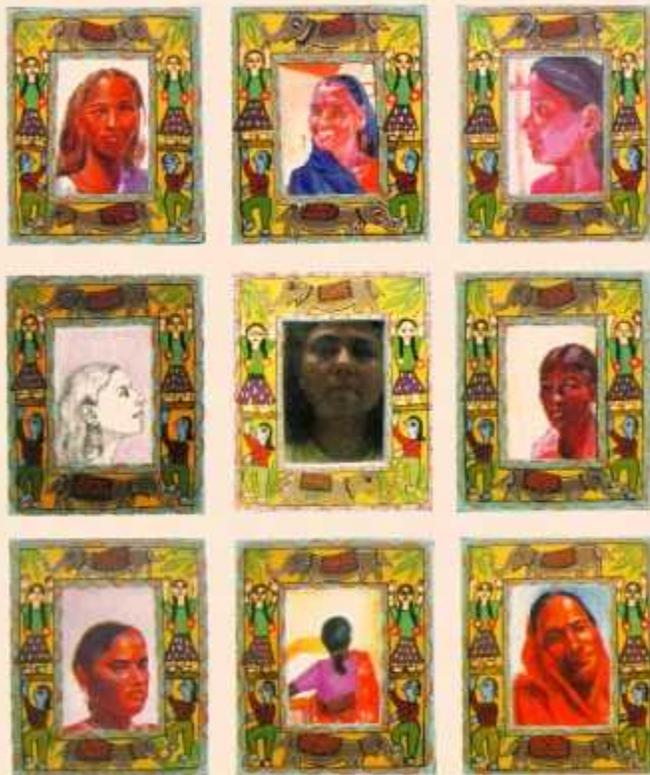


# STORIES OF COURAGE AND RESISTANCE



মানুষের জন্য  
manusher jonno  
promoting human rights and good governance

CASE STUDIES  
ON  
VIOLENCE AGAINST WOMEN

ACHIEVEMENTS OF  
MANUSHER JONNO FOUNDATIONS PARTNERS  
VAW PROJECTS

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# Glossary

<b>Sl. No.</b>	<b>Commonly/Locally Used Terms</b>	<b>Elaboration</b>
1	<b>Bedai Talak</b>	Irrevocable Divorce
2	<b>Denmahr</b>	The amount of money pledged to be paid to the bride by the bridegroom in a Muslim marriage
3	<b>Farz</b>	According to Muslim law which are made it binding/obligatory for all
4	<b>Fatwa (edict)</b>	The dictionary meaning of 'Fatwa' is Religious Decree. Fatwa is a legal statement in Islam, issued by a mufti or a religious lawyer, on a specific issue. Fatwa's are asked for by judges or individuals, and are needed in cases where a issue of fiqh is undecided or uncertain. Lawsuits can be settled on the basis of a fatwa. It is vital that a fatwa is not based upon the muftis or lawyers own will and ideas, he must render it in accordance with fixed precedent. Today, fatwa's have limited importance in most Muslim societies, and are normally used only in cases of marriage, inheritance and divorce. The importance of a fatwa depends on its acceptance among most people, and if people don't care about it, it is in reality powerless.
5	<b>Fatwabaz</b>	The person who pronounce 'Fatwa'
6	<b>Gamchha</b>	A napkin made by handloom
7	<b>Hilla marriage</b>	Literally hilla marriage means an arrangement of reunification between the husband and the divorced wife if they desire. The arrangement is such that the divorced wife shall be given married to another man and after being divorced by him she will be admissible for reunification with her first husband by the system Islam prescribes.
8	<b>“Jowtuk” (“Dowry”)</b>	A dowry is the money, goods, or estate that a woman brings to her new husband. Compare <u>bride price</u> , which is paid to the bride's parents,

