

# Sexual Harassment of Women in Sri Lankan Public Bus Service.

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**Abstract-** There are tremendous gender issues prevailing in Sri Lankan Context. Some Issues had been discussed in the international forums as well. As a result of that discourse United Nations Population Fund (UNPF) has exclaimed that 90% of women are being harassed while they are travelling by public transport services in Sri Lanka and it is the main cause to minimize the women's enrollment for jobs. Labour force survey of the 1<sup>st</sup> quarter in 2017 explicated that female labour force 37.6% while the male labour force is 75.1%. This study sought to find out the frequency of women are being harassed in public service buses and which type of sexual harassment ways that they are experiencing, type of journeys they are being harassed and the time of the day they face harassments and women's suggestions to make the Public bus service as a safer mode of transportation. The results of the study exclaim that 96% of women are being harassed while travelling by public service buses. Remarkably majority of women have experienced sexual harassment at least once per year. Frequently sexual harassments take place in long distance travels (more than 20Km) than in short distance travels. Morning 5-12 and evening 4-7 is the time sexual harassments have been taken more. Improper seating etiquette and unwanted crowding of personal space (ex. Excessive closeness) are the most experiencing harassment methods. For preventing from being harassing majority of women have moved the location within the same bus to get away from the harasser. Women have suggested that the musical show videos and films screening in buses should be prohibited and the requirement of an immediate and strict method of punishment system in order to make public transport buses as a safer mode of transportation.

**Index Terms-** Gender inequality, Public bus service, Sexual harassment, Women harassments.

## I. INTRODUCTION

Sexual harassment has been becoming as a hot issue in Sri Lankan context. Despite the programs are going on in order to empower woman still gender inequality is visible within the Sri Lankan context. Recently, United Nations Population Fund (UNFPA) has revealed an unprecedented argue on women harassment in public transport in Sri Lanka. They explicated sexual harassment in public transport is a major reason to minimize women's enrollment for jobs.

Recently implemented four awareness programs under the project name of Travel with a smile and programs were organized with the help of Ministry of Women, Road Passenger Transport Authority-Western Province, National Committee on Women, Women's Bureau, Sri Lanka Police, Legal Aid Commission, Women in Management, Men Engage Alliance, British Council, and UN Volunteers. The project's ultimate goal was preventing women from sexual harassments in public transport. Four awareness campaign had been conducting from 2017 up to 2018. They called attention from different parities such as passengers, bus-conductors, drivers, bus-stand officers, timekeepers, policy-makers and activists.

Findings of a countrywide study done by the United Nations Population Fund (UNFPA) revealed that 90% of women and girls in Sri Lanka have been subjected to sexual harassment on public buses and trains. UNFPA stated that among the many issues

highlighted, sexual harassment in public transport is among the key deterrents that restrict movement of women for economic opportunities.

People who belong to the workers in government and private institutions and the people who travel for their private matters have practiced to use buses and trains as their major travel medium. There are Sri Lanka transport board service buses and private owned buses. Based on the statistics on the ministry of transport and civil aviation the total number of Sri Lanka transport board's buses which operated per day were 5,274 in 2017 and total number of passengers who travel on SLTB buses 1,005,205,383 including both male and female. Beside that there are 379 passenger trains operated per day in 2016. They carried 359,037 of passengers per day both male and female. This statistic shows solely the passengers who travel by the Sri Lankan transport board services and except them there are people who travel by private owned buses.

The current population of Sri Lanka is 20,936,714 as of Thursday, April 26, 2018, based on the latest United Nations estimates.

Based on the statistics on the Sri Lankan Labour Force Survey of the 1st Quarter in 2017 has done by the Department of Census and Statistics showed that male labour force 75.1% and female labour force 37.6%. The report of the statistics on the Sri Lankan Labour Force Survey of the 1st Quarter in 2017 depicts that out the total female labor force in Sri Lanka only 37.6 % are employed.

