# Northern Women Selected Issues in the Post-War Context



# **COUNCIL FOR PUBLIC POLICY**

Sri Rangani Arulmakan Council for Public Policy

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# About CPP

Council for Public Policy (CPP) is a non-profit Sri Lankan policy institute engaged in the development of policy options in democratic good governance and national reconciliation. CPP believes in dialogue as the process of developing policy combined with a research component. Through such processes CPP seeks to render professional advice to policy makers in government, political parties, international organizations, INGOs, civil society and other stakeholders regarding issues of public policy. CPP's authorization with the Government of Sri Lanka is through a Memorandum of Understanding (MOU) with the Ministry of Constitutional Affairs and National Integration.

The objectives of CPP are:

- ✓ To conduct research and collect data that will contribute to informed public policy.
- To facilitate dialogues that will enable policymakers to formulate better public policy in the areas of democratic governance, conflict resolution and sustainable development.
- ✓ To enable learning for policymakers through the exchange of lessons among actors in different countries from government, civil society, international organizations, business, and other relevant sectors.
- ✓ To assist in issues of relief, reconstruction, reconciliation and other humanitarian concerns.

## Foreword

When the world thinks about war, the images are of soldiers, helicopters, bombs, guns, bayonets, landmines, rocket grenade launchers, and other toys of little boys, grown to patriarchal manhood and still staging territorial dramas of power competition. One side will win and another side will lose, and the game will start over in one place or another.

The invisible images, the ones without representation, are the women and children, cows and other animals, and the land that is destroyed. When the men are broken, physically and emotionally, and they move on, it is the women of the world who must glue together the jigsaw puzzle that is left. The children must be fed, the animals looked after, the land resurrected, resources found. Ofte these women are very young, very hungry and also damaged.

Some were forced to fight, as children, with rebels. Some saw loved ones die. Some lost a child, or two or three or four. Some lost a home in war, another to tsunami, another again in war. Some eat bread in the dirt while authorities occupy home and land, still. Some were married at age 14 and had their first child at 15. Some have a loving young husband, wasting life in prison because of a clash between marriage law and tradition. Some earn less than 100 rupees (\$1) per day. Some are widowed and disabled and young, their sacrifices beyond knowing. Some farm. Some fish. Some collect firewood. Some sew, wash clothes, and sell milk. They are damaged but they endure, to do what must be done, what there is no one else to do. They do it better with little to no support. They have no therapist to cry with, no life coach to advice. They say, "It is better to stop crying and find ways to earn some money so that we don't starve".

They have memories. The images of life experience are challenging. Pathological distortions are apparent in their expression of these things. Post traumatic stress is normative. But they choose to be strong, to focus on development, to build home, sustain and develop family, create new beginnings from the ruin. Thus their lives cannot be defined by ruin and pathology alone, but also by resilience and determinations, by post-traumatic growth.

These are women who grow hope from despair. These are the women of the North, and I salute their courage.

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### Summary

The Council for Public Policy (CPP), over a period of time, has come across hundreds of war-affected women during legal aid projects in the North. A significant amount of information has been revealed through these women about their post-conflict situation. This could be of vital importance in understanding the current situation and the needs of these women so that the necessary approaches can be made in order to provide them with a satisfactory transition into the post-conflict era.

Among the women we talked to, even though they are all certain that the war is over, their level of insecurity is very high. One woman stated that her main goal in life is to live happily with her loved ones in whatever little time she got, in case another war breaks out again and they were separated. In this mentality, they do not plan far ahead in terms of education and vocational training, which is necessary in order to develop a financially stable and future oriented life.

We therefore decided that it was necessary to identify how these women of the North have been affected due to the war, and their impact in shaping the post-conflict situation; and also to identify intervention methods that are most successful with Tamil women of the North in helping them to rebuild and support a better society with potential for personal empowerment, economic prosperity and peace. In our work with war-affected women, a selected hundred women were used as case studies for this research which consists of their life situation in the post-conflict period.

These women, who are between the ages of 15 to 59, originated from various parts of Northern Sri Lanka and they have all been directly or indirectly affected by war. About 90% of the women have witnessed or been caught in the middle of armed conflict; and 92.8% of them have been at an IDP camp at some point in their lives. Almost 3 out of 10 women were physically disabled, and about half the women have lost at least one parent, a sibling or other relative.