- and dower, which is property settled on the bride herself by the groom at the time of marriage.
- 9 **Kabinnama** or marriage contract popularly known as  
**Nikahnama**
- 10 **Maintenance** It is the monetary support that a wife, children,  
**(Nafaqa)** parents, and grand children can claim as a matter of legal right on the husband, parents, son, and grandfather respectively to maintain their livelihood.
- 11 **Mahar** Bride price, the amount of money pledged to be paid to the bride by the bridegroom in a Muslim marriage.
- 12 **Moulavi** a person well versed in religious norms and practices
- 13 **Nikah/marriage** is a civil contract between a man and woman of sound mind on attaining puberty that aims primarily at procreation and legitimization of children.
- 14 **Talak** Talak is an Arabic word meaning "**to release**" or "**to divorce**". Under the Muslim law, talak means "**to untie the matrimonial knot by articulating a word denoting divorce.**" In a very simple language the dissolution of contract of marriage by the husband at his will without the intervention of the court is also called talak
- 15 **Talaknama** The written document of divorce is called talaknama.

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## Foreword

These case stories reflect MJF partners' experience emanated from supporting projects in the field that address many forms of violence against women, with the aim of disseminating lessons that can be used to confront the problem on a wider scale. It is intended primarily for the development practitioners and others seeking to change attitudes and practices that have been passed on through generations.

Breaking the cycle of violence is a necessary and urgent task, if the realisation of women's human rights is to become a reality in this generation.

MJF works to ensure that addressing violence against women and girls is an integral part of sexual & reproductive health and prevention of VAW programmes. Together with our partners, we are working to bring national laws into compliance with international standards; train and sensitise justice officials – the police, the media, armed forces and civil society peacekeepers; reach out to men; combat harmful practices such as female genital mutilation/cutting and child marriage; and promote gender equality.

The growing visibility and awareness of violence against women and the suffering it causes among women, their families and in society at large has encouraged governments, civil society organisations and others to establish mechanisms and programmes to address the issue - with promising results. Nevertheless, violence against women remains one of the most serious social problems of our time, cutting across religious, ethnic and class/caste boundaries.

This publication is a part of a sequence of exploration that MJF has undertaken over the last four years to look at the cultural dimensions of gender equality and women's rights to reduce Violence Against Women. Violence against women is a multidimensional problem that requires a multidimensional response. Adding to the complexity is the fact that every culture has its own set of attitudes and reactions to it, which must be thoroughly understood by anyone attempting to tackle the problem in an effective and sustainable way.

I would like to thank the team members Banasree Mitra Neogi and Arpita Das for their efforts to plan and coordinate the information.

My sincere thanks also to Rina Roy, Director-Rights for her overall support and editorial assistances to make the report published as a desktop publication.

Finally, my gratitude goes to the selected partner organisations and their stakeholders who provided useful information and other support to the team.

**Shaheen Anam**  
Executive Director

## INTRODUCTION

**Violence against women must be addressed on multiple levels and in multiple sectors of society simultaneously, taking direction from local people on how women's rights may be promoted in a given context**

Violence against Women (VAW) in Bangladesh is occurring in almost every aspect of women's lives. Women's Movement of Bangladesh has played an important role in bringing 'Violence against Women' issue to centre stage as a internationally acknowledged human rights issue.

Twenty years ago, violence against women was not considered worthy of international attention or concern. Victims of violence suffered in silence, with little public recognition of their plight. This began to change in the 1980s as women's groups organized locally and internationally to demand attention to the physical, psychological, and economic abuse of women. Gradually, violence against women has come to be recognized as a legitimate human rights issue and as a significant threat to women's health and well-being.

Partner Organizations are working to increase **social awareness** about VAW as a violation of human right of women and girls. Through Community based mobilization, capacity building and activism they are sensitizing duty bearers. They are working both nationally and locally with women's groups, human rights groups and media to promote the concepts of **women's rights and entitlements** and the unacceptability of violence and support processes for her empowerment.

Partner Organizations are also trying to build formal and informal **Community structures**. These structures mobilize and give orientation to discourage violence in public and private sphere of life. The program also encourages take initiatives on dealing with conflicts before it escalates into violence e.g. husband wife disputes, disputes between two families over dowry, harassment of girls on the way to school or public transport, etc.

Partner Organizations are working with the police department, Judiciary, medical/hospital department in increasing their awareness, to ensure **quality of services** and making them more responsive to VAW and women rights issues. They are also trying to identify institutional constraints and gaps of the service providers. Based on the outcome they are attempting to find the solution, how best these services could work towards establishing **women's entitlements**.