Table 01: Total economically active labor force

Year	Total	Male	Female
2017 1Q	54.7	75.1	37.6

Source: statistics on the Sri Lankan Labor Force Survey of the 1st Quarter in 2017

As defined by the United Nations High Commissioner for Refugees Policy on harassment, "Sexual harassment encompasses any unwelcome sexual advance, request for sexual favour, verbal or physical conduct or gesture of a sexual nature, or any other behaviour of a sexual nature that might reasonably be expected or be perceived to cause offence or humiliation to another. Sexual harassment may occur when it interferes with work, is made a condition of employment or creates an intimidating, hostile or offensive environment. It can include a one-off incident or a series of incidents. Sexual harassment may be deliberate, unsolicited and coercive. Both male and female colleagues can either be the victim or offender. Sexual harassment may also occur outside the workplace and/or outside working hours". (2005)

Further Australian Human Right Commission manifests that, "The *Sex Discrimination Act 1984* (Cth) defines the nature and circumstances in which sexual harassment is unlawful. It is also unlawful for a person to be victimized for making, or proposing to make, a complaint of sexual harassment to the Human Rights and Equal Opportunity Commission"

Examples of sexually harassing behavior include: unwelcome touching, staring or leering, suggestive comments or jokes, sexually explicit pictures or posters, unwanted invitations to go out on dates, requests for sex, intrusive questions about a person's private life or body, unnecessary familiarity, such as deliberately brushing up against a person, insults or taunts based on sex, sexually explicit physical contact; and, sexually explicit emails or SMS text messages.

Act now Sri Lanka website stated that sexual harassment may constitutes, Unwelcome physical contact and advances, Words or comments of sexual nature that makes the person hearing if uncomfortable, Dirty jokes and obscene gestures, Showing

pornographic material, Demanding or requesting sexual favours, Circulation of abusive personal and or obscene emails and visuals, Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

There are number of laws prevailing in Sri Lanka against sexual harassments. Act now Sri Lanka website has been manifesting that,

- . According to Article 12 (2) of the Constitution, discriminating against a person based on his or her sex is a violation of such person's fundamental right to equality.
- . Sexual harassment is criminally punishable under Section 345 of the Penal Code (Amendment) Act, No. 22 of 1995.
- . Sexual harassment constitutes "Harassment of a sexual nature using assault, criminal force, or words or actions which causes annoyance to the person being harassed." This includes: Unwelcome sexual advances by words or action used by a person in authority (eg. Police, armed service personnel, school officials, medical officials etc.) Unwelcome sexual advances in the work place. Sexual harassment in the Penal Code may cover misuse of internet and emails that are obscene or make allegations of a sexual nature in order to harass, intimidate or embarrass.
- . Encouraging or condoning sexual harassment is also a crime under the law.
- . Under the Prohibition of Ragging and other forms of Violence in Educational Institutions Act, No. 20 of 1998, if a person causes sexual harassment while ragging any student or a member of the staff of an educational institution he or she will be given a minimum punishment of ten (10) years and may also be ordered to pay compensation of an amount determined by court. Punishment for the offence is imprisonment with or without hard labour for any period up to 5 years. Or a fine, or imprisonment and a fine imposed together. The perpetrator can be ordered to pay compensation to the person against whom the offence was committed

Hot debates on gender inequality and remarkably deformation, allegation and harassment on women are going on social media among Sri Lankan people. There are many Face book pages which are facilitating women to share their worst experiences on public space. Street Harassment Hurts (SHH) Face book page was created after the incident that happened in Wariyapola area in 2014. That was facilitated to create dialogues and conversation around women harassment. It intended to give voices to women who do not have space on main stream media as well as in order to give awareness about women's right and punishments against harassments. On this virtual space most of the women have shared their daily experiences and their opinions on women harassment. Most of the female have been shared their stories anonymously and with their identities. Anonymously some girls have uploaded photos and have shared their opinions as follows.

*"Just because of I move through the public space, doesn't mean my body is public space".*

*"The moment you use "Aaaaa... Nangi, Baduwa/ Kealla" to address a girl, that's when I loss all respect for you".*

Sunday observer news media has reported more news along with women's comments in order to give voice to women who are fighting against sexual harassment in public transport "women, fight against fear and shame". Female scholars and critics have declared their ideas regarding women harassment in public transport and on streets. A journalist, Isuri Kaviratne has been experiencing harassment in public transport often. She says, during one of her journeys in the night on the 138 route, bus number was NA 6485 she was subjected to harassment by the conductor himself.

