This study, focusing on the Northern Province, lays bare the fact that the existence of gender discriminatory social norms is one of the fundamental causes for gender inequality. The Northern Province is a bastion of conservatism where gender inequality was deeply ingrained.

These social norms, rationalizing inequality are deeply held by women as well as men and have hindered the eradication of gender inequality. The conflict churned society and women found themselves performing non-traditional roles, heading their households and de facto breaking down barriers. Ten years after the end of the war, the consequences of the war and its destructions still have serious impacts on the lives, rights, and freedoms of the women of the Northern Province. Time passes and society settles into the new normalcy of living with large numbers of female headed households and with war-affected women with disabilities, with no access to land and robust livelihoods, the gender discriminatory norms acquire a new resilience, holding women back further.

This study offers unique insights to the social norms that form a web of interlocking constraints on women. These constraints include gendered conceptions of the “good and chaste women” who is “good and chaste because and when she is relegated to the domestic sphere; the good woman who lives for her family with no aspirations for herself. These norms define and constrain women physically and mentally too. They circumscribe women’s actions and mobility as well as their aspirations and expectations.

These constraints are reinforced in national narratives such as school text books, advertisements, newspapers and literature, defining the “good woman”. It is reinforced by religious doctrines and practices and ground into the consciousness and sub-consciousness of women and men by the custodians and transmitters of tradition – the matriarchs within the family. Thus, women become their own jailers.

While the study outlines the legal reforms and policies required to transform the lives of women, this study goes further and recognizes the need to transform these social norms in the Northern Province if change is to be brought about. While the main objective of this research is to identify, assess and understand the gender discriminatory key social norms and its impacts, it does so through participatory, action-research, engaging with women to unpack and question the narrative that defines them. This is what makes this study unique and transformative. It enables women to recognize for themselves the issues that hold them back and that they must exercise agency to re-define their roles.



The Law and Society Trust in Partnership with Chrysalis has undertaken a project to enhance democracy and human rights in northern Sri Lanka through promotion and protection of gender equality, human rights, fundamental freedoms and justice. This research is a part of this objective. LST appreciates the partnership of Chrysalis in this endeavor and the European Union which has funded the project. We are both humbled and energized by the women who engaged with this project, shared their stories and their readiness to be change agents.

Dr. Sakuntala Kadirgamar  
Executive Director  
Law and Society Trust

## **Foreword by Chrysalis**

Women and youth are at the core of everything we do. While we understand the complex multitude of challenges women and youth face, which marginalize them on the basis of their gender, age, ethnicity, religion and class, we believe that they are the leaders Sri Lanka requires to fulfil its potential, and now more so than ever. At Chrysalis we develop innovative, holistic solutions that will challenge inequalities and create inclusive growth, allowing women and youth to drive change and transformation. We promote inclusive growth by ensuring that people of all genders have the knowledge, skills and capacity, the ability to negotiate relationships that discriminate and challenge, and the courage to transform norms, values, behaviors and institutional barriers that perpetuate inequality.

Our work is enriched by our partnership with the Law and Society Trust (LST). Their in-depth understanding of the socio-economic and political context in the country, especially the marginalization and discrimination of women and other groups have allowed us to sharpen our own understanding of the root causes of discrimination and to develop relevant and sustainable solutions together with communities, local authorities and our peers.

The primary objective of this research was to identify the gender discriminatory social norms prevalent in the Northern Province and to understand its impact on the rights and freedoms of women. The research also sought to examine how the gender discriminatory national narratives impact such discourses, particularly in the post war context where gendered roles are transforming, especially for women. The participatory approaches adopted to carry out the study, including the Social Norms Analysis Plot (SNAP) framework used to analyze the data provided an in-depth understanding of the nuanced issues faced by specific groups including former women combatants, women with disabilities, single parents and widows.

The research has generated new evidence on the prevalence of gender discriminatory social norms in the Northern Province and establishes how these social norms hinder the access of women to rights and freedoms. Norms that influence women's role in private and public spaces and reinforce their reproductive roles at the cost of their dignity, safety and security were identified as significant factors that impact their rights and fundamental freedoms. We are confident that the findings of this research will enable all us to challenge the status-quo and to transform the gender discriminatory social norms.

We are extremely grateful to the LST team that carried out the research and for continuing to be a valued partner in our mission to engage Women and Youth in Sri Lanka's growth.

Ashika Gunasena  
Chief Executive Officer  
Chrysalis

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Krijah Sivakumar  
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## Executive Summary

Gender equality is essential to the improvement of any society. Although the importance of gender equality is acknowledged in Sri Lanka, it is not guaranteed in practice. Incidents of violence, including the civil war which lasted for three decades, the Digana riots, the Aluthgama-Beruwala riots and the Easter Sunday attacks exacerbate the gender discrimination prevailing in society. Although wars and riots affect everyone irrespective of gender, their impact on women is severe and unique. The severity and uniqueness of these impacts deepen the discrimination women face as a result of their gender identity. Thus, in Sri Lanka which has faced continuous violence since 1970, gender equality is a challenge.

Gender discriminatory social norms prevalent in society is one of the root causes of gender discrimination. In other words, gender inequality is embedded in gender discriminatory social norms. Social norms are identified by many names such as heritage, cultural norms, traditional practices and values. Generally, as these social norms are constructed on gender, they become gender discriminatory. If we were to consider the origin of these social norms, it is either religion or culture. These social norms shape the roles of an individual according to tradition. Often these social norms and the gender roles designed by these social norms discriminate against women. This discrimination rests on the attitude that the duty of preserving cultures resides exclusively with women. These social norms identify reproduction, preserving culture and maintaining the home as the main gender roles of women.

The legal obligation to guarantee gender equality is enshrined in Article 12(2) of the Sri Lankan constitution. Sri Lanka has also accepted international commitments to guarantee gender equality by adopting many international covenants. Successive governments have taken many steps to guarantee gender equality. However, the rise in violence against women and the lack of opportunities for women to participate in public life are indicators that gender equality has not yet been guaranteed in Sri Lanka.

Until gender discriminatory social norms that cause gender discrimination are transformed, gender equality cannot be guaranteed. Therefore, gender discriminatory social norms should be transformed as the first step in the effort to guarantee gender equality. In order to do this, it is essential to identify the gender discriminatory social norms currently prevalent in society, their strength or durability, the reason for their prevalence, and how they affect gender equality and women's rights and freedoms.

The purpose of this research is to identify and evaluate the gender discriminatory social norms prevalent in the Northern Province which bore the major brunt of the war. The primary purpose of this program is to design interventions to transform the gender discriminatory social norms identified through this research which is carried out under the TRANSFORM project, and make such transformation a reality. As such, this research will provide fresh insight into gender discriminatory social norms prevalent in the Northern Province. The objectives of this research are:

1. To identify the gender discriminatory social norms prevalent in society (Northern Province), their gendered impacts on women, and how they hinder women from achieving their fundamental rights and freedom.
2. To identify what changes these social norms underwent during the conflict and in the post-conflict period, and the strategic mechanisms adopted by women to liberate themselves from the effects of these social norms.



3. To explore how gender discriminatory national narratives influence women's achievement of their fundamental rights and freedom.

A participatory approach was adopted for this research. The research was conducted in the research area, the Northern Province, with the participation and contribution of the members of the community. Data for this research was collected from primary and secondary sources. Information was collected from 532 community members in the Northern Province. The questionnaire used to collect information for this research was prepared by the research team of LST based on the knowledge gained from a series of discussions held with the community members from the Northern Province. 51 community members selected from the Northern Province functioned as data collectors. Apart from this, religious leaders, academics and human rights activists from the Northern Province were also interviewed. Focus group discussions were also held with special groups of people such as widows, disabled women and victims of sexual and gender-based violence. The data for this research was thus collected in a number of ways such as through questionnaires, interviews and focus group discussions.

The first chapter of this research provides an introduction to the subject matter of the research. Concepts such as gender equality, social norms, sex and gender have been explained based on the objective of the research. Further, this chapter establishes that gender equality is not guaranteed in Sri Lanka based on the indicators of violence against women and lack of opportunities for women to engage in public activities. This chapter also lists the national and international commitment of Sri Lanka to guarantee gender equality. Finally, it examines the impact of gender discriminatory social norms on laws.

The second chapter offers a logical analysis of local, regional and international researches on social norms and gender equality. In this literature review, a number of concerns such as the characteristics of social norms, the reasons for their existence, and the relationship between social norms and religious principles have been explored. This chapter also specifically examines the gender roles of women and concerns of chastity. Further, the changes brought about to these social norms by the war are also analyzed.

The third chapter describes the research methodology. This chapter explains in detail the research methodology including the research problem, research objectives, data collection method and data collection tools.

The fourth and fifth chapters present the findings of the research. The fourth chapter lists the ten-gender discriminatory social norms that are most prevalent in each district in the Northern Province. It also lists the ten-gender discriminatory social norms which are most prevalent in the entire Northern Province. The chapter also uses the SNAP framework to assess the strength of these ten social norms and ranks them accordingly. It also analyzes these ten social norms through disaggregated data. That is, this chapter explores to what extent these social norms are prevalent among people of different religious groups, different educational achievement and different age groups. While exploring the reasons for the prevalence of these social norms, this chapter also identifies the persons who influence the prevalence of these social norms. Finally, a logical analysis has been done to find out what impacts these social norms have on women accessing their fundamental rights and freedoms.

Chapter five illustrates how gender discriminatory narratives influence the rights and fundamental freedoms of women. The chapter also analyses what impacts are caused to these social norms during and after the war.

The final chapter briefly presents the conclusions of this research and tables the recommendations. Recommendations have been offered for the judiciary, the legal sector, government actors and civil society actors.

### **Research Findings: An overview**

The following ten social norms have been identified as the gender discriminatory social norms which are most prevalent in the Northern Province. These have been ranked below according to their strength. SNAP framework was used to assess the strength of the social norms.

1. Women / girls should not talk much in public places
2. Wives should bear any hardship to sustain their family life
3. Only men should do labor-intensive work
4. Childcare is mainly the work of women
5. Cooking and household chores are mainly the work of women
6. Women / girls should not go to the police station
7. Women should not complain against their husbands
8. Families should not allow women / girls to report sexual violence
9. Victims of sexual violence are unchaste
10. Women / girls should not report sexual violence

The social norms that childcare is mainly the work of women, cooking and household chores are mainly the work of women, wives should always sustain their family life, and women should not complain against their husbands prevail more among women than among men. The social norms that only men should do labor-intensive work, victims of sexual violence are unchaste, women/ girls should not go to the police station, women/ girls should not talk much in public places, and women/ girls should not report sexual violence are more prevalent among men than women. Social norms mostly prevalent among women often confine them to the family unit and give importance to the marriage bond. Social norms mostly prevalent among men are related to the chastity of women and curtail women's access to justice.

Social norms such as cooking and household chores are mainly the work of women, wives should always sustain family life, and childcare is the mainly work of women are generally prevalent among all the religious communities to a significant level. These social norms also prevail among all age groups to a certain extent. The reason for this is that these social norms stem from the family unit. Girls are trained to cook, maintain the house and care for children from a very young age. Schools also emphasize in many ways that girl children should know how to cook and perform household chores. Thus, social norms passed on by social institutions such as the family and school are found to be stronger and prevalent among a majority of people in society.

Social rejection and social punishment are the root causes for the perpetuation of these social norms. More than 60% of research participants said that they followed these social norms out of fear of social punishment. The research findings state that when a woman becomes a victim of sexual violence or

rape, she faces a great amount of social rejection. There is also a close link between the prevalence of these social norms and women's married lives. As deviating from these social norms can affect women's marriage or their married life, these social norms are followed continuously.

It was observed that there is little influence of religious leaders on the prevalence of these social norms. In a family, the mother's contribution to the prevalence of these social norms is slightly higher than that of a father. While it is women who are mostly affected by gender discriminatory social norms, they also preserve these social norms and pass it on to the next generation.

Traditional norms, cultural principles and traditional practices are the root cause of the prevalence of these gender discriminatory social norms. Apart from these, safety concerns and the gaps found in the criminal justice system also make some of these social norms prevalent. For example, even when sexual violence is reported, the gaps that exist in the criminal justice system such as not receiving justice or delayed justice, confidentiality not being maintained and victims being affected further result in the prevalence of the social norm 'women / girls should not report sexual violence'.

The ten social norms which were identified either confine the role of women to the domestic sphere or curtail women's rights and freedom based on the concepts of 'good woman' and 'chaste woman'. Confining women's role only to the domestic sphere can affect their economic independence, increase violence against them, restrict their knowledge and skills and take a toll on their health. Furthermore, as the concepts of 'good woman' and 'chaste woman' are imposed upon women, they are deprived of their freedom to access justice, their right to be free from torture, their freedom to think and follow their conscience and their freedom of mobility. The social norm that a 'good woman' or a 'chaste woman' would not be subjected to sexual harassment place the burden of not being subjected to sexual harassment on women themselves. Further, this social norm socially stigmatizes women who become victims of sexual violence. As a result, women who become victims of sexual violence are hesitant to report it or share it with others.

Other gender discriminatory social norms which are in practice violate the labor rights of women. Although the right of Sri Lankan citizens to engage in any employment of their choice is guaranteed by the constitution, social norms such as 'women should not accept night duty' and 'women should not reside away from home to work' prevent women from enjoying this right. Paying women less than men is also a reflection of gender discriminatory social norms. In the agricultural districts of Kilinochchi and Mullaitivu, although men and women who engage in agricultural labor do the same work, they are not paid equally. Rather, men are paid more than women. This discrimination reflects the norm that employment is for men.

Gender discriminatory social norms question the religious freedom of women on the basis of their sex. However, as most of these social norms are expressed as religious beliefs or religious principles, they wield more influence. Further, it is difficult to distinguish between religious beliefs and social norms. As a result, there is a confusion as to whether a particular practice is a religious principle or a social norm. Whether they are religious beliefs or social norms, gender discriminatory practices which question the religious freedom of women eliminate gender equality by depriving women of their religious freedom. There are practices that discriminate against women in all religious communities in Sri Lanka.

As the research was conducted in an area where a war had been waged, it also explored the changes in trends of these social norms brought about by the results of the war. Female ex-combatants note that the Liberation Tigers of Tamil Eelam had recruited women as cadres as there had been a need to include women in the struggle during the war. It was said that all trainings given to men, including arms training, had also been given to women. The female ex-combatants pointed out that women who had hitherto held only a traditional role, deviated from it to assume the role of combatants. The deviation of women from their traditional role was accepted in the Northern Province which was facing an abnormal condition due to the war. The research has found out that gender equality was accepted as a strategy to survive in an abnormal situation.

After the war however, society gradually started to return to its former state. In the post-war context, the women moving away from their traditional roles came under criticism. Yet, the consequences of the war also caused some healthy changes in the trends of these social norms. The emergence of woman-headed households, the empowering of women via the intervention of civil society organizations, and the elimination of the practice of distancing widows from auspicious activities can be indicated as some of these positive changes. However, although gender discriminatory social norms prevalent in the Northern Province have weakened, they have not transformed. If women's access to fundamental rights and freedoms is to be ensured, gender discriminatory social norms prevalent in the society should be transformed. For social norms to change, community members' traditional perspective on life should change. It is only through eliminating these traditional aspects that changes can be brought about in the attitudes and behaviors of people. When changes happen in regulated, traditional lives, gender equality will be ensured. Bringing about such changes in individuals is not an easy task. However, well-planned long-term interventions will certainly make these changes possible.

Although gender equality is guaranteed as a fundamental right in the constitution, the application of Article 16 of the constitution enables gender discriminatory laws to continue to be in force. Some laws have long remained unchanged with discriminatory provisions. The Penal Code, the Evidence Ordinance and the Muslim Marriage and Divorce Act could be cited as examples. Laws should protect individuals, not discriminate against them. The Convention to Eliminate All Forms of Discrimination Against Women requests member nations to amend gender discriminatory laws. As a country that has adopted this convention without reservation, the government has a moral and legal obligation to amend the gender discriminatory laws in force in Sri Lanka. The idea that women/ girls should not report sexual violence has been identified as a social norm. While the reason for this passivity is cited as potential dishonor to the family of the victim, an exception is given to 'complain provided that confidentiality is maintained'. Women/ girls who are victims of sexual violence and their families do not wish to publicize the incident because of the social stigma associated with sexual violence and rape. Therefore, trials on incidents of sexual violence and rape should grant opportunities for personal explanations. Further a separate special court should be established to try these cases. In delivering judgements on these cases, the names and details of the victims should not be included.

School textbooks are a medium of passing on gender discriminatory social norms to school children. The school is the next social institution after the family where children learn interaction. The ideas taught in schools are deeply embedded in the minds of children. Therefore, it is essential to remove gender discriminatory texts and images from school textbooks. School textbooks should also include texts and images promoting gender equality. School principals, teachers and other staff should be

provided with special training on gender equality. In order to ensure that male children also learn cooking and household chores, the Practical and Technical subject containing such lessons should be introduced as a mandatory subject in any grade above grade six.

When the gendered identity of woman intersects with another identity such as disability, widowhood and ex-combatant, it will entail grave discrimination and unique problems. Often such women victims go to the GS office, Divisional Secretariat and District Secretariat to obtain services for them. Therefore, government officials serving in these institutions should be provided with gender sensitive trainings. Further, a monitoring mechanism should be established at the institutional level to ensure that government officials maintain gender equality in their duties.

Street dramas, films and seminars centered on the theme of gender equality should be organized in order to change gender discriminatory social norms prevalent among individuals. Awareness programs should be conducted on the fundamental rights and freedoms of women and how they will lead to the betterment of society. Empowerment programs and self-employment assistance for women should be provided. Such programs could be initiated by government/ non-government institutions serving in the Northern Province. The findings of this research will help to design interventions to transform the gender discriminatory social norms which have been identified.





# Chapter 1

## 1 Research Introduction

### 1.1 Introduction

Do not spend your time standing at your door,  
strolling about in gardens and parks  
and do not be lazy at your household duties.

Protect the gods in your house.  
Do not give anything away even to your own children,  
without your husband's consent.

If your husband's attention seems directed elsewhere,  
do not speak to him about it,  
let your tears be the only indication of your sorrow.

Seek out your husband's desire in food  
and see that he is constantly satisfied,  
feed him and ensure his well-being like a mother.

Be the last to go to bed and the first to rise.  
When your husband wakes, see that you are by his side.  
Even if your husband appears angry and cold,  
do not speak roughly to him.

(Advice given by a father to his daughter during marriage –  
English translation of an excerpt from the literature Kavyasekara)

Women were considered as procreators, caretakers and protectors of traditions and cultures in the traditional Sri Lankan society which was based on an agricultural economic system. Women's roles, defined by religious and cultural factors, were confined within the family unit. This was common to women of all ethnicities and faiths. According to the majority religion of Sri Lanka, Buddhism, a commonly acknowledged principle is that "People who committed misdeeds in a previous life will be born as a woman in this life. A woman's highest goal is to be reincarnated as a male in her next life."<sup>1</sup> Hindu doctrines and scriptures too emphasize the idea that "People who committed sins in a past life are reincarnated as women."<sup>2</sup> Islamic principles also give secondary status to women.<sup>3</sup> Christianity too, calls upon women to be subservient and obedient to their husbands.<sup>4</sup> Thus, women are given a secondary status across almost all religions and cultural beliefs, in all faiths and races.

<sup>1</sup> Kumari Jayawardena, *Feminism and nationalism in the Third World in the 19th and early 20th centuries Emancipation and Subordination of Women in Sri Lanka* (Verso Books 2016) 109

<sup>2</sup> Ramanujam, Sripasyam.

<sup>3</sup> SUPRA 1

<sup>4</sup> Ephesians 5:24- "Now as the church submits to Christ, so also wives should submit in everything to their husbands"

However, due to the political, social and economic changes which took place in the 1980s, this traditional image of women also began to change. Due to the armed insurgencies which occurred in the 1980s and preceding years, many youth were killed or went missing. The impacts of armed insurgencies on women were significant. Following these insurgencies, women's involvement in social and political matters began to increase. Women started forming various organizations to demand justice for the injustices inflicted on them. The "Women's Front" initiated in 1982 is one such women's movement. Consequently, many regional and national organizations headed by women began to form. Additionally, as a result of the Free Trade Zones, garment factories and such introduced by the United National Party in the 1970s to strengthen economic system, women's contributions to the economy also increased. As a result of the economic, social and political changes which took place during the 1970s and 1980s, women began to move beyond their traditional roles and participate in public life. However, the traditional image of women has not transformed completely. They continue to have a significant impact on the rights and freedoms of women even today. The objective of this research is to identify the social norms that are currently in practice and safeguarded by culture and traditions, and analyze how they impact the rights and freedoms of women.

In the Democratic Socialist Republic of Sri Lanka, there are four main ethnic groups namely, the Sinhalese, Tamils, Muslims and Burgers and four main religions- Buddhism, Hinduism, Christianity and Islam. The constitution of Democratic Socialist Republic of Sri Lanka, 1978 is the supreme law of the country. According to the official data of the Department of Census and Statistics of Sri Lanka, at present women constitute 51.6% and men constitute 48.4% of the total population of Sri Lanka.<sup>5</sup> In this country where women make up more than half of the population, and have enjoyed high rates of literacy, the extent to which gender equality and women's rights and freedoms are guaranteed has been debated for many decades.

The violence, insurgencies,<sup>6</sup> ethnic conflict<sup>7</sup> and religious conflicts<sup>8</sup> which have unfolded in the country since 1971 have contributed to labelling Sri Lanka as a 'land of violence'. In this context, the trajectory of the rights and freedoms of women in Sri Lanka is an element that should be explored. The Sri Lankan civil war which started in the 1980s was brought to an end through a military victory in 2009. Both the trajectory of the war and its conclusion have had diverse impacts at various levels in the North and East. It is noteworthy that these impacts can have a substantial influence on gender equality and its practice. The sudden increase in the number of female-headed households is indicative of the lasting results of such impacts. The percentage of female headed households which stood at 17.4% in 1981 increased to 23.2%<sup>9</sup> in 2009 during the end of the war and to 24.3%<sup>10</sup> in 2012. According to statistics for the year 2016, the percentage of female-headed households in Sri Lanka is now 25.8%.<sup>11</sup> It should also be noted here that Sri Lanka ranks 9th in the world among countries having the highest number of female-headed households.<sup>12</sup>

5 Department of Census and Statistics, <<http://www.statistics.gov.lk/GenderStatistics/StaticalInformation/Population/PopulationSriLankaCensusYearSex>> accessed 5 June 2021.

6 'Remembering and reflecting on the April 1971 insurrection' (Daily FT, 07 April 2021) <<https://www.ft.lk/columns/Remembering-and-reflecting-on-the-April-1971-insurrection/4-715963>> accessed 5 June 2021.

7 'Remembering Black July' (Tamil Guardian, 23 July 2020) <<https://www.tamilguardian.com/content/remembering-black-july-0>> accessed on 4 June 2021.

8 'Easter blasts in Sri Lankan hotels and churches kill at least 207' (Daily Mirror, 22 April 2019) <<https://www.dailymirror.lk/Business-News/Easter-blasts-in-SriLankanhotels-and-churches-kill-at-least-207/273-165725>> accessed 7 June 2021. 'The Sri Lankan Civil War and Its History, Revisited in 2020' (Harvard International Review, 31 August 2020) <<https://hir.harvard.edu/sri-lankan-civil-war/>> accessed 20 April 2021.

9 Department of Census and Statistics, <<http://www.statistics.gov.lk/GenderStatistics/StaticalInformation/SpecialConcerns/PercentageOfHouseholdHeadsBySex1981-2016>> accessed 5 June 2021.

10 Ibid

11 Ibid

12 World Economic Forum, The Global Gender Gap Report 2020, <[http://www3.weforum.org/docs/WEF\\_GGGR\\_2020.pdf](http://www3.weforum.org/docs/WEF_GGGR_2020.pdf)> accessed 3 March 2021.

As a country affected by civil war, Sri Lanka is not fully past the transitional process. The transitional process from a conflict country to a post-conflict country has not been smooth or linear. The Northern Province which bore the brunt of the war is yet to recover from it. In this context, the suicide bombings that took place on Easter Sunday in 2019<sup>13</sup> intensified many existing problems and created many new problems as well. At such times, outbreaks of violence impact gender equality directly and indirectly and have a considerably disproportionate impact on women in particular.

In 1960, Sirimavo Bandaranaike was elected Prime Minister, and Sri Lanka gained the pride of being the first country in the world to have a female Prime Minister. Further, through the Donoughmore Constitution which won franchise for women above the age of 21 in 1931, Sri Lanka gained the pride of being one of the first countries in the Asian and African continents to achieve women's franchise. While these examples which are used to indicate that 'gender equality is a concept that is accepted and praised in Sri Lanka', we should also keep in my mind that they are dated indicators of success.

Sri Lanka was ranked 102nd among 153 countries in the Global Gender Gap Report for the year 2020.<sup>14</sup> In particular, the country ranks 128th in economic participation and opportunities, 88th in educational achievements and 73rd in political empowerment.<sup>15</sup> However, there are many factors that must be explored in evaluating gender equality in practice in Sri Lanka. We will attempt to evaluate it by focusing primarily on the opportunities available for women to achieve their fundamental rights and freedoms. Accordingly, gender equality is evaluated based on the two indicators, '**violent incidents**' which deprive women of their fundamental rights and freedoms and '**lack of opportunities to participate**' which limit their fundamental rights and freedoms.

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<sup>13</sup> 'Easter blasts in Sri Lankan hotels and churches kill at least 207' (Daily Mirror, 22 April 2019) <<https://www.dailymirror.lk/Business-News/Easter-blasts-in-SriLankanhotels-and-churches-kill-at-least-207/273-165725>> accessed 7 June 2021.

<sup>14</sup> Supra 9

<sup>15</sup> Ibid

### 1.1.1 Violence against women

There is a close link between violence against women and their capacity or the opportunities they have to enjoy their fundamental rights and freedoms. To explain this using a simple example, a woman subjected to rape often voluntarily curtails her movements and social participation.<sup>16</sup> Even though she appears to voluntarily renounce her fundamental rights and freedoms, the simple truth is that the violence she faced and social norms which can worsen the impact of such violence are the reason she is forced into making this decision. Table 1.1 below indicates that the escalation of violence against women has enabled the loss of women's fundamental rights and freedoms. This questions the status of gender equality in Sri Lanka.

**Table 1.1**

#### Women victims of grave crimes against persons 2015 -2019

Type of grave crime	2015			2016			2017			2018			2019		
	Both sexes	Female	% of female	Both sexes	Female	% of female	Both sexes	Female	% of female	Both sexes	Female	% of female	Both sexes	Female	% of female
<b>Total</b>	8,830	4,374	49.5%	8,254	3,967	48.1%	7,213	3,345	46.4%	7,253	3,706	51.1%	6,831	3,401	49.8%
Abduction	725	661	91.2%	738	703	95.3%	647	601	92.9%	753	691	91.8%	663	611	92.2%
Kidnapping	257	128	49.8%	297	171	57.6%	251	182	72.5%	260	186	71.5%	212	110	51.9%
Grievous Hurt	1,388	237	17.1%	1,243	241	19.4%	1,075	223	20.7%	942	193	20.5%	894	169	18.9%
Voluntarily causing hurt by dangerous weapons	2,667	474	17.8%	2,358	90	3.8%	2,130	97	4.5%	1,947	84	4.3%	1,857	79	4.3%
Homicide/abetment to Commit Suicide/ Attempt to Homicide	664	139	20.9%	575	159	23.6%	616	107	17.4%	533	129	20.4%	593	114	19.2%
Rape of women over 16 years of age	379	379	100%	350	350	100%	294	294	100%	345	345	100%	289	289	100%
Statutory Rape (women under 16 years) with consent of victim	1,339	1339	100%	1,394	1,394	100%	1,206	126	100%	1,199	1,199	100%	1,185	1,185	100%
Statutory Rape (women under 16 years) without consent of victim	315	315	100%	292	292	100%	232	232	100%	248	248	100%	305	305	100%
Unnatural Offences / Grave Sexual Abuse	900	592	65.8%	716	453	63.3%	614	315	51.1%	749	545	72.8%	710	478	57.3%
Cruelty to Children	101	58	57.4%	115	78	67.8%	88	64	72.7%	104	62	59.6%	80	39	48.8%
Sexual Exploitation of Children	76	36	47.4%	50	19	38.0%	48	20	46.5%	50	24	48.0%	34	20	58.8%
Procuration / Trafficking	19	16	84.2%	26	17	65.4%	15	4	26.7%	23	0	0.0%	9	2	22.2%

Source: Department of Census and Statistics Sri Lanka<sup>17</sup>

<sup>16</sup> Interview with a girl, victim of sexual abuse (Mannar, 23 March 2021)

<sup>17</sup> Department of Census and Statistics, <<http://www.statistics.gov.lk/GenderStatistics/StatisticalInformation/WomenEmpowerment/Memberofparliamentbyyearandsex>> accessed 06 March 2021.



Among the grave crimes against persons indicated in the table above, only women have been identified as victims of rape and statutory rape. Although unreported, there are male victims of rape in Sri Lanka too.<sup>18</sup> However, women are the primary victims of rape.

The table below reports on the rape incidents recorded in the Northern Province in the past few years.

**Table 1.2**

**Women victims of sexual violence in the Northern Province by year (2016-2020)**

Province	District	Crime	2016 - 2020				
			2016	2017	2018	2019	2020
North			2016	2017	2018	2019	2020
	Vavuniya	Rape of women over 16 years of age	6	7	3	4	5
	Mannar		no statistics	no statistics	1	2	1
	Kilinochchi		3	1	3	2	4
	Jaffna		7	5	7	4	15
	Mullaitivu		3	1	2	2	4
	<b>Total</b>		19	14	16	14	29
	Vavuniya	Statutory Rape (Women Under 16 Years)with the consent	18	12	12	11	15
	Mannar				4	4	2
	Kilinochchi		7	26	9	13	13
	Jaffna		34	22	9	35	63
	Mullaitivu		0	9	1	6	10
	<b>Total</b>		59	69	35	69	103
	Vavuniya	Statutory Rape (Women Under 16 Years)without the consent	8	7	6	8	12
	Mannar				2	2	4
	Kilinochchi		16	0	6	5	4
	Jaffna		0	2	2	35	10
	Mullaitivu		10	3	12	5	5
	<b>Total</b>		34	12	28	55	35

Source : Department of Census and Statistics Sri Lanka<sup>19</sup>

<sup>18</sup> Centre for Policy Alternatives, 'Legal Reform to Combat Sexual and Gender-Based Violence-Part I' (CPA, November 2020) <https://www.cpalanka.org/wp-content/uploads/2020/11/Law-Reform-to-combat-SGBV-PART-1-General-Centre-for-Policy-Alternatives.pdf>

<sup>19</sup> Department of Census and Statistics, <<http://www.statistics.gov.lk/GenderStatistics/StatisticalInformation/SpecialConcerns/PercentageOfHouseholdHeadsBySex1981-2016>> Sri Lanka Police crime statistics <<https://www.police.lk/index.php/item/138-crime-statistics>>

### 1.1.2 Lack of opportunities to participate

This section of this chapter discusses the contribution and participation of women in politics and public life. The latter section of the chapter will explore the social norms which underpin social structures and laws that limit the opportunities and contributions of women and will also explore further details about these social norms.

The opportunities for women to participate in politics and public life are limited by systematically organized social structures and certain laws that support them (Abeykoon, 2020). In Sri Lanka, women's political representation at local, provincial and national levels is very low. In 2017 an amendment was introduced<sup>20</sup> to reserve a 25% quota for women, with the intention of increasing women's political participation at the local government level. The first local authority election after this amendment was held in February 2018. The numbers of male and female representatives elected within the Northern Province through this election are listed in the table below.

**Table 1.3**

#### Gender Composition of Local Government Bodies in Northern Province 2018

District	Total Members Elected for Local Government Bodies	Gender Composition			
		Male	% Male	Male	% Female
Jaffna	415	318	77	97	23.00
Kilinochchi	68	54	79	14	21.00
Mullaitivu	73	58	79	15	21.00
Mannar	94	79	84	15	16.00
Vavuniya	111	93	83	18	16.00

Source: Sri Lanka Government Gazette, 09 March 2018

As a result of this amendment, the representation of women in local authorities has risen in practice. However, it is evident that, given the social norms and stereotypes prevailing in society, the true political representation of women has not risen to the levels expected. Instead the women representatives face the unfortunate situation of being nominal members (Abeykoon, 2020).

The following tables clearly illustrate that women's political representation at provincial and national levels is abysmally low.