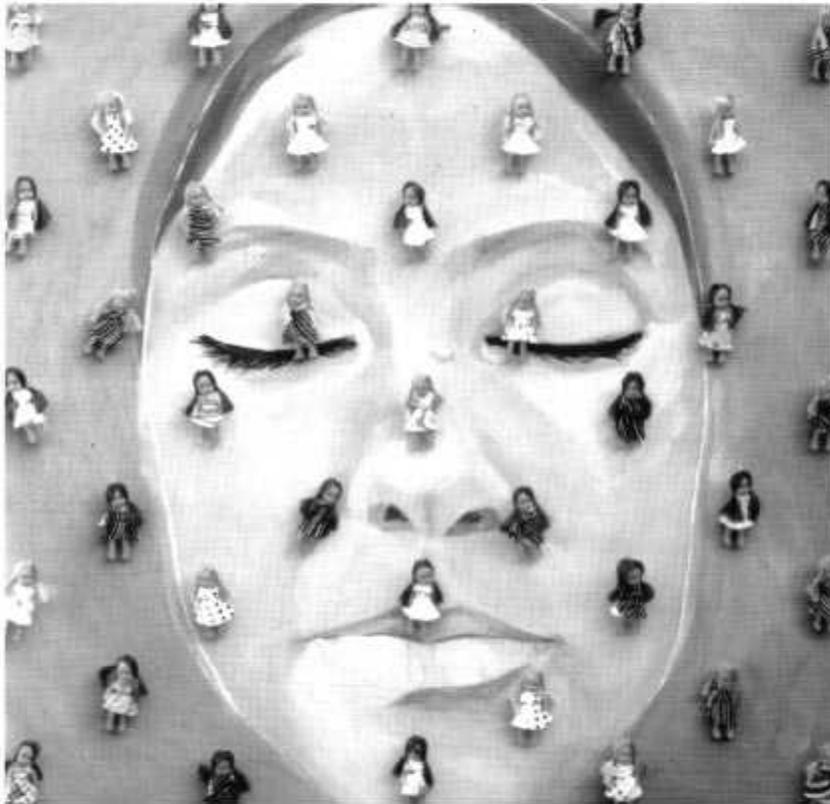
Partner Organizations pursuing women rights and working against VAW are working through complementary partnerships to undertake **policy advocacy** with Government on VAW and domestic violence issues.

Strengthening institutional capacity of grassroots level female headed organizations and flourishing inner-potentials of women aiming at **economic empowerment** and gender equality.

In this document MJF has made an effort to focus on partners interventions impacts through some presentation of case stories.

# CHAPTER

# 1



Prevent Early Marriage for a  
Healthy Nation

Early marriage, especially without the consent of the minor aged girls is a common practice in Bangladesh. Early marriage is encouraged for several reasons such as, guarantees financially well-established husbands, relieve her family of the burden of a mouth to feed and at the same time ensure a long cycle of fertility to produce a number of sons, security concerns etc. Besides, a girl child is still considered a burden to poor parents. Poverty is one of the major factors underpinning early marriage.

Furthermore, in the marriage market the younger the bride, lesser the dowry demand. Parents' fear for their daughters' security, especially when she is an adolescent and capable of conceiving a child out of wedlock. When a young single girl becomes pregnant not only does she stand to be condemned by her community (in some cases she becomes the subject of fatwa's), her parents and family are also punished with social isolation and humiliation. Cultural stigmatization of sex outside of marriage actually puts the family honour at stake.

In addition, Girls who marry as children are often more susceptible to health risks associated with early sexual initiation and childbearing, including HIV and obstetric fistula. Lacking status and power, these girls are often subjected to domestic violence, sexual abuse and social isolation.

Early marriage inevitably denies children of their right to the education needed for their personal development, their preparation for adulthood, and their effective contribution to the future wellbeing of their family and society. Early marriage almost always contributes to persistent poverty.

All these reasons make it impracticable to enforce the legal provision against child marriage. Although the State has enacted the law it has taken no other steps to counter the valuation of young girls as sexual objects and thus the practice of overvaluing younger women as brides continues.