As per the words of Isuri Kaviratne she was questioning "will I be safe to walk alone the same road if I complain today?" It depicts even though women have been harassing they are unable to raise their voices. Women have to bear their grievances in order to survive in the society even being harassing. This is the situation most of the women are experiencing within Sri Lanka.

As mentioned on Sunday observer news media a Lawyer, Consultant in Gender/ Adolescent health and Executive Director of Shanthi Maargam, Kamani Jinadasa that the reasons for sexual harassment to go unreported are as follows:

*"The criminal justice system and the law enforcement authorities do not encourage complaints, Victims' fear of making matters worse, Fear of harm to one's name and one's reputation, Normalization of it as a common occurrence in the workplace, places of*

*education or public transportation, Fear of being followed if sexual harassment takes place in public places and public transportation, Lack of awareness about legal relief Absence of sexual harassment prevention policies , and The common practice of blaming victim-survivors rather than the aggressor”*

A Sociologist and senior lecturer, Department of Sociology and Anthropology, University of Sri Jayawardenepura, **Dr. Praneeth Abeyundara says that** *“sexual harassment in public transport has become a common nuisance for all those who yearn for ‘civilised’ behaviour in a public place. The main reason I see is the breakdown of moral values among the present day generation. The deterioration of morals has been seen in an unprecedented manner”.*

Deputy Director of the Children and Women’s Division of Sri Lanka Police, W. A. S. P. Lanka Rajani Amarasena has mentioned on Sunday Observer newspaper *“The UNFPA report says, of the 90% women sexually harassed, only 4% had complained to the police. This is because the police complaint is a long procedure which delays and kills time, during which process some victims change their minds. Some women just ignore, not aware that it is a crime, some are afraid of the law and do not like to go to the police and the courts, as the whole country would get to know. Women from traditional families are shy to complain.*

#### LITERATURE REVIEW

The study titled on “Normalizing Sexual Violence: Young Women Account for Harassment and Abuse Heather” carried by Hlavka. R.H at Marquette University, USA in 2014 shows despite high rates of gendered violence among youth, very few young women report these incidents to authority figures. This study moves the discussion from the question of why young women do not report them toward how violence is produced, maintained, and normalized among youth. The girls in this study often did not name what law, researchers, and educators commonly identify as sexual harassment and abuse. How then, do girls name and make sense of victimization? Exploring violence via the lens of compulsory heterosexuality highlights the relational dynamics at play in this naming process. Forensic interviews with youth revealed patterns of heteronormative scripts appropriated to make sense of everyday harassment, violence, coercion, and consent. Findings inform discussions about the links between dominant discourses and sexual subject.

A study on “A Model of Racialized Sexual Harassment of Women in the UK Workplace” indicates that frequency rates of sexual harassment in Black Asian and Minority Ethnic (BAME) women tend to be limited to a single incident or of short duration, i.e. less than a week, further findings show that culture influences not only the nature of the sexual harassment experienced, but also explains the strong prevalence in the sample of same race harassment. Asian women in this study appeared to be much more afraid of reprisals that would injure them or their family than other groups, who feared more about what their family would do to the harasser. The fear expressed by Asian women frequently arose from the community status of harassers, who were often very influential and powerful within their own ethnic communities. This power was not only over those BAME women who had experienced sexual harassment, but was also over their family. It is interesting that BAME women frequently viewed their situation as significantly different from that of White women; women they felt had more ethnic power and who would receive more support in their claims. (Fielden. S.L- 2009)

A research study on “Sexual harassment in Dentistry: prevalence in dental school” has demonstrated that sexual harassment can occur in a dental school setting. There is a need for ongoing sexual harassment education programs for students and university staff. Increased knowledge of sexual harassment during graduation can better prepare dental professionals to respond to sexual harassment during their practice. (GARBIN et al 2009)

A study “sexual Harassment of Uppity women” carried by Berdahl.J.L in 2007 revealed that the women with relatively masculine personalities (e.g., assertive, dominant, and independent) experienced the most sexual harassment further this effect was not because women with relatively masculine personalities were more likely than others to negatively evaluate potentially harassing scenarios and women in male-dominated organizations were harassed more than women in female-dominated organizations, and that women in male-dominated organizations who had relatively masculine personalities were sexually harassed the most.