<sup>20</sup> Local Authorities Elections (Amendment) Act, No 16 of 2017

**Table 1.4**

Number of Provincial Council Members and Ministers based on sex and year 2004, 2008/2009, 2012/2013/2014

Provincial Council		2004		2008/2009		2012/2013/2014	
		Male	Female	Male	Female	Male	Female
All Provincial Councils	Members	361	19	400	17	434	21
	Ministers	35	-	39	-	44	1
Western	Members	98	6	98	6	97	7
	Ministers	5	-	5	-	5	-
Central	Members	53	5	54	4	54	4
	Ministers	5	-	4	-	5	-
Southern	Members	54	1	54	1	54	1
	Ministers	5	-	5	-	5	-
Northern	Members	-	-	1	1	36	2
	Ministers	-	-	-	-	5	-
Eastern	Members	-	-	36	1	36	1
	Ministers	-	-	5	-	4	1
Northwestern	Members	48	4	50	2	50	2
	Ministers	5	-	5	-	5	-
North Central	Members	32	1	32	1	32	1
	Ministers	5	-	5	-	5	-
Uva	Members	33	1	33	1	33	1
	Ministers	5	-	5	-	5	-
Sabaragamuwa	Members	43	1	43	1	42	2
	Ministers	5	-	5	-	5	-

Source: Department of Census and Statistics Sri Lanka<sup>21</sup>

**Table 1.5**

Number of parliamentarians based on sex and year

Legislature	Year	Both Sex	%	Number of Male members	%	Number of Female members	%
2nd Parliament of Sri Lanka	1989	225	100	212	94.2	13	5.8
3rd Parliament of Sri Lanka	1994	225	100	213	94.7	12	5.3
4th Parliament of Sri Lanka	2000	225	100	216	96.0	9	4.0
5th Parliament of Sri Lanka	2001	225	100	215	95.6	10	4.4
6th Parliament of Sri Lanka	2004	225	100	212	94.2	13	5.8
7th Parliament of Sri Lanka	2010	225	100	212	94.2	13	5.8
8th Parliament of Sri Lanka	2015	225	100	212	94.2	13	5.8
9th Parliament of Sri Lanka	2020	225	100	213	94.7	12	5.3

Source: Department of Census and Statistics Sri Lanka<sup>22</sup>

21 Department of Census and Statistics, <<http://www.statistics.gov.lk/GenderStatistics/StaticalInformation/WomenEmpowerment/Membersofparliamentbyyearandsex>> accessed 06 March 2021.

22 Department of Census and Statistics, <<http://www.statistics.gov.lk/GenderStatistics/StaticalInformation/WomenEmpowerment/Membersofparliamentbyyearandsex>> accessed 06 March 2021.

**Table 1.6****Number of women parliamentarians from the Northern Province by year**

Legislature	Year	Number of Female members	Northern Province	Division	Name
2nd Parliament of Sri Lanka	1989	13	1	Vanni	Mrs. R. M. Pulendran - UNP
3rd Parliament of Sri Lanka	1994	12	1	Vanni	Mrs. R. M. Pulendran - UNP
4th Parliament of Sri Lanka	2000	9	0		
5th Parliament of Sri Lanka	2001	10	0		
6th Parliament of Sri Lanka	2004	13	1	Jaffna	Mrs. Pathmini Sithamparathan - ITAK
7th Parliament of Sri Lanka	2010	13	1	Jaffna	Mrs. Vijayakala Maheswaran - UNP
8th Parliament of Sri Lanka				Vanni	Mrs. Shanthi Sriskandarasa - ITAK (National List)
				Jaffna	Mrs. Vijayakala Maheswaran - UNP
9th Parliament of Sri Lanka	2020	12	0		

Source: Department of Amount and Statistics Sri Lanka<sup>23</sup>

It is evident that at the national level women's political participation is very low. The table above illustrates that the Northern Province, which has a high number of women who face additional problems due to the continuous and lasting impacts of war, also records a very low number of women representatives at the national level. Further, the fact that the 26-member cabinet of the incumbent government<sup>24</sup> has only one female member<sup>25</sup> witnesses to the fact that contribution of women in the executive branch of the government is significantly low. The contribution of women to the judiciary, another branch of the government, is also not satisfactory. For example, in 2017, the percentage of women judges in the country was 28.9 percent. This can be seen in the table below.

<sup>23</sup> Department of Census and Statistics, <<http://www.statistics.gov.lk/GenderStatistics/StatisticalInformation/WomenEmpowerment/Membersofparliamentbyyearandsex>> accessed 06 March 2021.

<sup>24</sup> The government formed after the General Election held in 2020.

<sup>25</sup> Honorable Pavithra Thevi Wanniarachi is the incumbent Minister of Transportation.

**Table 1.7****Number of Judges based on sex 2017**

Type of Court	Total Number	%	Number of Male	%	Number of Female	%
Supreme Court	11	100	9	81.8	2	18.2
Appeal Court	12	100	10	83.3	2	16.7
High Courts of Civil Appeal/ High Courts/Provincial High Courts	81	100	70	86.4	11	13.6
District/Magistrate Courts	224	100	150	67.0	74	33.0
Children's Magistrate Courts	2	100	0	0	2	100
Labour Tribunals	33	100	19	57.6	14	42.4
All type of Courts	363	100	258	71.1	105	28.9

Source: Department of Census and Statistics Sri Lanka<sup>26</sup>

The low contribution and participation of women in politics and public life shows that their fundamental rights and freedoms have been restricted. As increasing violence against women results in the denial of their fundamental rights and freedoms, their fundamental rights and freedoms are also restricted because their involvement in political life and public life is not adequately ensured. In a society where the fundamental rights and freedoms of women are not guaranteed in practice, gender equality will remain practically impossible. Therefore, it is a relevant and timely endeavor to consider the factors that hinder women from accessing their fundamental rights and freedoms in Sri Lanka. The objective of the research is to understand the status of women's fundamental rights and freedoms and the social norms that hinder their achievement of them in the Northern Province, which was badly affected by the civil war in Sri Lanka and is in the process of transition.

<sup>26</sup> Department of Census and Statistics, <<http://www.statistics.gov.lk/GenderStatistics/StaticalInformation/WomenEmpowerment/Membersofparliamentbyyearandsex>> accessed 06 March 2021.



## 1.2 Sri Lanka's national and international commitments to ensure gender equality

Article 12 of the Constitution of Sri Lanka ensures gender equality by preventing gender based discrimination.<sup>27</sup> Further, Article 12 (4) accepts the enactment of special laws and regulations for the advancement of women.<sup>28</sup> However, Article 16<sup>29</sup> of the Constitution explicitly provides for the continuation of gender discriminatory customary laws by permitting all written and unwritten laws which were enacted before the creation of the constitution to remain in force, even though they are in contradiction with the fundamental rights enumerated in the constitution. This particular provision allows personal laws such as Kandyan Law, Tesawalamai Law and Muslim Law, as well as some provisions of the Penal Code, general legal provisions on land rights and other general legal provisions which discriminate against women to continue to function.

After adopting the International Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) without any reservations, the Sri Lankan government drafted a Women's Charter in 1993 in order to give effect to the convention. Seven key issues are emphasized in the Charter. They are: Civil and Political Rights, Right to Education and Training, Right to Economic Activity and Benefits, Right to Health Care and Nutrition, Rights within the Family, the Right to Protection from Social Discrimination and the Right to Protection from Gender based Violence. However, it is unfortunate that the Women's Charter remains merely a document with no legal validity.<sup>30</sup>

However, many national programs implemented in the past incorporated the commitment of the government of Sri Lanka to ensure gender equality. The National Action Plan of 2016 – 2020 to address Sexual and Gender based Violence and the National Action Plan of 2017 – 2021 to Protect and Promote Human Rights are two such examples.

Sri Lanka's international legal commitments to ensure gender equality stem from the provisions of the following international conventions adopted by Sri Lanka.

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27 Article 12(2) states as follows: "No citizen shall be discriminated against on the grounds of race, religion, language, caste, sex, political opinion, place of birth or any one of such grounds:

Provided that it shall be lawful to require a person acquire within reasonable time sufficient knowledge of any language as a qualification for any employment or office in the Public, Judicial or Local Government Service or in the service of any Public Corporation, where such knowledge is reasonably necessary for the discharge of the duties of such employment or office:

Provided further that it shall be lawful to require a person to have a sufficient knowledge of any language as a qualification for any such employment or office where no function of that employment or office can be discharged otherwise than with knowledge of that language."

28 Article 12(4) states as follows: "Nothing in this Article shall prevent special provision being made, by law, subordinate legislation or executive action, for the advancement of women, children or disabled persons."

29 Article 16 states as follows: "16(1) – All existing written law, unwritten law shall be valid and operative notwithstanding any inconsistency with the preceding provisions of this chapter.

6(2) – The subjection of any person on the order of a competent court to any form of punishment recognized by any existing written law shall not be a contravention of the provisions of this chapter."

30 Sri Lanka Shadow Report to the Committee on the Elimination of All Forms of Discrimination against Women (CEDAW), Submitted for the 66th Session of the CEDAW Committee Geneva, Switzerland 13 February – 03 March 2017, <[https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/LKA/INT\\_CEDAW\\_NGO\\_LKA\\_26306\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/LKA/INT_CEDAW_NGO_LKA_26306_E.pdf)> accessed 7 June 2021.

## Figure 1.1

### Universal Declaration of Human Rights, 1948

#### Article 2

Everyone is entitled to all the freedoms listed in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

### Convention on the Elimination of All Forms of Discrimination against Women , 1981

#### Article 3

States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.

### International Covenant on Economic, Social and Cultural Rights, 1976

#### Article 3

The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the present Covenant.

### International Covenant on Civil and Political Rights, 1976

#### Article 3

The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in the present Covenant.

### 1.3 Gender Discriminatory Social Norms and Impact on Gender Equality

The terms ‘Sex’ and ‘Gender’ are often confused and it is therefore necessary to clarify what these terms really mean. ‘Sex’ refers to the biological difference (the level of hormones and chromosomes) between men, women and other sexes<sup>31</sup> (WHO, 2014). ‘Gender’ is not biological as is ‘sex’. On the contrary, it is artificially constructed by society by repeatedly emphasizing or nurturing certain social identities and roles. Hilary Charlesworth has defined gender as “the way society has constructed the difference between the concepts of females and males and femininity and masculinity” (Charlesworth, 1999). Further, she emphasizes that “these differences have been built by excessive cultural principles associated with ‘sex’ which is distinguished biologically” (Charlesworth, 1999). In other words, ‘gender’ is an artificial concept constructed by diverse communities based on their identities, cultural principles, heritages, traditions and values. This concept is not the same across communities and it keeps changing its forms in tandem with changes in society over time. However, the concept of gender has been constructed in all the communities. Regulations for how females and males should behave according to their sex have been constructed, and it is expected that everyone should follow them. An individual is considered to be from a particular sex only when he or she follows those regulations.

When a boy/man cries, he is generally told “you cry like a girl” and “boys/men should not cry.” In this instance, crying is restricted to women. This is what is referred to as a socially constructed “gender role”. There is no biological basis to attribute crying solely to women, yet, according to social norms constructed by this society, crying is considered a characteristic of the woman’s gender. Another example of this are instances when women are told “she fights like a boy”. Here too the notion that fighting is characteristic of men is an idea that is socially constructed, having no biological or natural basis.

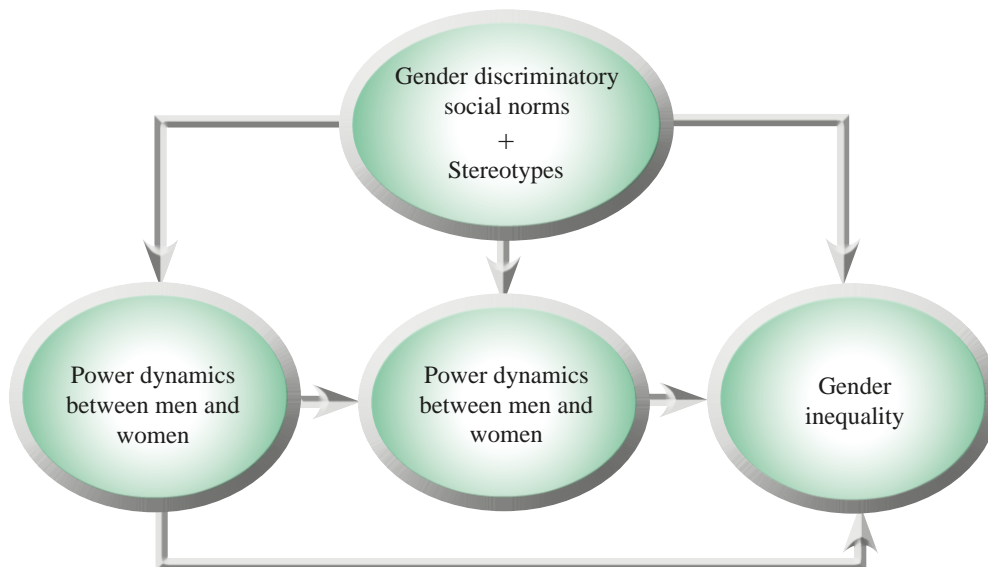
Thus, social norms are the main strategic tool that enable gender discrimination. Next, we will explore what ‘social norms’ mean. The ‘rules’, ‘morals’, ‘behaviors’, ‘customs’ or ‘traditions’ which define the role of an individual in a society based on his or her sex, religion, culture and which define how power relationships or power dynamics of a society should be are called social norms (UNDP, 2020). These social norms are often built upon religious beliefs, cultural doctrines and traditional customs. In short, these can be described as the features that preserve the customary lifestyle of a community. For example, a social norm in Hindu culture asserts that a woman should not wear a pottu (vermillion dot on her forehead) after her husband’s death. This social norm is based on Hindu doctrines and cultural practices and it is also a norm associated with gender.

In such instances, when social norms are developed based on gender, they become gender discriminatory. We identify these norms as ‘gender discriminatory social norms’. These gender discriminatory social norms underpin the stereotypes that emerge in society. that limit or constrain women and men to behave accordingly. These constraints limit aspirations, access to opportunities and to opportunities as well. Consequently, social norms are the primary tools that embed gender stereotypes structurally in society and, as a result of adherence to these social norms over time, the stereotypes that take root in society are also gender discriminatory. Gender discriminatory social norms and stereotypes that are deeply embedded in society in this way decide the ‘behavioral pattern’ or ‘way of behavior’ of both men and women. For example, according to prevailing social norms in Islamic culture, women are not supposed to hold positions of leadership (Haniffa, 2008). This social norm questions the fundamental freedom of women to engage in public life. The prevalence of such gender

discriminatory social norms hinder women from achieving their fundamental rights and freedoms, as well as questioning gender equality that is guaranteed in the constitution and through the international covenants that Sri Lanka has signed.

**Figure 1.2**

**The relationship between social norms and gender inequality**



A notable feature of social norms is that they establish an identity of ‘practices belonging to a certain community or group’ (UNDP, 2020). This ‘identity’ is strengthened by being interwoven with social norms, and are more deeply entrenched in communities as a result of this. As deviation from particular social norms or acting in defiance of particular social norms are portrayed as abandoning or degrading the identity of one’s community, these social norms are able to perpetuate their existence with ease for generations.

**1.4 Social norms, laws, customary laws and religious beliefs**

While there is a close link between the social norms prevailing in a society and the laws, customary laws and religious beliefs of that, these relationships are also complex. Particularly in Asia, it is evident that social norms and religious beliefs influence legislature, legal reform and legislators. Consequently, progressive legal reforms are impacted by this. Many examples can be cited in this regard. A simple and recent example is the legal reform initiative restricting abortion in Sri Lanka which was eventually dropped citing religious and cultural reasons.<sup>32</sup> According to the Penal Code, abortion is allowed in Sri Lanka only when the ‘mother’s life is at risk’.<sup>33</sup> Human rights activists have advocated for decades to amend the law allowing abortion in exceptional circumstances such as ‘rape, incest and fatal disease to the fetus,’<sup>34</sup> claiming that such stringent provisions regarding abortion violate many fundamental rights of women including their right to health. Many attempts to bring about this amendment proved to be futile due to the interference of religious leaders (Kumarage, 2019). When the amendment seeking permission for abortion in exceptional circumstances was presented for debate before the Parliament in 1995, incumbent Members of Parliament vehemently opposed it on the basis of religious and cultural principles.

32 Saira Meyler, ‘Abortion- Where is Sri Lanka on the Spectrum?’ (Groundviews, 02 September 2018) <<https://groundviews.org/2018/09/02/abortion-where-is-sri-lanka-on-the-spectrum/amp/>> accessed 7 July 2021.  
 33 Penal Code of Sri Lanka, section 303- 307  
 34 Dinesha Samararatne, ‘The abortion debate: mismatched and misplaced’, (Groundviews, 13 September 2017) <<https://groundviews.org/2017/09/13/the-abortion-debate-mismatched-and-misplaced/>> accessed 2 February 2021; Law Commission of Sri Lanka, ‘Medical Termination of Pregnancy – Proposals of the Law Commission of Sri Lanka’, (February 2013), page 2 <[http://lawcom.gov.lk/web/images/stories/reports/medical\\_termination\\_of\\_pregnancy\\_proposals\\_of\\_the\\_law\\_commission\\_of\\_sri\\_lanka.pdf](http://lawcom.gov.lk/web/images/stories/reports/medical_termination_of_pregnancy_proposals_of_the_law_commission_of_sri_lanka.pdf)> accessed 2 February 2021.

“Legalizing abortion or relaxing the provisions of the Penal Code relating to abortion will result in the opposition of all sections of society. By doing so you are trying to harm the fundamentals of the social and cultural life of the people of this country”- Mr. J A E Amarathunga, Parliament Hansard, 19th September 1995 (Page 102)

“Today, in our society, according to our culture, a woman reaches the apex of womanhood by becoming a mother. But this act desecrates the sanctity of motherhood. You must understand this well. In our country with a history of 2500 years, cultural customs have been maintained properly” Mrs. Pulenthiran, Parliament Hansard, 19th September 1995 (Page 118)

At the conclusion of the debate, the then Minister of Justice said that the government was withdrawing the Bill as it had taken into consideration many religious and cultural traditions. Further, in 2017, although then Minister of Justice Hon (Dr.) Wijeyadasa Rajapakshe brought a bill related to this topic, the drafting of the bill was halted as then president Maithripala Sirisena stated that he wished to discuss the legislation with religious leaders who were strongly opposed to the said Bill.<sup>35</sup> This illustrates very clearly how an amendment to the law seeking to guarantee the fundamental rights of women is obstructed citing reasons of religious and cultural practices in many instances.<sup>36</sup> This demonstrates the nexus between religious beliefs, social and cultural practices, and the customary law and general law of the country. Thus the manner in which religious beliefs and practices and social norms that are constructed upon such beliefs influence not only the customary law but also the general law of the country can be seen.

Courtney Howland describes the three stages in which social norms and religious beliefs influence laws and thereby deny individual human rights (Howland, 1999).

**Fig: 1.3**



The profound influence of such religious and cultural principles on personal laws such as the Kandyan Law, Thesavalamai Law and Muslim Personal Law which are currently in force in Sri Lanka is evident. Let's look at a few of those influences in brief.

<sup>35</sup> Hansard of Parliament of Sri Lanka, 20th September 1995. 5.

<sup>36</sup> Supra 21.



### 1.4.1 Property Rights

In general, women's rights to land have been consistently denied in Sri Lanka. Many laws which are in force enable discrimination against women with regard to land rights (Pinto-Jayawardena & Jayantha, 2010). When examining customary laws in particular, Section 6 of the Jaffna Matrimonial Rights and inheritance Ordinance, No 1 of 1911 (as amended by Act No 58 of 1947) which is included in the Thesawalamai Law<sup>37</sup> states that written consent of the husband is required to dispose of or deal with the personal immovable property of married women.<sup>38</sup> 'The Laws of Manu' and 'Kavyasekara' literatures must be quoted to illustrate how the provision of this customary law is associated with cultural traditions.

If we are to look at the Laws of Manu first, it was written by a Vedic sage called Suwayambu (Manu) in 1500 BC. This book defines all the rituals, customs and ethics that Hindus have to follow from birth till death. This book is written according to caste theory. The Laws of Manu had a profound impact in India, to the extent that it was incorporated into the law. As many customary laws followed in the Northern Province were inherited from India, we can see the influence of the Laws of Manu in the Northern Province. The rule 5:147 states as follows:

“When a woman is an infant, a girl, an adult, nothing must be done independently by her. She must not do so even in her own house”

Requiring the husband's written consent to sell the immovable property belonging to the woman can be assumed to be an adaptation of the Law of Manu which states that women are unworthy of taking decisions independently. Similarly, the renowned 15th century Sinhalese literary work Kavyasekara emphatically states that “A woman should not give anything even to her own children without her husband's consent” (Jayawardena, 2016).

Therefore, it could be said that a social practice or a social norm followed by influential Sinhalese and Tamil communities, that was adapted from South Indian social traditions and customs, was subsequently enshrined as a provision in the customary law codified in 1911.

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37 Thesawalamai law is a personal law which exclusively governs the Tamils of the Northern Province. This law had earlier been an unregulated and unwritten customary law. During the Dutch period, the law was codified upon the order of Governor Simons in the name of Thesawalamai Regulations No18 of 1806. Later this was incorporated as the Personal Law of Jaffna Tamils. Roman Dutch Law was its supplementary Law. During the British rule, Jaffna Matrimonial Rights and Inheritance Ordinance No 1 of 1911 was enacted.

38 Section 6 states as follows: “All movable or immovable property to which any woman married after the commencement of this Ordinance may be entitled at the time of her marriage, or which she may during the subsistence of the marriage acquire or become entitled to by way of gift or inheritance or by conversion of any property to which she may have been so entitled or which she may so acquire or become entitled to, shall, subject and without prejudice to the trusts of any will or settlement affecting the same, belong to the woman for her separate estate, and shall not be liable for the debts or engagements of her husband, unless incurred for or in respect of the cultivation, upkeep, repairs, management, or improvement of such property, or for or in regard to any charges, rates, or taxes imposed by law in respect thereof, and her receipts alone or the receipts of her duly authorized agent shall be a good discharge for the rents, issues, and profits arising from or in respect of such property. Such woman shall, subject and without prejudice to any such trusts as aforesaid, have as full power of disposing of and dealing with such property by any lawful act inter vivos without the consent of the husband in case of movables, or with his written consent in the case of immovable, but not otherwise, or by last will without consent, as if she were unmarried.”



### 1.4.2 Law relating to Rape

The law relating to rape in Sri Lanka is governed by the sections of the Penal Code.<sup>39</sup> However, the Evidence Ordinance of Sri Lanka has some gender discriminatory provisions relating to the witness of rape cases.<sup>40</sup> That is, section 155 of the Evidence Ordinance which addresses impeaching the credibility of a witness. Sub section (e) of this section states: “when a man is prosecuted for rape or an attempt to ravish, it may be shown that the prosecutrix was of generally immoral character.” This legal provision is seen as a reflection of prevailing social views or norms such as “a woman subjected to rape must be of immoral character” or “you cannot thread a moving needle” or “had the woman been chaste, man would not have attempted to err.” In participatory research conducted by Care International in 2013, more than to thirds of the 653 women who provided data for the research stated that “in any rape case, one would have to question whether the victim is promiscuous or has a bad reputation” (Mel, Peiris, & Gomez, 2013).

When it comes to marital rape, forced sexual intercourse (rape) between a husband and wife who are not legally separated is not a criminal offence under the Penal Code in Sri Lanka. Legal reforms seeking to make marital rape a crime were obstructed based on social or cultural traditions or norms that ‘a woman gives her full consent for sexual intercourse at marriage’ or ‘the wife becomes the property of the husband in the moment that she marries him’.<sup>41</sup> This trend of regarding the wife as the property of the husband is prevalent in both Tamil and the Muslim societies. In the ancient Hindu epic *Mahabharatha*<sup>42</sup>, an incident in which the *Pandavas*, having lost in the dice game to *Thuriyothanan*, placed their wife as their last stake in the game. It is noteworthy that this epic was included in the text books under the old syllabus. In general, when teaching this epic to students, the act of the *Pandavas* staking their wife is not criticized as much as their gambling is criticized as a crime, and the human rights of *Draupadi* are not debated. This literature was included in the curriculum with the intention of reinforcing that gambling is a crime against virtue and to teach many other literary nuances. However, the *Pandavas* staking their wife in a critical situation despite being known for their righteousness, and this incident not being criticized based on women’s rights could allow students to entertain the stereotypical view that *Draupadi* is the property of *Pandavas* in as much as a wife is the property of her husband. The social norm or stereotype stating “the wife is the property of the husband,” have been inherited through such epics and still prevail in society today. It allows marital rape being considered a crime to be thought of as foreign to our culture or as a western principle.

As discussed previously, laws have close links with social norms and religious principles. However, even when laws are created to protect women from gender discrimination caused by social norms, there are instances where the social norms are so robust that they prevail over those laws. For example, Domestic Violence Act<sup>43</sup> was enacted in Sri Lanka in 2005 to protect women from domestic. However, when women go to police stations to complain about domestic violence under this Act, police officers usually present social norms as moral codes that these women must follow, advise them and send them back.<sup>44</sup> Another example for this is found in South Africa, where even after

<sup>39</sup> Penal Code of Sri Lanka, sections 363 and 364.

<sup>40</sup> Evidence Ordinance, No. 14 of 1895

<sup>41</sup> SRI LANKA PARLIAMENT, HANSARD, 19TH AND 20TH SEPTEMBER 1995

<sup>42</sup> *Mahabaratham* is an epic about the war between *Pandavas* who were righteous and *Kavuravas* including *Thuriyodana* who were unjust. *Draupadi* is the wife of *Pandavas*.

<sup>43</sup> Domestic Violence Act, No.34 of 2005.

<sup>44</sup> When a woman went to make a complaint about domestic violence, the police having heard that she was beaten for dancing at a wedding admonished her that such dancing was immoral and sent her back home. See: Women Action Network, ‘Women’s Access to Justice in the North and East in Sri Lanka’ CEDAW Shadow Report, (August 2016) <[https://tbinternet.ohchr.org/Treaties/CE-DAW/Shared%20Documents/LKA/INT\\_CEDAW\\_NGO\\_LKA\\_25964\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CE-DAW/Shared%20Documents/LKA/INT_CEDAW_NGO_LKA_25964_E.pdf)> accessed 21 November 2020.

legalizing abortion,<sup>45</sup> the number of illegal abortions remains high.<sup>46</sup> Research reveals that a key reason for this is the prevailing social norms and social stigma on abortion.<sup>47</sup> Thus, although progressive laws are enacted to address gender discrimination emerging from social norms, the full benefits of such laws will not be experienced until those social norms are eliminated from society.

### **1.5 In conclusion...**

From the poets Sellammal and Piyadasa who lived in the 1920s to present day human rights activists, gender discriminatory social norms have been criticized by many parties at many stages in time. However, eliminating these social norms which are deeply rooted in society requires a sustained and multi-pronged effort. Gender equality within a country is an important indicator of peace in that country, and research has proved that the rate of violence is low in countries where gender equality prevails (Jacevic & al, 2021). Therefore, making an immense effort to achieve this gender equality which is so important is a duty and necessity for each of us. This research report, exploring gender discriminatory social norms prevailing in the Northern Province and the extent to which they influence the fundamental rights and freedoms of women, is a first step towards that effort.

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<sup>45</sup> The choice on Termination of Pregnancy Act, No. 92 of 1996

<sup>46</sup> 'Preventing unsafe abortions' (WHO, 25 September 2020) <<https://www.who.int/news-room/fact-sheets/detail/preventing-unsafe-abortion>> accessed 07 July 2021.

<sup>47</sup> Ibid

# Chapter 2

## ② Literature Review

### ②.1 Social Norms and their Characteristics

The term ‘Social Norm’ cannot be defined by a simple, unanimous definition. Social norms characteristically exist in various forms according to different circumstances in different communities. Research conducted by the UNDP in 2019 illustrates that social norms could prevail as the elements of traditional life, cultural principles, religious beliefs or inherited customs or traditions, and that these elements are particularly related to identity (UNDP, 2019). As it is difficult to directly observe the nature of these social norms, recognizing the implications of these norms is challenging. However, this research clearly identifies that these social norms preserve social power structures by delineating the power dynamics between men and women in society (UNDP, 2019).

Another attribute of social norms identified through this research, is that they prevail predominantly at higher levels (UNDP, 2019). Ayesha Banu states that “Gender discrimination increases along with increasing age”. She explains this using the example of the level of discrimination shown to women in obtaining primary education and higher education. She illustrates it saying that girls do not face many barriers in obtaining primary education, but many social restrictions create barriers for them to obtain higher education (Banu, 2016). These two research reports emphasize the need for more studies and research on social norms and the gender discriminatory effects they have on society. The research conducted by the UNDP was conducted globally and the research conducted by Ayesha Banu covers Sri Lanka, India, Pakistan and Bangladesh. Although these two researches are not exhaustive in exploration of social norms and their functions in the context of Sri Lanka, especially in the post war social context, they offer information towards building a general understanding about social norms, their functions and their effects.

#### ②.1.1 The Manner in which Social Norms relate to Gender

Social norms often relate to gender. In a review of literature conducted by Vithanage in 2015 on how patriarchy functions within the social structure of marriage in Sri Lanka, she states that “Patriarchy is a formal enforcement of male dominance over women” (Vithanage, 2015). Vithanage argues that in a patriarchal society or in a society filled with male dominance, social structures including marriage men are given more power. She explains that social norms constructed in this male dominant structure portray women as subordinates or subservient based on their gender, and since many religions hold principles that favor male dominance, they support these social norms. (Vithanage, 2015). Accordingly, she establishes that, because the structure in which these social norms have been developed are patriarchal, they are gender discriminatory in nature and those male dominant structures are reinforced by religious principles (Vithanage, 2015). Speaking of the genesis of patriarchy, Elackia states “Patriarchy did not originate of its own accord among men, rather, it has been created by religion over time” (K.V.Elackia, 2016). Research conducted by the WHO and the Ministry of Health of Sri Lanka states that “Patriarchy is not biological, rather it was created by men” (WHO & Nutrition, 2008).

As social norms have been constructed based upon gender, they are gender discriminatory. As a result, there is a close link between the extent to which social norms prevail and gender inequality. Research reports show that in societies where social norms are more prevalent, the level of gender inequality is also high (UNDP, 2019). Referring to this, Ayesha Banu states in her report “Gender inequalities are embedded in social norms.” (Banu, 2016).

### 2.1.2 Social Norms and Religious Principles

Religion is a direct and/or indirect source for the formation of social norms (Vithanage, 2015). However, Goonesekere has attempted to establish the difference between cultural practices and religious principles. Goonesekere states that some traditional practices are implemented under the guise of religious principles or religious beliefs, and cites as an example the practice of dowry among Sri Lankan Muslims. Although dowry is not permitted in Islam, Sri Lankan Muslims follow this as a traditional practice and often identify it as a religious custom (Prof. Goonesekere, 2012). It is important to differentiate between religious principles and customs and traditions that claim to be based in religion because, when social norms assume the guise of religious principles, their influence or pressure increases.

In studying the link between religions and social norms, Vithanage mentions that prominent religions in Sri Lanka have embraced social norms associated with Hinduism to some extent.<sup>48</sup> She states that, before British colonial rule, religious manifestations in Sri Lanka were heavily influenced by the South Indian religion Hinduism. (Vithanage, 2015). Further elaborating on this point, she states that Buddhism supports gender equality, but as a result of its adulteration with other religions, Buddhism too subjugates women. The study by Goonesekere also emphasizes that Buddhism supports gender equality. She indicates that “although the liberal values of Buddhism did not eliminate gender discrimination against women, they have facilitated the mitigation of gender discrimination” (Prof. Goonesekere, 2012).

Vithanage also cites examples illustrating how, through the influence of Hinduism, Buddhism has embraced social restrictions associated with Hinduism. For example, she says laws of Manu (Manusmriti) in which are associated with Hinduism, such as “women should always be under the custody of a male relative such as a father, brother or son” and “widows should not engage in auspicious activities,” have been absorbed into Buddhism (Vithanage, 2015). In explaining basic reasons for the genesis of the laws of Manu in Hinduism, Elackia quotes Dr. Ambedkar’s concept that these laws of Manu were established in order to protect the caste structure in society (K.V. Elackia, 2016).