The main factors that were identified in the post-war situation were: the increase in women-headed households, land documentation issues, and statutory rape.

Additionally, there are other issues that were prevalent in these women's lives, such as domestic abuse and lack of child support. Among their many needs, they were in dire need of shelter, financial support and psychological support. It was very obvious to notice that the lack of psychologically intervention systems prolonged the time needed by these women to come to terms with the situation in order find closure and move forward in life.

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## Postwar situation - Introduction

Sri Lanka was affected by civil war for over twenty years and the war came to an end in May 2009. The war claimed tens of thousands of lives and displaced more than 280,000 people primarily in the North and East of the country. Additionally, during the war, children were forcibly recruited to join rebel groups. Families were destroyed and many were forced to migrate, suffering from famine, hunger and loss. This conflict brought substantial social, political, economic and cultural ramifications.

According to the government of Sri Lanka's estimate, in the North and East– "there are 90,000 widows most of them below the age of 40" <sup>[2]</sup>; and in a survey conducted by the Jaffna-based Center for Women and Development, it was revealed that the northern region had approximately 40,000 female-headed households including more than 20,000 in Jaffna District. This indicates that a large number of families in the war affected area are headed by women where they have to earn and feed the family.

The situation of having a woman in charge of the family is new to the people of the North. Traditionally women were sheltered and kept at home and their primary duty was taking care of the home and children while the men worked and earned for the family.

Most of these women, out of desperation for a livelihood have also been forced to take up odd and difficult jobs to feed their children and maintain their disabled family members. Some women have also taken up male-dominated jobs such as fishing and farming, the main industries of the North.

In terms of employment, it is noteworthy that these women have "little or no employment opportunities, livelihood or income generation support"<sup>[6]</sup> due to several reasons, such as lack of proper education; inexperience with working in male dominated fields. As women who have stepped out of their traditional roles to fend for their families, they are not used to the competitive nature of the working environment. Their humble nature, where they don't challenge or question their authorities when being treated unfairly only favors their bosses.

According to Birgitte SØrensen, women's "post-war position will be partly determined by their former positions in the landscapes of conflict, as internally displaced persons, widows, single breadwinners, victims of rape or torture, ex-combatants, refugees, etc"<sup>[1]</sup>

Now after the war, it is necessary for these war-affected women to overcome the losses they sustained so that they can start fresh and build a new society in the post-conflict environment for the new generation. Therefore it is important to understand how women are progressing and dealing with the challenge of having to take care of the family and also be the bread winner for the family, going out into the world.

# Women Headed Households

Most women in the North have been affected by the loss of family members and income earners through "desertion, separation and divorce... and the inability of the spouse to engage in income generation"<sup>[3]</sup>. This has lead them from their traditional roles of being daughters, wives and mothers to becoming principle income earners of their family.

From the information we have gathered, from the one hundred women - 80% of them are either widowed, unmarried, divorced or living separately from their husbands. Among these women, 70% of them are head of households.

This change in gender demographics of working women in the North has not been very favorable in terms of earning sufficiently in order to maintain their families.

#### **Unemployment and low income earners**

About 80% of these women are unemployed. Most of them were unemployed due to the difficulty of finding a job. While the others mentioned that they had to stay home or were self-employed in order to look after a physically disabled relative or young child.



A widow (right) and her mentally disabled son, living in an abandoned roofless house.

А major problem the working women face while having to earn for their family, is that of very low pay. Almost half of the women complained of being paid very little. They said they were also treated badly and taken for granted, as their bosses knew thev would come back. regardless, as they were in desperate need of money. These women are considered cheap labor and

they "are preferred in the employment sector as they report on time, are easy to manage, and do not question their managers"<sup>[2]</sup>.

Most of these women, who are head of households, have sacrificed a lot for the sake of their family. The youngest woman, who was the primary breadwinner of the family, was 18 years of age. She was looking after her family that consisted of a physically disabled father who had lost his leg in shelling, and her 10 year old brother who was attending a nearby school. She has given up her desire for learning in order to take care of her family, perform day labor and be hired for temporary jobs.

One of the main problems she faced, as head of the family, was the lack of job opportunities and the way she was treated by potential hirers. She stated that she was not taken seriously by people who hired her, mainly due to her age and inexperience. She said she had been bossed around and been verbally abused by her bosses. Some had taken



A widow cooking for her family using firewood her disabled son gathered.

advantage of her situation and had also paid her as low as fifty rupees per day.