## **STORIES FROM GRASSROOTS**

### **Endeavour of VDC Member Saves Ratna from Early Marriage Case of Uddog, Dinajpur**

Ratna Rani, a twelve years old girl studying in class six in Manpara village of Bhandara Union Parishad in Birol Upazila, Dinajpur. One day she found to her surprise that her parents were planning to marry her off. No body asked her whether she wanted to be married at this tender age, or if she liked her proposed husband. Her Father, Bastu Chandra Sarker thought that he was a well wisher of his daughter knew what was best for her. Without caring for his daughter's opinion, Bastu Chandra settled her marriage with an adolescent boy named Manik, son of one Supen Chandra Sarker of Gobindapur village in Dharmapur UP in the same Upazila.

The two sides finalized wedding date, amount of dowry etc. As agreed verbally by both the sides, the bridegroom's family went to Bastu's home on July 24, 2005 to receive the dowry money.

Meanwhile, Abdus Salam, secretary of a Village Development Committee (VDC) of Bhandara, a community body formed by UDDOG, came to know about the incident. He tried to make Ratna's parents understand that she was too young to be married but could not convince them. Bastu Chandra Sarker argued that in his religion such practice is common. He said they want to marry her off as early as possible because of security concerns. They also want to see their daughter married during their lifetime.

VDC member, Abdus Salam later raised the matter before other VDC members and project personnel of UDDOG to find a way to stop the marriage. As agreed they met with parents of Ratna. They explained to them the bad effects of early marriage; what harms it might do to Ratna, the family and her future. They also explained the legal age for marriage, legal provisions for marriage etc.

And after a long discussion, the parents realized what a big mistake they were about to make. They finally cancelled the wedding and informed the bridegroom's family of their decision. The timely intervention by the VDC member succeeded in saving Ratna from early marriage. The girl is not back to her normal life and is now a regular student of class seven at Halja High School.

### **Courageous Struggle of a Poor Mother to Protect the Right of Her Daughter Case of Uddog, Dinajpur**

Poverty is still a curse in many rural area of Bangladesh. Finding no other alternative many parents attempt to marry off their little daughters while they are still minor. Abdus Salam decided to marry off his 11 years old daughter. He thought it would lessen his 'burden' but never considered the future of his daughter.

Fortunately, it was for her mother's strong opposition and the community people's role that stopped the early marriage of the teenaged girl, Sathiarra. The incident took place in Bishnupur village of Ranipukur union. Eldest of Abdus Salam's three children, Sathiarra was a student of class six at Birol High School and had a dream of a bright future though her father often failed to provide the family with adequate meals and meet other needs. Poverty dehumanized Salam so much that he married again and stopped looking after his first family.

Liliara, Sathiarra's mother, started working as a domestic help to feed her three children. But it was very difficult for her to manage the educational expenses for them.

When Abdus Salam insisted on the marriage of Sathiera, she put her foot down as she was aware about the negative consequences of early marriage. She attended the monthly meetings of the Village Development Committee (VDC) and had regular contact with the VDC members of her village. She also knew about the minimum age of marriage and legal provisions.

Liliara tried to convince her husband who would not listen to her. Finally she sought help from the VDC members who later fixed a date to sit with the Sathiera's parents to discuss the matter. When all the VDC members and concerned project staffs sat in a meeting with Salam and other relatives on the scheduled day and explained the negative consequences of early marriage, the father reacted angrily. He strongly opposed the idea of continuing Sathiera's education and at the suggestion of cancelling the wedding. Salam expressed concern that the family would have to give more dowry if she was married at a later age. VDC members cited some practical examples and explained the negative consequences of child marriage. Moved by the examples, Salam finally understood what a big mistake he was making. To everyone's delight, he decided to cancel the marriage. Liliara, Sathiera's mother expressed her feelings in such a way on the positive decision of her husband.