Goonesekera uses an example to illustrate that the stability of social norms associated with religious principles are found at different levels and the gender discrimination hidden within those differences. In Islam, adoption of children and execution of last wills are not accepted. Nevertheless, Sri Lankan Muslims follow these as a matter of practice and follow the general law of the country with regard to these matters.<sup>49</sup> There have been no objections written against Muslims following these practices that are not accepted in Islam. However, efforts taken to revise the provisions relating to the minimum age of marriage in the Muslim Marriage and Divorce Act<sup>50</sup> in order to establish the minimum age of marriage as 18 for everyone in Sri Lanka, are being obstructed with references to religious

<sup>48</sup> Hinduism is most often referred as ‘Saiva Samayam’ in the northern province.

<sup>49</sup> Under Muslim Marriage and Divorce Act, a Muslim girl can marry after attaining the age of twelve with the permission of the Quazi.

<sup>50</sup> ‘Self-Immolation’ is the Indian custom of a wife immolating herself on the funeral pyre of her dead husband.

doctrines (Prof.Goonesekere, 2012). While religious principles and doctrines are used as safeguards to avoid the revision of gender discriminatory practices such as these, it is evident that gender non-discriminatory, general practices are accepted though they contradict Islamic doctrines. Presenting the view of the journalist Nuhuman as quoted by Vithanage is appropriate. In a piece written in 2011 on Islamic religious principles and how they relate to women, he states “No religious Muslim man would accept the concept of equality for women. Because, to them, it is against Islam.” (Vithanage, 2015). Vithanage also underscores the need for an advocacy mechanism in Sri Lanka challenging traditional doctrines which justify gender discrimination and inequality.

The examples cited by Periyar (E.V.Ramasamy, renowned social activist and politician from South India) substantiate the fact that social norms drawn from religions can also be gradually eliminated from society. It is apt to cite the words of Periyar here: “During the struggle to eliminate practice of self-immolation<sup>51</sup> there was a great riot claiming that the sanctity of Hinduism was in peril and the religion was doomed. But with time, those narratives too subsided and self-immolation, the practice of murder, vanished from for good” (Periyar, 1942).

### **2.1.3 Gender Discriminatory Social Norms and Gender Equality**

There are many different and broad definitions for gender equality. However, the definition given by UN Women stating: “Gender Equality means equal rights, responsibilities and opportunities of women and men, girls and boys,” is generally accepted by all.<sup>52</sup> Research by UNDP says that fulfilling the basic needs of women alone will not translate into true gender equality (UNDP, 2019). The concept of gender equality has been expanded in the research conducted by Care International in 2013 on prevailing behaviors, practices and violence relating to gender across four districts in Sri Lanka; Colombo, Batticaloa, Nuwara Eliya and Hambantota. The research emphasizes that improving responses to violence, improving associated services, strengthening legislation and the criminal justice system and ensuring access to basic needs such as health and education alone are not sufficient to achieve gender equality. On the contrary, it is only by addressing the root causes of gender inequality that true gender equality can be achieved (De Mel, Peiris, & Gomez, 2013). The practical example that “As long as the police officers subscribe to social norms, establishing a women’s unit in police stations will be of no use”(Birgitte, 1998) outlines very clearly the importance of addressing the root causes of gender inequality. Vithanage too has attempted to explain true gender equality by citing historical examples. “Women’s access to education cannot be considered true gender equality. Rather, the true intent of providing them with the opportunity to learn should be explored. In the past, women were allowed to study with the aim of increasing their prospect of getting a good spouse and raising the status of their family, a not for their own empowerment” (Vithanage, 2015).

The research by Care International clearly indicates that gender discriminatory social norms that have taken root in society destroy gender equality or create gender inequality by planting the seed for violence. This participatory research established the relationship between violence that occurs in society and social norms (De Mel, Peiris, & Gomez, 2013). Another study illustrates the link

51 ‘Self-Immolation’ is the Indian custom of a wife immolating herself on the funeral pyre of her dead husband

52 The concepts and definitions of the United Nations Women <<https://www.un.org/womenwatch/osagi/conceptsanddefinitions.htm#:~:text=Equality%20between%20women%20and%20men,men%20and%20girls%20and%20boys.&text=Gender%20equality%20is%20not%20a,men%20as%20well%20as%20women>> accessed on 18 May 2020.



between gender discriminatory social norms and violence by showing that violence is shaped through gender discriminatory social structures rather than through the actions of individuals and random acts of violence (Banu, 2016). Participatory research was conducted in two villages in Anuradhapura under the topic “the effect of community-based health promotion intervention to change gender discriminatory social norms prevalent among women in rural communities in Sri Lanka”. Through this research, the relationship between gender discriminatory social norms that are accepted and approved by women and gender based violence against women is established through a tool called the ‘Relationship Bridge’. This relationship bridge has three layers. The top layer represents violent incidents, the middle layer represents gender-based reasons for that violence, and the bottom layer which is the foundation of the relationship bridge represents the acceptance and approval given by women to gender discriminatory social norms.

**Picture 2.1**

### Relationship Bridge



Source: The report on the effect of the community-based health intervention to change gender discriminatory social norms prevalent among the women in rural communities in Sri Lanka<sup>53</sup>

The participatory research conducted by Oxfam in 2019 “Shifting social norms that perpetuate sexual and gender-based violence on public transport in Sri Lanka” strongly emphasizes the fact that social norms which are entrenched in power structures and patriarchal structures justify or accept sexual and gender based violence and are the root cause for perpetrators to enjoy a culture of impunity, thus establishing a relationship between social norms and violence (Butt & Sharanya, 2019). The research shows that social norms justifying such violence are “women should dress modestly to avoid sexual violence; they should not travel alone at night and should not talk and laugh in public places” and research findings indicate that these attitudes are identified as being firmly rooted social norms. (Butt & Sharanya, 2019).

53 T. Herath; D.Guruge; M.Fernando; S.Jayarathna & L.Senarathna, ‘The effect of a community-based health promotion intervention to change gender norms among women in a rural community in Sri Lanka’ (BMC Public Health, 2018) < <https://bmcpublihealth.biomedcentral.com/articles/10.1186/s12889-018-5914-7#citeas>> accessed 10 February 2021.

#### **2.1.4) The reasons for the perpetuation of social norms**

The UNDP research report indicates that ‘social acceptance’ and ‘social rejection’ associated with social norms are the primary reasons for their perpetuation. As following social norms results in social acceptance and deviation from social norms results in social rejection, social norms continue to be followed because of social acceptance. The report also indicates that factors such as the impediments individuals face in accessing accurate information and their lack of capacity to think out of the box also contribute to the existence of social norms (UNDP, 2019). Vithanage mentions that this social negligence only applies to women. Vithanage in his literature review indicates that “in order to prevent women from deviating from the gender roles ascribed by social norms, the society has constructed many restrictions” (Vithanage, 2015). The view that social norms prevail as a result of punishment meted by society and reference groups that reinforce their existence has also been emphasized (Butt & Sharanya, 2019). In discussing the perpetuation of social norms, the UNDP research notes that social norms followed at the family level are robust, durable and difficult to change (UNDP, 2019).

However, Goonesekere (Prof.Goonesekere, 2012) and Vithanage (Vithanage, 2015) propose the perpetuation of social norms could be questioned through education. Goonesekere reveals that social policies on health and education introduced in Sri Lanka have prevented discrimination against girls caused by social norms, particularly social norms that give priority to boys (Prof.Goonesekere, 2012). Moreover, participatory research finds that community interventions could be an effective method to eliminate social norms from society (T.Herath & all, 2018).

### **2.2) Social Norms and Gender Roles of Women**

Although gender roles are defined by social norms based on sex, men are not compelled to adhere to gender roles defined by social norms. On the contrary, women’s compliance to the gender roles is compulsory and unavoidable in society (Butt & Sharanya, 2019). In order to prevent women deviating from these social norms, various restrictions are placed on women in society. Yet, these restrictions do not apply to men (Vithanage, 2015). Gender roles of women are designed within a rigid and inflexible structure, and when women try to deviate from this structure or exit from the structure, they face violence as a result or as punishment (Herath et al, 2018). Ayesha Banu explains that the subordinate position given to women within families is a direct result of social norms, and has explored the impacts of this (Banu, 2016). The subordinate position given to women impacts all aspects of their public life and business life (Vithanage, 2015). The special concerns and needs of women are designed on the basis of gender roles defined by social norms for women (Birgitte, 1998).

#### **2.2.1) Gender Role of Women as Reproducers**

In all the research, reports and books selected for this literature review, reproduction is highlighted as women's primary gender role. Ayesha Banu states that women are evaluated based on their reproductivity than based on their productivity (Banu, 2016). Vithanage says that the role of women as “mother” is given more emphasis than all their other gender roles. She particularly claims that “the role of mother is given more emphasis than the role of wife.” She emphatically states that in Sri Lanka, regardless of which ethnicity they belong to or what political, social and cultural changes occur in society, there will be no change in this gender role of woman relating to reproduction and the elements surrounding it (Vithanage, 2015). Goonesekere notes that, though the rituals and customs followed in Sinhalese and Tamil societies when a girl reaches puberty are not gender discriminatory



or a violation of any specific right, they emphasize the importance of fertility a woman should have (Prof.Goonsekere, 2012). The idea that ‘motherhood’ and ‘marriage’ are still surrounded by social norms within the patriarchal structures of Sri Lankan society is also emphasized. It has also been proved through participatory research that these social norms are so powerful that even a slight deviation from them could result in men’s violent behavior (T.Herath & all, 2018).

### **2.2.2 Gender Role of Women as Caregivers**

Research shows that the gender role of women in all the male dominant societies is confined to the family unit as “good wife” and “good mother” (Miltzer, 2008). It indicates that in South Asian countries, girls are taught from a very young age how to be a good wife and mother (Banu, 2016). By limiting the gender roles of women as caregivers to the ‘family unit’, their roles as ‘leaders’ and ‘political representatives’ become uncertain (Vithanage, 2015). According to the participatory research findings of Care International, more than half of the research participants (women and men) accepted that “A woman’s most important role is to take care of her home and cook for her family” (De Mel, Peiris, & Gomez, 2013). Another participatory research shows that the norm “it is the main role of women to attend to the food provision of a family” is more prevalent among women (T.Herath & all, 2018).

In a participatory research on ‘social norms leading to sexual and gender-based violence in public transport’, the effects of confining women’s gender role to the family unit has been studied extensively (Butt & Sharanya, 2019). As women are perceived to be entitled to act only within the family unit, , subjecting these women to sexual harassment when they attempt to leave that confined family circle and enter the public sphere is considered an acceptable and ethical action. In other words, women leaving their confined space and entering the public sphere which is rightfully for men is not accepted, and subjecting women who do so to harassment is considered acceptable. The findings of another research by Oxfam in Bangladesh quoted in this research show that sexual harassment faced by women engaged in marketing and field work were seen as ethical. The reason for this was that marketing and field work are perceived to be the work that men should be doing, and women doing this work is not accepted (Butt & Sharanya, 2019).

According to the research results, in Kilinochchi and Batticaloa districts, "going to market" and "going out to care for children" are mentioned as the only acceptable reasons for a woman to use public transportation. (Butt & Sharanya, 2019). This is an excellent practical example to show that the gender role of women is confined only to the family environment. This research has also found that, due to the existence of the social norm that women become subject to sexual harassment only because their boundaries, women themselves are burdened with the duty and responsibility to protect themselves against sexual harassment. (Butt & Sharanya, 2019). This particular social norm has strengthened the perception that women who are subjected to sexual violence are not ‘good women’. Due to this norm and its resultant social stigma, women victims of sexual violence and harassment tend to under-report it (Butt & Sharanya, 2019) & (De Mel, Peiris, & Gomez, 2013). However, the Oxfam research states that there are some exceptions related to limiting the gender role of women to the family environment. Disabled women, rich women, women heads of households and women political representatives are not expected to limit their gender roles to their family environments (Butt & Sharanya, 2019).

### 2.2.3 Gender Role of Women as Bearers of Culture

Women are expected to transmit the cultural traditions of their society to the next generation (Banu, 2016). Vithanage emphasizes that the pressure and responsibility of fostering the traditions and cultures of a society are often thrust only upon women (Vithanage, 2015). It has already been mentioned that Hinduism as practiced in South India has significantly influenced the traditions and social norms in practice in Sri Lanka. Therefore, it is useful to examine some books written on gender discriminatory social norms prevalent in India. The book “Women’s Liberation Today” by K. V. Elackia describes the concept of ‘female objectification.’ Female objectification is defined as perceiving women as an object or as a tool to fulfill one’s needs while denying women their individuality and freedom. Elackia has categorized female objectification into three types, namely cultural objectification, self-objectification and sexual objectification. Cultural objectification uses women as tools to protect culture or caste structures in the name of culture. Elackia states that women are only perceived as tools to protect culture (K.V.Elackia, 2016).

### 2.2.4 Who is a ‘Good Woman’?

Gender discriminatory social norms, not only ascribe gender roles to women, but also stipulate the characteristics of a ‘good woman’. Ayesha Banu indicates that a good woman is expected to have the characteristics of ‘purity’, ‘fertility’ and ‘chastity’ (Banu, 2016). With regard to this, Vithanage states that in almost all the religious communities in Sri Lanka, a good woman is expected to be ‘obedient’, ‘submissive’ and ‘hard working’ (Vithanage, 2015). The research by Care International indicates that “In South Asia, girls are generally disciplined into being modest, decorous, caring and obedient” (De Mel, Peiris, & Gomez, 2013). The Oxfam research shows that women are expected to accept patriarchy and obey it, have good, pure characters and be chaste, and that this expectation prevails very strongly in society (Butt & Sharanya, 2019).

#### Women and Chastity

Periyar who championed the cause of women’s liberation has defined the term chastity and explained the gender discrimination associated with it. Periyar argues that the term chastity really means virginity and that the meaning of virginity is not limited to either man or woman, referring rather to that state of sanctity refraining from all sexual relations.” (Periyar, 1942). By stating that “the reason for the dearth of individual words in our (Tamil) language to indicate that the husband is chaste is none other than male dominance”, (Periyar, 1942), Periyar emphasizes the discrimination against women associated with the concept of chastity. In her writings on chastity, Elackia emphasizes that the idea that purity and discipline associated with chastity applies only to women is held in Indian society in order to safeguard the caste structure. She further affirms that the trend of deciding a woman’s social existence solely in terms of chastity is being imposed within emerging society (K.V.Elackia, 2016).

Ayesha Banu indicates that, as far as South Asia is concerned, women and their bodies are considered symbols of honor and that protecting the purity and chastity of women is considered crucial to safeguard the status and reputation of a family or community (Banu, 2016).

Although the prevailing gender discriminatory social norms or power relationships can be harmful to women, it has been shown that women themselves believe it is necessary for them to adhere to them (Banu, 2016). Practical examples relating to this are found in the participatory research conducted by Care International (De Mel, Peiris, & Gomez, 2013). Some key findings of this research are listed below:

- 67% of women (research participants) agreed that when women are subject to rape it should be first ascertained whether the victims were promiscuous or not. But only 55% males agreed with this view.
- 75% of the women agreed with the idea the behavior, dress and attitude of some women is the reason they are subjected to rape.
- More than two-thirds of women agreed with the view that "a woman cannot refuse to have sex with her husband" in any circumstance.
- 83% of women agreed that feeding the children and caring for them were the responsibility of a mother. However only 64% of male accepted this view.
- More than half of the women agreed that caring for the family and cooking were the main roles of women (De Mel, Peiris, & Gomez, 2013).

The participatory research conducted in Anuradhapura on social norms provides insights on the main reasons why women protect gender discriminatory social norms or transfer them to the next generation. The research emphasizes that women are the primary agents who pass on gender discriminatory social norms that cause violence against women to the next generation, and identifies the reason for this as being that women in South Asian societies consider themselves powerless without men, and prefer men to be dominant in their families. Further, another reason for this is that women believe that adhering to such social norms will protect them from violence and protect the reputation of their families (T.Herath & all, 2018).

Speaking about this, Periyar says, "Just as so-called low caste people accept that they are of low caste and attempt to become obedient, subservient and withdrawing of their own accord due to the habit of many years, similarly, women think that they are the property of men and should not incur their wrath, and live without any concern about their freedom" (Periyar, 1942). Elackia emphasizes the paradox that in this society characterized by gender inequality, women are the guardians of this social system while also being its victims. (K.V.Elackia, 2016).

## 2.4 The Trend of Social Norms in Post War Societies

Birgitte Sorenson, in a report on the restructuring of gender roles in post-conflict social structures, examines the changes or flexibilities to which social norms are subjected in post-conflict communities. This has been analyzed under the three sections of political restructuring, economic restructuring and social restructuring. Women had to assume new roles after the war because of the effects of war. For example, women who lost their husbands in the war had to take leadership in their families. Birgitte indicates that such new roles will transform the values and norms in society. She expands this further, claiming that, while society rejected some activities undertaken by women before the war, now it tends

to hesitantly accept such activities done by women who are compelled to undertake new roles in the post-war context (Birgitte, 1998). Patti Petesch explains this by positing two alternative ideologies, namely the “transformation of social norms” and the “relaxation of social norms.” When social norms are relaxed, people of the community may deviate from them. This is often considered an exception rather than as a standard by society. However, she notes that as societal norms transform, new rules will be accepted as the standard rather than as exceptions. She also establishes that the impact of conflict brings the relaxation of social norms and not their transformation. (Patesch, 2017).

Explaining the trend towards flexibility in social norms in post-conflict communities, Birgitte indicates that women may even be encouraged to undertake work that may conflict with their gender roles due to the greater need for developing human resources in countries that have faced conflict. Case studies show that women's participation in the labor market increases during and immediately after the war. These studies also show that, despite the increase in women's labor participation as a result of the war, women are still more vulnerable to factors such as being unable to receive equal pay and family responsibilities continuing as before, as well as labour exploitation (Justino, 2012).

However, Birgitte does not fail to show that there are instances when traditional gender roles are reintroduced in a post-war community, and women who are engaged in the public sphere in ways contrary to these gender roles are marginalized. When women break free from the traditional roles they held and assume new roles as heads of family, income earners, and political representatives, they are often subjected to opposition and marginalization. Fear among men has been cited as a major reason for this opposition, as their existence as exclusive right-holders to these roles may be called into question if women begin to play these roles. (Birgitte 2017).

Brigitte states that political, social and economic changes that occur as a result of the war have challenged and are challenging traditional gender roles of women, and that societies are fighting to redefine gender identities according to the new environment. However, Brigitte further states that redefining gender roles has become a complicated process because this struggle define new identities is closely linked to the struggle for resources and authority. (Birgitte, 1998).

Although this report has shed light on aspects related to the war in Sri Lanka such as women cadres, initiatives of victims led by women, and peace initiatives led by women, since it was written in 1998, it has not explored trends in social norms in the post war context within areas where the war occurred. Sufficient research has not been conducted to do an exhaustive study on how gender discriminatory social norms have impacted upon the rights and freedoms of women in the post war society in Sri Lanka.

However, the research by Oxfam has identified the civil war of Sri Lanka as a factor that transforms the norms underpinning sexual and gender-based violence. In particular, participants from the Batticaloa District indicated how these gender discriminatory social norms regarding women heads of households became flexible. According to articles on women and conflict in Tamil monthly magazines published during the war, gender inequality was prevalent at that time, particularly in the LTTE-controlled North. These articles argue that, despite the LTTE announcing that they would end female enslavement, the movement's practices and positions did not fully accept gender equality. It has been said that the movement was puritan when it came to women's chastity, and that women who were sexually abused were critiqued as being "misguided" (**Panchali, "What would you say Chastity is", 1991**). It is also said that during this time, the practice of widows remarrying was heavily condemned (**Panchali, "war and women", 1990**). Thus, there are many different views on how war changes gender discriminatory social norms. However, the need for an in-depth, formal study of this aspect cannot be denied.

# Chapter 3

## 3 Research Methodology

### 3.1 Introduction

This research aims to identify the gender discriminatory social norms prevailing in the Northern Province of Sri Lanka and the ground level practices in relation to such social norms. Therefore, the participatory approach has been accepted as the primary methodological approach to this research. Community members were included at every step of this research and their participation and contribution was ensured. Furthermore, this research is built upon the basic principle of “gender equality”. The research team developed a specific code of ethics due to the sensitivity of the subject matter of this research. Accordingly, this research has been carried forward in compliance with this code of ethics.<sup>54</sup> The code of ethics was developed by the research team of the Law and Society Trust (LST) and adopted after approval from Chrysalis. The detailed research plan<sup>55</sup> for this study was designed by the research team of LST and Chrysalis provided feedback and approval on it. feedback to refine it.

This research is an initiative under the ‘TRANSFORM’ project, which aims to ‘promote endeavors to transform gender discriminatory social norms in the Northern province in order to improve the fundamental rights and freedoms of women. The ultimate goal of this project is to ‘promote democracy and human rights in the Northern Province by protecting and promoting gender equality, human rights, fundamental rights and justice.’ The project is funded by the European Union and the research is conducted by the LST with logistical support from Chrysalis.

### 3.2 Objectives of the Research

This participatory research aims to explore gender discriminatory social norms and the gendered impacts they could cause, as well as analyze the trend of influence such impacts can have on gender equality and the fundamental rights and freedoms of women. The following have been identified as the specific objectives of this research:

1. To understand the social norms that are prevalent in society (in the Northern Province), the gendered impacts they have on women, and how these impacts prevent women from achieving their fundamental rights and freedoms.
2. To understand how social norms have changed during and after the conflict, and to identify the strategies adopted by women to overcome the impacts of these social norms.
3. To analyze how gender discriminatory national narratives impact women achieving their fundamental rights and freedoms.

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<sup>54</sup> Annex 1

<sup>55</sup> Annex 2

Given the sensitivity of the subject matter of this research, a code of ethics was developed specially to govern the data collection process of this research. This code of ethics was developed considering national and international standards on research ethics. The code of ethics includes eight (08) fundamental guiding principles. They are:

#### **1. Ensuring the dignity and safety of the research participants**

It is necessary to ensure the dignity and safety of research participants when data collectors approach them to collect data for the research. This includes providing a comprehensive introduction to the purpose of the research and the organizations conducting the research, obtaining prior permission before approaching the participants, handling emotional subjects with sensitivity, allowing sufficient time for participants to respond, and ensuring a safe environment while collecting data.

#### **2. Informed Consent**

Data should only be collected upon obtaining prior written consent from all parties who contribute to the research, including the research participants, to use the information provided by them for research purposes only. Consent must be obtained only after the objectives of the research have been explained in detail to the research participants.

#### **3. Authentication**

Providing data collectors with official documents to certify their identity. Data collectors must be instructed to produce the documents upon the request of the research participants.

#### **4. Anonymity and Confidentiality**

The right to confidentiality of the research participants is to be ensured during all the stages of the research process. All data collected data must be kept confidential. The research participants must be given the freedom to remain anonymous. The photographs of participants used in this research have been included with their individual consent.

#### **5. The right of the research participants to withdraw**

The research participants have the right to withdraw from this research process with or without any reason.

#### **6. Collecting data from children**

When collecting data from children below the age of 18, written consent should be obtained from their parents or guardian.

#### **7. Benefits to the research participants**

When collecting data for the research, data collectors should explain to the research participants the potential benefits that they could obtain by participating in the research.

#### **8. COVID-19 Safety Guidelines**

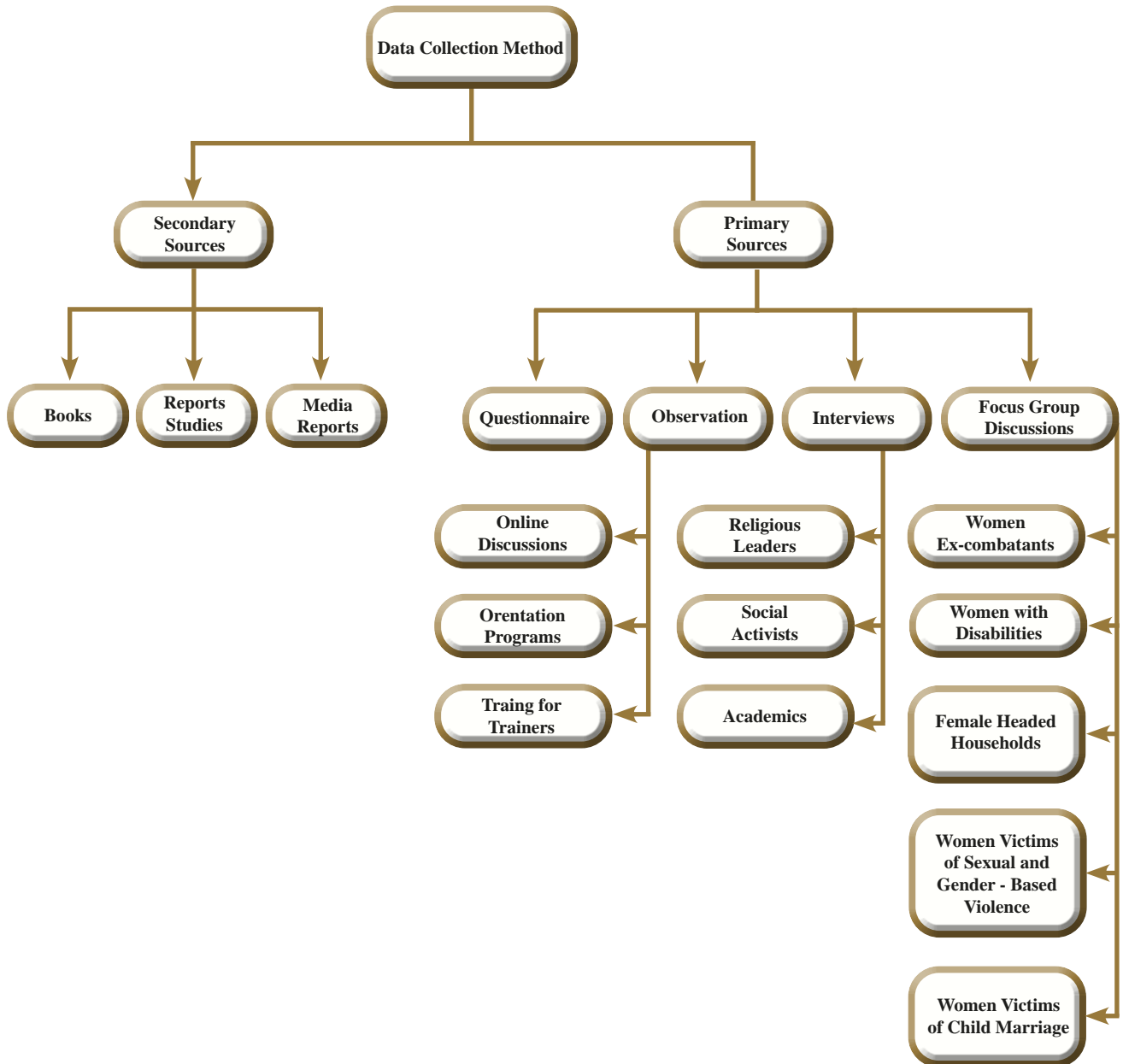
COVID-19 safety precautions including wearing face masks and using sanitizers should be followed during data collection to protect the data collectors, research participants and others. The research team must equip data collectors with necessary health equipment.



### 3.4 Data Collection Methods

Diagram 3.1

Data Collection Methods





The research team of the LST designed the research tool (questionnaire) to collect data for the research. The participation of community members in developing this questionnaire was confirmed through various techniques. As the first step in designing the questionnaire, a literature review was carried out on gender discriminatory social norms prevalent in the Northern Province. Based on the literature review, the research team listed a specific number of social norms. As the first step in ascertaining the extent to which these social norms are still prevalent in society today, a virtual discussion was arranged with youth in the Northern Province.<sup>56</sup> Through this discussion, it was possible to build a basic idea about the social norms prevalent in the Northern Province.

Based on this, virtual orientation programs were organized for data collectors.<sup>57</sup> During these orientation programs, data collectors from each district identified gender discriminatory social norms prevalent in their own districts. Although most of the social norms were prevalent in all five districts of the Northern Province, there was a difference in the degree of prevalence. The questionnaire was designed based upon the social norms identified through the literature review, youth discussions and the data collectors' orientation program. The questionnaire has been included as an annexure<sup>58</sup>

**Picture 3.1**  
Virtual discussion with youth about gender discriminatory social norms prevalent in the North



**Picture 3.2 & Picture 3.3**

Taken during the orientation program for data collectors



### Social Norms Analysis Plot (SNAP) adopted by CARE

The gender discriminatory social norms examined in this research have been analyzed using the Social Norms Analysis Plot (SNAP) framework. The questionnaire for data collection was designed with the view to analyze it through the SNAP framework. The SNAP framework has been designed to analyze five elements of social norms.

<sup>56</sup> A Zoom meeting was arranged on 4th February 2021

<sup>57</sup> The orientation program was held for the data collectors of Jaffna on the 08th of February 2021 for the data collectors of Kilinochchi and Mullaitheevu on the 09th of February 2021 and for the data collectors of Mannar and Vavuniya on the 17th of February 2021

<sup>58</sup> Annexure 3

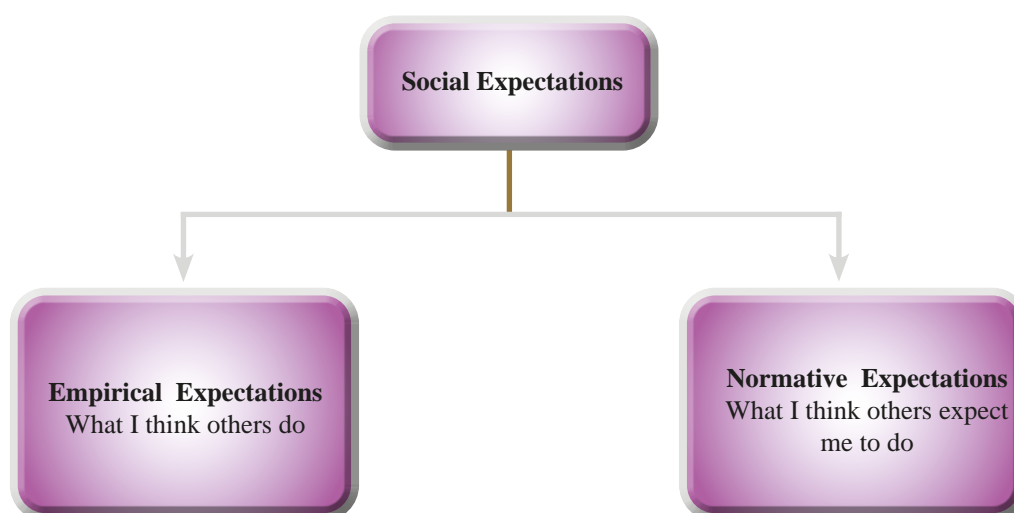
**Table 3.1**

**SNAP Framework<sup>59</sup>**

Elements of a Social Norm	Explanation
Empirical Expectations	What I think others do
Normative Expectations	What I think others expect me to do
Social Sanctions (Permission/Punishment)	The opinions or reactions of others regarding my behaviour
Sensitivity to Sanctions	The extent of change in behavior according to social sanctions
Exceptions	Are there any situations where deviating from social norms is acceptable?

This SNAP framework to evaluate social norms has been developed to evaluate the strength of a prevailing social norm by analyzing social. There are two kinds of social expectations: empirical expectations and normative expectations.

**Diagram 3.2**



This framework also helps to understand the consequences of not following a particular norm and how these effects/consequences exert pressure to follow a particular norm. Further, this framework helps develop interventions to transform these social norms by identifying the people who influence the prevalence of particular social norms (by functioning as reference groups) and exceptional circumstances which allow deviation from particular social norms.

The framework also helps to make a comparative analysis to determine whether the strength (durability) of a particular social norm has changed over different periods of time. We can use this framework to measure how the strength of these social norms has changed due to the interventions undertaken following this research.

<sup>59</sup> Ben Cislighi and Lori Heise. 2016. Measuring Gender-related Social Norms: Report of a Meeting, Baltimore Maryland, June 14-15, 2016. Learning Group on Social Norms and Gender-based Violence of the London School of Hygiene and Tropical Medicine

### 3.5 Selection of the Research Participants

Community members from the five districts of the Northern province were selected as the research participants and they are the key stakeholders in this research. Chrysalis had already selected approximately 500 participants for the TRANSFORM Project and approximately 400 participants from this group were selected as participants for this research. However, an analysis of the background of these 400 participants revealed that many among them were involved in civil society or human rights work or were political representatives. There were concerns that the responses obtained from research participants having this background may sometimes be similar given their involvement in public/political life. Further, it was considered necessary to obtain the views of women who were not engaged in public life and were more confined to their family lives as well. Thus, the research team opted to engage more community members as research participants. Accordingly, 550 research participants were selected in total, including 300 from the beneficiary list of Chrysalis and 250 from among other community members. Due to unavoidable circumstances,<sup>60</sup> we were only able to collect data from 532 research participants.