The oldest woman was 67 years of age. She has lost her daughter to the war and her son-in-law has been reported missing. She is now looking after her two grand children, both of whom are under the age of ten. Her main difficulty, in maintaining her family, was her inability to perform strenuous tasks in order to get money.

Due to old age, she has arthritis and other painful ailments in her body, which limits her movement and actions. In such a state, she says, "it is almost impossible to work to get a steady income". As a self-employed woman, she gathers firewood, with the help of her grandsons, and sells it to people at a very cheap price. She mentioned the level of poverty was so high that she used to sell wood she gathered for as low as twenty rupees per bundle. She could gather about three to four bundle worth of firewood in a day, which brought her an income of about sixty to hundred rupees.

She also said that collecting wood was not an easy task. Sometimes the branches had to be cut from fallen trees – which she accomplished through her grandsons. In worse situations, she could not collect any wood if it rained or was too dark.

Despite all this, the main problem she faced was delivering the wood to people's homes, as she would have to resort to walking, due to lack of money. Since her grandsons were too young to be sent alone, she sought the help of some men in her neighborhood, who would gladly help her, and in return for the favor she would give them money for their own food.

Another prominent factor that is evident in this family is the lack of education for her grandsons. Both grandsons help her collect wood and sell them. They do not attend school. Without any education or skills their future as adults would be bleak.

#### Physically disabled women

About 30% of the women are physically disabled. Almost all of them are unemployed and half of them are the primary bread winners of their families.

Rohini, age 42, although she hadn't lost any limbs, limped while she walked. This was due to a piece of shell that had penetrated her thigh during the war. Even after surgery, she still finds it difficult to walk fast, carry heavy objects or stand for too long.

As she is unable to do the type of work most women find, such as cutting firewood, farming, and working in other households. She collects dried palm leaves and spins them into mats and sells them. She said that she learned to spin mats by watching her mother do it as a hobby, thirty years ago. As she has to take care of her father and a two year old son, she is now using this skill to make a living. Her mother who is now 72 years of age helps her with collecting the leaves and drying them.

There are other women who are severely disabled, such as those who have lost a limb or two. These women are usually taken care of by their family members.

Logini, age 45, who has lost a leg stated that her unmarried daughter takes care of her. The daughter, who is 24 years of age, performs day labor and earns for herself and the mother. Logini says that, as a mother, she finds it difficult to watch her

daughter working hard to make a living. She also said that her physical state sometimes prevented her daughter from work, especially in the event of taking her to the doctor for her regular checkups. She complained of being guilty for being an unnecessary burden to her daughter, who should be happily married to a nice man and have her own family.

Her daughter, however, says she is happy to look after her mother despite the difficulty she is going through. She says "I have seen my mother go through the agony of losing her leg. I am just happy she is alive. If not for her, I would be all alone without any family."

Despite the horrendously painful experiences these women have gone through, they still manage to find strength from their losses and are determined to move on in their lives.

#### Women in nominally male headed households

Even among the 30% women's families which are maleheaded, some of the men are not fully capable of supporting the entire family, due to physical and mental disability and old age. Some women complained that, even though men go out to earn, they would not necessarily bring home enough money, as they would spend it on alcohol or even lose it on their way back.



Physically disabled man collecting firewood for family

Some of these men seek work away from their hometown, such as in Vavuniya. One man, aged 42, originally from Pt. Pedro, stated that he was living in Vavuniya and doing some day labor on

a daily basis. As his job was not steady and his income was low, he could not save enough to send to his family in Pt. Pedro. In this situation, his wife and family in Pt. Pedro had to work to get their daily food.

Situations like this have led these women to seek out jobs, in order to save their family from starvation, due to poverty and neglectful household men.

There are productive women, like Santhanam, a 48 year from Pt. Pedro, who uses her resources very well in order to bring enough money for her family. She is living with her physically disabled husband, mentally disabled son, widowed daughter and three grandchildren.