**“I dream of a day when there will be no more violence against women and girls, and where men and women share everything equally.”**

### **Marjina Escapes Early Marriage Case of Samaj Kalyan Sangstha (SKS), Gaibandha**

Marjina, is the daughter of Abdul Mannan Bhuiyan of Uttar Dighalkandi village in Holodia Union Parishad of Saghata Upazila, Gaibandha and studies in class three. She was passing her days with games, joy and merriment, and could not think of marriage. But her father decided to marry her off thinking that many young men might fall in love with her as she was beautiful. Despite knowing the harmful impact of early marriage, the father moved ahead with his plan. Matchmakers started bringing marriage proposals and the father met the aspirant bridegrooms to see which one would be best.

Members of Turag Family Club who were involved in countrywide campaigns against early marriage came to know about Abdul Mannan's attempt to marry off his minor daughter. They asked Marjina's mother Hawa Begum, who is also a member of Turag Family Club, to know whether this was true. When she confirmed that it was true, the Turag Club members asked her to make her stop the marriage. However, Mannan did not listen and went ahead with his plan.

Sensing that Mannan might anytime marry off minor Marjina, members of Turag Family Club and Spouse Forum went to Mannan's house one day to convince him otherwise. The members explained to him the bad effects of early marriage and what physical and psychological problems girls face if married at this tender age. But Marjina's father insisted that marrying her off would lessen his burden. Finally, they told him about the existing laws and punishments for early marriage.

In addition he was told that he would not escape punishment and the government is strictly implementing these laws. The message worked and at last Marjina's father was convinced. Furthermore, he made a commitment that he would not marry off his daughter until she turns 18. He thanked all for pointing out his mistake and thus helping to save the future of his daughter. The timely initiative by the Turag Family Club and Spouse Forum members gave back Marjina the chance to go back to school in pursue her childhood activities.

### **Timely Intervention Saves Hanufa from the Adverse Consequences of Early Marriage Case of ASUS, Patuakhali**

All of a sudden Hanufa a 14 year old girl was surprised to hear her mother asking her not to spend time with her classmates and tried to teach her the responsibilities of a married woman. At that time she was a student of class nine at Chandkhali Janata High School. Whenever she attempted to go out to play with her friends in the village, her mother told that she could no more do that.

She could not understand why they were doing so. It was noticed that observing a different look in her parents and relatives' eyes while talking with her she became baffled. Being curious, one day she asked her mother what was the reason of such changed behaviour. Her mother replied that they were planning to marry her off. This decision upset her greatly as it would prevent her from going to school and she would also lose all her friends and happy school days. She protested the decision vehemently, but her parents did not listen to her. Besides, they told her that as parents they will search the best options for her. The parents finalized her marriage with Abdus Salam of Jhotibunia village in Jhotibunia UP of Mirzaganj Upazila and fixed June 23, 2008 as the wedding day.

Learning about the early marriage move, Belayet Hossain and A Hadi Choukidar, members of the ward-level Domestic Violence Prevention Committee (DVPC), went to the house of Abdul Jalil and met with Hanufa's family members and explained to them on the negative consequences of early marriage. Then the members met the project coordinator of the domestic violence prevention project of Anirban Samaj Unnyan Sangstha (ASUS) and informed him s about Hanufa's parents' move. The project coordinator later went to Abdul Jalil's home with the Itbaria UP field organizer and the two DVPC members and sat with all the members of his families, including Hanufa.

They explained the negative consequences of early marriage and the legal provisions of punishment. The project coordinator advised her parents to stop the marriage and continue Hanufa's education. They also told them how the whole family could benefit if the girl continued her education.

At one stage of their discussion, the family could understand their mistake and ignorance. Hanufa's mother also said that prior to this no one talked with them on the negative consequences of early marriage and the legal provisions of punishment. The parents promised that they would continue her study and not try to marry off the girl before she turns 18 years.

As promised, they did not attempt for her marriage again. During follow up visits, it was seen recently that the girl is going to school again regularly. Like Hanufa's parents, the locals are also grateful to ASUS for their timely intervention to save the young girl from early marriage. Hanufa mother is now working as a motivator against early marriage.

### **Guardians' Impulsive Attempt for Early Marriage Foiled By United Effort Case of POPI, Kishoreganj**

Sazia, a 14 years old did not have any scope to give her opinion because she was too young to do so. But her parents decided to marry off such a young girl. Second among the three children, Sazia, daughter of Joj Mia of Munshihati Beteka village in Itna Sadar Union Parishad, Kishoreganj, could not continue her study after completing her primary school education as she was physically ill.