**Table 3.2**

Classification of research participants according to district and sex

District	Female	Male	Transman	Transwoman	Others	Total
Jaffna	86	24	-	01	01	112
Kilinochchi	52	36	-	-	03	91
Mullaitivu	41	19	-	-	03	63
Vavuniya	107	59	-	-	06	172
Mannar	82	12	-	-	-	94
<b>Total</b>						<b>532</b>

**Table 3.3**

Classification of research participants according to the age

Age	Female	%	Male	%	Others	%
Below 18	0	0	0	0	0	0
19-30	70	13.3	38	7.2	7	1.3
31-40	125	23.8	39	7.4	1	0.2
41-50	101	19.2	41	7.8	2	0.4
51-60	45	8.6	17	3.2	2	0.4
Above 61	23	4.4	14	2.7	1	0.2

**Table 3.4**

Classification of research participants according to the religion

Religion	Female	%	Male	%	Others	%
Hindu	194	36.5	84	15.8	9	1.7
Christian	56	10.5	11	2.1	3	0.6
Roman Catholic	42	7.9	12	2.3	0	0
Islam	26	4.9	13	2.5	1	0.2
Buddhism	48	9.0	30	5.7	0	0
Others	2	0.4	0	0	1	0.2

<sup>60</sup> Some of them were under quarantine and some did not answer calls and some could not be reached

**Table 3.5****Classification of research participants according to the level of education**

Level of Education	Female	%	Male	%	Others	%
Literate, but no formal education	6	1.1	4	0.8	0	0
Illiterate	4	0.8	1	0.2	0	0
Up to Grade 5	2	0.4	3	0.6	1	0.2
Grade 6-9	30	5.6	9	1.7	1	0.2
Grade 9- O/L	173	32.5	46	8.6	8	1.5
Advanced Level	115	21.6	54	10.2	2	0.4
Training collage	6	1.12	3	0.6	0	0
Diploma	19	3.6	9	1.7	1	0.2
Bachelor's degree	11	2.1	20	3.8	1	0.2
Master's degree	0	0	1	0.2	0	0
Others	2	0.4	0	0	0	0

**3.6 Enumerators**

As stated above, community members were engaged in collecting data for this research. Fifty-one community members from all five districts in the Northern Province joined us as enumerators in this research. Community members were recruited as enumerators in order to ensure the participation of community members in the research, as well as to ensure efficient and smooth data collection considering the cultural and traditional aspects inherent in the subject matter of the research. Giving consideration to the important role played by the enumerators, they were recruited in the research under the position of “Community-based Field Researchers.” The name list of community-based field researchers is attached as an annexure.<sup>61</sup>

These 51 members were selected from the beneficiary list of Chrysalis. The research team developed a selection tool to choose 51 members from the list of 500 beneficiaries. The criteria for selecting the community-based field researchers included consideration of their district of residence, ethnicity, religion, age and engagement in public life.

**Training of Trainers (ToT) for the Community-based Field Researchers**

Given the sensitivity of the subject matter of the research, the research team identified the need to prepare the community-based field researchers to approach the research participants in an appropriate manner to collect data. Accordingly, a two-day ToT workshop was conducted for them.<sup>62</sup>

**Table 3.6****Classification of data enumerators according to sex and district**

District	Females	%	Males	%
Jaffna	10	19.6	1	1.9
Kilinochchi	7	13.7	3	5.9
Mullaitivu	4	7.8	2	3.9
Vavuniya	8	15.7	7	13.7
Mannar	6	11.8	3	5.9
<b>Total</b>				51

61 Annexure 4

62 These training workshops were held at Sarvodaya Hall on 16th, 17th, 18th and 19th of March 2021 in Jaffna.

### Picture 3.4 & Picture 3.5

training of trainers (ToT) for enumerators



### Objectives of the workshop

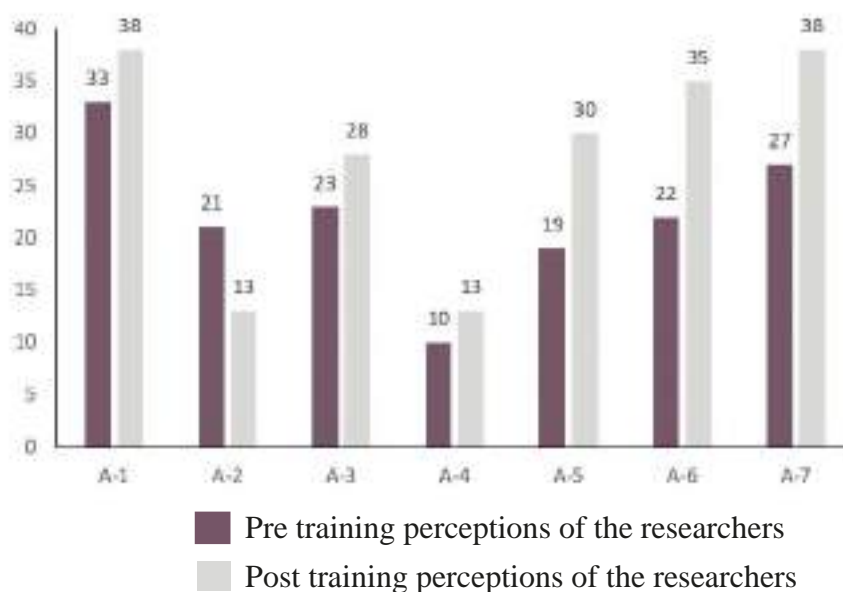
1. identify gender discriminatory social norms;
2. identify and understand the scope of fundamental rights and freedoms;
3. change their compliance with gender discriminatory social norms;
4. understand how gender discriminatory social norms impact upon the fundamental rights and freedoms of women; and
5. training the community-based field researchers on the techniques and ethics of data collection.

The research participants were asked to fill evaluation forms before and after the training in order to evaluate the extent to which the objectives of the workshop had been achieved. When comparing the evaluation forms, it was observed that the objectives of the workshop were met in a reasonably expected manner. However, these findings also showed that great effort is necessary to eradicate some social norms from society.

### Results of the Evaluation

#### Chart 3.1

Understanding of the participants on social norms

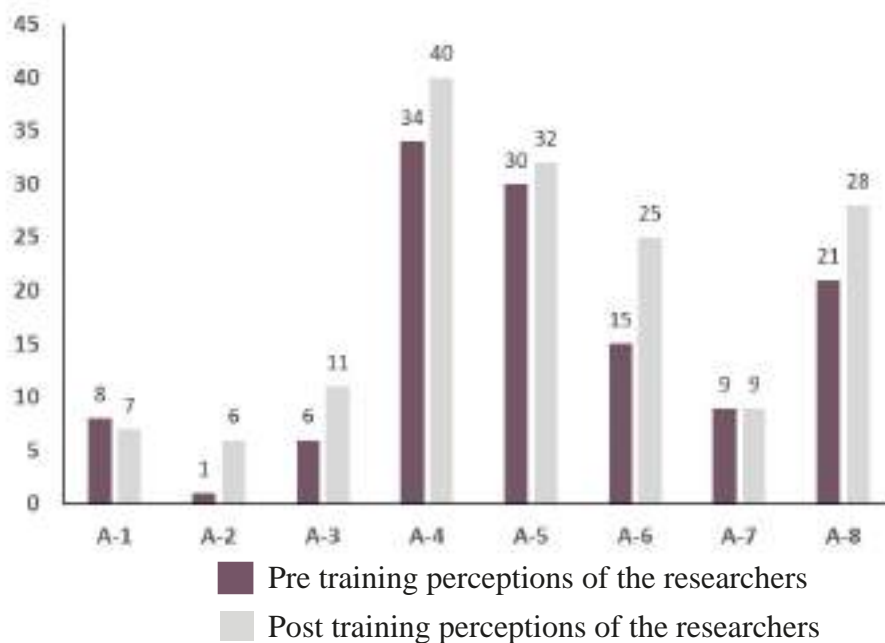


- A-1: Gender discriminatory social norms were established by our ancestors in order to protect our culture.
- A-2: Gender discriminatory social norms should be maintained in society to protect our culture.
- A-3: Gender discriminatory social norms define the roles of individuals based on sex.
- A-4: Gender discriminatory social norms have only beneficial impacts on society.
- A-5: Gender discriminatory social norms have both positive and negative impacts on society.
- A-6: Gender discriminatory social norms negatively impact women.
- A-7: Gender discriminatory social norms should be transformed in order to ensure gender equality.

Before the training 61.7% of the field researchers held the view that “Gender discriminatory social norms social norms should be maintained in society to protect our culture”. After the training only 38.2% held the same view. Before the training only 38.5% held the view that “Gender discriminatory social norms negatively impact women” but after the training, 61.5% accepted this view. Before the training only 41.5% held the view that “Gender discriminatory social norms should be transformed in order to ensure gender equality.” But after the training 58.5% accepted this view.

**Chart 3.2**

**Participants Understanding of Gender Equality**



- A-1: Gender equality is a concept against our culture
- A-2: Gender equality is a concept against our religion
- A-3: Gender equality is a concept that misleads women
- A-4: Gender equality means treating men and women equally at all times
- A-5: Gender equality means not discriminating against anybody on the basis of sex
- A-6: Gender equality is guaranteed in the constitution
- A-7: Gender equality is not guaranteed in the constitution
- A-8: Gender equality is crucial for the improvement of society



It was evident from the evaluation that more participants held the view that culture and religion was against gender equality after the training when compared to before the training. This finding could be analyzed in two ways. On one hand, the participants may have come to this conclusion by comparing concepts of gender equality such as “men and women are equal,” with cultural and religious beliefs such as: “women should be subservient to their husbands”. On the other hand, participants may have seen gender equality as a threat to religion and culture as a result of arguments over religious sentiments such as “is menstruation indeed a barrier to worship,” “Islam discriminates against women” which emerged among fellow participants.

However, the fact that 21 people and 28 people recognized that gender equality is crucial for the improvement of a society before and after the training respectively, confirms the possibility of transformation.

Community-based field researchers were employed in data collection after the two-day training workshop. Each field researcher was provided with a dossier containing the name list of the research participants, consent forms, research plan and the code of ethics.

### Focus Group Discussions

When gender identities are coupled with vulnerable identities such as disability, widowhood and separation from a husband, it results in unique vulnerabilities and discriminatory treatment. In order to understand what kinds of impact gender discriminatory social norms have on women who live in such vulnerability, information was gathered through focus group discussions with such groups.

**Table 3.7**

**Details of the Focus Group Discussions**

District	Group	Number of Participants
Jaffna	Female Headed Households	3
	Female Ex-combatants	3
Kilinochchi	Female Headed Households	3
	Female Ex-combatants	3
	Women with Disabilities	3
Mullaitivu	Female Headed Households	3
	Female Ex-combatants	3
	Women with Disabilities	3
Vavuniya	Female Headed Households	3
	Female Ex-combatants	3
Mannar	Women victims of child marriage	3
	Women victims of sexual and gender-based violence	1
	Female Headed Households	2
	Women with Disabilities	1



## Interviews

For the purpose of this research, interviews were conducted with religious leaders, academics and social activists. Due to the COVID-19 pandemic, some interviews were held online.

### Picture 3.6, 3.7 & 3.8

During focus group discussions and interviews held in Jaffna, Kilinochchi and Mannar



### 3.7 Data Analysis

The collected data was recorded by a six-member team under the supervisions of the research team.<sup>63</sup> The recorded data were interpreted using the Statistical Package for the Social Sciences (SPSS). The data was then analyzed by the research team with the aim of achieving the objectives of the research. The data was disaggregated by district, age, education and religion and the findings represented via charts and graphs.

### 3.8 Validation of the Data

The data recorded was shared in a simple form during consultation meetings with the community-based field researchers and their opinions, comments and views were sought.<sup>64</sup> The data was confirmed based on their comments and the reasons behind these findings were also identified in some instances.

The majority of the enumerators accepted the findings of the research. Some expressed the view that particular social norms that had been identified were not prevalent in their communities. Nevertheless, the views of the majority were taken into consideration and the findings of the research were confirmed.

### Picture 3.9 & Picture 3.10

Online consultation meetings to validate the data



63 Annexure 5

64 Consultative meetings were held on 4th and 5th of August 2021.

### **3.9 Writing the Final Research Report**

The final research report was written based on the information collected through primary and secondary sources. The data collected for this research through online interviews, focus group discussions and interviews have also been included in this research. The list of discussion and interviews conducted for this purpose can be found in the annexures.<sup>65</sup> Since majority of the research participants were Tamil speaking and the majority of the people living in the research area were also Tamil speaking, the final research report was written in Tamil and translated to Sinhala and English.

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<sup>65</sup> Annexure 6

# Chapter 4

## 4 Research Findings – Part 1

### 4.1 Introduction

These research findings are based on the data provided by 532 research participants living in the Northern Province. The data collected by the research team through interviews with academics and religious leaders and through focus group discussions with vulnerable women groups helped achieve these findings.

The SNAP framework was used to identify and assess key gender discriminatory social norms prevailing in the Northern Province based on the data provided by the research participants. The SNAP framework has been explained in the previous chapter.

### 4.2 Key gender discriminatory social norms prevailing in the Northern Province

The questionnaire designed for the research included forty-nine gender discriminatory social norms. One of the key objectives of the research is to identify the social norms that are most prevalent in society at present, and the kind of impact they have on achieving women's rights and freedoms. Accordingly, information about these social norms were collected according to districts. Although similar social norms were mostly found throughout all five districts in the Northern Province, the research findings revealed some variance within these social norms. These social norms were ranked according to the extent to which they prevail in each of the districts and the first ten social norms are presented in the table below.

## 4.2.1 According to Districts

Jaffna District

Table 4.1

No	Norms	Prevalent		Prevalent (%)	Not Prevalent		Not Prevalent (%)	Don't Know
		Highly Prevalent	Prevalent to some extent		Less Prevalent	Not Prevalent		
1	Cooking and household chores are mainly the works of women	61	28	79.46%	10	8	16.07%	0
		89			18			
2	Only men should do labour intensive works	48	36	75.00%	14	8	19.64%	1
		84			22			
3	Childcare is mainly the work of women	54	29	74.11%	15	8	20.54%	1
		83			23			
4	Family members prevent women from complaining against sexual violence	37	46	74.11%	10	13	20.54%	1
		83			23			
5	Wives should sustain their family life/ marriage life at all times at any cost	40	40	71.43%	21	7	25.00%	0
		80			28			
6	Women are reluctant to complain against sexual violence	36	40	67.86%	25	6	27.68%	2
		76			31			
7	Women/girls should not speak much in public places	21	52	65.18%	30	8	33.93%	0
		73			38			
8	Women/girls should not undertake night duties in work	30	42	64.29%	24	11	31.25%	0
		72			35			
9	Men should be the primary breadwinners of the families other than the families of female headed households	30	42	64.29%	17	14	27.68%	1
		72			31			
10	Women who complain against their husbands at police stations are criticized	30	41	63.39%	31	3	30.36%	3
		71			34			

Table 4.2

No	Norms	Prevalent		Prevalent (%)	Not Prevalent		Not Prevalent (%)	Don't Know
		Highly Prevalent	Prevalent to some extent		Less Prevalent	Not Prevalent		
1	Wives should sustain their family life/ marriage life at all times at any cost	94	52	82.95%	18	9	15.34%	2
		146			27			
2	Childcare is mainly the work of women	102	40	80.68%	10	13	13.07%	3
		142			23			
3	Women/girls should not speak much in public places	56	77	75.57%	31	7	21.59%	0
		133			38			
4	Cooking and household chores are mainly the works of women	84	44	72.73%	20	18	21.59%	3
		128			38			
5	Only men should do labour intensive works	73	52	71.02%	26	12	21.59%	3
		125			38			
6	Women victims of sexual violence/rape are viewed as unchaste	87	33	68.18%	18	15	18.75%	6
		120			33			
7	Women are not entitled to equal pay even though they work equally as men	66	50	65.91%	13	29	23.86%	3
		116			42			
8	Women should not travel alone in the night	70	44	64.77%	30	15	25.57%	4
		114			45			
9	Men should be the primary breadwinners of the families other than the families of female headed households	64	49	64.20%	22	22	25.00%	1
		113			44			
10	Women are reluctant to complain against sexual violence	55	58	64.20%	37	10	26.70%	3
		113			47			

Table 4.3

No	Norms	Prevalent		Prevalent (%)	Not Prevalent		Not Prevalent (%)	Don't Know
		Highly Prevalent	Prevalent to some extent		Less Prevalent	Not Prevalent		
1	Cooking and household chores are mainly the works of women	51	27	85.71%	10	3	14.29%	0
		78			13			
2	Childcare is mainly the work of women	48	30	85.71%	9	0	9.89%	0
		78			9			
3	Only men should do labour intensive works	53	22	82.42%	10	2	13.19%	0
		75			12			
4	Wives should sustain their family life/ marriage life at all times at any cost	48	21	75.82%	19	0	20.88%	2
		69			19			
5	Women who go to the police stations are criticized	39	28	73.63%	12	9	23.08%	0
		67			21			
6	Women who complain against their husbands at police stations are criticized	34	33	73.63%	19	3	24.18%	0
		67			22			
7	Women victims of sexual violence/rape are viewed as unchaste	42	22	70.33%	11	12	25.27%	0
		64			23			
8	Women should not travel alone in the night	34	30	70.33%	17	6	25.27%	0
		64			23			
9	Women/girls should not speak much in public places	21	43	70.33%	20	5	27.47%	1
		64			25			
10	Women are not entitled to equal pay even though they work equally as men	37	26	69.23%	15	12	29.67%	0
		63			27			



Table 4.4

No	Norms	Prevalent		Prevalent (%)	Not Prevalent		Not Prevalent (%)	Don't Know
		Highly Prevalent	Prevalent to some extent		Less Prevalent	Not Prevalent		
1	Childcare is mainly the work of women	30	21	80.95%	7	4	17.46%	0
		51			11			
2	Only men should do labour intensive works	39	11	79.37%	6	3	14.29%	1
		50			9			
3	Cooking and household chores are mainly the works of women	38	12	79.37%	7	4	17.46%	0
		50			11			
4	Wives should sustain their family life/ marriage life at all times at any cost	31	18	77.78%	11	2	20.63%	0
		49			13			
5	Women victims of sexual violence/rape are viewed as unchaste	36	12	76.19%	5	6	17.46%	2
		48			11			
6	Women who go to the police stations are criticized	28	20	76.19%	8	3	17.46%	1
		48			11			
7	Women/girls should not speak much in public places	16	31	74.60%	13	2	23.81%	0
		47			15			
8	Widows are considered as bad omen	31	15	73.02%	7	6	20.63%	1
		46			13			
9	Family members prevent women from complaining against sexual violence	29	17	73.02%	6	8	22.22%	0
		46			14			
10	Women/girls should not go to the temple during their menstruation	43	2	71.43%	1	4	7.94%	2
		45			5			

Table 4.5

No	Norms	Prevalent		Prevalent (%)	Not Prevalent		Not Prevalent (%)	Don't Know
		Highly Prevalent	Prevalent to some extent		Less Prevalent	Not Prevalent		
1	Childcare is mainly the work of women	47	30	81.91%	9	3	12.77%	0
		77			12			
2	Only men should do labour intensive works	52	23	79.79%	8	7	15.96%	2
		75			15			
3	Women who complain against their husbands are criticized	41	31	76.60%	14	5	20.21%	0
		72			19			
4	Wives should sustain their family life/ marriage life at all times at any cost	47	24	75.53%	8	8	17.02%	1
		71			16			
5	Women/girls should not speak much in public places	33	36	73.40%	14	11	26.60%	0
		69			25			
6	Cooking and household chores are mainly the works of women	48	20	72.34%	14	7	22.34%	0
		68			21			
7	Family members prevent women from complaining against sexual violence	46	21	71.28%	12	9	22.34%	2
		67			21			
8	Women are reluctant to complain against sexual violence	43	24	71.28%	8	14	23.40%	2
		67			22			
9	Women should not travel alone in the night	47	18	69.15%	19	5	25.53%	1
		65			24			
10	Women who go to the police stations are criticized	36	28	68.09%	22	4	27.66%	1
		64			26			

### 4.2.2 Key gender discriminatory social norms prevailing in the Northern Province

Based on the data collected according to districts, twenty gender discriminatory social norms prevailing across the Northern Province were ranked according to their level of prevalence. Of these social norms, the first five have been identified as the ‘key prevailing social norms’. However, the first ten social norms are to be analyzed in this research.

Table 4.6

No	Norms	Prevalent		Prevalent	Not Prevalent		Not Prevalent (%)	Don't Know
		Highly Prevalent	Prevalent to some extent		Less Prevalent	Not Prevalent		
1	Childcare is mainly the work of women	281	150	81.02%	50	28	14.66%	4
		431			78			
2	Wives should sustain their family life/ marriage life at all times at any cost	260	155	78.01%	77	26	19.36%	5
		415			103			
3	Cooking and household chores are mainly the works of women	282	131	77.63%	61	40	18.98%	3
		413			101			
4	Only men should do labour intensive works	265	144	76.88%	64	32	18.05%	7
		409			96			
5	Women/girls should not speak much in public places	147	239	72.56%	108	33	26.50%	1
		386			141			
6	Women victims of sexual violence/rape are viewed as unchaste	255	109	68.42%	70	57	23.87%	15
		364			127			
7	Women are reluctant to complain against sexual violence	205	157	68.05%	96	41	25.75%	9
		362			137			

8	Family members should not allow women to complain against sexual violence	197	164	67.86%	85	54	26.13%	10
		361			139			
9	Women who go to the police stations are criticized	196	159	66.73%	101	41	26.69%	9
		355			142			
10	Women who complain against their husbands at police stations are criticized	195	159	66.54%	111	39	28.20%	8
		354			150			
11	Women should not travel alone in the night	203	144	65.23%	109	44	28.76%	7
		347			153			
12	Women should not laugh loudly in the public places	154	191	64.85%	117	54	32.14%	5
		345			171			
13	Women/girls should not undertake night duties in work	169	169	63.53%	119	52	32.14%	6
		338			171			
14	Men should be the primary breadwinners of the families other than the families of female headed households	183	151	62.78%	86	72	29.70%	6
		334			158			
15	Women / girls should not stay away from home to work	143	186	61.84%	125	52	33.27%	8
		329			177			
16	Women are not entitled to equal pay even though they work equally as men	194	133	61.47%	95	80	32.89%	7
		327			175			
17	Women should not argue with their husband	126	196	60.53%	133	39	32.33%	0
		322			172			
18	Barren women are considered as bad omen	186	127	58.83%	91	82	32.52%	15
		313			173			
19	Women should not complain against their husband even if they beat them	144	161	57.33%	148	56	38.35%	3
		305			204			
20	Widows are considered as bad omen	190	113	56.95%	102	79	34.02%	13
		303			181			

## Key Findings

- The social norms childcare is mainly the work of women/girls, wives should sustain their family life at all times; cooking and household chores are mainly the work of women/girls; and only men should do labour intensive work are the most prevalent in all the five districts. More than 70% of the participants from each district indicate that these social norms are highly prevalent/prevalent in their community.
- The data collected from the research participants confirms the prevalence of the social norm that women/girls should not speak much in public places in the Northern Province. 72.56% of the research participants from the five districts say that this social norm is prevalent, while 26.5% of say it is not. More than 70% of the research participants from the four districts other than Jaffna and more than 65% of the research participants from Jaffna state that this social norm prevails.
- The social norms women who complain against their husbands being criticized, and women/girls who go to police stations being criticized are highly prevalent in all five districts. Around 60% or more of research participants from each district say that this social norm is highly prevalent/prevalent in their communities. In some districts the figure is greater than 60%. However, only 58.04% of research participants from the Jaffna District say that the social norm that ‘women/girls should not go to the police station’ prevails in their district.
- 60% or more of the research participants state that the social norms women/ girl victims of sexual violence being considered unchaste, women/ girls being reluctant to report sexual violence and family members preventing women/girls from reporting sexual violence are prevalent in their districts. However, research participants report that the social norm that ‘family members should not allow women/girls to complain against sexual violence’ is not seen much in Vavuniya. Less than 33% stated that this social norm prevails in their district.

### 4.3

## Disaggregated data on key gender discriminatory social norms prevalent in the Northern Province

### 4.3.1 According to sex

The data was disaggregated according to sex in order to understand the way in which data pertaining to social norms which were identified as being highly prevalent in the Northern province were prevalent among women and men.<sup>66</sup> In order to design the interventions required to transform these social norms following the research, data analysis was carried out district wise.

<sup>66</sup> Attempts to collect data from the people of other gender was not successful as they were reluctant to reveal their gender identity and personal opinion.

Table 4.7<sup>67</sup>

No	Social Norms	Number and Percentage of the research participants who agreed											
		Women						Men					
		Jaffna	Kilinochchi	Mullaithivu	Mannar	Vavuniya	Entire Northern Province	Jaffna	Kilinochchi	Mullaithivu	Mannar	Vavuniya	Entire Northern Province
1	Childcare is mainly the work of women	28 (32.5%)	12 (23%)	10 (27.0%)	23 (28.7%)	45 (44.1%)	118 (33%)	7 (29.1%)	10 (31.2%)	5 (27.7%)	2 (15.8%)	17 (29.3%)	41 (28.6%)
2	Wives should sustain their family life/ marriage life at all times at any cost	38 (58.7%)	20 (38.4%)	13 (35.1%)	37 (46.8%)	35 (35.3%)	143 (42.1%)	9 (52.9%)	7 (22.5%)	7 (38.8%)	3 (27.2%)	24 (42.1%)	50 (37.3%)
3	Cooking and household chores are mainly the works of women	26 (30.2%)	16 (30.7%)	6 (15.7%)	23 (29.1%)	37 (36.2%)	108 (30.2%)	7 (30.4%)	6 (18.7%)	4 (22.2%)	3 (27.2%)	22 (37.9%)	42 (29.5%)
4	Only men should do labour intensive works	43 (51.1%)	23 (44.2%)	9 (25%)	45 (56.9%)	41 (44.5%)	161 (46.9%)	14 (58.3%)	14 (42.4%)	10 (55.5%)	3 (27.2%)	31 (56.3%)	72 (51%)
5	Women/girls should not speak much in public places	23 (27%)	6 (11.5%)	13 (31.7%)	31 (38.2%)	39 (36.7%)	112 (30.6%)	8 (33.3%)	10 (29.4%)	5 (27.7%)	3 (25%)	27 (48.2%)	53 (36.8%)
6	Women victims of sexual violence are unchaste	9 (10.8%)	7 (14%)	9 (25%)	23 (29.4%)	19 (21.1%)	67 (19.8%)	1 (4.3%)	4 (12.9%)	5 (27.7%)	2 (18.1%)	16 (30.1%)	28 (20.5%)
7	Women should not complain against sexual violence	7 (8.6%)	3 (5.7%)	5 (13.5%)	9 (11.3%)	13 (13.5%)	37 (10.2%)	3 (13.6%)	2 (6.2%)	3 (16.6%)	1 (9%)	9 (16.1%)	18 (13%)
8	Family members should not recognize that women complaint against sexual violence	10 (12.3%)	8 (15.6%)	8 (22.2%)	11 (14.4%)	8 (8.3%)	45 (13.2%)	3 (13%)	2 (6.2%)	2 (11.1%)	1 (9%)	11 (20%)	19 (13.6%)
9	Women should not go to police stations	9 (10.8%)	7 (13.4%)	5 (13.5%)	16 (20.7%)	13 (13.5%)	50 (14.4%)	3 (12.5%)	5 (15.6%)	4 (22.2%)	2 (18.1%)	10 (17.5%)	24 (16.9%)
10	Women should not complain against their husbands	10 (12.0%)	7 (13.4%)	6 (14.2%)	13 (17.1%)	11 (11.8%)	47 (13.7%)	3 (12.5%)	2 (6.2%)	4 (22.2%)	0	8 (11.2%)	17 (12%)

67 The number of persons who expressed their personal opinion about each social norm is diverse. The above -mentioned percentage is obtained from the total number of men and women participated in the survey.



## Key Findings

- The social norms childcare is mainly the work of women; cooking and household chores are mainly the work of women; women should not speak much in public places; and women should not report sexual violence were more prevalent among the female research participants from the Vavuniya District.
- The social norms wives should sustain their family life/ married life at all times at any cost and family members should not recognize that women complaint against sexual violence were more prevalent among female research participants from the Jaffna District.
- The social norms only men should be engaged in labour intensive work; women victims of sexual violence are unchaste; women should not go to the police stations and should not complain against their husbands were more prevalent among female research participants from the Mannar District.
- The social norms cooking and household chores are primarily the work of women; women victims of sexual violence are unchaste; family members should not recognize that women complaint against sexual violence; and women should not speak much in public places were more prevalent among the male research participants from Vavuniya district.
- The social norms women should not report sexual violence; women should not go to police stations, and complain against their husbands were more prevalent among the male research participants from the Mullaitivu District.
- The social norms wives should sustain their family life/married life at all times at any cost, and only men should engage in labour intensive work were more prevalent among the male research participants from the Jaffna District.
- The social norm childcare is mainly the work of women was more prevalent among the male research participants from the Kilinochchi District

When analyzing the responses made by male and female research participants from the entire Northern Province:

- The social norms childcare is mainly the work of women; cooking and household chores are mainly the work of women; wives should sustain their family life/married life at all times at any cost; and women should not complain against their husbands are more prevalent among women than men.
- The social norms only men should be engaged in labour intensive work; women victims of sexual violence are unchaste; women should not go to police stations; women should not speak much in public places; and women should not report sexual violence are more prevalent among men than women.

Therefore, any interventions to transform the social norms should consider the findings mentioned above and appropriately focus on both men and women.

### 4.3.2 According to religion <sup>68</sup>

**Table 4.8**

No	Norms	Agree					Disagree				
		Hinduism	Christianity	Catholicism	Islam	Buddhism	Hinduism	Christianity	Catholicism	Islam	Buddhism
1	Childcare is mainly the work of women	85 (31.25%)	19 (27.14%)	15 (28.84%)	10 (25.00%)	31 (40.79%)	187 (68.75%)	51 (72.86%)	37 (71.16%)	30 (75.00%)	45 (59.21%)
		160 (31.37%)					350 (68.63%)				
2	Wives should sustain their family life/ marriage life at all times at any cost	105 (41.67%)	32 (45.71%)	20 (40.00%)	19 (47.50%)	22 (30.56%)	147 (58.33%)	38 (54.29%)	30 (60.00%)	21 (52.50%)	50 (69.44%)
		198 (40.91%)					286 (59.09%)				
3	Cooking and household chores are mainly the works of women	73 (26.74%)	20 (28.17%)	13 (25.00%)	19 (50.00%)	30 (39.47%)	200 (73.26%)	51 (71.83%)	39 (75.00%)	19 (50.00%)	46 (60.53%)
		155 (30.39%)					256 (51.72%)				
4	Only men should do labour intensive works	129 (47.96%)	29 (43.94%)	24 (48.00%)	22 (55.00%)	35 (50.00%)	140 (52.04%)	37 (56.06%)	26 (52.00%)	18 (45.00%)	35 (50.00%)
		239 (48.28%)					256 (51.72%)				
5	Women/girls should not speak much in public places	63 (22.42%)	25 (36.23%)	14 (26.92%)	20 (50.00%)	44 (57.14%)	218 (77.58%)	44 (63.77%)	38 (73.08%)	20 (50.00%)	33 (42.86%)
		166 (31.98%)					353 (68.02%)				
6	Women victims of sexual violence/rape are viewed as unchaste	48 (18.18%)	17 (25.37%)	11 (22.00%)	11 (30.56%)	11 (16.67%)	216 (81.82%)	50 (74.63%)	39 (78.00%)	25 (69.44%)	55 (83.33%)
		98 (20.29%)					385 (79.71%)				
7	Women should not complain against sexual violence committed against them	27 (10.23%)	11 (16.18%)	5 (9.62%)	4 (10.53%)	9 (12.68%)	237 (89.77%)	57 (83.82%)	47 (90.38%)	34 (89.47%)	62 (87.32%)
		56 (11.36%)					437 (88.64%)				
8	Family members should not recognize that women complaint against sexual violence	33 (12.60%)	13 (19.40%)	8 (15.69%)	6 (15.79%)	7 (9.86%)	229 (87.40%)	54 (80.60%)	43 (84.31%)	32 (84.21%)	64 (90.14%)
		67 (13.70%)					422 (86.30%)				
9	Women should not go to police stations	36 (13.38%)	10 (14.71%)	7 (13.46%)	12 (31.58%)	10 (14.29%)	233 (86.62%)	58 (85.29%)	45 (86.54%)	26 (68.42%)	60 (85.71%)
		75 (15.09%)					422 (84.91%)				
10	Women should not complain against their husbands	38 (14.29%)	9 (13.43%)	9 (18.00%)	7 (17.95%)	4 (5.71%)	228 (85.74%)	58 (86.57%)	41 (82.00%)	32 (82.05%)	66 (94.29%)
		67 (13.62%)					425 (86.38%)				

68 Some research participants have not revealed their gender or religion or level of education. As a result, when analyzing the views held on social norms, based on the criteria of gender, religion, age and level of education, there is a discrepancy.