Although her husband is alive, and is the head of house in namesake, she is the actual head, as the men in her family



Mentally disabled son of Widow repairing bicycle as ways of income

work under her instructions. Her husband collects firewood from nearby, which she sells to other people nearby. She recruits clients for who her son. repairs bicycles, which provides additional income

for the family. By herself, Santhanam performs daily labor, for neighboring houses, washing clothes and dishes. She also has some chickens that she rears and sells.

#### Domestic abuse & divorce

Domestic abuse is also prevalent in male-headed households. One woman, age 28, complained of being physically abused by her husband when she asked for money to buy food. She said her husband would leave home early in the morning and would not return until late at night. She said that sometimes, he would be gone for days at a stretch, and when he came back he did not give her any money or any support in maintaining their three children. This has lead to serious misunderstanding between them and has resulted in him beating her. She said that her husband was acting this way because of his grief after losing his mother and younger sister to the war.

In other cases, men who went out for work such, as carrying bricks and clearing dead trees, came late at night, exhausted, with little money. When their wives asked them for more money to buy food, they were beaten as the men felt frustrated and angry.

Another most important issue women face is difficulty in obtaining divorce. Many men who had been separated from their family for several years, due to war, with no means to contact them, had married different women and started a different family. As the war came to an end, these men returned to their homes with their second family. This was a disappointment to the women, as they had waited for so many years, hoping he would return. The man, if he was to work, must split any income between two families. This, however, rarely occurred, as the men usually abandoned their first families and settled with the new family.

In cases like this, the first wives wanted divorce from their husbands so they could move on with their lives. In this process, there were many complications the women faced. They did not have money to seek legal assistance, and it was difficult to challenge the man and seek financial support from them. In some cases, the men refused to show up to the courts, or they disappeared and the cases were dragged on forever, with no ends in sight. This was a pathetic situation, and it was frustrating to the women, who had to deal with this problem among the many other problems they had to face in their day today lives.

In helping the domestically abused women, there are several legal aid projects such as CPP's Jaffna Legal Aid Center (JLAC) which seeks to provide legal aid for women who need child maintenance support or divorce.

#### Women in the fishing industry

At present, farming and farm-based activities are major sources of household income for the people of the North. Since a large number of households are now headed by women, women have been forced to take up jobs in fishing and farming, as mentioned by the Sri Lanka Ministry of Rehabilitation, Resettlement and Refugees (2003)<sup>[5]</sup>.



Fishing boats in Kayts

Two women from Pt. Pedro, aged 32 and 36 said it was very tough working in the fishing industry. Even though many women have opted for fishing jobs, the occupation is definitely male-dominated; and they have to work under men.

Some men embarked on fishing during odd times of the day, depending on the weather condition. While working for them, they were required to be present too. This was very difficult for women who had family to tend to. One stated that they did not have enough physical strength to perform heavy-duty fishing. Thus the men looked down on them as incompetent and useless, and paid them low wages or replaced them.

These women said they would prefer to sell the fish in the market after it has been caught. But this also required them to be loud and competitive, and the men were not confident in letting them run the business, in fear of the competition with other sellers.

However, one woman stated that working in the fishing industry definitely had its benefits. She proudly stated that her boss would give her a fish or two after a day of fishing, which she would happily cook for her children.

#### **Farming and Cattle rearing**

Farming and cattle-rearing was, looked upon by the women positively. Sheela, age 38 from Vavuniya, said she was familiar with farming from a young age as she had assisted her father in the fields. She said she would prefer to work with cattle or in a field, rather than go fishing, which was her other option.

She said, as a child, her family had a herd of cows and goats that she, along with her brother, used to enjoy taking out to graze and brining them back in the evening.



Cattle arazina freelv in the abandoned farmlands of Punaudutivu. Jaffna

There is a wide scope for cattle rearing in the North as there are thousands of un-owned cattle freely loitering about in the grasslands. One popular area in Jaffna, that has a large area of grasslands that cattle are taken to is Pungudutivu. Most houses and lands are basically deserted and now occupied by stray cattle. Privately owned cattle are taken to this place for grazing.

Individual families have acquired some cows and sell their milk for a living, as feeding the cows was not a major expense, since they could just be taken to graze in the grasslands. However, there is concern for the future, as people are returning to their homelands and developing the countryside, so cows would not have access to free grass anymore. They would be forced to seek different alternatives in the future.