Considering her a burden to the family, Sazia's parents decided to marry off the girl. Accordingly they started looking for bridegroom and chose Abul Hossain, 26, of the same village. As Abul Hossain's family did not have any major demand for dowry, Sazia's parents finalized the marriage and started taking preparation for the wedding ceremony.

But suddenly the bridegroom's family demanded dowry from Joj Mia which discouraged him to continue the marriage preparation. Babul later contacted the PRPV project office of POPI and informed the PRPV officials about the incident. PRPV project officials along with PPT and PTG committee members went to Joj Mia's house to have a first hand account of what had happened.

After meeting the 14 years girl the PRPV officers explained the family the bad effects of early marriage and the punishment for it as is in the laws, the visitors asked Joj Mia not to marry off the young girl and arrange for her education. The PRPV officials also raised the issue before the monthly coordination meeting with Upazila Nirbahi Officer and requested all to work on the issue.

A few days later, both the families of Joj Mia and Abul Hossain arranged wedding program for Sazia and Abul Hossain again. Learning about the move, members of the

CSP and NNPC protested it and got the chairman to impose a prohibition on the marriage. Repeatedly they sat again with Joj Mia and his family and what they had told him earlier. They strongly pointed out that early marriage is a punishable offence. The motivators also explained them that early marriage brings no good for the bride and the families, despite a girl loses her physical and mental health if she is married earlier.

Joj Mia later realized his mistake and ashamed for that assured that he would not do the same mistake again. And made a promise before all that he would not try to marry off his daughter before she turns 18 years. He also promised that he would send her daughter to school again.

As some other parents, who were also thinking about marrying off their children at early age, were present there, they also took a lesson from there. As promised, Joj Mia made arrangement for his daughters' education. During follow up visits, the girl was seen lively and happy over the outcome of the POPI and PRPV project's intervention.

### **Suma Was Rescued From the Clutches of Early Marriage Case POPI, Kishoregonj**

Aklima Akter Suma, daughter of Harun Ali, a day labourer of Nababpur village in Mithamoin Upazila of Khishoreganj, had a dream that she would study, receive higher degrees and get a good job.

Seeing her day labourer father struggling to meet the family expenses with his meagre income, the girl also planned to give him some financial support by getting an education. Now 14 years, Suma learnt that her parents were talking about her marriage.

When she was a little girl playing with dolls, her parents promised playfully to one of their friends that they would marry off Suma to their son when both grow up. Harun Ali thought that it might help him lessen the burden a little if he marries off his young daughter. Her educational expenses were too heavy to bear.

Accordingly, the parents started talking with their friend, whom they promised years ago of marrying off Suma to their son. While guardians of the two families were talking about wedding preparations, officials of different development partners working in the area came to know about it. Alarmed at the early marriage move, members of the PTG, PPT and CSP, bodies formed to prevent torture, discussed the matter. Kaisar Hamid, a CSP member, informed POPI-PRPV project officials this. Then they met Suma's parents and explained the bad effects of early marriage. Though Suma's parents did not oppose what they said during the meeting, they acted otherwise after they left.

They continued the talks with their friends about Suma's marriage and fixed June 11, 2008 for the wedding. They took preparation for the marriage secretly and only a few people know about it.

Learning about the move at the last moment on the wedding day, members of the local committees, informed Kuliarchar Police Station. Acting promptly, Kuliarchar police rushed to wedding venue and stopped the marriage. Officials of POPI-PRPV project and members of the PPT, PTG and CSP committees later talked with the locals and families of both Suma and the bridegroom in presence of the policemen about the bad effects of early marriage. Besides pointing out the health bad impacts, they also pointed out the legal provisions and punishment for early marriage.

The project Officials and Group members explained that a girl whom they consider burden can be turned into an asset by giving proper education. It was also said that educated girls would rather help the parents in future. Realizing his mistake, Suma's father expressed his ignorance on the issue before all and promised that he would make arrangements for his daughter's education.