A study on “Shame-Proneness as a Diathesis for Dissociation in Women with Histories of Childhood Sexual Abuse” examined whether shame-proneness is associated with dissociation among abused women multiple regression analysis indicated that shame-proneness was independently related to dissociation, but childhood sexual abuse was not. As predicted, the combination of shame-proneness and childhood sexual abuse was associated with dissociation. (Jean A. Talbot - 2004)

A research titled “Racialized Sexual Harassment in the Lives of Mrican American Women” by Buchanan N.T and Onnerod in 2002 indicate that African American women cannot easily separate issues of race and gender when considering their personal accounts of victimization, which creates a form of racialized sexual harassment.

A study on Sex and Ethnicity as Moderators in the Sexual Harassment Phenomenon: A Revision and Test of Fitzgerald et al. (1994) has proven that sex is an important moderator of these relationships, but that ethnicity is not. Further, sex and ethnicity were not found to moderate the effect of sexual harassment on its outcomes.

#### THEORETICAL FRAMEWORK

Freedom is a fundamental right of human being “Liberal feminists share this view, and insist on freedom for women” Liberals have a disagreement on what freedom articulates and it may take different forms more than one.

“Liberal feminism conceives of freedom as personal autonomy (Living a life of one’s own choosing and political autonomy (being co-author of the conditions under which one lives.” (Stanford encyclopedia of philosophy-2007)

Women have the liberty of their lives to live as their own. But it depends on certain conditions no enough conditions to exercise the personal autonomy or the social formation fail to respect the women’s personal autonomy and other elements of women’s flourishing.

#### METHODOLOGY

Questionnaire was employed in this study. Researcher has spread out 200 questionnaires. Present research study conducted a pilot study by giving questionnaire to 10 people similar to the study population. It provided a chance to clear and simplify most questions pertain to the respondents.

Researcher has used random sampling in order to choose well defined sample. 200 questionnaires were disseminated to women passengers who travel by public bus services in Colombo district and 100 questionnaires have chosen as acceptable respondents. Questionnaire consists with twenty eight questions. First four questions were asked about the usage pattern of public transport. From question number five to eleven were asked about the sexual harassments women are exposing. From question number twelve to twenty two were asked about reactions and effect on the post stage of sexual harassment. From question number twenty three to twenty seven were asked about the awareness level of laws, legal actions and institution against sexual harassment in Sri Lanka. Last question allowed respondents to make suggestions in order to minimize sexual harassment in public transport.

This study was set within the Colombo district the commercial capital city and the second level administration division of Sri Lanka. Based on the calculations of the Department of census and statistics 2017 Mid-year Population estimates shows the population of male within Colombo district is 1,187 and female 1,232 as the highest population all among the district.

RESULT & CONCLUSION

Majority of respondents were of 25 to 34 years and also a considerable amount of respondents were more than 45 years old. The total number of respondents from the passengers use public transport buses for traveling to work place, traveling educational purposes and their personal purpose respectively 28%, 32%, and 60%.

96% of respondents have been stated that they are being harassed when they travel by public transport buses. As per the frequency of being harassed majority of women have been harassed at least once or twice per year. A considerable amount of respondent stated that they are subjected to be harassed 8 to 10 times per year. Harassment takes place more in long distance travels (more than 20 km) more than short distance journeys. The respondents were asked when they face harassment more. Majority of respondents stated that Morning 5-12 and Evening 4-7 is the time the majority of them are facing harassments. Female who travel for education and jobs usually travel within above mentioned time.