Abandoned military checkpoint

A Resident of Pungudutivu, Jaffna shows us a damaged house

#### Unemployment due to a lack of education

Due to lack of proper education, most women find only cheap day-labor work without a steady income. People who hire them take advantage of their desperation for money and give them a very low pay, knowing for sure they will work without any argument. This has been affirmed by the Association of War Affected Women (AWAW), which states "many employers are discriminating against women, in some cases paying less than US\$1 a day" <sup>[4]</sup>.

"Half the employed women in the North had less education than the General Certificate of Education (GCE) O Level; of these, 17 percent were below Grade 5"  $^{[3]}$ 

Only 12.8% of the women we interviewed have completed GCE A/L. The women who had completed their GCE O/L were 32%. Another 3% of the women have not attended school at all.

One of the reasons why girls were uneducated was because they had been prevented from going to school by their parents. The LTTE used to visit schools and recruit students from there. This left these girls uneducated, without any skills in the post-conflict period.

A woman from Jaffna, age 25, is living with her elderly parents and an older brother. She said she was fifteen when her parents stopped her from attending school and forcefully married her to her first-cousin, in fear of losing her to the LTTE. Getting her married did not answer all the problems. She said "after my marriage, my husband and I continuously fought and he used to hit me." The husband eventually left her when she was eighteen years of age, and had gone abroad and settled there, and stopping all contact with her. Now, as a mother of two children, she is forced to fend for herself and her family.

There is a great need for these women to be given fair treatment in the work place so that they will be able to maintain family and children. There are several organizations that are reaching out to these women, providing them with vocational training and other skills necessary to survive in today's world.

Kavitha, age 18, attending a vocational training center stated that she was the only child in the family and her mother was the head of household, as the father was physically disabled and bedridden. Her mother, who did day-to-day labor for a very small income, could not afford to send her to school or to any other educational center. Since this vocational training center gave poor and uneducated women the opportunity to learn and obtain skills in computer, sewing and leather making, she stated that she is very grateful for this and is now wishing to become a vocational training teacher herself, so she can teach other children who would make use of this knowledge and skills.

#### Statutory rape and women headed households

Statutory rape, by definition, is sexual intercourse with a girl child under the age of consent with or without her consent. The legal age of consent is sixteen in Sri Lanka. The minimum marriage age in Sri Lanka is eighteen years of age, except for Muslims, for whom it is twelve years of age. Statutory rape is a prevalent issue in the North. The sentence for having committed a statutory rape offence is a minimum of ten years in prison.

During the war period in Sri Lanka, the LTTE recruited young and unmarried people to their group. In order to prevent this, the people had adapted to marrying their sons and daughters while very young, in some cases, as soon as they reached puberty.

Some women mentioned that they were married as young as 14 years of age, in order to escape from being forcefully

recruited by the LTTE. They said that if they were pregnant or had a baby, they used that as an excuse to prevent their husbands also from being recruited to the rebel group by stating they needed him to maintain the family.

Due to the war that lasted for over twenty years, this system has now become a norm in the North. Boys and girls get married very young.

After the war ended, the government took control, and the law is now fully enforced on the public. Due to lack of awareness, girls and boys are still married to each other at a very young age, in the traditional way, before the legal age of consent. When the girl becomes pregnant and visits the hospital for a checkup, the boy is arrested for having committed statutory rape, and sentenced to a minimum of ten years imprisonment. This usually leaves the young and pregnant mother to fend for herself and her children.

According to Ms. Shantha Abhimannasingam, the president of Jaffna bars association, and senior adviser at CPP, students below the legal age of consent, who are attending school, develop romantic and sexual relationships. They have no access to information about contraceptives, sexually transmitted diseases and especially the law that states it is a criminal offence to engage in sexual activity with a minor.

In an Orphanage in Wattala, a three year old child was admitted to the Home, as her mother was eighteen years of age and could not take care of the child. The mother stated that she had eloped with her husband when she was fifteen years old and attending school. She became pregnant a few months after, and the husband, who was three years older, was charged with statutory rape, when she attended the hospital for a checkup.

In this state, she had been living with her grandparents who could no longer take care of her or her child. She therefore admitted the child to the Orphanage and left the country for the Middle East, to work. There are many cases of these women who are as good as widowed, due to their husband's incarceration on this charge.