## Key Findings

- Based on the data received, the social norms only men should be engaged in labour intensive work; women victims of sexual violence are unchaste; women should not go to police stations; cooking and household chores are mainly the work of women and women should sustain their family life at any cost are more prevalent among the Muslim community than other religious community.
- The social norms women should not talk too much in public places and childcare is mainly the work of women are more prevalent among Buddhist community than other religious community.
- The social norms women should not complain against sexual violence and family members should not allow women to complain against sexual violence are more prevalent among the Christian community than other religious community.
- The social norm women should not complain against their husbands is more prevalent among the Catholics than other religious community.
- The social norms only men should be engaged in labour intensive work; childcare is mainly the work of women; and women should sustain their family life at any cost are prevalent to a certain extent within the Hindu community as well.

### 4.3.3 According to age

Table 4.9

No	Norms	Agree					Disagree				
		21-30	31-40	41-50	51-60	61 or above	21-30	31-40	41-50	51-60	61 or above
1	Childcare is mainly the work of women	38 (33.63%)	49 (30.81%)	37 (27.40%)	23 (36.50%)	15 (39.47%)	75 (66.37%)	110 (69.19%)	98 (72.60%)	40 (63.5%)	23 (60.53%)
		162 (31.89%)					346 (68.11%)				
2	Wives should sustain their family life/ marriage life at all times at any cost	37 (34.91%)	66 (43.14%)	42 (32.81%)	26 (43.33%)	27 (77.14%)	69 (65.09%)	87 (56.86%)	86 (67.19%)	34 (56.67%)	8 (22.86%)
		198 (41.08%)					284 (58.92%)				
3	Cooking and household chores are mainly the works of women	44 (39.64%)	47 (29.38%)	33 (24.44%)	15 (23.44%)	15 (39.47%)	67 (60.36%)	113 (70.62%)	102 (75.56%)	49 (76.56%)	23 (60.53%)
		154 (30.31%)					354 (69.69%)				
4	Only men should do labour intensive works	57 (51.82%)	70 (44.87%)	62 (48.06%)	28 (45.16%)	20 (57.14%)	53 (48.18%)	86 (55.13%)	67 (51.94%)	34 (54.84%)	15 (42.86%)
		237 (48.17%)					353 (68.28%)				
5	Women/girls should not speak much in public places	47 (40.87%)	49 (30.25%)	43 (30.50%)	14 (22.95%)	11 (28.95%)	68 (59.13%)	113 (69.75%)	98 (69.50%)	47 (77.05%)	47 (71.05%)
		164 (31.72%)					353 (68.02%)				
6	Women victims of sexual violence/rape are viewed as unchaste	22 (20.75%)	31 (20.67%)	26 (20.31%)	11 (17.74%)	8 (22.22%)	84 (79.25%)	119 (79.33%)	102 (79.69%)	51 (82.26%)	28 (77.78%)
		98 (20.33%)					384 (79.67%)				
7	Women should not complain against sexual violence committed against them	11 (10.00%)	25 (16.34%)	7 (5.30%)	7 (11.67%)	6 (16.67%)	99 (90.00%)	128 (83.66%)	125 (94.70%)	53 (88.33%)	30 (83.33%)
		56 (11.41%)					435 (88.59%)				
8	Family members should not recognize that women complaint against sexual violence	14 (12.61%)	24 (16.11%)	16 (12.21%)	8 (12.90%)	5 (14.29%)	97 (87.39%)	125 (82.24%)	115 (87.79%)	54 (87.10%)	30 (85.71%)
		67 (13.73%)					421 (86.27%)				
9	Women should not go to police stations	14 (12.61%)	27 (17.76%)	19 (14.39%)	8 (12.70%)	6 (16.22%)	97 (87.39%)	125 (82.24%)	113 (85.61%)	55 (87.30%)	31 (83.78%)
		74 (14.95%)					421 (85.05%)				
10	Women should not complain against their husbands	12 (11.11%)	27 (17.76%)	16 (12.03%)	7 (11.48%)	6 (16.22%)	96 (88.89%)	125 (82.24%)	117 (87.97%)	54 (88.52%)	31 (83.78%)
		68 (13.85%)					423 (86.15%)				

## Key Findings

- ▶ The six social norms childcare is primarily the work of women; cooking and household chores are mainly the work of women; women should not report sexual violence; wives should sustain their family lives/ married life at all times at any cost; women victims of sexual violence are unchaste; and only men should be engaged in labour intensive work were more prevalent among research participants over the age of 61.
- ▶ The social norms family members should not recognize that women complaint against sexual violence; women should not report sexual violence; women should not go to police stations and should not complain against their husbands were highly prevalent among participants in the age group of 31- 40. While the research findings show that social norms in relation to complaining is highly prevalent among this age group, research on the wellbeing of women in Sri Lanka in 2020 <sup>69</sup> shows that domestic violence (both physical and sexual violence) is more prevalent among the participants within the age group of 35 – 54.
- ▶ Cooking and household chores are mainly the work of women and women should not speak much in public places. These social norms are more prevalent among the participants within the age group of 21 – 30.

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<sup>69</sup> Women's Wellbeing Survey – 2019, Findings from Sri Lanka's first dedicated National Survey on Violence against Women and Girls Final Report, (Department of Census and Statistics, Sri Lanka, October 2020) available at: [http://www.statistics.gov.lk/Resource/reference/WWS\\_2019\\_Final\\_Report](http://www.statistics.gov.lk/Resource/reference/WWS_2019_Final_Report) accessed 12 August 2021

### 4.3.4 According to level of education

**Table 4.10**

No	Norms	Agree										Disagree											
		Literate without formal education	Illiterate	Up to Grade 5	Grade 6 to 9	Grade 9 to O/L	A/L	College of Education	Diploma	Bachelor's Degree	Masters	Literate without formal education	Illiterate	Up to Grade 5	Grade 6 to 9	Grade 9 to O/L	A/L	College of Education	Diploma	Bachelor's Degree	Masters		
1	Childcare is mainly the work of women	3 (30.00%)	2 (40.00%)	3 (50.00%)	12 (30.00%)	70 (33.33%)	50 (29.41%)	1 (11.11%)	9 (32.14%)	10 (31.25%)	1 (100.00%)	7 (70.00%)	3 (60.00%)	3 (70.00%)	28 (70.00%)	140 (66.67%)	120 (70.59%)	8 (88.89%)	19 (67.86%)	22 (68.75%)	0 (0.00%)	161 (31.51%)	350 (68.49%)
2	Wives should sustain their family life/ marriage life at all times at any cost	3 (33.33%)	1 (33.33%)	2 (40.00%)	15 (39.47%)	88 (43.35%)	71 (44.38%)	3 (33.33%)	9 (33.33%)	6 (20.00%)	1 (100.00%)	6 (66.67%)	2 (66.67%)	3 (60.00%)	23 (60.53%)	115 (56.65%)	89 (55.62%)	6 (66.67%)	18 (66.67%)	24 (80.00%)	0 (0.00%)	199 (41.03%)	286 (58.97%)
3	Cooking and household chores are mainly the works of women	4 (40.00%)	1 (20.00%)	2 (33.33%)	12 (30.00%)	73 (34.43%)	47 (27.81%)	1 (11.11%)	7 (25.00%)	8 (25.81%)	1 (100.00%)	6 (60.00%)	4 (80.00%)	4 (70.00%)	28 (70.00%)	139 (65.57%)	122 (72.19%)	8 (88.89%)	21 (75.00%)	23 (74.19%)	0 (0.00%)	156 (30.53%)	355 (69.47%)
4	Only men should do labour intensive works	3 (30.00%)	3 (75.00%)	3 (60.00%)	21 (56.76%)	98 (47.80%)	80 (48.78%)	2 (22.22%)	13 (46.43%)	13 (40.63%)	1 (100.00%)	7 (70.00%)	1 (25.00%)	2 (40.00%)	16 (43.24%)	107 (52.20%)	84 (51.22%)	7 (77.78%)	15 (53.57%)	19 (59.37%)	0 (0.00%)	237 (47.88%)	258 (52.12%)
5	Women/girls should not speak much in public places	3 (30.00%)	1 (20.00%)	1 (16.67%)	15 (38.46%)	76 (34.55%)	48 (28.24%)	1 (11.11%)	6 (21.43%)	13 (40.63%)	1 (100.00%)	7 (70.00%)	4 (80.00%)	5 (83.33%)	24 (61.54%)	144 (65.45%)	122 (71.76%)	8 (88.89%)	22 (78.57%)	19 (59.37%)	0 (0.00%)	387 (79.79%)	387 (79.79%)



6	Women victims of sexual violence/rape are viewed as unchaste	3 (30.00%)	0 (0.00%)	0 (0.00%)	12 (30.00%)	44 (22.34%)	28 (17.07%)	4 (44.44%)	4 (16.00%)	3 (9.68%)	0 (0.00%)	7 (70.00%)	3 (100.00%)	5 (100.00%)	28 (70.00%)	153 (77.66%)	136 (82.93%)	4 (44.44%)	4 (16.00%)	3 (9.68%)	0 (0.00%)	
		98 (20.21%)																			387 (79.79%)	
7	Women should not complain against sexual violence committed against them	2 (20.00%)	1 (25.00%)	1 (25.00%)	6 (14.63%)	23 (11.27%)	19 (11.59%)	0 (0.00%)	3 (10.71%)	1 (3.33%)	0 (0.00%)	8 (80.00%)	3 (75.00%)	3 (75.00%)	35 (85.37%)	181 (88.73%)	145 (88.41%)	9 (100.00%)	25 (89.29%)	29 (96.67%)	1 (100.00%)	
		56 (11.31%)																			439 (88.69%)	
8	Family members should not recognize that women complain against sexual violence	3 (30.00%)	0 (0.00%)	0 (0.00%)	8 (20.51%)	26 (12.87%)	25 (15.34%)	0 (0.00%)	3 (10.71%)	1 (3.23%)	0 (0.00%)	7 (70.00%)	3 (100.00%)	5 (100.00%)	31 (79.49%)	176 (87.13%)	138 (84.66%)	9 (100.00%)	25 (89.29%)	30 (96.77%)	30 (100%)	
		66 (13.44%)																			425 (86.56%)	
9	Women should not go to police stations	2 (20.00%)	0 (0.00%)	1 (20.00%)	8 (20.51%)	38 (18.45%)	18 (10.84%)	0 (0.00%)	7 (25.00%)	0 (0.00%)	1 (100.00%)	8 (80.00%)	4 (100.00%)	4 (100.00%)	31 (79.49%)	168 (81.55%)	148 (89.16%)	9 (100.00%)	21 (75.00%)	31 (100.00%)	0 (0.00%)	
		75 (15.03%)																			424 (84.97%)	
10	Women should not complain against their husbands	1 (11.11%)	0 (0.00%)	0 (0.00%)	5 (12.82%)	34 (16.43%)	22 (13.50%)	0 (0.00%)	4 (14.29%)	2 (6.67%)	0 (0.00%)	8 (88.89%)	3 (100.00%)	5 (100.00%)	34 (87.18%)	173 (83.57%)	141 (86.50%)	9 (100.00%)	24 (85.71%)	28 (93.33%)	1 (100.00%)	
		426 (86.23%)																				

## Key Findings

- Generally, these social norms are less prevalent among those who have received education up to the level of College of Education, Diploma or Bachelor’s Degree.
- However, the social norms that women should not complain against their husbands and women should not go to police stations are more prevalent among diploma holders.
- Almost all social norms were significantly higher among people with GCE Ordinary level education or lower when compared to persons with a Bachelor’s degree.

4.4

### Assessing the key gender discriminatory social norms identified using the SNAP framework <sup>70</sup>

#### 4.4.1 Social expectations regarding social norms

#### What I think others do? (Empirical Expectations)

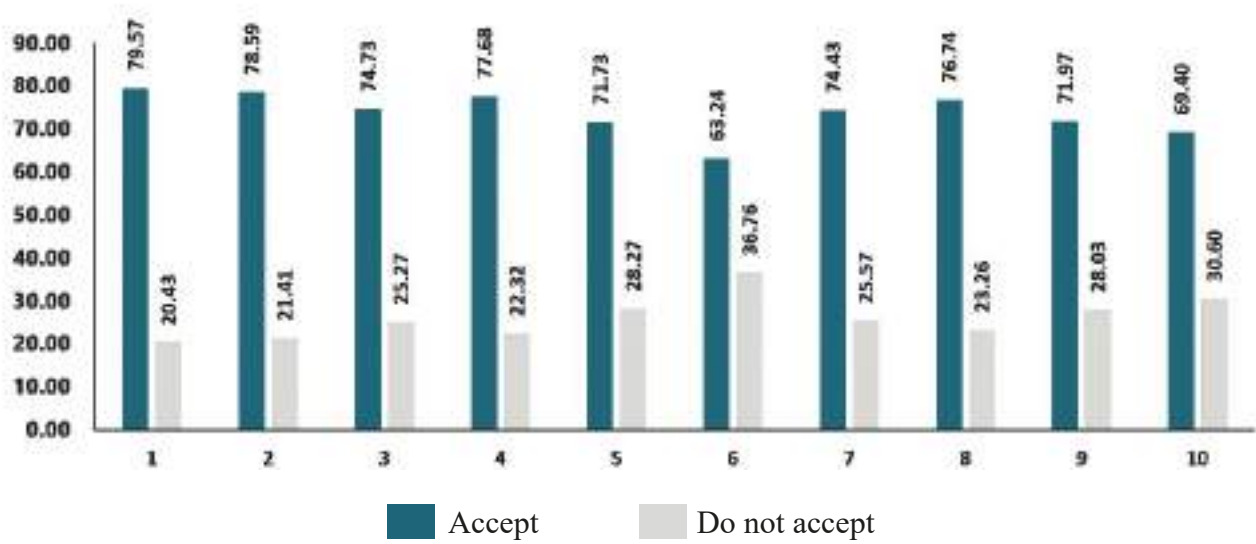
**Table 4.11**

No	Statement	Number of research participants	
		Accept	Do not Accept
1	Mainly women involve in the child care work	370	95
2	Wives try to sustain their marriage/family lives at all times	367	100
3	Mainly women do the cooking and household chores	352	119
4	Only men are engaged in labour intensive work	355	102
5	Mostly women/girls do not speak much in public places	340	134
6	Women victims of sexual violence are considered unchaste	277	161
7	Women are often reluctant to complaint against sexual violence	329	113
8	Family members prevent women from reporting against sexual violence	330	100
9	Often women do not go to the police station	321	125
10	Women do not complain against their husbands	313	138

<sup>70</sup> See Table 3 for further information on SNAP framework.

### Graph 4.1

#### Empirical Expectations



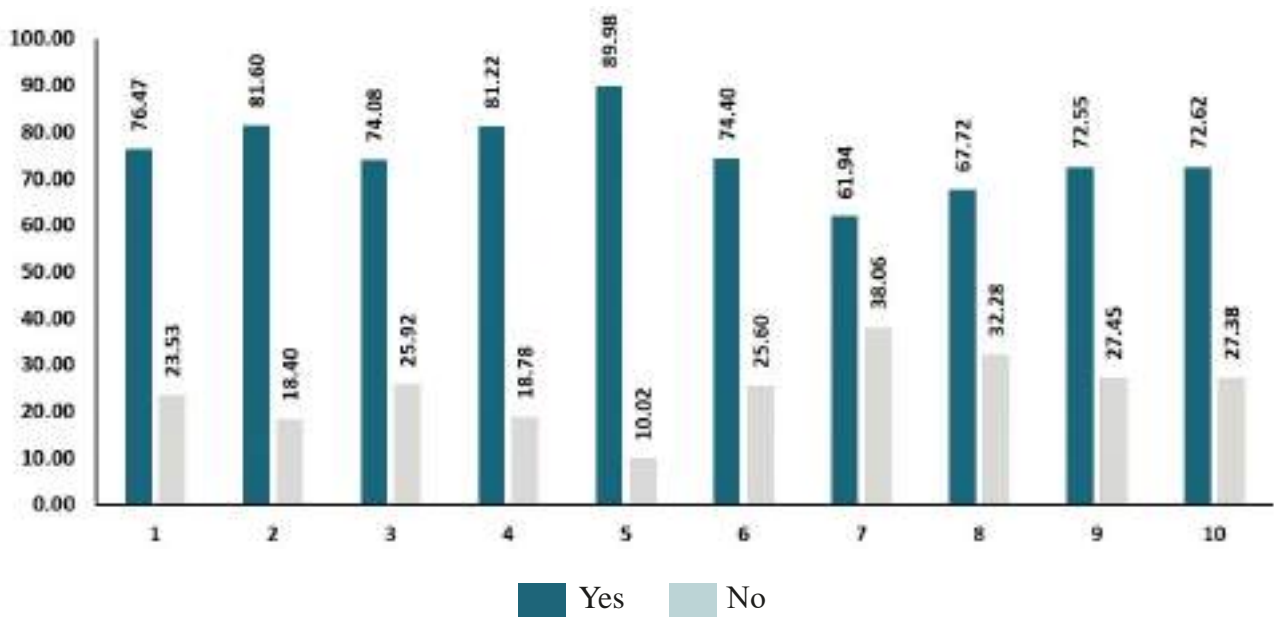
What I think others expect me to do? (Normative Expectations)

Table 4.12

No	Statement	Number of research participants	
		Yes	No
1	Others expect that mainly women should engage in child care work	325	100
2	Others expect that wives should sustain their marriage/family lives at all times	346	78
3	Others expect that mainly women should do the cooking and the household chores	303	106
4	Others expect that only men should be engaged in labour-intensive work	346	80
5	Others expect that women/girls should not speak much in public places	395	44
6	Others think that women victims of sexual violence are unchaste	308	106
7	Others expect that women should not report against sexual violence	249	153
8	Others expect that family members should not allow women to report against sexual violence	279	133
9	Others expect that women should not go to the police stations	296	112
10	Others expect that women should not complain against their husbands	297	112

## Graph 4.2

### Normative Expectations



### Key Findings

- The strengths of the identified social norms were evaluated by analyzing the two aspects of social expectations i.e., empirical expectations and normative expectations. A powerful social norm has been described as one that has many social expectations. Accordingly, the list of social norms ranked based on their strengths is given below:

01. Women should not speak much in public places
02. Wives should sustain their family lives at any cost
03. Only men should be engaged in labour-intensive work
04. Childcare is mainly the work of women
05. Cooking and household chores are mainly the work of women
06. Women should not go to the police station
07. Women should not complain against their husbands
08. Family members should not allow women to complain against sexual violence
09. Women victims of sexual violence are unchaste
10. Women should not complain against sexual violence

- When ranked according to their level of prevalence or according to their strength, the same social norms hold the first five positions. Therefore, those five social norms have been identified as the most significant gender discriminatory social norms prevalent in the Northern Province.

#### 4.4.2 Social Sanctions – Social acceptance and social rejection

Table 4.13

No	Activity (When a social norm is violated)	Response of the society				
		Social recognition	Social Negligence		No Response	Don't know
			Positive	Negative		
1	If a male take care of his child	164 (39.0%)	159 (37.8%)	31 (7.3%)	57 (13.5%)	9 (2.1%)
			190 (45.2%)			
2	If a woman fails to sustain her family life	80 (17.6%)	238 (52.5%)	84 (18.5%)	36 (7.9%)	15 (3.3%)
			322 (71%)			
3	If a woman does not do cooking or household chores	61 (13.6%)	268 (59.9%)	73 (16.3%)	37 (8.2%)	8 (1.7%)
			341 (76.2%)			
4	If a woman does labour intensive work	50 (11.8%)	265 (62.9%)	56 (13.3%)	40 (9.5%)	10 (2.3%)
			321 (76.2%)			
5	If a woman/girl speaks much in the public places	84 (18%)	272 (58.4%)	62 (13.3%)	41 (8.8%)	6 (1.2%)
			334 (71.8%)			
6	Social perception of female victims of sexual violence	56 (12.3%)	284 (62.8%)	71 (15.7%)	34 (7.5%)	7 (1.5%)
			355 (78.5%)			
7	If a women/girl complains against sexual violence	114 (25.2%)	207 (45.7%)	84 (18.5%)	35 (7.7%)	12 (2.6%)
			291 (64.3%)			
8	If a family supports a woman/girl to complain against sexual violence	65 (14.6%)	267 (60.2%)	68 (15.3%)	34 (7.6%)	9 (2.0%)
			335 (75.6%)			
9	If a woman / girl goes to the police station	69 (15.4%)	262 (58.7%)	72 (16.1%)	35 (7.8%)	8 (1.7%)
			334 (74.8%)			
10	If a woman makes a complaint against her husband in a police station	79 (17.2%)	261 (57.1%)	72 (15.7%)	35 (7.6%)	10 (2.1%)
			333 (72.8%)			

## Key Findings

- 78.5 percent of those polled said society shows negative sanctions toward "female victims of sexual violence." As a result, there is a high rate of social rejection in relation to this norm in the Northern Province.
- More than 75% of research participants state that society shows negative sanctions when the social norms cooking and household chores are mainly the work of women; family members should not allow female victims of sexual violence to report against sexual violence; and only men should be engaged in labour intensive works are transgressed.
- More than 70% of research participants say that society shows negative sanctions when the social norms women should not go to the police station; women should not complain against their husbands; women should not speak much in public places; and women should sustain their family life at any cost are transgressed.
- 64.3% of research participants said that when women complain against sexual violence, society shows negative sanctions towards them.
- However, only 45.2% of the research participants said that the society shows negative sanctions towards men who engage in childcare work. This issue was discussed with the community-based field researchers during the validation workshops. It was noted that at present both husbands and wives work, therefore husbands also engage in childcare and it has been accepted by contemporary society as well. However, it is noteworthy that 81.02% of research participants mentioned that the social norm childcare is primarily the work of women is prevalent in society.

### 4.4.3 Impact of social sanctions

More than 60% of the research participants say they follow these identified social norms as they fear having to face social rejection, social isolation and social criticism if they do not do so. Thus, it is possible to conclude that social sanctions have a significant impact on the prevalence of the social norms.

## Key Findings

- More than 60% of the research participants say that they follow these social norms out of fear of negative sanctions.



#### 4.4.4 Exceptions

**Table 4.14**

Social norm	Exceptions (Any instance when deviation from the social norm is allowed)
Childcare is primarily the work of women	<ul style="list-style-type: none"> <li>❖ Husband can take care of children when wife is not well</li> <li>❖ Husband can take care of children if wife goes to work</li> </ul>
Wives should sustain their family life at any cost	<ul style="list-style-type: none"> <li>❖ When the husband physically assaults the wife continuously, separation is allowed</li> <li>❖ When the husband cheats on her, separation is allowed</li> </ul>
Cooking and household chores are mainly the work of women	<ul style="list-style-type: none"> <li>❖ Husband can cook and do household chores when wife is not well</li> <li>❖ Husband can cook and do household chores if wife also goes to work</li> </ul>
Only men should be engaged in labour intensive work	<ul style="list-style-type: none"> <li>❖ Widows can do such work to earn an income</li> <li>❖ Women can do such work if they have the physical strength and when there is a necessity for it</li> </ul>
Women should not speak in public places	<ul style="list-style-type: none"> <li>❖ Women can speak for their rights</li> </ul>
Female victims of sexual violence are unchaste	<ul style="list-style-type: none"> <li>❖ Women should not be considered unchaste when a proper lady is subjected to sexual violence.</li> </ul>
Women should not complain against sexual violence	<ul style="list-style-type: none"> <li>❖ If possible, reporting should be done confidentially.</li> </ul>
Family members should not allow women to complain against sexual violence	<ul style="list-style-type: none"> <li>❖ If possible, reporting should be done confidentially.</li> </ul>
Women should not go to the police station	<ul style="list-style-type: none"> <li>❖ Women can go to the police station in an emergency if there is nobody else to do so</li> <li>❖ Women can go if it is safe</li> </ul>
Women should not complain against their husbands	<ul style="list-style-type: none"> <li>❖ Women can complain if husband physically and continuously tortures her</li> </ul>

#### 4.4.5 Reference groups

It is vital to identify the individuals who influence the prevalence of specific social norms in order to design interventions undertaken to transform those social norms. An evaluation of the people who influence the 10 identified social norms are shown in the table below.

**Table 4.15**

<b>Social norm</b>	<b>Mother</b>	<b>Father</b>	<b>Female member(s) of the family</b>	<b>Male member(s) of the family</b>	<b>Religious Leaders;</b>	<b>Neighbours</b>	<b>Whole Society</b>
Childcare is primarily the work of women	13.05%	11.45%	12.05%	12.25%	2.61%	14.66%	33.94%
Wives should sustain their family at any cost	17.32%	13.24%	12.58%	11.93%	5.39%	11.93%	27.61%
Cooking and household chores are mainly the work of women	10.72%	10.26%	12.59%	13.05%	2.56%	13.29%	37.53%
Only men should be engaged in labour intensive work	6.78%	6.07%	10.28%	9.58%	2.34%	13.79%	51.17%
Women should not speak much in public places	17.89%	14.09%	13.01%	12.47%	5.01%	12.33%	25.20%
Female victims of sexual violence are unchaste	4.28%	5.08%	7.22%	6.95%	3.21%	20.32%	52.94%
Women should not complain against sexual violence	11.34%	10.05%	15.46%	15.21%	2.06%	14.43%	31.44%
Family members should not allow women to complain against sexual violence	11.81%	11.56%	11.56%	12.06%	3.52%	18.09%	31.41%
Women should not go to the police station	11.73%	10.62%	10.84%	11.50%	3.98%	15.71%	35.62%
Women should not complain against their husbands	13.79%	11.73%	13.58%	13.79%	3.50%	14.61%	29.01%

### Key Findings

- The influence of religious leaders on the prevalence of the social norms is very low.
- The influence of the whole society on the prevalence of the social norms is significantly high.
- Mothers contribute significantly to the prevalence of the social norms women should not speak much in public places and wives should sustain their family life at any cost.
- Mothers contribute to the prevalence of social norms slightly more than fathers.

The reasons for the prevalence of the first ten social norms prioritized on the basis of prevalence and durability have been tabled below according to the data provided by research participants. The data was evaluated and the reasons prioritized as shown below. A qualitative content analysis method was used to analyze this data.

**Table 4.16**

Social Norm	Specific reasons	Generalised fears and perceptions	Root cause(s)
Women should not talk much in public places	Society criticizes the women who talk too much. Words such as “talkative,” “chatterbox” and “termagant” are used in social criticism	The perception that modesty is essential in women.	It is believed in the Tamil culture that women should have the four attributes of fear, innocence, shyness and sensitivity and women are expected to follow these attributes.
	The parental restriction that girls should not talk too much is probably guidance that comes from the mother	The perception that the honour of the family will be compromised if girls talk too much	Being quiet is considered to be one of the desirable attributes of women according to culture and tradition  Ancestors have stated that women should be modest and quiet
	Women who talk too much will not get a good spouse/ will not get married		
	Men don't allow women to talk in public spaces. As men wield more influence in the public sphere, women do not get opportunities to express their views	The social perception that women who talk too much have bad behavior	Men do not like women being active in public sphere

Women should sustain their family life at any cost	Considering the mental health and future life, married life of children	The idea that women have/ should have the attribute of tolerating any suffering for the sake of their children	
	Society expects women to be like that. Violating that expectation will lead to social criticism and social rejection. Often women who are separated from their husbands are criticized using terms such as “Valavetti” meaning one who has lost her life or “aadukaali’ meaning termagant	Fear of losing social security due to social rejection. The fear that people from the society would not help if she were to encounter a problem.	Women are required to act in a particular way on the basis of tradition and culture  Cultural and traditional stories illustrate that being tolerating suffering is the pride of women.  According to cultural norms, women are supposed to tolerate family problems.
	Perception that family issues should not be revealed outside	The idea that, if family issues become known to the others, it is the honour of the woman that will be destroyed.	
	Living separately will cause economic issues for women. As women are not economically independent, they always need their husbands’ economic support.  When they are living apart, the legal provisions to acquire economic support (money for maintenance) for them and their children from the husband are challenging.	Women’s economic independence being viewed as unnecessary.	The traditional norms that women should not go to work and keeping the home is sufficient for them
	Living separately will cause security issues for the woman. The woman and her children may face sexual harassment from the others in society.	The idea that women who do not live with their husbands could be subject to sexual desires	The tradition of portraying men as the guardians of women. The norm that women should always be under the guardianship of men such as their father, brother, husband and son.

Only men should be engaged in labour intensive work	Women being considered physically weak, and their inability/difficulty to do hard work during pregnancy and menstruation.	The notion that women are fragile due to biological reasons	The tradition and culture perceiving gentleness as an attribute of women.
	Fear of social criticism. Women who engage in hard work are often criticized as being “like men”		
Childcare is mainly the work of women	Women caring for children is best for the wellbeing of the children	Given that women have the attributes/ability for childcare (breastfeeding, patience, tolerance, commitment), it is perceived as work that is primarily theirs.	According to the cultural and traditional practice, bearing children (achieving motherhood) and raising them is considered the identity of women (femininity)
	Only women have the time for childcare. When women do not go to work, they will have more time at their disposal. Thus, they can care for children	Women’s economic independence being viewed as unnecessary.	The traditional norms that women should not go to work and keeping the home is sufficient for them.
	Women should care for children considering the safety of the children (especially girls)	Suspicion of men. Fear that girls could be subjected to sexual abuse. This fear is also increased by the increased use of drugs.	The fact that the social violence of children being subjected to sexual abuse by their fathers or by close male relatives has increased

Cooking and household chores are mainly the work of women	Women are expected to do the cooking and household chores according to this social structure	The idea that “men go to work and women stay home” has taken root.	Men are considered in high esteem and women are in second place (“ <b>dawn will not come if the hen crows</b> ”– proverb)  Cooking and household chores are looked down upon or considered menial forms of work
	Women are excellent cooks	Only women have the attributes needed for cooking (patience and care)	Women cooking has been a traditional practice
	Women have time at their disposal for cooking and household chores. Women have more time when they do not go to work therefore, they can cook and do the other household chores	Women’s economic independence being viewed as unnecessary.	The traditional norm that women should not go to work and keeping the home is sufficient for them ( <b>‘Work is the identity of men’- proverb</b> )
Women should not go to the police station	Women who go to the police station being criticized and humiliated by society	The idea that social honor will be affected if women go to the police station.  The idea that only women with loose morals will go to the police station.	Women going to the police station not being culturally accepted.
	The control/ guidance of parents dictating that women should not to go to the police station	The idea that family honor will be affected.  Women who visit the police station frequently will not get a good spouse	The tradition that women who go to the police station are not good women.
	Safety related issues	The fear that women may be subjected to sexual abuse by the police.	The impact of illegal arrests and sexual torture by police during the war.  The trend of police officers sexually exploiting women, particularly women living alone/ women with disabilities.

Women should not complain against their husbands	Likelihood of facing social rejection and social criticism	Fear of losing social security	The cultural value and traditional practice that a good woman will never oppose her husband regardless of what he does ( <b>'A husband is a husband, whether he be a stone or a reed - a proverb</b> )  The cultural value and traditional practice that a good woman is one who is submissive to her husband ( <b>A husband is the deity that his wife sees' - a proverb</b> )
	Control/guidance of family/parents	Fear of losing the honor of the family. Considering complaining against husband as a bad habit	
	Family unity will be destroyed. A permanent separation will be created between husband and wife.	Husbands believing that their wives filing complaints against them with the police is a great crime. Men's attitude that the best wife is one who will put up with anything he does	
	Fear that the husband may cause harassment or threat to life		
Families do not allow women to report sexual violence	Society will criticize/insult and society will reject.	Loss of family honor	The cultural value that family honor hinges on the chastity of the women in the family.
	If they are married women, there will be problems/divisions in their marriage	Men or their families are not willing to maintain/accept women who are victims of sexual violence as a spouse	The impact of cultural concepts such as women subjected to sexual abuse are not pure, or they are unchaste or blemished ( <b>In the Ramayana, Rama telling his wife Seetha to walk in the fire to prove her chastity after being freed from Ravana's captivity</b> )
	If they are unmarried women, there will be barriers in their married life /they may not find a good spouse		The cultural trend of perceiving sexual abuse not only as an act of physical harm but also as something associated with morals.