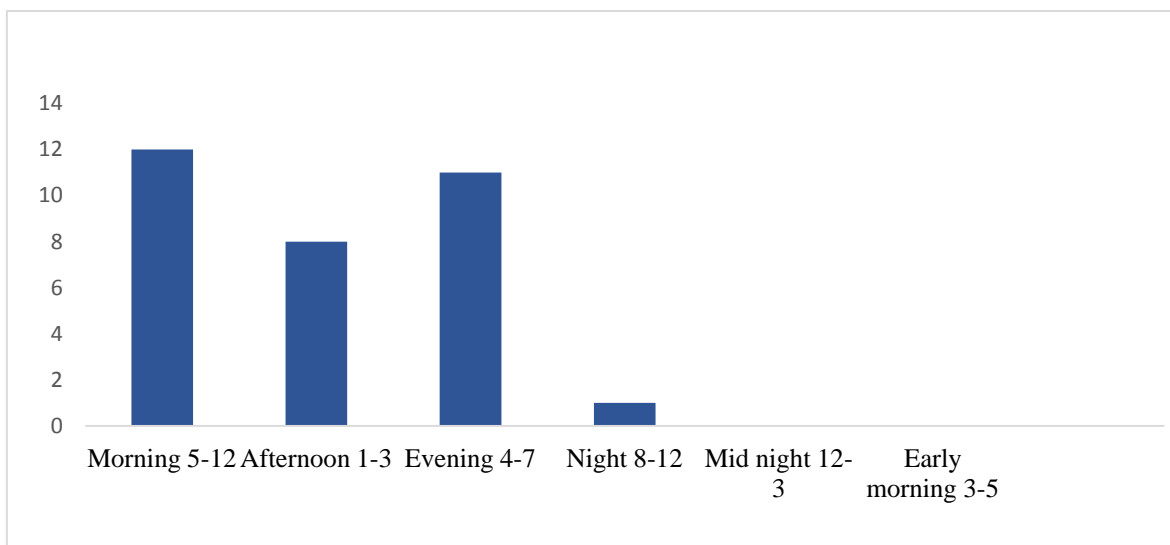


Figure 1: Time duration of the women are being harassed in public Buses.

All the respondents have been stated that perpetrators are men. Improper seating etiquette and unwanted crowding of personal space (ex. excessive closeness) are the most common harassment types which they have been experiencing. Deliberate touching of any part of the body, pause to get contact details, Trampling on foot deliberately, suggestive/ lascivious look also at a considerable level. Majority of respondents (60%) stated while they were experiencing harassments other passenger did not intervene in order to stop the harassment.

