

## **The Application of Buddhism as a Mechanism to Prevent the Domestic Violence against Women in Sri Lanka: A Pathway towards Equality and Non-Discrimination**

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### **Introduction**

The increasing influence and relevance of Buddhism in 21st century had given rise to a vibrant and evolving movement, particularly in preventing the all forms of violence in world. Buddhism became more influential among many practitioners, academics and activists when seeking the answers for eradicating inequality and discrimination against the humans.

Domestic violence is considered one of the most common forms of gender based violence towards humans, which always occurs behind closed doors. Domestic violence is emotional, psychological, physical, sexual, or economic abuse caused by hurtful or unwanted behavior, perpetrated by one member of a household against another. The violence can take many forms and can happen all the time or once in a while. Recent studies estimate that the numbers of people, particularly 10%-35% women experience domestic violence in some point in their lives at the hands of those who are close to them or somebody who is supposed to protect them.

For generations of women, violence was an inescapable part of their family life, which results in the denial of human rights affirmed in domestic as well as international legal instruments. During the last two decades Sri Lanka has been experiencing high rate of increasing incidents regarding the domestic violence towards the women, mostly committed by men.

### **Objectives**

In this context, the main objective of this research is to examine the domestic and international legal framework regarding the prevention of domestic violence in Sri Lanka and identify the suitable aspects of Buddhism to prevent domestic violence in order to eradicate inequality and discrimination towards the women in Sri Lanka.

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## Methodology

This is a qualitative research based on literature review and mainly carried out by the reference of secondary sources such as statutes, international treaties, academic writings, journal articles and e-sources. The successful lessons from Buddhism has been followed in reaching the conclusion. Furthermore, this study is approached from a human rights perspective. The principles of right to equality and non-discrimination have been used as the theoretical approach and the foundation for this research.

## Results and Discussion

When compared to the other major religions, women have always played a significant role in Buddhism. Buddhism does not consider women inferior to men by analyzing the biological and physical differences between the two sexes. Instead that the Buddhism emphasizes the importance of women while considering their role persists as a wife, a good mother, a companion and a good partner. Buddhism does not restrict the freedom towards their educational, religious and employment rights and provide more opportunities to engage in such activities. Like many colonial countries, Sri Lanka is ruled by British colonial laws, which marginalizes the women in society. The males as superior gender, considered as the head of the household. Domestic violence towards the women in Sri Lanka is one such discriminatory practice, which marginalizes then's role persist in family as well as the society.

In this context law plays an important role while providing the strong legal framework for the protection of women from domestic violence in Sri Lanka. The legal provisions to combat domestic violence in Sri Lanka can be found in the Women's Charter of 1993 and subsequently Sri Lanka enacted Prevention of Domestic Violence Act No 34 of 2005. The interpretation section of the Act defines 'Domestic Violence' as:

(a) an act which constitutes an offence contained in Chapter XVI of the Penal Code (which contains offences against the human body), extortion (section 372 of the Penal Code), criminal intimidation (section 483 of the Penal Code) and attempt to commit any of the said offences;

(b) any emotional abuse (which means a pattern of cruel, inhuman, degrading or humiliating conduct of a serious nature directed towards an aggrieved person); 'unless the context otherwise requires'.

Accordingly Act identified wide range of violence and stated the penal sanctions too. Most importantly, the Act introduced the Protection Order, which prevents the person from committing acts of violence.

Also Sri Lanka formulated the Women's Charter mentioning the state policy regarding the protection of women in 1993. By Article 16, the State expressed its intention to take measures to prevent violence against women in the family in its many manifestations including rape, physical and mental abuse, and torture and cruel, inhuman or degrading treatment. Furthermore the National Committee on Women (NWC) was established to monitor the progress in implementing the Charter. Also Universal Declaration of Human Rights (UDHR), International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) provide guidelines in order to trace the domestic violence through international legal framework.

Although Sri Lanka had enacted strong laws for the protection of women from domestic violence, it was identified that the law cannot play a single role to eliminate the domestic violence at grassroots level. Therefore this research identifies the contemporary application of Buddhism in order to prevent the domestic violence towards the women in Sri Lanka.

The Buddhist Philosophy has explained how to prevent violence against human beings and animals.

The Five Precepts were introduced to adjust to the lives of people and considered as the principal Buddhist code of ethics undertaken by Buddhist followers. According to first precept, it is very important control anger and develop kindness, goodwill and compassion. The second is instrumental in developing and promoting the generosity, contentment, honesty, and right livelihood. The third precept helps to prevent sexual misconduct as well as develops self-restraint and control the emotions of humans. The fourth precept develops honesty and reliability. Abstinance of drinking alcohol is very valuable norm for maintaining the peace of family. In this context, the fifth precept helps to promote mindfulness, clarity of mind leading to a peaceful family life.

The Buddhist Philosophy guides us on how to worship the six directions in Sigalovadha Sutta in Digha Nikaya. The six directions are considered as interpersonal relationship between household and people and provides certain kinds of duties towards each persons. These directions will highly support to maintain the social order, as well as family order.

The Dhammapada verses explained regarding violence. It highlights all forms of violence such as physical, verbal, and mental violence in society. The Dhammapada scriptures give special attention to prevent the violence.

## **Conclusion**

Thus, the Buddhist perspective occupies a prominent place to prevent the violence, which is crucial for the wellbeing and prosperity of society. The qualities of gender equality are explained in Buddhist Philosophy. Accordingly the stakeholders should take necessary steps to adopt the policies based on religion when seeking the remedies to prevent the domestic violence towards the women in Sri Lanka. Furthermore conducting the public awareness programmes based on Buddhism, among Buddhists can be identified as a solution to promote the peace in families and protect the equality and non-discrimination towards the women in Sri Lanka.

**Keywords:** Buddhism, Domestic violence, Equality, Non-discrimination

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