Women should not report sexual violence	Society will criticize/insult and society will reject	Fear of losing honor	<p>The cultural value that family honor hinges on the chastity of the women in the family</p> <p>The impact of cultural concepts such as women who are subjected to sexual abuse are not pure, or they are unchaste or blemished <b>(In the Ramayana, Rama telling his wife Seetha to walk in the fire to prove her chastity after being freed from Ravana's captivity)</b></p>
	If they are married women, there will be problems/divisions in their marriage	Men or their families are not willing to maintain/accept women who are victims of sexual violence as a spouse.	The cultural trend of perceiving sexual abuse not only as a physical harm, but also as something associated with morals
	If they are unmarried women, there will be barriers in their married life/they may not find a good spouse		
	No trust that they will receive justice	Delays in justice	Loopholes and gaps in the criminal justice system
	Legal procedures further victimize the victims	Officers who enforce the law not approaching such cases with gender sensitivity	
Women victims of sexual violence are unchaste	<p>Loss of virginity.</p> <p>Society refers to her as 'one who has lost her chastity'.</p>	If a woman loses her virginity to a man who is not her husband, she will be considered unchaste	<p>The impact of cultural concepts such as women who are subjected to sexual abuse are not pure, they are unchaste or blemished <b>(In the Ramayana, Rama telling his wife Seetha to walk in the fire to prove her chastity after being freed from Ravana's captivity)</b></p> <p>The cultural trend of perceiving sexual abuse not only as a physical harm but also as something associated with morals.</p>

## Key Findings

- Social rejection and social criticism are the key specific reasons for the prevalence of a majority of social norms. It is noteworthy that these social rejection/social criticisms are often shared via social media as well today. Moreover, the close nexus between the prevalence of these social norms and their impact on the marriage prospects or the married life of women is apparent.
- Control by the family and parental guidance are also key reasons for the prevalence of a majority of these social norms.
- Among the emotional justifications, the attributes of women has been mentioned as the key reason. Attributes such as the patience of women, their kindness and tolerance have been used to justify particular social norms. However, there is no biological basis to say that women have these attributes of patience and sensitivity, or that men do not have these attributes or have them to a lesser degree. All these attributes are socially constructed by patriarchal society for various purposes.<sup>71</sup>
- ‘Married life will be hindered’ is a reason used as emotional reasoning and as a specific reason. An analysis of these reasons reveals that deviating from particular social norms will undermine and threaten married life. This clearly indicates that the attitude of men as to ‘how a woman should be’ is dominated by cultural values and traditional customs. It is evident that this attitude of men contributes in the form of “barriers to marriage” to the prevalence of these gender discriminatory social norms against women.
- Cultural values and traditional customs which dictate ‘how a woman should be’ are often the root cause of most specific reasons and emotional justifications.
- The loopholes and gaps in the criminal justice system, issues in the government’s institutional structures and systems, and the gender insensitivity of government officials have been identified as fundamental factors contributing to the prevalence of some social norms.

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71 Vithanage, ‘Understanding the Nature and Scope of Patriarchy in Sri Lanka: How Does it Operate in the Institution of Marriage?’ (2015) available at: [https://repository.stcloudstate.edu/socresp\\_etds/3/](https://repository.stcloudstate.edu/socresp_etds/3/) accessed 3 January 2021

The objective of this section is to critically analyze how the key gender discriminatory social norms identified above impact the lives of women and girls at present, and how they impede women and girls from achieving their rights and freedoms and improving various aspects of their lives. Accordingly, the identified social norms were divided into two categories in order to examine the impact they have on the rights and freedoms of women.

1. Social norms that confine the role of women to the domestic sphere (family environment)
2. Social norms that curtail the rights and freedom of women on the basis of the concepts ‘good woman’ and ‘chaste woman’

Other social norms prevailing in society apart from these that deprive women of their labour rights and religious freedom and the impact of those social norms will also be examined.

3. Practices/social norms that curtail the labour rights of women
4. Practices/social norms that curtail the religious freedom of women

#### **4.6.1 Social norms that confine the role of women to the domestic sphere**

**“When I think about it, I wonder whether I've spent my entire life in the kitchen. It occurs to me now that if my husband had assisted me a bit more in my household chores, I might have been able to accomplish more.”**- research participant, Kilinochchi District

Of the identified gender discriminatory social norms, the following confine the role of women to the domestic sphere:

- Childcare is mainly the work of women
- Cooking and household chores are mainly the work of women

The prevalence of the social norms that childcare and cooking are the work of women confine women and their roles within the domestic sphere. As a result of confining the role of women to the domestic sphere, we can observe how their rights and freedoms are infringed as shown below:

### ➤ **Women are denied economic independence**

**“I resigned from my job to look after my children. After that I have become dependent on my husband for everything. Even though I want to do something for my parents, I am hesitant to ask my husband. This is very painful”- research participant, Mannar District**

Many women who resigned from their jobs after marriage due to family responsibility and childcare stated that they are now in an economically vulnerable position. Women’s economic independence is fundamental in achieving all their other rights. For example, research show that many women avoid taking legal action for the violence inflicted on them due to economic difficulties. Despite the Legal Aid Commission having the mandate to assist such women who do not have the financial capacity to take legal action, not all women who need this service could access it.

**“Even when he beats me I don’t go to the police. If he was arrested who would feed me and my children?”- research participant, focus group discussion with women victims of domestic violence<sup>73</sup>**

Moreover, women without economic independence who depend on their husbands/ families are forced to live with abusive husbands. Women who participated in the focus group discussion with victims of domestic violence stated that when women are not economically independent, the likelihood of domestic violence is high. When women are denied their economic independence, their right to employment, guaranteed under Article 14 (1) (g)<sup>74</sup> of the Constitution are denied, as well as their right to education (higher education and vocational education) and their right to realise their skills.

### ➤ **Sows the seeds of violence against women**

**“Women who are engaged in politics always get negative comments about their character” - Women Member, Local Authority, ToT workshop<sup>75</sup>**

The norms that childcare and cooking/ household chores are primarily the work of women sows the seeds for misconceptions in society that women belong to the domestic sphere and they should never go beyond the family circle, or that women who leave this the domestic sphere and act in the public sphere are not regarded as good women. As women are seen to rightfully belong within the domestic sphere, women leaving that family circle and entering the public sphere is not accepted, and subjecting such women to violence is viewed as ethical. Violence against women who act in the public sphere interferes with women’s freedom and right to act according to their thought and conscience. It also forces women to confine themselves within the home, despite having the passion and desire to do otherwise.

At a time like this in Sri Lanka, when violence against women is on the rise, it is essential to explore such social norms with the potential to sow seeds of violence and to take steps to eliminate them from society.

72 Women Action Network, ‘Women’s Access to Justice in the North and East in Sri Lanka’ CEDAW Shadow Report, (August 2016) <[https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/LKA/INT\\_CEDAW\\_NGO\\_LKA\\_25964\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/LKA/INT_CEDAW_NGO_LKA_25964_E.pdf)> accessed 21 November 2020.

73 Held in Mannar at the WDF on 23.03.2021.

74 Article 14 (1) (g) the freedom to engage by himself or in association with others in any lawful occupation, profession, trade, business or enterprise;

75 Held in Jaffna at Sarvodaya Hall on 17.03.2021.

76 OXFAM, ‘Smashing Spatial Patriarchy: Shifting social norms driving sexual and gender based violence on public transport in Sri Lanka’ (OXFAM) available at: <https://policy-practice.oxfam.org/resources/smashing-spatial-patriarchy-shifting-gender-based-norms-driving-sexual-and-gend-620845/> accessed 02 January 2021

### ➤ **Women’s skills and knowledgs are inhibited**

**“My parents used to say that if I studied too much I won’t be able to find a goom. Their only expectation is to marry me off and see me with children. They do not recognize my talents and ambitions”- Participant, Online discussion with youth on gender discriminatory social norms.<sup>77</sup>**

Girls are taught the rules and norms they have to follow by their parents and family members even before they attain puberty. Most often girls are taught ‘how to treat family members’, ‘how to clean the home’, ‘how to cook tasty food’ and ‘how to take care of children’ at the family level. In some families, girls are taught from a very young age that getting married and having children is the fulfillment of womanhood. Further, social institutions including the family, school and places of worship also conduct activities and preaching to reinforce the role of women that is confined to the domestic sphere. All these combine to restrict the thinking and goals of girls.

### ➤ **Women’s health is affected**

**“Working men work only for eight hours, but women in the home always have work. We don’t have any rest’ - Participant – Online discussion on the gender roles of husband and wife<sup>78</sup>**

In familes where the husband goes to work, the wife is often expected to do the cooking, household chores and childcare. The role of the husband is limited to earning an income for the family. Therefore, women are expected to do all the other work at home. Often they have no time to rest and this can result in women losing their health. This becomes a barrier to women achieving their right to a healthy life.

Above all, confining the role of women to the domestic sphere violates their fundamental right to freedom of association and assembly including their right to engage in public activities. This also violates the right to equality guaranteed in Article 12(2) of the constitution.

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<sup>77</sup> Zoom webinar held on 02.06.2021

<sup>78</sup> Zoom webinar held on 03.07.2021

<sup>79</sup> These fundamental rights are guaranteed in chapters 14(B) and (C).

<sup>80</sup> “No person shall on the grounds of race, religion, language, caste, or anyone of such grounds be subject to discriminated”

“There are some standards which define how a woman should be. Even if those standards deprive us of our rights, we should not violate them. If we defy those standards, this society will not accept us”- Participant in the online discussion on ‘What holds women back’<sup>81</sup>

Among the identified gender discriminatory social norms, the following social norms are viewed to limit the rights and freedoms of women based on the concepts of ‘good woman’ and ‘chaste woman’:

- Wives should always sustain their married/family life at all times.
- Women/ girls should not talk much in public places.
- Women/ girls should not go to the police station.
- Women should not complain against their husbands.
- Women victims of sexual violence are unchaste.
- Women being reluctant to report sexual violence.
- Family members preventing women from reporting sexual violence.

The rights and freedoms of women violated by these social norms which prevail in practice could be classified as follows:

### ► Freedom to access justice

“I filed a case to punish the people who had abused me. But my family members pressured me to withdraw the case. They scolded me saying the family honor would be ruined because of the case. Therefore, I withdrew the case” Participant, Focus Group Discussion with victims of sexual violence

The social norms/practices that state that women/ girls should not go to the police station, should not report sexual violence and that families should prevent women from reporting such sexual violence, affect the freedom of women to access justice. Many women and girls who are the victims of rape and sexual violence or abuse are reluctant to seek justice because they fear these social norms and the consequences, they may face in violating them, which include social stigma, social rejection and social criticism.

“Everyone should be able to access justice” is a fundamental element of the rule of law and of democratic principles. Thus, gender discriminatory social norms and practices that prevent women and girls from accessing justice call into question the country's commitment to the rule of law and democracy.

## ► Freedom to be free from torture

**“My eyes were swollen because of my husband’s beating. I had a swelling on my head as well. I went to my mother’s home. My mother told me that women should bear these things. When I went to the police station too, the woman police officer said that this was an ordinary thing between husband and wife”** Participant, Focus Group Discussion with victims of domestic violence

Article 11 of the Constitution states that ‘no person shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.’ Only when the Executive or Administration violates the rights guaranteed in the constitution's fundamental rights chapter can a fundamental right petition be brought before the Supreme Court and redress be obtained.<sup>82</sup> When these rights are violated by a private citizen (e.g., a family member), it will not amount to a fundamental rights violation. Depending on the nature of the violation, it will be considered as domestic violence or a criminal offence. In the context of families, when the wife is assaulted by the husband or subjected to verbal abuse, it is often considered as domestic violence. Although the Domestic Violence Act of Sri Lanka<sup>83</sup> was enacted in 2005 and is currently in practice, the efficiency of the Act is still questionable.<sup>84</sup> Furthermore, another problem that arises is the structural barriers in accessing justice faced by women victims tortured by their husbands within the home.

Firstly, 66.54% of research participants stated that there is a trend of social rejection or criticism prevalent in the Northern Province against women who complain against their husbands. When a woman overcomes this social resistance and continues to the police station to make a complaint against her husband, the police officers on duty advise the woman citing gender discriminatory social norms such as ‘women should sustain the married/family life at all times’ and try to reconcile her or prevent her from making the complaint.<sup>85</sup> These social norms and practices that are deeply embedded in society and in social institutions compel women to endure the torture and abuse committed against them within the domestic sphere.

## ► Freedom to think and follow one’s conscience

**“Just because we were born as women, we have to face many challenges in doing even what we think is fair”-** Participant, Online discussion on what holds women back.

Controlling women in order to keep them from seeking justice for the injustices they have suffered or requiring them to tolerate harassment in order to preserve the marriage under any circumstances calls into question their freedom to think and act in accordance with their conscience.<sup>86</sup>

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<sup>82</sup> Articles 17 and 26 of the Constitution

<sup>83</sup> Domestic Violence Act No 34 of 2005

<sup>84</sup> CPA, ‘Legal Reform to Combat Sexual and Gender Based violence- Part 1’ (CPA, November 2020) available at: <https://www.cpalanka.org/wp-content/uploads/2020/11/Law-Reform-to-combat-SGBV-PART-1-General-Centre-for-Policy-Alternatives.pdf> accessed 20 August 2021

<sup>85</sup> Focus Group Discussion with the victims of domestic violence;

<sup>86</sup> Article 10 of the Constitution



## ➤ Freedom of movement

**“After that cruel incident I avoid going out as much as possible. I can’t face the accusing looks and critical comments thrown at me by the others.”- Participant, Focus Group Discussion with victims of sexual violence<sup>87</sup>**

The social stigma ascribed to women victims of rape hinders their free movement and confines them to a narrow space. The social norm that the honor of a woman and her family hinges upon her body and the physical protection is the reason that women victims of rape are burdened with social stigma. The participants in the FGD stated that many women who could not bear this social stigma have attempted suicide<sup>88</sup> The literature review undertaken as part of this research illustrates how women, chastity and honour are inextricably intertwined.

65.23% of research participants mentioned that the social norm that women should not travel alone at night is prevalent. Some research participants mentioned that security concerns such as the post-war militarized environment and the increase in the use of narcotics are the reasons for the prevalence of this social norm that women should not travel alone at night. The long-standing association between the character or behaviour of women and time is also a reason for the prevalence of this social norm. Research participants indicated that, while the family is concerned for the safety of a woman/ girl who arrives home, it has been observed in many areas that others judge that woman's character based on the time she returns home.

## ➤ Freedom of Speech

**“When we try to share our views when important decisions are being taken at home, they say ‘The hen crow won’t make it dawn’. This society does not like women speaking in public. The label them vayadi (meaning ‘chatterbox’ and implying the female gender). I’ve often wondered what the relevant masculine gender term for vayadi is”- Participant – ToT Workshop.<sup>89</sup>**

72.56% of research participants stated that the social norm that women should not talk much in public is prevalent. However, at the Focus Group Discussions and at the data validation workshops, participants said that this social norm is somewhat in decline. As an example for this, they mentioned that women are sharing their views more in political meetings, Samurdhi meetings and other public meetings. Freedom of speech is a fundamental right guaranteed in Article 14 (a) of the Constitution and all the citizens including women are entitled to enjoy this right. We must take note that when women’s freedom of speech is restricted, society’s progress is also explicitly restricted.

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<sup>87</sup> Held in Mannar at the WDF Hall on 23.03.2021.

<sup>88</sup> FGD with the victims of sexual violence held in Mannar at WDF hall on 23.03.2021.

<sup>89</sup> Held in Jaffna at Sarvodaya Hall on 18.03.2021.

### 4.6.3 Practices/social norms that restrict the labour rights of women

Of the social norms and practices identified by the research participants as prevalent in their society, those given below restrict women's labour rights and their freedom to employment.

- Only men should be engaged in labour-intensive work (76.8% of research participants said that this social norm is prevalent).
- Women/ girls should not accept night duties at work (63.5% of research participants said that this social norm is prevalent).
- Men should be the primary breadwinners in all families, excepting woman-headed households (62.7% of the research participants said that this social norm is prevalent).
- Even though women/girls perform the same job as men, they are not entitled to being paid equal wages. (61.4% of the research participants said that this social norm is prevalent)

These social norms restrict the following rights and freedoms of women relating to labour:

#### ➤ Right to employment of ones' choice

**“My husband is disabled. Whenever he is ill, I drive his three-wheeler. But people look at me with a critical eye when they see me driving the three-wheeler.”**- Participant, Focus Group Discussion with disabled persons<sup>90</sup>

The Constitution of Sri Lanka guarantees the right of every citizen to engage in employment of his or her own choice.<sup>91</sup> However, the social norm that ‘only men should be engaged in labour-intensive work’ prevents women from doing such labour-intensive work. The research participants put forward reasons for the prevalence of this social norm, i.e, that men were stronger and women are unable to perform hard work. However, as far as the Northern Province is concerned, women now engage in labour-intensive work. The critical view of society on women who do perform such work prevents them from continuing in these lines of work.

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<sup>90</sup> Held in Kilinochi, Kanagapuram, at Rural Development Society Hall on 21.3.2021.

<sup>91</sup> Article 14(1)(A) of the Constitution

Picture 4.1

**A. Selvanayahi – Pallimunai -  
Mannar**

“I bought a big size motorcycle usually used by men and rode it. A traffic police officer having noticed this warned me that I should not ride the motorcycle as it was a man’s motorbike. People in the society also criticized me saying I was riding a man’s motorbike. I met a senior officer of the traffic division and got permission to ride that motorbike.”



Picture 4.2

**S. Buwaneswari –Poonagari,  
Kilinochchi**

“I drive big tractors for my income. I climb coconut trees and pluck coconuts. As people see this as men’s work, they criticize me. It makes me sad, but I continue to do this for my income.”



The social norm that women/ girls should not accept night-time work too prevents women from doing work of their choice. Although safety of women is cited as a key reason for this, the data indicates that the traditional practices and customs of connecting the time with women's character is one of the main reasons for the prevalence of this social norm.

The expectation that men should be the primary breadwinners of families except in female headed households stems from the old adage that 'employment is an attribute of men'. This places a burden on men compelling them to work. Furthermore, when only the husband or the wife can work owing to childcare or a work transfer, this practice usually requires the wife to give up her employment. This too restricts women's right to work.

### ➤ Right to equal pay

**"We do the same work as men. But we are paid less. What is this justice?"** Research Participant – Mullaitivu District

Article 12 (2) of the Constitution of Sri Lanka states that no citizen should be discriminated on grounds of sex. Yet in agricultural work, although men and women often perform similar tasks, women are paid less than men. According to research participants this trend is highly prevalent in the Kilinochchi and Mullaitivu Districts. The stereotype that women are weaker than men is the basic reason for this discrimination. Further, gender discriminatory social norms such as only men are qualified to work and the job of women is to care for the family are also root causes for this discrimination.

## 4.6.4 Practices/ social norms that restrict the religious freedom of women

### Related to Hinduism

- Women and girls should not go to the temple during their menstruation hōx

**"I could not go to the annual chariot festival last year because I was menstruating. I was very sad about it. If menstruation is a natural phenomenon, why can't I go to the temple?"**- Participant, online discussion with youth on gender discriminatory social norms.<sup>92</sup>

Research participants say that this social norm/ practice is followed by more than 86% of Hindus. 65.1% of research participants view this as a religious belief and custom, and 34.8% view this as a cultural practice or a superstition.

Hindu religious leader, chief priest of the Vaddukoddai Veerapathira Temple and principal of Sankarathu Sinnamma Vidyalayam Ven. Sivasri T Sivaloganada Kurukkal responded as follows in this regard:

**"This social norm is there to ensure that women take rest during their menstruation. Therefore, menstruation related impurity is associated with hygiene. This is a not a gender discriminatory practice."**

Many priests and religious leaders put forward the view that the practice that women and girls should not go to the temple during their menstruation is a scriptural regulation mentioned in many religious texts.<sup>93</sup> The purpose of this research is to explore gender discriminatory social norms and the differences between social norms and religious principles are indicated in the literature review. It is not clear, through this research whether this is simply a traditional and cultural practice or a scriptural regulation. Nevertheless, there is no doubt that this practice restricts the freedom of women to practice their religion. There are many temples in many parts of India that allow women inside the temple even during their menstruation as they treat menstruation as a natural occurrence. For example,

- ❖ **Melmaruwathoor Amman Temple:** This temple is situated along the Chennai Trichy national highway, 92 km away from Chennai. Women are not prevented from going inside the shrine room to make oblation or from entering the temple during their menstruation.
- ❖ **Coimbatore Ma Linga Bairavi Temple:** Women are not prevented from entering the shrine room to make oblation or from entering the temple during their menstruation.

- Women and girls should not play auspicious musical instruments

**“The practice of women playing auspicious musical instruments is quite rare”**- Participant – ToT workshop

64% of research participants report that this social norm is prevalent in their society. However, 82.7% of participants hold the view that women can play musical instruments.

Ven. Kirubananda Kurukkal from the Jaffna District All Island Hindu Priest Board said:

**“Women can play auspicious musical instruments. In Jaffna District, in the Kalliyankadu area, there are many women who play auspicious musical instruments.”**

- Women/girls should not hold positions as priests in the temples

**“It is told in the Sivagamam that priesthood is for men” Kirubananda Kurukkal**

Hindu religious leaders indicate that this is a scriptural regulation. While 52.4% of research participants hold this as a scriptural regulation and accept it, 47.5 % of research participants hold have refused to accept this norm on the basis that it deprives women of their religious freedom. This practice could be a social norm or a scriptural regulation, but it clearly denies women their equal right to practice their religion

## Related to Christianity/Catholicism

- Nuns should not conduct Mass

**“It is said in the Bible that priesthood is for men”**- Don Bosco’s Cistercian Sister Agatha

The religious leaders indicate that this is a scriptural regulation. However, 72.8% of research participants did not accept it, and emphasize that nuns should also have the right to hold Mass. 60.8% of research participants mention that the practice of Sisters not conducting Mass prevails in their society. This practice restricts the right of women to practice their religion.

- Nuns should not cannot baptize

While some Christian and Catholic religious leaders mention that there is no barrier to women baptizing, some said that women can baptize only in an emergency.

61.6% of research participants respond that the practice of nuns not giving baptism is prevalent in their society. While 42.5% of research participants held this as a scriptural regulation and accepted it, 57.4% of research participants refused to accept it on the grounds that this practice deprives women of their religious freedom.

## Related to Islam

- Women and girls should not pray during their menstruation

**“This is a religious rule”**- an Islamic religious leader (did not wish to be named)

Islamic religious leaders emphasized this as a scriptural regulation and 67.2% of research participants said that this is prevalent in their society. While 60.7% of research participants accept this as a scriptural regulation, 39.2% refuse to accept it saying that this norm deprives women of their right to religious freedom.

## Related to Buddhism

- Women/girls should not go to Buddhist temples during their menstruation.

All Buddhist research participants in this project were from the Vavuniya District. (There are very few Buddhists in the other districts where the research was conducted.) 69.6% of research participants say that this social norm is prevalent in their society. 47.1% of research participants say that they accept and obey this norm as a scriptural regulation based upon their personal opinion. 52.8% say that they do not accept this norm.

- Women who go to Buddhist temples should not touch the feet of the Buddhist priest.

58.2% of research participants state that this social norm is prevalent in their society. While 64.2% of research participants say that they accept this norm based on their personal opinion, 37.7% say that they do not accept it. A majority of those who accepted it say that they accept this norm because it is a religious belief.



- Women are not allowed in some Buddhist sacred places (upper floor of the Sri Mahabodhi, the place where the tooth relic is kept)

61.1% of research participants report that this norm is prevalent in their society. While 60.8% of participants say that they accept this norm based on their personal opinion, 39.1% say that they do not accept it. A majority of those who accept it say they accepted it because it is a religious belief.

- Women should cover their entire body when they go to Buddhist temples.

88.8% of research participants report that this social norm is prevalent in their society. While 73.9% say that they accept this norm based on their personal opinion, 26% say that they do not accept it. A majority of those who accept it say that they accept it on the basis that it is their virtuous culture.

All these practices, whether they be considered social norms or religious principles or beliefs, significantly restrict the religious rights and freedoms of women.



# Chapter 5

## 5 Research Findings – Part 2

### 5.1 Gender discriminatory national narratives and their impact on the rights and freedoms of women

#### 5.1.1 Introduction

Somers has said that “national narratives are considered to be powerful in day-to-day conversations”.<sup>94</sup> National narratives can influence policy making and legislation as well as on their implementation.<sup>95</sup> For the purpose of this research, national narratives include views recorded in documents published or printed at the national level including text books and newspapers, as well as views expressed at the national level in discussions and debates.

By ratifying the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) without any reservation, the Government of Sri Lanka (GoSL) has emphasized its commitment and dedication to ensure gender equality. Accordingly, successive governments have made efforts to ensure gender equality within Sri Lanka.<sup>96</sup> However, gender equality in Sri Lanka still remains a question, as has been clearly explained in the first chapter of this research. Even though there are many reasons for this, gender discriminatory social norms and national narratives have contributed significantly to gender discrimination. The extent of the prevalence of gender discriminatory social norms in the Northern Province, their strength and their impact on the rights and freedoms of women have been analyzed extensively in the previous chapter. This chapter will study the status of gender discriminatory national narratives in Sri Lanka and how they impact women’s rights and freedoms.

In order to study gender discriminatory national narratives, newspapers published in Sri Lanka in all three languages, school textbooks, television advertisements and social media posts were taken into consideration. Although historical works of literature based on religions and languages also possess gender-discriminatory national narratives, minimal attention is drawn towards them because of their limited usage. Based on the impact of these gender discriminatory national narratives on the rights and freedoms of women, they were studied in two parts.

<sup>94</sup> Somers, M. ‘The narrative construction of identity: A relational and network approach’, (Theory and Society, 1994) p. 614

<sup>95</sup> Mariola, A. ‘The power of narratives: Explaining inaction on gender mainstreaming in Uganda’s climate change policy’, (Development Policy Review, 2000) p. 555- 574

<sup>96</sup> Quota for women representation in Local Authorities, National Action Plan to Eliminate Sexual and Gender based Violence, Act to prevent Domestic Violence are significant attempts.

### 5.1.2 National narratives emphasizing the notion that ‘Child care is for women’

In the previous chapter, the social norm that ‘childcare is the work of women’ was identified as one of the powerful, most important social norms prevalent in the Northern Province. Procreation and nursing are natural to women. A myth that childcare is only for women has been created based on this natural phenomenon has taken root in society. Every attempt to shatter this myth has been thwarted by presenting views that “motherhood is for women” and “motherhood is the epitome of women.” The idea that women must take care of the children has been constructed as a mandatory norm in society. Additionally, this norm has been repeatedly reinforced in many ways through social institutions like families, schools and temples. Both mother and father have the moral and legal obligation to care for their children. However, imposing this responsibility only on women may sometimes limit their rights and freedoms. This has been analyzed in the previous chapter. In this chapter we will view how national narratives emphasize or strengthen this gender discriminatory social norm.

Firstly, if we look at school textbooks, any image showing childcare portrays mostly a woman (mother) or a girl (elder sister) caring for the child.

Next, analyzing the news articles and essays published in the newspapers reveals that women are always indicated as the primary caregiver in anything that is written on childcare. Besides, even when writing about the development of women or their empowerment, there is a greater tendency to write about them as “mothers” rather than as a distinct sex. If we were to consider an example, most articles written in connection with women’s political representation say that increased representation of women in politics would mean the improvement of child care facilities and guarantee of child nutrition. They underscore these as priorities.<sup>97</sup> Women’s political representation can have many benefits. Limiting it only to matters concerning the wellbeing of children and childcare indirectly suggests that women representatives are not suitable to contribute to other important issues such as national security, national economy, peace and national production.

### 5.1.3 National narratives emphasizing the notion that cooking and household chores are for women

The social norm that cooking and household chores are mainly the work of women was also identified as a ‘key social norm’ in the previous chapter. Research findings also state that women accept this social norm more than men do. The participants of the focus group discussion indicate that girls are taught by their mothers from a very young age that attending to the household chores is their responsibility. After the family, the next social institution children interact with is the school. A child function within the school from the age of five to about sixteen years. Lessons taught in schools are deeply embedded in the minds of children. Unfortunately, the school textbooks in Sri Lanka function as a medium that continuously and strongly passes on to successive generations the social norm that “cooking and household chores are the work of women.” The pictures below are some examples of this:

97 Interview with Member of Parliament Ms. Kohila Gunawardena> (Daily News, 01.08.2020) p. 14, available at:<https://mcusercontent.com/b574ca75594e494e783c0ecc6/images/93338583-9695-4873-b032-7dc768107836.jpg> accessed 02 August 2021

Picture 5.1



നിമ്മാർക്കു മേൽപ്പടി  
 വെട്ടിപ്പോട്ടു നോക്കി.

Source: Grade 1, Hinduism Textbook

Picture 5.2



Source: Grade 1, Catholicism Textbook

Picture 5.3



Source: Grade 1, Islam Textbook

Picture 5.4



Source: Grade 1, Hinduism Textbook

In all instances where cooking or cleaning is portrayed, the person performing the task is either a woman (mother) or a girl (daughter). Even in pictures showing a man or a boy engaging in such work, they are portrayed doing tasks like carrying water, moving tables and going shopping, while women/girls are portrayed doing tasks like washing utensils and sweeping the house. It is important to note that these images are included in religious textbooks teaching religious values. Such narratives will enable children to believe that the norm that women/girls are responsible for cooking or household chores is a religious value.

It is noteworthy that this is not found only in the textbooks of the primary classes. Textbooks from secondary grades too include pictures which reinforce gender discriminatory social norms.

Picture 5.5

കമ്മ്യൂണിറ്റി സെന്റർ സിദ്ധി കമ്മ്യൂണിറ്റി സെന്റർ

1. കമ്മ്യൂണിറ്റി സെന്റർ സിദ്ധി കമ്മ്യൂണിറ്റി സെന്റർ
2. കമ്മ്യൂണിറ്റി സെന്റർ സിദ്ധി കമ്മ്യൂണിറ്റി സെന്റർ
3. കമ്മ്യൂണിറ്റി സെന്റർ സിദ്ധി കമ്മ്യൂണിറ്റി സെന്റർ
4. കമ്മ്യൂണിറ്റി സെന്റർ സിദ്ധി കമ്മ്യൂണിറ്റി സെന്റർ
5. കമ്മ്യൂണിറ്റി സെന്റർ സിദ്ധി കമ്മ്യൂണിറ്റി സെന്റർ

Source: Grade 6, Practical and Technical Studies

Picture 5.6



Source: Grade 10, Health Science

Picture 5.7



Source: Grade 7, Sinhala language

Not only school textbooks, but also television advertisements have been designed in a way that reinforces the idea that cooking and household chores are solely the responsibility of women. From soaps and washing powder to washing machines and grinders, advertisements for household products usually feature women, while men feature in advertisements related to vehicle sales, buying houses and building materials.

Picture 5.8



Source: Internet

Picture 5.9



Source: Internet

Picture 5.10



Source: Internet

Further, when newspapers and websites publish recipes and cooking tips, they publish it on the women's page or they under the title 'cooking tips for women.' This too emphasize that cooking is the work of women.



Picture 5.11



Source: Internet

Picture 5.12



Source: Internet

#### 5.1.4 National narratives emphasizing that women are gentle

School textbooks specify the characteristics of women and men. School students are required to commit to the four characteristics of women: fear, innocence, shyness and sensitivity.<sup>98</sup> Such trends contribute to the entrenchment of gender inequalities in society.

Picture 5.14



This picture depicts women weaving coconut fronds, which require less vigorous physical activity, and men playing physically vigorous and intensive games. In schools that should be encouraging girls to engage in sports, textbooks including such gender discriminatory pictures will deepen the gender discriminatory social norms already prevalent in society. During the virtual discussion held with the youth on the topic of gender discriminatory social norms, the view that parents do not like girls engaging in sports was stressed.<sup>99</sup>

<sup>98</sup> Zoom Webinar on gender discriminatory social norm held with youth on 02.06.2021.

<sup>99</sup> Zoom webinar held on 02.06.2021

### 5.1.5 National narratives emphasizing that women should protect religious customs

Women are portrayed as the guardians of religious customs and rituals. When a man commits a mistake in society, it is perceived as a mistake of an individual, but a mistake committed by a woman is perceived as a sign of cultural degradation.<sup>100</sup> Culture being considered as a matter exclusive to women and society having given women the identity of bearers of culture are the reasons for this. There are the reasons for this perception. Girls are taught from a very young age that they should preserve and protect their religious customs and cultural practices and traditions. The social institutions such as family and schools contribute significantly to this perception.