While the law was formed to protect young children from sexual predators, it is now affecting the lives of the common people, who think it is acceptable to get married or have sexual relations when they are very young. Although the law should not be changed, awareness and knowledge has to be brought to these people, ignorant of these laws and regulations.

In CPP organized awareness programs for High Schools in Jaffna, about Children's Rights, with a special focus on statutory rape. However, these programs need to be done continuously in order to reduce the imprisonment of unaware students and families.

#### Land documentation issues

The women of the North face severe difficulties in lack of land documentation to resettle in high security zones. Their land documentations have either been lost or damaged during the war. People who fled their homes during the war returned, after many years, to see that the government had been "taking over land that people earlier inhabited"<sup>[8]</sup>. Some found their homes occupied by other people or found their lands were mined.

They could not obtain reimbursement, or other satisfactory means of settlement, unless they obtained a copy of the deed.

In Sri Lanka, "ownership of land defines individual identity and status... affecting livelihoods as well as community development"<sup>[7]</sup>. However, due to the recent war, there have been serious issues in ownership and accessing owned land.

About 57.5% of the women haven't returned to their respective places, due to lack of land documentation. Their homes have been occupied by the military or their area is under the demining zone.

In the case of women-headed households, even though "land in itself doesn't facilitate better prospects"<sup>[7]</sup>, having proper land documentation could play a vital role in helping them obtain loans and support livelihoods. This problem affected many women-headed households as the women had to also take care of family and, at the same time, spend money and time in travelling to various departments and meeting people, in order to obtain land documents.

Santhanam from Pt. Pedro, along with her family was occupying an abandoned house as her home land was occupied by the Sri Lankan Navy and the land had been claimed by the Government. In order to collect reimbursement, another land or any other help from the Government, they had to show proof of ownership of the original land in Pt. Pedro. This was impossible as Santhanam had lost the deeds during the war and therefore she could not request help from the Government.

Eventually, they were asked to move out of their displaced



Unusable well in premises of the house occupied by displaced family.

area, after the war had come to an end. Santhanam and her family, however, had another difficulty to face after the war.

As obtaining her land deed was the only way she could secure herself and her family a permanent shelter, she spent many months going from one department to another, trying to find suitable ways to somehow obtain help from the Government. Unfortunately, no one was able to direct her appropriately. Since she was very poor, she was not able to get any professional support in this matter.

Eventually, via the Jaffna Legal Aid Center, she was able to obtain the copy of her deed and get suitable reimbursement from government authorities.



Abandoned house occupied by Shantham and her family in Pt. Pedro

Private organizations, such as Jaffna Legal Aid Project, offered legal aid to land documentation issues for women. During 2010-2011, they helped more than 500 families to obtain land documentation for their property, out of which more than 300 were women-headed families.

Although many people are benefitted by private organizations, it is important to note that government officials often lack awareness and do not give adequate information to people who are seeking legal rights.

#### Need for psycho social intervention

Many people in the North, especially women and children, are in desperate need of psychosocial intervention, such as trauma counseling and therapy.

Even though the government has set up mental health units in hospitals, there are many people who have not used those facilities and are in need of it.

Thivya, age 52 from Kilinochchi, stated that as she was very busy sorting her life out by trying to make a living and feed her family, she could not find time to go for therapy from government hospitals, which were far away from where she lived.

The main cause for this lack of interest in therapy, by people in the North, is unawareness about it. In their lives, they would have never heard about counseling or therapy. Psychology is a new field in Sri Lanka. It might come as a surprise to them, to hear about people needing therapy to overcome trauma.

Thivya stated that "everyone is sad as a result of the war, everyone has lost someone. But it is better to stop crying and find ways to earn some money so that we don't starve". This statement shows a lack of therapy prioritization and ignorance about the far-reaching effects of trauma.

Psychosocial intervention is essential for traumatized and affected people to heal and move past the losses. Awareness is necessary and actions have to be done so that this service will reach all the people of the North.

There have been a number of psycho social training programs in Vavuniya and to a lesser extent in Kilinochchi and Jaffna, as well. But the need is far greater than the supply and even the level of training where there is limited supply.

Despite all the issues the women in the North face after the war, these women are resolute, courageous, strong, and resourceful. They are definitely in the right path to success even amidst the confusion of the resettlement and post-war period. If given the right support and aid, women in the North can play a significant role in rebuilding their own lives and that of their communities.

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