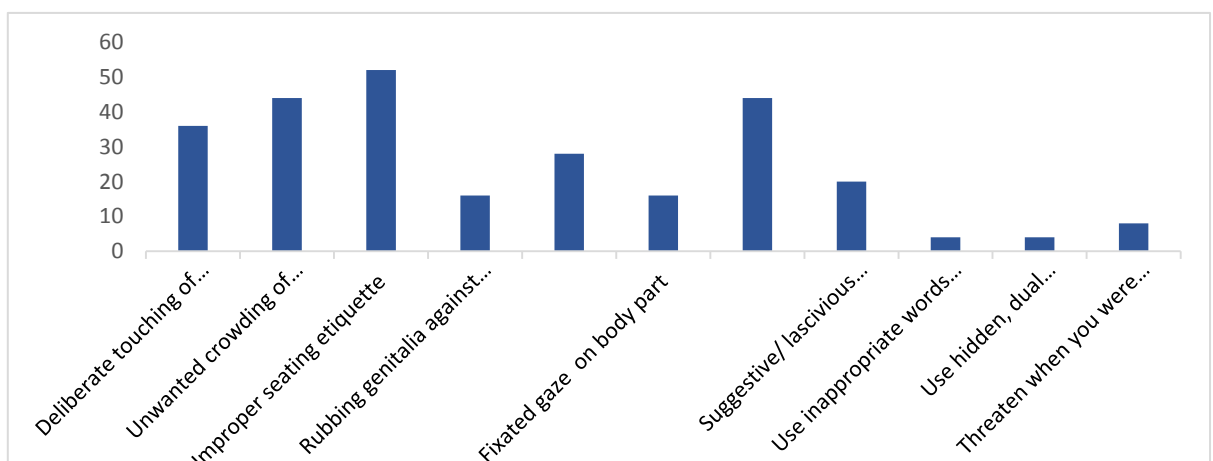


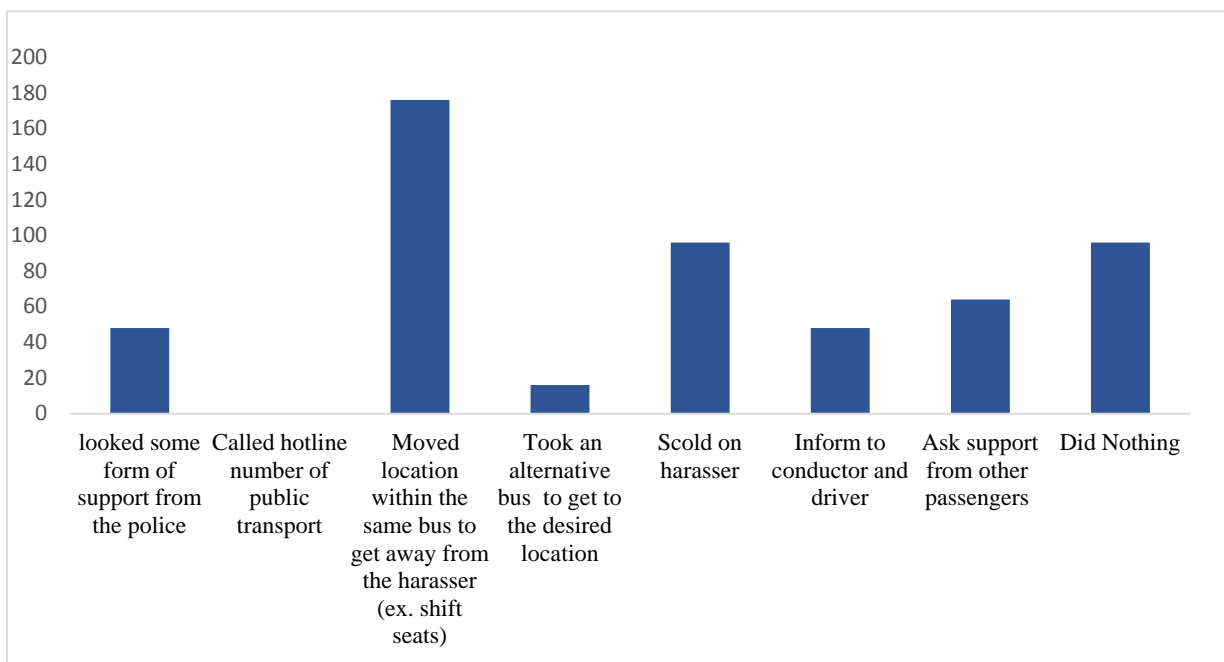
Figure 2: Common harassment types on women.

While women were harassing majority of them had felt angry and scared. A considerable amount of respondents had stated that they felt humiliated and embarrassed. Even more majority of respondents stated that these harassments had been affected both on their personal lives and education as well.

Researcher inquired on women's interventions on another female person is being harassed in public transport buses. Majority of respondents stated that they have seen other women are harassing in buses and a considerable amount of respondents have intervened in order to stop the harassment. Furthermore, though they had intervened to stop the harassment it happens rarely. They were not able to intervene all the time while they are seen that another woman is being harassed.

Out of the total number of women who had been harassing in public transport buses only 36% of women have taken an action against the harassment. The majority have moved location within the same bus to get away from the harasser (ex: Shift seats) instead of taking an action against the harassment. Furthermore, considerable respondents have stated that they had scolded to harasser and a similar amount of respondents they have done nothing against the harassment.

Figure 2: Types of actions women taken against harassments.



The researcher asked the respondents to give suggestions to make public transport buses as a safer mode of transportation. Majority of them have suggested videos/films on the screen of buses should be prohibited. Descriptively there are musical show videos screening in public buses those videos contain with inappropriate scenes should be prohibited. Furthermore, there should have a strict and immediate method of punishment. A similar number of respondents suggested that the requirement of an active method inform the harassment to relevant parties (mobile app, Signal system in Buses and bus halts) and the need of laws those function independently without political influences.

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