Picture 5.15



Source: Grade 10, Hinduism Textbook

Picture 5.16



Source: Grade 8, Hinduism

The CEDAW emphasizes the need to remove all kinds of gender discriminatory texts and pictures from textbooks. Even though Sri Lanka ratified this convention in 1981 without any reservations, gender discriminatory sections, texts and pictures have not been removed from textbooks yet.<sup>101</sup>

## 5.2 Changes to trends in social norms brought about by the war

### 5.2.1 Introduction

The Northern Province where this research was conducted experiences war for about 30 years since 1983 to 2009. Although the war ended with a military victory in 2009, the consequences of the war still linger in this society. Even though the war had a drastic impact on the lives of everyone, regardless of their gender, the issues women faced and still continue to face due to the war are unique and severe. Sexual violence against women was used as a key weapon during the war. Killings and forced disappearance of men in large numbers led to many female-headed households. There is continuous military surveillance even in the post war context. These are cited as some of the issues that continue to impact women. Gender inequality prevails in almost all communities in Sri Lanka and it has a significant impact on the women being able to live freely as well as transforming them into a vulnerable group. In such circumstances, the impacts of war had made women more defenseless.

<sup>100</sup> Training workshop for data collectors held at Sarvodaya Hall in Jaffna on 19.03.2021

<sup>101</sup> Convention on eliminating all forms discrimination against women Article 10

War transforms the smooth social, economic and cultural life of a society. When a society is restructured after a war, it will have to face many changes as a result of the war. These changes could be positive or negative. Accordingly, this section interrogates the changes in the ‘trends in social norms’ that have occurred as a result of the 30-year war in the Northern Province of Sri Lanka.

### 5.2.2 Trends in social norms during the war

“During the time of the LTTE women were not discriminated. Women were respected on par with men. Caste-based discrimination was not prevalent. All were treated equally”- Participant, FGD with female ex-combatants.<sup>102</sup>

A number of female ex-combatants participated in the focus group discussion and said that social norms discriminating against women were not in practice during the war.<sup>103</sup> Particularly, as women were recruited as combatants in the war, the culture of treating women as gentle, fearful and weak became extinct. Women, on par with men, drove heavy vehicles, received arms training and participated during the last stage of the war.<sup>104</sup>

The Tamil society, which had long seen women only as homemakers and custodians of culture, accepted them as gun-wielding cadres fighting the war. This social change happened only within a very short period. Dr. Bahirathy Jeeveshwaras Rasanen, Senior Lecturer of Sociology from the University of Jaffna says:

“When human beings face an abnormal situation, they will adopt survival mechanisms.”

In an abnormal situation of war, women were recruited as combatants as there was a need. Subsequently, social norms confining women to their homes or curbing their potential too became extinct in society. During the war, the general public accorded due respect to all the cadres without discriminating based on gender and celebrated them as *maaveerar* (great heroes).<sup>105</sup> The public fed all combatants including female combatants. They accepted mixed marriages and second marriages without any criticism.<sup>106</sup> Accordingly, during the war the LTTE acted as a collective institution for social change and female combatants acted as agents of that social change.<sup>107</sup>

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<sup>102</sup> Held at RDS Hall in Kanagarayankulam in Kilinochchi on 21.03.2021.

<sup>103</sup> Held RDS Hall in Kanagarayankulam in Kilinochchi on 21.03.2021.

<sup>104</sup> Vetrichelvi, ‘The Last Days of Elam War (Malarmugam> 2012)

<sup>105</sup> Vetrichelvi, ‘The Lover of the Militant’ (Malarmugam> 2012)

<sup>106</sup> Discussion with former cadres> held in Jaffna at Sarvodaya Hall on 20.03.2021.

<sup>107</sup> Discussion with Dr. Baheerathi held via Zoom on 07.02.2021.



### 5.2.3 The changes in the social norms during the post-war period

Although many positive changes related to gender equality took place during the war, they were only temporary changes. Society accepted gender equality and granted equal rights to women only as a strategy to survive in an abnormal situation. When society returned to normalcy in the post-war period, the gender discriminatory social norms that had prevailed in society before the war began to gain strength again. As one result of this, the recognition and respect accorded to female ex-combatants reduced and a trend of criticizing them emerged.<sup>108</sup>

This can be explained using a concept from Cognitive Psychology. The concept holds that information, memories and thoughts that are hardwired into the brain are very difficult to change. Accordingly, the people who returned to normalcy from an abnormal situation started to follow the social norms and practices that they had followed since childhood.<sup>109</sup>

Another challenge posed to gender equality in the post-war period is that many women/ girls were physically disabled due to the war. Women who were already facing discrimination due to their gender identity as 'women' started facing discrimination due to their new identity of 'disabled' too. When these two identities, 'women' and 'disability' intersect, women become vulnerable. Although the group of disabled women affirmed that women with disabilities were not socially isolated, they stated that they could not enjoy the ordinary rights and freedoms enjoyed by the other women.<sup>110</sup> For example, they stated that basic issues such as the lack of access to public places and buildings and the lack of lift facilities in government buildings bring their rights and freedoms in question.<sup>111</sup>

In some instances, it is evident that the war created a conducive environment for the prevalence of some gender discriminatory social norms. The social norms stating that women should not travel alone at night and that they should not go to the police station could be cited as examples. The participants stated that these norms are still practiced because of the bitter experiences that people in the Northern Province had with the police and the military during the war and post-war periods, as well as the fear of them that still lingers.<sup>112</sup> The continuous militarization seen in the Northern Province has also raised some concerns about security. Whether they be cited on a cultural basis or as security concerns, there is no doubt that the social norms that women should not travel alone at night and should not go to the police station restrict the rights and freedoms of women.

However, the consequences of the war have also created some healthy transformations in society in terms of social norms. A very important one among them is the recognition given to woman-headed households. It can be seen that social norms such as men should be the head of the household, men should be the primary breadwinners and women should not do heavy work or run businesses have been relaxed in relation to woman-headed households. Woman-headed households are exempted from these social norms. The reasons for this are that many men were killed in large numbers during the last stage of the war in 2009, and that enforced disappearances and the infamous white van abductions continued in the years after 2009 too. These extra-judicial killings and forced disappearances led to many women losing their husbands. Women who had been primarily under the care work economy and dependent on their husbands' income until then, were forced to earn an income.

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<sup>108</sup> Discussion with former cadres, held in Jaffna at Sarvodaya Hall on 20.03.2021.

<sup>109</sup> Discussion with Dr. Baheerathi held via Zoom on 07.02.2021.

<sup>110</sup> Discussion with Disabled Women was held at Sarvodaya Hall in Jaffna on 20.03.2021.

<sup>111</sup> Discussion with Disabled Women was held at RDS Hall in Kanagarayankulam in Kilinochchi on.

<sup>112</sup> A webinar was held on 04.08.2021 and 05.08.2021 to check the accuracy of the collected data.

This affirmed their economic independence. Their new role as the head of the household and their economic independence gave these women power. In this way, a healthy change emerged in the power dynamics of society during the post-war transformation.

The decrease in the practice of considering widows as bad omen is another healthy transformation that occurred during the post-war transformation. In the previous chapter, when ranking the social norms prevailing in the Northern Province according to the level of its prevalence, the norm of treating widows as bad omens was ranked 20th. It could be said that the unprecedented increase in the number of widows after the war and the fact that this pain was shared by many had a collective effect in questioning the existence of this social norm. However, an increasing trend of widows isolating themselves from auspicious things was observed. Many participants in the FGD held with widows said that they had voluntarily withdrawn from auspicious events.<sup>113</sup>

“When the ‘Thali’ (sacred yellow rope which symbolizes marriage in Tamil culture; tied by the groom around the neck of the bride) was tied for my daughter I was not present in the hall. I voluntarily withdrew myself in order to ward off any problems in my daughter’s life.”- Widow – FGD with widows.<sup>114</sup>

The increase in interventions and services of non-governmental organizations during the post war period in the Northern Province too brought about many healthy changes in the leadership and skills of women. Moreover, self-employment and livelihood schemes and vocational trainings provided to women through NGOs ensured their economic independence. Such healthy changes brought about by NGOs gave women the strength to challenge gender discriminatory social norms against women.

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<sup>113</sup> Discussion was held with widows at RDS Hall in Kanagarayankulam in Kilinochchi on 21.03.2021

<sup>114</sup> Discussion with the Widows held at the Sarvodaya Hall in Jaffna on 20.03.2021.

## Key Findings

- During the war gender discriminatory social norms were eliminated from society. Gender equality was maintained at a high level. The need to recruit women to the LTTE's armed struggle was the factor underpinning this gender equality.
- People often deviate from social norms in an abnormal situation. Deviating from social norms has been accepted as a strategy for survival.
- The war and its impact have eliminated to some extent the social norms related to widows (treating widows as bad omens, excluding them from auspicious events) from the society to some extent.
- The emergence of woman-headed households as a byproduct of the civil war has led to the elimination of the social norm that men should be the heads of households.
- Another healthy change brought about by the war was the intervention of CSOs and the economic empowerment and capacity building of women that resulted from it. The empowerment of women strengthened their potential to oppose gender discriminatory social norms. However, the increase in the number of disabled women in the Northern Province due to the war has also become another challenge to gender equality.
- Although social norms discriminating women on the basis of disability are not in practice, lack of proper facilities for disabled women deprives them of their rights and freedoms.
- The consequences of the war have brought about major changes in the social structure including in social norms. Therefore, in the aftermath of the war, while moving towards peace in this transformational period, society is attempting to redesign its structures. Advocacy initiated against gender discrimination during this time period will have a beneficial influence on the process of recreating of social structures.

# Chapter 6

## 6 Conclusion and Recommendations

### 6.1 Conclusion

Gender inequality has challenged Sri Lanka for decades. The existence of gender discriminatory social norms is one of the primary reasons for gender inequality. Observing and assessing these social norms is complex given that they are deeply embedded in society and in the subconsciousness and minds of the community, including women. However, in order to ensure gender equality, it is essential to transform the gender discriminatory social norms prevalent in society. As such, there is an increased need to transform these social norms in the Northern Province which experienced 30 years of civil war. Even ten years after the war ended, the consequences and impacts of the war which still exist in society today continue to have serious impacts on the lives, rights, and freedoms of women in the Northern Province. The main objective of this research was to identify and evaluate key gender discriminatory social norms prevailing in the Northern Province in Sri Lanka, and the impacts they have on women's rights and freedoms. Further, the research also aimed to identify gender discriminatory national narratives and understand trends brought about by the war in relation to gender discriminatory social norms.

Based on the research findings, ten key gender discriminatory social norms prevalent in the Northern Province were identified. The impacts of these social norms on the rights and freedoms of the women were also logically analyzed. These key social norms were often found to confine the role of women to the domestic sphere, as well as being associated with the concepts of the 'good woman' and 'chastity'. Similarly, the research also explored national narratives such as school textbooks, advertisements and newspaper articles which promote gender discrimination. The research explored the way in which trends in these social norms changed during the war and after the war.

The literature review of this research included a detailed analysis of national, regional and international researches on this subject. This research becomes important as it is participatory research that explores in detail the gender discriminatory social norms prevalent within an environment of conflict in Sri Lanka. The data collected through this research and the key findings based on this data will help to design effective interventions to transform gender discriminatory social norms.

## 6.2 Recommendations

The research findings clearly indicate that gender discriminatory social norms are prevalent in the Northern Province and that they have a negative impact on women experiencing their rights and freedoms. These gender discriminatory social norms have become deeply rooted in society, and pose a great challenge to gender equality. Successfully overcoming this challenge and ensuring equality between men and women would require a change in community members' traditional perspective on life. People's attitudes can be changed only by removing these traditional aspects. When changes occur in their traditional life which is governed by rules, gender equality will be ensured. However, such a change cannot happen overnight. Long-term, well-planned interventions are needed to ensure this transformation. Some such interventions are listed below:

### 6.2.1 Recommendations for Legal Reforms

Laws and social norms have a close relationship and they mutually influence each other. Laws that favor gender discriminatory social norms or laws that produce gender discrimination will further strengthen gender discriminatory social norms. Therefore, it is essential that these laws be amended. Some such laws requiring amendment are given below:

- ❖ Amendment to the provisions related to rape in the penal code
  - Criminalizing marital rape
- ❖ Amendment to gender discriminatory provisions in the Evidence Ordinance
  - Section 155 (d) of the Evidence Ordinance states that “when a man is prosecuted for rape or an attempt to ravish, it may be shown that the prosecutrix was of generally immoral character.” This section leads to the prevalence of social norms related to rape and to the social stigma associated with it. Therefore, this section should be repealed.
- ❖ Repealing gender discriminatory provisions of the Tesawalamai Law
  - Tesawalamai law has discriminatory provisions related to the property rights of women. These provisions require women to obtain their husband's written consent to sell their immovable properties. These provisions are a barrier to the economic independence of women and are closely related to social norms.
- ❖ Repealing/amending gender discriminatory provisions found in other personal laws and policies that are in practice
  - For example, the Muslim Marriage and Divorce Act and the Land Development Ordinance, No 19 of 1935.
- ❖ Enacting new laws related to rape in order to change the legal proceedings of rape cases into more gender sensitive processes.

### 6.2.2 Recommendations for judiciary reforms

- ❖ When hearing cases of sexual and gender-based violence against women, allowing the courts to hold closed proceedings.
- ❖ Establishing a special court to hear cases of sexual and gender-based violence against women.
- ❖ Refraining from publishing the names of victims in judgments on cases of sexual and gender-based violence against women.

### 6.2.3 Recommendations for state actors

- ❖ Reviewing all textbooks from first grade to advanced level and removing any gender discriminatory text, pictures, stories and illustrations. Including content that promotes gender equality in textbooks.
- ❖ Providing special training to the principals, teachers and other educational officials on gender discriminatory social norms and their impacts in order to prevent the promotion of gender discriminatory social norms in schools.
- ❖ Including content on the significance of women being financially independent and on career prospects for women in the school curriculum.
- ❖ Devising and implementing new schemes to develop the leadership skills of women in schools.
- ❖ Changing the ‘Practical and Technical Subject’ which includes cooking and household chores into a compulsory subject for all students after grade six.
- ❖ Training school children to raise their voices against all forms of violence in order to inculcate in them that physical violence should be prevented and opposed.
  - Following the death of Hishalini (15th July 2021) which drew a lot of attention in Sri Lanka recently, island wide protests were staged opposing the sexual abuse allegedly committed against her. The students of a particular school also took part in the protest. The statement released by the principal of the school stated that ‘the protest led by the students was staged to train the students to voice protest against violence from their school-going age.’ This was a good precedent.
- ❖ Conducting awareness programs for all government officials on gender discriminatory social norms. Establishing a mechanism at institutional level to monitor the work of government officials ensuring that they promote gender equality in their work.
- ❖ Considering gender related aspects and ensuring gender equality in all activities when formulating national action plans.

#### 6.2.4 Recommendations for civil society actors

- ❖ Conducting awareness training programs on ensuring gender equality within family relationships. Couples within the age group of 30 to 50 should be selected for this training.
- ❖ Initiating extensive discussions, seminars and advocacy campaigns on the issues faced by women as a result of gender discriminatory social norms.
- ❖ Producing street dramas and films on the subject of gender discriminatory social norms and their impacts, and staging them in public forums.
- ❖ Using social media to record issues faced by women due to gender discriminatory social norms and share those experiences.
- ❖ Initiating entrepreneurship and self-employment opportunities for women in order to guarantee their economic independence.
- ❖ Initiating an advocacy campaign to ensure equal pay for equal work by men and women in agricultural districts.
- ❖ Initiating awareness programs on the labour rights of women including their right to equal pay.
- ❖ Identifying and implementing innovative techniques to promote men's involvement in cooking and childcare. For example, initiating a social media campaign posting pictures of men cooking.

#### Recommendations for future research

- Muslim women who participated at the discussion held with victims of domestic violence mentioned that the practices followed in the Quazi courts significantly violated the rights and freedoms of women. Quazi courts are government institutions established to adjudicate on matters concerning the personal laws of Muslims and there is a practice of only men being judges in these courts. In this context, participants stated that the judges are often biased towards men. Although specific questions were included in the questionnaire to find out about the status of this issue, very few research participants reported that gender discriminatory practices are prevalent in the Quazi courts. However, this should be verified by further in-depth discussions with women victims and relevant authorities. As the purpose of this research is to find out the social norms that are most prevalent in society, and this research structure does not provide for the exploration of any particular social practice, this could not be accomplished through this research. However, views shared during discussion with victims highlight the need for research that prioritizes the gender discriminatory social norms prevalent in the Muslim community.
- When collecting primary and secondary data for this research, it was found that gender discriminatory social norms are found to a great extent in the estates. These gender discriminatory social norms have a particularly large impact on female estate workers' rights and freedoms. When combined with factors such as lack of education, poverty and lack of housing, these gender discriminatory social norms can have severe consequences. However, as the objectives of this research were limited to examining gender discriminatory social norms in the Northern Province, it could not address gender discriminatory social norms prevailing in the estates and the ways in which they impact women's rights and freedoms. Yet, this research does highlight the need to undertake such research.





# ETHICAL PROTOCOL

## TRANSFORMING SOCIAL NORMS TO PROMOTE RIGHTS AND FUNDAMENTAL FREEDOMS IN NORTHERN SRI LANKA (TRANSFORM)

### Introduction and Application

This Ethical Protocol has been prepared for the exclusive purpose of guiding the Participatory Research under the TRANSFORM project. The TRANSFORM project seeks to enhance democracy and human rights in Northern Sri Lanka through the promotion and protection of gender equality, human rights, fundamental freedoms and justice.

This Participatory Research is undertaken to examine gender discriminatory social norms and national narratives that are in practice and their impact on women's fundamental rights and freedoms. Considering the sensitive nature of the subject matter of the research, this Ethical Protocol has been drafted with the specific purpose of guiding the research. The research is being conducted by Law and Society Trust (LST) with logistical support from Chrysalis and financial aid from the European Union under TRANSFORM project.

The Ethical Protocol provides guidelines that are based on fundamental principles that should guide the research. It should be strictly adhered to at all stages of this research by all parties connected to this research including, but not limited to, the staff of LST and Chrysalis, the research team, resource persons, and community-based field researchers.

### Definitions

#### a) Community-based Field Researchers

Community-based field researchers are the persons selected through a selection tool prepared by LST based on the requirements of the research. The Community-based field researchers are provided with a two-day training to ensure that they have received necessary and sufficient training to collect data from the community.

#### b) Research Participants

Research participants are the members of the community from the Northern Province. Data collected from the research participants will be used to formulate the research findings. Around 300 research participants recommended by Chrysalis for the purpose of this research and 250 other community members to be selected randomly, as well as academics, professionals, activists, female ex-combatants, women who are heads of households, disabled women, women victims of sexual and gender-based violence and religious leaders will be selected as Research participants.

## **Fundamental Guidelines**

### **1. Ensuring the dignity and protection of the Research Participants**

- a) The community-based field researchers/research team shall introduce themselves and the organizations carrying out this research (LST and Chrysalis) at the outset of the interaction with the research participants.
- b) The community-based field researchers/research team shall check the availability of the research participants. A confirmation of the time with the research participants in advance is preferred.
- c) The community-based field researchers/research team shall explain the research objectives and the purpose of the data collection tool to the research participants. They shall particularly highlight the confidentiality of the data collected.
- d) The community-based field researchers/research team shall collect the data in a respectful and responsible manner and shall respond sensitively at all the times. They shall maintain a professional standard of neutrality and refrain from using derogatory terminology. With a view to facilitate genuine and uninfluenced responses, the community-based field researchers/ research team shall refrain from influencing the research participants by commenting on or sharing their own experience, or suggesting solutions.
- e) The community-based field researchers/research team shall ensure that the research participants are provided with adequate time to answer the questions/ provide the relevant data.
- f) If the community-based field researchers/research team think there are potential risks in research participants responding to questions, that risk must be clearly communicated to the research participants. The community-based field researchers/ research team may avoid interviewing such research participants based on reasonable grounds or perceptions of risk.

### **2. Informed Consent**

- a) The community-based field researchers/research team will work together with the research participants to collect data. Prior to doing so, they shall request the research participants to sign 'Consent Form II'. They shall ensure that the research participants take part in the research voluntarily and with informed consent.
- b) The community-based field researchers/research team must refrain from coercing, pressuring or inducing the research participants to take part in the data collection process in any manner.
- c) In the event a research participant cannot read, the community-based field researcher/research team member shall read the contents of the consent form and obtain his/her signature. In the event a research participant is unable to sign, he/she can place his/her right thumb print.

### **3. Authentication**

- a) The community-based field researchers/research team shall be able to produce their contract with LST to confirm their authority to carry out the data collection at the request of research participants in a language that they understand for their perusal.
- b) The community-based field researchers/research team shall produce the detailed research plan which includes the research objectives, research methodology and research process at the request of the research participants in the language that they understand for their perusal

### **4. Anonymity and confidentiality**

- a) The right to privacy of the research participants shall be respected and ensured by all parties during all stages of the research, including data collection, storage and analysis.
- b) The collected data shall be kept strictly confidential at all the times. Research participants may remain anonymous and the option of being anonymous shall be communicated to them at the outset of data collection.
- c) The community-based field researchers/research team shall not share the data or any information collected during and for this research with any other person or organization at any time.
- d) The community-based field researchers/research team shall not utilise the data or information collected for any purpose other than the current research/project.

### **5. Right to Withdrawal**

- a) The research participants are entitled to withdraw from the research at any time with or without reason. This right shall be communicated to the research participants by the community-based field researchers/research team at the outset of the interaction with them.
- b) The community-based field researchers/research team shall recognise that skipping a question is an absolute right of the research participant and shall not compel anyone to answer a question.
- c) The community-based field researchers/research team shall ensure that the environment is friendly and safe for research participants to provide data and answer questions.

### **6. Collecting Data from Minors**

- a) In the event of collecting data from any person below 18 years, the community-based field researchers/ research team shall ensure that they obtain the permission of a parent or legal guardian through a signed Consent Form III.
- b) The community-based field researchers/research team shall inform the LST in writing before proceeding to collect data from any person below 18 years.
- c) LST will not bear responsibility for any consequences resulting from the breach of the rules stated above.

## **7. Benefits for the participants**

- a) The findings of the research shall be communicated/sent to the research participants through the dissemination of infographics based on the research findings. Furthermore, the final research report will be sent to all public libraries in the Northern Province.
- b) The findings of the research will be presented during symposiums held at the national level and regional level, and research participants will be invited to the symposiums, particularly to the regional level symposium.

## **8. COVID-19 Precautionary Guidelines**

- a) The community-based field researchers/ research team shall follow all rules and regulations set forth by the government to prevent the spread of COVID 19 along with the guidelines set forth herein.
- b) The community-based field researchers/ research team shall wear a mask at all times when interacting with the research participants/staff of LST and Chrysalis/ others.
- c) The community-based field researchers/ research team shall wash / sanitize their hands whenever they engage with research participants, other community members and other parties involved in the research throughout the research process including the data collection process.
- d) The community-based field researchers/ research team shall maintain at least one meter distance from research participants, other community members and other parties involved in the research throughout the research process including the data collection process.
- e) The community-based field researchers/ research team shall avoid physical contact whenever they engage in face-to-face communication with research participants, other community members and other parties involved in the research throughout the research process including the data collection process.
- f) The community-based field researchers/ research team shall ensure that people from the community (research participants) do not gather in one place during the data collection process.
- g) The community-based field researchers/ research team shall avoid contacting children wherever possible during the data collection process.
- h) The community-based field researchers/ research team shall refrain from meeting research participants/ community members/other parties involved in the research for the purpose of research activities including data collection when they are ill or have symptoms such as fever, dry cough, aches and pains.
- i) Visiting areas under isolation/lockdown for the purposes of research activities is prohibited. The community-based field researchers/ research team shall not invite any person from areas under isolation/lockdown to travel to any other place for the purposes of research activities including data collection. LST/Chrysalis will not take responsibility for any consequences resulting from breaching this clause.
- j) The community-based field researchers/ research team shall ensure that research participants/ community members/other parties involved in the research follow all safety precautions and health guidelines issued by the Medical Officer of Health (MOH)/ Public Inspector of Health (PHI)/ government officers.

### Research Plan

#### Executive Summary

1. This research plan lays down the background of the research, problem statement, objectives of the research, research methods and other related details concerning the research.
2. This research is carried out with the financial support of the European Union and logistical support provided by Chrysalis. The research is conducted by Law and Society Trust (LST).
3. LST's research team will work together with 51community members to develop the research methodology and data collection tools. The 51community members will serve as community-based field researchers in this research.
4. Part I of this research plan contains a brief account of the background within which we seek to conduct this research. The problem statement, research objectives and the research questions are introduced in this part.
5. The research methodology and the limitations of the research are explained in Part II of this research plan. A mixed-methods approach will be used to collect the data. Documentation, consultative discussions, interviews, focus group discussions, administration of questionnaires are the proposed methods that will be adopted throughout this research. The primary methodological approach adopted in this research will be based on gender equality.
6. A risk assessment associated with the research is included in Part III. This part provides an overview of general constraints relating to the research, anticipated changes in the context and issues pertaining to data collection.
7. Part IV of this research plan includes the work plan and proposed timeline of the research. However, the timeline set out herein could change based on potential risks that may arise while carrying out this research.

## Part I

### 1.1. Background

The Constitution of Sri Lanka, the supreme law of the Democratic Socialist Republic of Sri Lanka guarantees equality and prohibits discrimination based on sex. However, it does permit for exceptions to be made, and in cases where personal and customary laws permit discriminatory treatment of women, they prevail. This creates a setting where customary practices and norms prevail.

Women in Sri Lanka constitute 52.1% of the total population and many enter universities. However, the contribution and participation of women in all fields remains inadequate, especially in the higher echelons of education, law, business and politics and in other spheres of employment. In particular, the political participation of women is significantly low. In the present Parliament that has 225 members, only 12(5.3%) are women. This is particularly troubling given that in the early days of Sri Lanka's post-independence history there have been many women Parliament members who held senior cabinet positions. There have been many women trade unions leaders. Above all this, the first woman Prime Minister in the world came from Sri Lanka. The quota allocating 25% of seats in local government authorities to women in order to increase women's representation is commendable. However, the quota still remains an ineffective tool. The baseline study undertaken by Search for Common Ground in 2020 states that female members of local government councils elected under the 25% quota are prevented from fulfilling their obligations due to the prevalence of discriminatory social and cultural norms.<sup>115</sup>

**“The male members of the council do not allow us to freely express our opinions. They either harass us or laugh at us”- An elected female member of Badulla local government authority.<sup>116</sup>**

Sri Lanka is ranked 102nd out of 153 countries in the Global Gender Gap Report for 2020. It should be noted that Sri Lanka was ranked 100th in 2019. The drop in the ranking clearly shows that although the rights and freedoms of women are ensured through the constitution and other laws, the practical enforcement of the same is questionable. This gender-based inequality is evident in the North, which still strives to overcome the effects of the 30-year war although a decade has passed since the end of the war. The war has undoubtedly affected the whole community, but the impact of the war has affected women in various and unique ways. Women were also forced to play extraordinary roles during the war. Women had to take care of themselves and their families as well as occupying leadership roles in organizations such as the Mothers' Front and projects such as the Jaipur Foot.

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<sup>115</sup> Baseline Study for EU Funded Project -Women in Learning and Leadership, last accessed on 12 November 2020 at [https://www.sfcg.org/wp-content/uploads/2020/09/SFCG\\_Baseline-Study\\_Final\\_Report.pdf](https://www.sfcg.org/wp-content/uploads/2020/09/SFCG_Baseline-Study_Final_Report.pdf)

<sup>116</sup> Ibid

However, in the post-war context, the structural barriers embedded deeply in the North resurfaced with vigor to prevent the active participation of women in both public and political life.<sup>117</sup> Structural barriers against women are established by gendered morals which are built based on the cultural and religious beliefs of society. There is an implicit acceptance of what are and are not appropriate avenues of employment and engagement for women. A research on female journalists in 2015 finds that women need to overcome many cultural barriers to express their opinions and that these cultural morals are significantly prevalent in the North and East.<sup>118</sup> Another research conducted in 2016 on women's access to justice in North and East finds that social norms hinder women from accessing their rights and justice.<sup>119</sup> It is not an exaggeration to say that social norms in North are stifling the voices of women, who have been affected by the severe consequences of war and are trying to recover from their losses, by restricting their rights and freedoms. Sri Lanka has a long way to achieve the goal of de facto gender equality.

## 1.2. Problem Statement

Despite a constitutional guarantee on the right to equality, the equal rights of women in Sri Lanka are often challenged as a result of various factors. At the societal level, the rights and freedoms of women are restricted by the constitution (Article 16) and existing social norms. Social norms define the ideal role of an individual based on their gender. Social norms have a deeper impact on women due to their institutionalized nature. Social norms derive a binding nature from the fact that violating a social norm result in social exclusion and societal sanctions. Women in the North, who strive to reclaim their lives from their dark past – caused by the 30-year civil war – are experiencing discrimination caused by social norms. These are stumbling blocks to their growth and progress. These discriminatory social norms worsen other vulnerabilities, such as being a single parent, a widow or a disabled woman. These areas remain militarized despite the end of the war a decade ago and single parents, widows and disabled women are faced with serious safety concerns. These make them more vulnerable and prevent them from achieving their rights and freedoms. The stigma attached sexual and gender-based violence that single mothers and widows could be subjected to on public transport limits these women's progress in terms of their mobility, employment and other opportunities. By restricting women's role to home-maker and child-bearer, these social norms have profound impacts on women.

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<sup>117</sup> Ibid

<sup>118</sup> International Federation of Journalists, "Country Report: Media and Gender in Sri Lanka" (March, 2015) last accessed on 12 November 2020 at <https://samsn.ifj.org/wp-content/uploads/2015/03/SRI-LANKA.pdf>

<sup>119</sup> CEDAW Shadow Report submitted by Women's Action Network, 'Women's Access to Justice in the North and East' August 2016



In the absence of recent research on social norms and their impact on women accessing their fundamental rights and freedoms, this research seeks to examine the discriminatory social norms, national narratives and related gendered implications which inhibit women's fundamental rights and freedoms, particularly their freedom to conscience, thought and religion and gender equality.

### **1.3. Research Questions**

1. What are the gender discriminatory social norms that are prevalent in society (Northern Province)? What are the gendered impacts they have on women? And how do they prevent women from accessing their fundamental rights and freedoms?
2. What changes have social norms been subjected to in the time period during and after the conflict? What survival mechanisms did women adopt to free themselves from the impacts of these social norms?
3. How do gender discriminatory national narratives impact women's access to their fundamental rights and freedoms, particularly the freedoms of conscience, thought and religion and on gender equality?

### **1.4. Research Objectives**

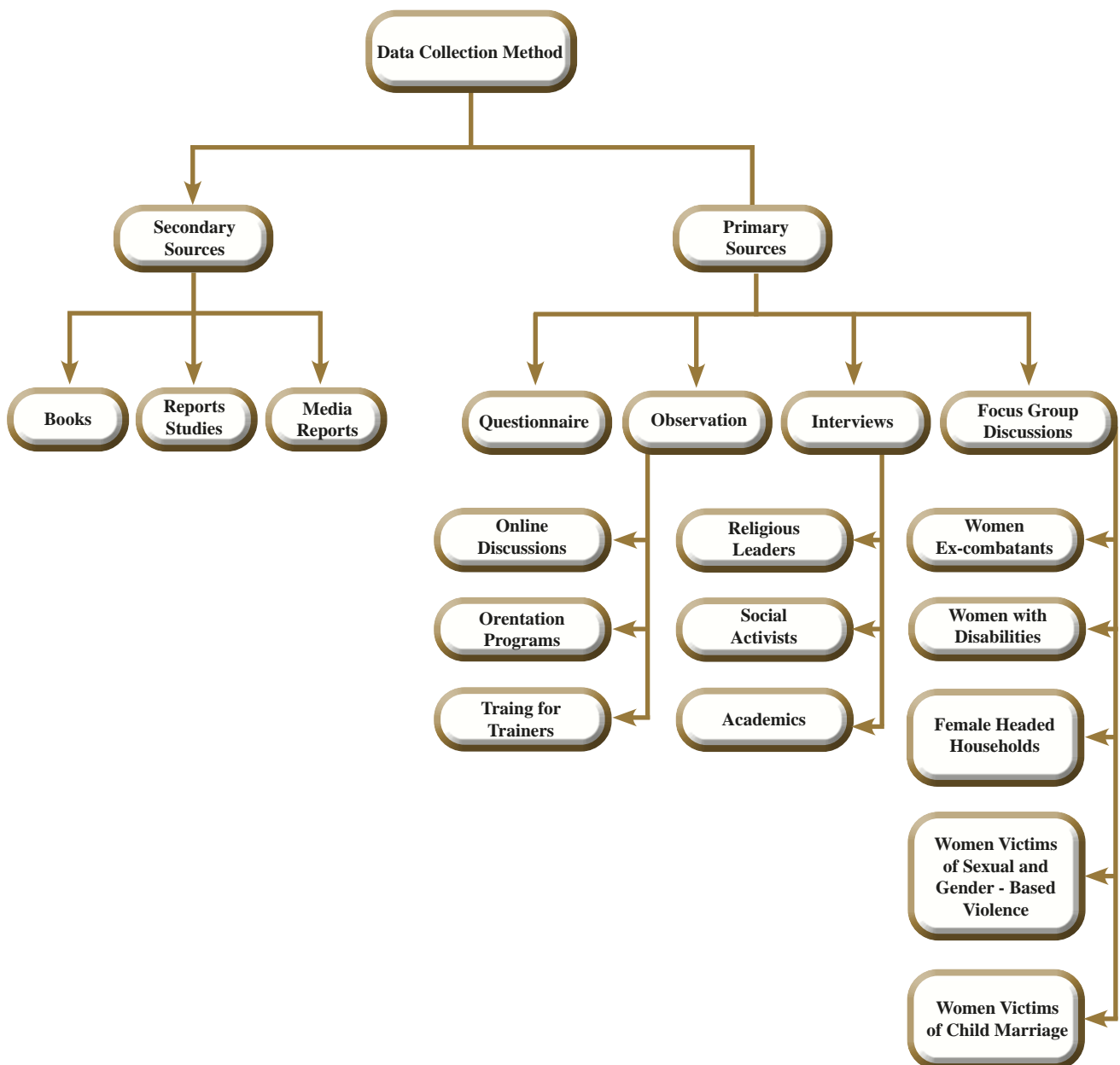
1. To understand the social norms that are prevalent in society (Northern Province), the gendered impacts they have on women, and how these impacts prevent women from accessing their fundamental rights and freedoms.
2. To understand how social norms have changed during and after the conflict, and to identify the strategies adopted by women to overcome the impacts of these social norms.
3. To examine how gender discriminatory national narratives impact women in achieving their fundamental rights and freedoms.

## Part II

### 2.1. Research Methodology

A participatory approach has been adopted as the primary methodological approach of this research. This is to ensure the full and meaningful participation of community members in the research process, including socially excluded groups such as female ex-combatants. This primary methodological approach will be intertwined with a gender equality methodological approach. A mixed-methods research approach will be used to collect data, with both quantitative and qualitative data being collected.

### 2.2. Data Collection Methods



## Data Collection Tool

A media monitoring tool will be developed to monitor and document gender discriminatory national narratives have an impact on the human rights and freedoms of women, particularly of the women, which have gendered implications. Print media in all three languages (Sinhala, Tamil and English) are to be monitored. Newspapers are to be monitored for a period of three months starting from the 1st of August to the 31st of October. One state-owned newspaper and one private-owned newspaper in each language have been selected for this purpose:

Language	Private-owned Newspapers	State-owned Newspapers
Sinhalese	Aruna	Silumina
Tamil	Thinakkural	Thinakaran
English	The Island	Sunday Observer

Data collection tools to collect data from community members will be prepared taking the CARE's SNAP framework into account. The data thus collected will be analyzed using CARE's SNAP tool in order to identify key gender discriminatory social norms prevalent in the North that prevent women from accessing their rights and freedoms. The data collection tools will be pre-tested during the orientation program with community members and modified further based on the comments and suggestions received from them.

## Questionnaires

The data collection tool (questionnaire) to be used to collect data for the research will be prepared by the research team of LST. The contribution of community members in developing the questionnaire is to be ensured through various means. As the first step in designing the questionnaire, a literature review on gender discriminatory social norms that are prevalent in the Northern Province will be conducted. A number of social norms will be listed by the research team based on the literature review. Then, as the first step in identifying to what extent those social norms are prevalent in society, a virtual discussion will be conducted with youth from the Northern Province. A basic knowledge on the social norms prevalent in the Northern Province will be built based on this discussion.

A draft of the questionnaire will be prepared based on that knowledge. This draft will be modified further during the orientation programs for data enumerators. During the orientations, data enumerators from each district will be requested to identify the social norms prevalent in their district. The questionnaire will be designed with that shared knowledge on social norms.

## Interviews

Religious leaders, professionals, feminists and academics will be interviewed.

## **Focused Group Discussions**

Focused Group Discussions (FGD) will be held with the focus groups listed below and discussion points for the FGDs will be prepared accordingly.

1. Survivors of sexual and gender-based violence and conflict-related sexual violence
2. Female-headed households
3. Female ex-combatants
4. Transwomen/transmen/LGBTIQ
5. Persons with disability
6. CSO representatives
7. Sex workers
8. Women activists

## **Ethical considerations in data collection**

The Ethical Protocol of LST, which is to be prepared exclusively for the purpose of this research will be followed in all steps of the research including data collection and analysis.

### **2.3. Data Collection**

51 community members (35 females and 16 males) will be selected as community-based field researchers for this research. Community members will be selected as data enumerators with the aim of ensuring the contribution of community members, considering the cultural and traditional values associated with the subject matter of the research, and to ensure effective and smooth data collection. Given the importance of their task, they will be recruited to the research under the position of “community-based field researchers”.

The 51 community-based field researchers will be selected using the selection tool from among 400 beneficiaries selected by Chrysalis. The selection tool will be designed considering ethnicity, religion, age and involvement in the community of the beneficiaries. The selected 51 community-based field researchers will collect data from the 400 beneficiaries and, where necessary, from other community members using the data collection tools.

### **Orientation program for community-based field researchers**

Orientation programs will be held for the community-based field researchers to provide them with an overview of the research. The occasion will be utilized to obtain the consent of the community-based field researchers to utilize/publish any photo/video/audio featuring/including such researchers for the media campaign activities. Their roles and responsibilities will be duly explained during the program. Importantly, a group activity/panel discussion will be held during the orientation program to further develop the draft data collection tool through insights on prevailing social norms obtained from community-based field researchers.

## **ToT workshops for community-based field researchers**

A two-day training of trainers will be held for community-based field researchers. Considering the COVID-19 pandemic situation and rules on social distancing, the 51 community-based field researchers will be clustered as two groups for the training. The training aims to achieve the following objectives:

1. Assist community-based field researchers to identify gender discriminatory social norms;
2. Assist community-based field researchers to understand the fundamental rights and freedoms.
3. Assist community-based field researchers to change their own acceptance of gender discriminatory social norms;
4. Assist community-based field researchers to understand how gender discriminatory social norms impact women's fundamental rights and freedoms;
5. Train community-based field researchers in techniques and ethics of data collection.

### **2.4. Data Analysis**

The collected data will be entered by a trained team working under the supervision of the research team. The data thus recorded will be interpreted using the Statistical Package for the Social Sciences (SPSS). Then the data will be analyzed by the research team to achieve the research purposes. The data will be entered separately according to factors such as district, age, educational background and religion and it will be drafted as graphs and charts.

### **2.5. Data Validation**

Once the data have been collected, entered and results are identified, they will be shared with the community-based field researchers in a simple manner. Their comments, opinions and criticisms on these findings will be heard and the collected data will be confirmed based on this. At times the reasons behind the data will also be clarified.

### **2.6. Research Writing**

The final research report will be written based on the data collected through primary and secondary sources. All the data collected through the virtual discussions, focused group discussions and interviews to be conducted for the purpose of this research will be included in this research. Since the majority of the research participants are Tamil-speaking and the majority of the people who reside in the research area are Tamil-speaking, the final research report will be written in Tamil and later translated into Sinhala and English.

## 2.7. Research Limitations

The research is confined within the geographical area of the North in Sri Lanka. Therefore, in the future, similar research must be carried out in areas like the Central Province which have a high prevalence of gender discriminatory social norms. Further, this research does not intend to focus on all fundamental rights and freedoms, but on few selected rights and freedoms. Moreover, due to the sensitive nature of the subject matter, there is a risk of receiving biased responses. However, the inclusion of interviewers who are neutral would help to minimize this risk. It should be noted in particular, that the findings of this research are drawn from a post-war context and might reflect the consequences of the war.

### Part III

#### Risk Assessment

The research is expected to be carried out during a pandemic situation in the country which poses unique challenges in relation to conducting training programs. Further, gathering data will be challenging due to rules on social distancing and restrictions on movement in the COVID-19 context.

Primary data collection is expected to be completed through questionnaires, focus group discussions and interviews. The success of this stage of the research is dependent on the efficiency of the community-based field researchers and their level of contribution. The extent or the level of such contribution cannot be prematurely assessed and therefore there is a risk associated with primary data collection. Moreover, the success of this stage of the research is also dependent on the circumstances prevalent in the North.

#### Risk Assessment Overview

No	Main Issue	Assessed Level of Risk	Expected issue that may impact the research	Suggestions for mitigation
1	Covid-19	High	Inability to travel to the field (North)	Consider using the new technologies such as Zoom as alternatives for training programmes and to collect data
2	Social norms and religious taboos	High	Difficulties in convincing the conservative women to engage in our research	Having convincing sessions in the training programmes
3	Militarized context where research is carried out	High	Research may attract the attention and suspicion of authorities	Briefing military on research focus or be prepared to brief them when questioned.
4	Timely reception of data necessary for the research	High	Delays in receiving the collected data from the Community Based Field Researchers	Consider sharing the collected data in segments.

5	Language Barriers	Low	Language of collecting data and conducting trainings	The Research team consist of individuals who are well conversant in the local languages.
6	Administration of the Research Team	Low	Challenges in maintaining the professional relations among Team members	Immediately addressing such challenges cordially and diplomatically.
7	Conducting Training programmes	Medium	Problems may arise in relation to the ability to gather the participants of five district in one place for training	The participants will be divided as two groups based on their residential district. For example, participants from Mannar and Vavuniya will be gathered at Vavuniya and participants from Kilinochchi, Jaffna and Mullaitivu will be gathered in Kilinochchi.
8	Fear to disclose information/provide date	Medium	The Research Participants can be reluctant to provide data due to a fear of being exposed to social sanctions by others	Strict adherence to ethical guidelines including confidentiality will be assured in writing to the Research Participants.

## Part IV

### Activity plan and timeline

Activity	Oct	Nov	Dec	Jan	Feb	March	April
Literature review	■						
Develop Media Monitoring tool	■						
Finalize Media Monitoring tool	■						
Draft a selection tool and a guide		■					
Finalize the selection tool and the guide		■	■				
Selection of 51 beneficiaries			■	■			
Draft the inception report/ detailed research plan		■	■				
Comment on and finalize the Inception report			■	■			
Monitor media and collect relevant secondary data			■	■	■		
Develop Data Collection Tools				■	■		
Finalize and Translate Data Collection Tools						■	





## Annexure 3

### Basic Details of Research Participant

#### 1. District:

Mannar  Vavuniya  Kilinochchi  Mullaitivu  Jaffna

#### 2. Gender:

Male  Female  Transman  Transwoman  Others

Did not wish to respond

#### 3. Age:

Under 18

21-30

31-40

41-50

51-60

61 & above

#### 4. Religion:

Hinduism

Christianity

Roman Catholicism

Islam

Buddhism

Atheist

Other .....

#### 5. Education:

Literate but no formal education

Illiterate

Up to Grade 5

Grade 6 to Grade 9

- Grade 9 to O/L
- Up to A/L
- College of Education
- Diploma
- Bachelor's Degree
- Master's Degree
- Other

**1. Please indicate how prevalent the following activities/practices/opinions/incidents are in your community?**

No	Statement	Highly prevalent	Somewhat prevalent	Less prevalent	Not prevalent	Don't know
1	Women/girls should not talk too much in public					
2	Women/girls should not put forward opinions at public meetings such as samurdhi meetings					
3	Women/girls should not laugh loudly in public					
4	Wives should not argue with their husbands					
5	Women/girls should not engage in advocacy					
6	Women/girls should not engage in media work					
7	Women/girls should not express opinions at political meetings or local government council meetings					
8	Women/girls should not work in private firms					
9	Women/girls should not undertake night-time work					
10	Women/girls should not reside outside the home and work					
11	Women who engage in self-employment are criticized by society					
12	Even if women/girls do the same work as men, they are not entitled to equal wages					
13	Only men should be recruited to work requiring more physical labor					
14	A wife should not hold a better position than her husband					
15	A wife should try to maintain her married/family life at all times and at any cost					
16	A wife should not complain against her husband even he beats her					

17	A wife should keep quiet even if her husband hits or scolds, because a husband is equal to god					
18	Cooking and household chores are primarily women's work					
19	Childcare is primarily women's work					
20	Men who help their wives in household					
21	chores are mocked by society					
22	Men should not engage in childcare					
23	Men should earn the primary income in all families excepting female-headed households					
24	A woman is made complete only through marriage and bearing children					
25	Infertile women are considered a bad omen					
26	Widowed women are considered a bad omen					
27	Women who go to the police station are criticized					
28	Women who file complaints against their husbands at the police station are criticized					
29	Women are reluctant to file complaints against sexual violence					
30	Family members prevent women from filing complaints against sexual violence					
31	Women subjected to sexual violence/rape are considered unchaste					
32	A widowed/divorced woman is considered unchaste					
33	Female ex-combatants are considered unsuitable for family life					
34	Women should not travel alone at night					
35	Good, familial women will not work in non-governmental organizations					
36	Good, familial women will not engage in politics					
<b>Only for Hindus</b>						
37	Women/girls do not go to the kovil during menstruation					
38	Women/girls do not play ceremonial instruments					
39	Women/girls do not hold the position of priest at kovils					
<b>Only for Muslims</b>						
40	Women/girls do not engage in prayers during menstruation					
41	Women are not given the opportunity to express their views in Quazi courts					
42	Quazi judges advise women to go along with whatever their husbands do					
<b>Only for Catholics and Christians</b>						
43	Nuns do not perform mass/worship services					
44	Nuns should not share their views at public meetings					
45	Nuns do not give baptism					

Only for Buddhists						
46	Women who go to places of worship will not touch the feet of monks.					
47	Women are not allowed to enter some Buddhist places of worship (upstair courtyard of the Sri Maha Bodiya, the place where sacred tooth is located)					
48	Women should cover their body when going to places of worship					
49	Women/girls do not visit places of worship during menstruation.					

**2. Please indicate the extent of your agreement with the following statements and the reason for your agreement or disagreement? If you agree, please indicate any exceptional situation(s), if any, in which this may be breached.**

No	Statement	Agree	Disagree	Reason(s)	If you agree, allowed exceptions when this can be breached (if any)
1	Women/girls should not talk too much in public				
2	Women/girls should not put forward opinions at public meetings such as samurdhi meetings				
3	Women/girls should not laugh loudly in public				
4	Wives should not argue with their husbands				
5	Women/girls should not engage in advocacy				
6	Women/girls should not engage in media work				
7	Women/girls should not express opinions at political meetings or local government council meetings				
8	Women/girls should not work in private firms				
9	Women/girls should not undertake night-time work				
10	Women/girls should not reside outside the home and work				
11	Women who engage in self-employment are worthy of criticism				
12	Even if women/girls do the same work as men, they are not entitled to equal wages				
13	Only men should be engaged in work requiring more physical labor				
14	A wife should not hold a better position than her husband				

15	A wife should try to maintain her married/family life at all times and at any cost.				
16	A wife should not complain against her husband even if he beats her				
17	A wife should keep quiet even if her husband hits or scolds, because a husband is equal to god				
18	Cooking and household chores are primarily women's work				
19	Childcare is primarily women's work				
20	Men should not help their wives in household chores				
21	Men should not engage in childcare				
22	Men should earn the primary income in all families excepting female-headed households				
23	A woman is made complete only through marriage and bearing children				
24	Infertile women should not come forward during auspicious occasions				
25	Widowed women should not come forward during auspicious occasions				
26	Women should not go to the police station				
27	Women should not file complaints against their husbands				
28	Women should not file complaints against sexual violence to which they are subjected				
29	Family members should not accept women filing complaints against sexual violence to which they are subjected				
30	Women subjected to sexual violence/rape are unchaste				
31	The chastity of widowed/divorced women is questionable				
32	Female ex-combatants are unsuitable for family life				
33	Women should not travel alone at night				
34	Good, familial women should not work in non-governmental organizations				
35	Good, familial women should not engage in politics				
36	Women should not hold positions of leadership in village/local level organizations and movements				
<b>Only for Hindus</b>					
37	Women /girls should not go to the kovil during menstruation				
38	Women/girls should not play ceremonial instruments				
39	Women/girls should not be priests at kovils				

Only for Muslims				
40	Women/girls should not engage in prayers during menstruation			
41	Women should not be given the opportunity to express their views in Quazi courts			
42	Quazi judges should advise women to go along with whatever their husbands do			
Only for Catholics/Christians				
43	Nuns should not perform mass/ worship services			
44	Nuns should not share views at public meetings			
45	Nuns should not give baptism			
Only for Buddhists				
46	Women who go to places of worship should not touch the feet of monks.			
47	Women should not enter some Buddhist places of worship (upstair courtyard of the Sri Maha Bodiya, the place where the sacred tooth is located)			
48	Women should cover their body when going to places of worship			
49	Women/girls should not visit places of worship during menstruation.			

**3. Please indicate the extent to which you agree or disagree with the following statements.**

No	Statement	Strongly agree	Somewhat agree	Strongly disagree	Somewhat disagree	Don't know
1	Women/girls do not talk too much in public					
2	Women/girls do not put forward opinions at public meetings such as samurdhi meetings most of the time					
3	Women/girls do not laugh loudly in public most of the time					
4	Wives do not argue with their husbands most of the time					
5	Women/girls do not engage in advocacy most of the time					
6	Women/girls do not engage in media work most of the time					
7	Women/girls do not express opinions at political meetings or local government meetings most of the time					



8	Women/girls do not work in private firms most of the time					
9	Women/girls do not undertake night-time work most of the time					
10	Women/girls do not reside outside the home and work most of the time					
11	Women who engage in self-employment are criticized most of the time					
12	Women who engage in self-employment are criticized most of the time					
13	Even though women/girls do the same work as men, they do not receive equal wages most of the time					
14	Only men are engaged for work requiring more physical labor					
15	Most of the time a wife does not hold a better position than her husband					
16	Wives try to maintain their married/family life at all times					
17	Most wives do not complaint against their husbands even if they beat them					
18	Wives keep quiet if their husbands hit or scold, because husbands are equal to god					
19	It is women who primarily do the cooking and household chores					
20	It is women who primarily engage in childcare					
21	Men do not come forward to help their wives with household chores					
22	Men do not engage in childcare					
23	It is men who earn the primary income in all families excepting female-headed households					
24	A woman is considered to be complete only through marriage and gives bearing children					
25	Infertile women are considered a bad omen					
26	Widowed women are considered a bad omen					
27	Most of the time women do not go to the police station					
28	Most of the time women do not file complaints against their husbands					
29	Most of the time women are reluctant to file complaints against sexual violence					
30	Most of the time family members prevent women from filing complaints against sexual violence					
31	Women subjected to sexual violence are considered unchaste					
32	Widowed/divorced women are considered unchaste					
33	Female ex-combatants are considered unsuitable for family life					
34	Women do not travel alone at night					
35	Most women do not work in non-governmental organizations					
36	Most women do not engage in politics					

Only for Hindus						
37	Most of the time women /girls go not go to the kovil during menstruation					
38	Most of the time women /girls do not play ceremonial instruments					
39	Most of the time women /girls are not priests at kovils					
Only for Muslims						
40	Most of the time women /girls do not engage in prayers during menstruation					
41	Most of the time women /girls are not given the opportunity to express their views in Quazi courts					
42	Most of the time Quazi judges advise women to go along with whatever their husbands do					
Only for Catholics/Christians						
43	Most of the time nuns do not perform mass/ worship services					
44	Most of the time nuns do not share views at public meetings					
45	Most of the time nuns do not give baptism					
Only for Buddhists						
46	Most of the time women who go to places of worship do not touch the feet of Buddhist monks.					
47	Most of the time women do not enter some Buddhist places of worship (upstair courtyard of the Sri Maha Bodiya, the place where the sacred tooth is located)					
48	Most of the time women should cover their body when going to places of worship					
49	Most of the time women/ girls do not visit places of worship during menstruation					

**4. Please mark what others expect women/men/others to do. Please also indicate who are meant by ‘others’?**

No	Statement	Please mark who are meant by ‘Others’. You can select more than one or all if relevant								
		Yes;	No	Mother	Father	Female family members	Male family members	Religious Leaders	Neighbors	Society as a whole;
1	Others expect that women/girls should not to talk too much in public									
2	Others expect that women/girls should not put forward opinions at public meetings such as Samurdhi meetings									
3	Others expect that women/girls should not laugh loudly in public									
4	Others expect that women should not argue with their husbands									
5	Others expect that women/girls should not engage in advocacy									
6	Others expect that women/girls should not engage in media work									
7	Others expect that women/girls should not express opinions at political meetings or local government meetings									
8	Others expect that women/girls should not work in private firms									
9	Others expect that women/girls should not undertake night-time work									
10	Others expect that women/girls should not reside outside the home and work									
11	Others expect that women/girls should not engage in self-employment									
12	Others think that even if women/girls do the same work as men, they are not entitled to equal wages									
13	Others think that only men should be engaged for work requiring more physical labor									
14	Others expect that a wife should not hold a higher position than her husband									
15	Others expect that wives should try to maintain their married/family life at all times									
16	Others expect that a wife should not complain against her husband even if he beats her									

17	Others expect that a wife should keep quiet even if her husband hits or scolds her, because a husband is equal to god																		
18	Others expect that is it women who should primarily do the cooking and household chores																		
19	Others expect that it is women who should primarily engage in childcare																		
20	Others expect that men should not help their wives in household chores																		
21	Others expect that men should not to engage in childcare																		
22	Others expect that men should earn the primary income in all families excepting female-headed households																		
23	Others expect that a woman should get married and have children at an appropriate age																		
24	Others think that infertile women are a bad omen																		
25	Others think that widowed women are a bad omen																		
26	Others expect that women should not go to the police station																		
27	Others expect that women should not file complaints against their husbands																		
28	Others expect that women should not file complaints against sexual violence																		
29	Others expect that family members not to allow women to file complaints against sexual violence																		
30	Others think that women subjected to sexual violence are unchaste																		
31	Others think that the chastity of widowed/divorced women is questionable																		
32	Others think that female ex-combatants are unsuitable for family life																		
33	Others expect that women should not travel alone at night																		
34	Others expect that women should not work in non-governmental organizations																		
35	Others expect that women should not engage in politics																		
36	Others expect that women should not to hold positions of leadership in village/local level organisations and movements																		
<b>Only for Hindus</b>																			
37	Others expect that women/girls should not go to the kovil during menstruation																		
38	Others expect that women/girls should not play ceremonial instruments																		
39	Others expect that women/girls should not perform pooja at kovils																		

Only for Muslims									
40	Others expect that women/girls should not engage in prayers during menstruation								
41	Others expect that women should not to be given the opportunity to express their views in Quazi courts								
42	Others expect that Quazi judges should advise women to go along with whatever their husbands do								
Only for Catholics/Christians									
43	Others expect that nuns should not perform mass/worship services								
44	Others expect that nuns should not share views at public meetings								
45	Others expect that nuns should not give baptism								
Only for Buddhists									
46	Others expect that women who go to places of worship should not touch the feet of monks.								
47	Others expect that women should not enter some Buddhist places of worship (upstair courtyard of the Sri Maha Bodiya, the place where the sacred tooth is located)								
48	Others expect that women should cover their body when going to places of worship								
49	Others expect that women and girls should not visit places of worship during menstruation								

**5. Please mark that how the society would react in the following circumstances.**

No	Action	Society's reaction would be				
		Positive	Negative	Intervenes to change	No reaction	Don't know
1	If a woman/girl talks too much in public					
2	If a woman/girl puts forward opinions at public forums such as Samurdhi meetings					
3	If a woman/girl laughs loudly in public					
4	If a wife argues with her husband					
5	If a woman/girl engages in advocacy					
6	If a woman/girl engages in media work					
7	If a woman/girl expresses opinions at political meetings or local government meetings					
8	If a woman/girl works in private firms					

9	If a woman/girl undertakes night-time work					
10	If a woman/girl resides outside the home and works					
11	If a woman/girl engages in self-employment					
12	If a woman does not maintain her married/family life					
13	If a woman files a complaint saying her husband beats her					
14	If a woman argues when her husband scolds or beats her					
15	If a woman does not cook and do household chores					
16	If a woman does not take care of her children					
17	If a man helps his wife in household					
18	chores					
19	If a man takes care of his children					
20	If a woman earns the primary income in all families excepting female-headed households					
21	If a married woman does not have a child					
22	If a woman/girl goes to the police station					
23	If a woman files a complaint against her husband at the police station					
24	If a woman/girl reports sexual violence					
25	If family members allow a woman/girl to report sexual violence					
26	If a woman/girl travels alone at night					
27	If a woman/girl works in a non-governmental organization					
28	If a woman/girl engages in politics					
29	If society knows that a woman had been subjected to rape/sexual violence					
<b>Only for Hindus</b>						
30	If a woman/girl goes to the kovil during menstruation					
31	If a woman/girl plays ceremonial instruments					
32	If a woman/girl performs as a priest at the kovil					
<b>Only for Muslims</b>						
33	If a woman/girl engages in prayers during menstruation					
34	If a woman expresses her views in the Quazi court					
<b>Only for Catholics/Christians</b>						
35	If nuns perform mass/worship services					
36	If nuns share views at public forums					
37	If nuns give baptism					
<b>Only for Buddhists</b>						
38	If women who go to places of worship touch the feet of monks.					
39	If women are permitted to enter some Buddhist places of worship (upstairs courtyard of the Sri Maha Bodiya, the place where the sacred tooth is located)					
40	If women go to places of worship without covering their body					
41	If women/ girls visit places of worship during menstruation					

## Annexure 4

No.	Name	District
1	Jegatheesan Thayalini	Jaffna
2	Nalina Premlal	Jaffna
3	Sutharsini Ketheeswaran	Jaffna
4	Sivarasa Mariyarosary	Jaffna
5	Sathanantham Venuka	Jaffna
6	lalitharani Raveendran	Jaffna
7	Devendran Koneswary	Jaffna
8	Nirmaladevi Mahendran	Jaffna
9	John Ambihadevy	Jaffna
10	Sriramachandran Mayutharan	Jaffna
11	Balakrishanan Kalaivani	Jaffna
12	Jeyasiththira Thayananthan	Kilinochchi
13	Srikanthan Kalaivani	Kilinochchi
14	Selvarani Tharmalingam	Kilinochchi
15	Sureshkumar Ushananthini	Kilinochchi
16	Arulanathan Vickneswary	Kilinochchi
17	Parameswaran Thanaluxmy	Kilinochchi
18	Sittampalam Arulpirasath	Kilinochchi
19	Vaithylingam Balasuresh	Kilinochchi
20	Priya Nadesan	Kilinochchi
21	Muththu Sivamohan	Kilinochchi
22	Immaculata Pushpananthan	Mullaitivu
23	Jeyakumar Sivalogini	Mullaitivu
24	Suvanithini Sivagnanaraj	Mullaitivu
25	Sathasivam Sakeela	Mullaitivu
26	Vajiramuththu Jeyaruban	Mullaitivu
27	Paramanathan Jeyaraj	Mullaitivu
28	Samantha Sebanesarani	Vavuniya
29	Razik Thowfeeka	Vavuniya
30	Anjala Kohilakumar	Vavuniya
31	Sathasivam Kamaladevi	Vavuniya
32	Kalairohan Padmenee	Vavuniya
33	Varatharasa Piratheepan	Vavuniya
34	Baskaran Katheeshan	Vavuniya
35	Micheal Lusiya	Vavuniya
36	Kamaraj Kiritharan	Vavuniya
37	Kanesh Navaneethan	Vavuniya
38	Thadsajini Paransothy	Vavuniya
39	Ramalingam Sasikaran	Vavuniya
40	M. S. M. Shahrn	Vavuniya



41	Kumaravelu Rajeenthiny	Vavuniya
42	M. S. M. Safras	Vavuniya
43	Jesuthasan Prisitha	Mannar
44	Kanagaraj Sathyapriya	Mannar
45	Anthony Sahayam	Mannar
46	P. M. Mujeebur Rahman	Mannar
47	S. Ruth Atputharani	Mannar
48	David Nevenesan Chandrica Sosai	Mannar
49	Kamalanathan Tharani	Mannar
50	Ashokkumar Prashanthini	Mannar
51	Conclves Thayalarajan	Mannar

## **Annexure 5**

### **Name List of Data Entrants**

1. Suvirthan Thevarajah
2. Anusha Gayathri Selvendran
3. Mathivathani Kuruchanranathan
4. Venuja Navaratnaraja
5. Akshiya Thevarajah
6. Anthony Reeta
7. Selomi Pushparaj
8. Velini Parameshwaran

## Annexure 6

Date	Time	Event	Place
04/02/2021	03 PM-05 PM	“What holds women back?” Virtual discussion on Gender Discriminative Social Norms	Via Zoom Platform
08/02/2021	09 AM-03.30 PM	Orientation Program	Jaffna Sarvodaya Neyaham Residence & Resource Center, Jaffna.
09/02/2021	09 AM-03.30 PM		
17/02/2021	09 AM-03.30 PM		Kilinochchi & Mullaitivu (Co-operative Hall, Kilinochchi) Vavuniya & Mannar (Co-operative Hall, Kilinochchi)
16/03/2021	09.45 AM – 05 PM	ToT Workshop for Data Enumerators (First Group - Day 1)	Sarvodaya Neyaham Residence & Resource Center, Jaffna.
17/03/2021	08 AM – 03.15 PM	ToT Workshop for Data Enumerators (First Group - Day 2)	
18/03/2021	09.45 AM – 05 PM	ToT Workshop for Data Enumerators (Second Group - Day 1)	
19/03/2021	08 AM – 03.15 PM	ToT Workshop for Data Enumerators (Second Group - Day 2)	
20/03/2021	09 AM – 01 PM	FGDs and Key personal Interviews - Jaffna	Sarvodaya Neyaham Residence & Resource Center, Jaffna.
21/03/2021	09 AM – 01 PM	FGDs and Key personal Interviews – Kilinochchi & Mullaitivu	RDS Hall, Anandan Nagar, Kangapuram, Kilinochchi.
22/03/2021	09 AM – 01 PM	FGDs and Key personal Interviews – Vavuniya	Child Development Initiative, St. Anthony’s church, Horawapothana Road, Vavuniya.
23/03/2021	09 AM – 01 PM	FGDs and Key personal Interviews – Mannar	Womens Development Federation, Mannar.

04/05/2021	11.30 AM - 4.30 PM	ToT Workshop for Data Enumerators (Third Group)	Via Zoom Platform
16/05/2021	03 PM - 4.30 PM	The Voice of Women Leaders Against Domestic Violence in Northern Sri Lanka.	Via Zoom Platform
02/06/2021	03 PM - 05 PM	Webinar On the Youth Speak on Gender Discrimination	Via Zoom Platform
03/07/2021	06 PM - 7.30PM	Gendered nature of household roles as husband and wife	Via Zoom Platform
04/08/2021	09 AM – 04 PM	Validation Workshop	Via Zoom Platform
05/08/2021			

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*This participatory research has offered new evidence of and contributed to enhancing knowledge on gender discriminatory social norms prevalent in the Northern Province and their impact on women's access to their rights and freedoms. The findings of the research reflect the challenges that women in the Northern Province face and highlight the gender discrimination embedded within different social institutions. This research is particularly important as it has been conducted in a post-war context, where the traditional roles of women have transformed due to the effects of war.*

*The research derives its highest validity from the fact that it ensured the participation and contribution of the community members at all stages of the research. This has guaranteed the legitimacy of the data collected. The involvement of community members in this research has not only enriched the validity of the research findings, but also paved a way for community members to think differently about the social norms they encounter daily.*

*The advancement of any society depends on the advancement of the women in that society. Thus, ensuring gender equality through challenging gender discriminatory social norms is crucial for any true advancement of society to occur. The research report proposes specific recommendations which could facilitate the transformation of gender discriminatory social norms if properly implemented. However, the transformation of social norms is not a magical event which happens overnight. Rather, it requires tireless effort and time. The dedication of every individual towards gender equality is essential to transform social norms, especially as the strongest and more prevalent social norms are uprooted at the family level.*

*There is no doubt that the findings of this research will contribute meaningfully to develop successful community interventions which will transform the gender discriminatory social norms identified.*

Chathurika Sewwandi  
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TRANSFORM Project  
Law and Society Trust