During follow up visits, it was found that Suma is now going to madrasa regularly. The locals have welcomed the intervention by the NGO officials and police and say the incident has created awareness among the people and will act to prevent such activities.

## **Legal provisions:**

The Child Marriage Restraint Act-1929 provides the definition of a child as a person who, if a male is under twenty one years of age, and if a female, is under eighteen years of age [section-2(a)]

Punishment for male adult above twenty-one years of age or female adult above eighteen years of age marrying a child: Whoever, being a male above twenty-one years of age, or being a female above eighteen years of age, contracts a child marriage shall be punishable with simple imprisonment which may extend to one month, or with fine which may extend to one thousand Taka, or with both [Section-4].

Punishment for solemnizing a child marriage: Whoever performs conducts or directs any child marriage shall be punishable with simple imprisonment which may extend to one month, or with fine which may extend to one thousand Taka, or with both, unless he proves that he had reason to believe that the marriage was not a child marriage [Section-5]

Punishment for parent or guardian concerned in a child marriage: where a minor contracts a child marriage, any person having charge of the minor, whether as parent or guardian or in any other capacity, lawful or unlawful, who does any act to promote the marriage or permits it to be solemnized, or negligently fails to prevent it solemnized, shall be punishable with simple imprisonment which may extend to one month, or with fine which may extend to one thousand taka, or with both provided that no woman shall be punishable with imprisonment [Section-6]

# CHAPTER

# 2



The Practice of Hilla Marriage should be stopped for dignity

A Muslim Marriage is a contract and can be dissolved like any other contract. It is automatically dissolved on the death of one of the spouses. Among Muslims, divorce takes place by Talak. Any adult Muslim of sound mind may divorce his wife whenever he desires without specifying any reason. The written document of divorce is called Talak nama. A wife may divorce her husband if her Nikah nama has this provision. In this case, she may claim separation and leave her husband. Reasons may include the husband's inability to become a father, his second marriage, or physical and mental torture. Following divorce most women go back to their natal houses and live as dependents. A divorced woman returning to her original family is often a burden on the family, particularly if it is not financially sound.

Besides, in most cases it would be difficult for her to get a new husband. Sometimes a divorced woman may be taken back by her husband but according to practice, she has to first marry another person, and live with him for at least three months and three days before she can divorce the new husband and remarry her first husband. The interim marriage is called Hilla marriage.

The system is suppose to discourage both husbands and wives to divorce and induces them to try alternatives before they resort to divorce for settlement of disputes. The most common mode of divorce by men prevalent in Bangladesh is Bedai Talak (Irrevocable Divorce) which takes effect immediately without the requirement of communication to the wife for its validity. The husband pronounces three times that he divorces his wife and with the third renouncement the Talak becomes irrevocable and takes effect on completion of a certain period. This may also be done by writing on a piece of paper.

In rural areas of Bangladesh still women are the victims of hilla marriages. Either “dorra” beatings to couples refusing hilla marriages or social isolation of the victims are the common examples of such malpractices. To prevent such practices the Government of Bangladesh has passed an order to stop the misuse of the hilla marriage concept. Not only that, the law also prohibits “hilla” marriages and it is punishable by law. As it is a very shameful process which a victim has to undergo and expansion of awareness raising activities to prevent on VAW in the recent years people have raised their voice to against this practice.

## **STORIES FROM GRASSROOTS**

**Timely Intervention Saves Rozina from Hilla Marriage  
Case of Bangladesh National Women  
Lawyers Association, Thakurgaon**

When Rozina was at a loss how to fight the local Fatwabaz people who were forcing her to agree on Hilla marriage, a Vigilance Team member came and rescued her from the disgrace. She described the events leading up to the incident.

Everything was fine between the husband and wife since their marriage; But happiness did not last long. He began to change and at one stage started misbehaving with her on trivial issues. Rozina came under both mental and physical torture by her husband, and it kept continuing. Fourteen months into their conjugal life, Rozina had to go back to her father's house.

In the meantime, Babul mailed her a divorce letter through the Notary Public of Thakurgaon and got it registered at the marriage register of Awliapur UP confidentially.

Rozina, who always tried in vain to find a way to keep her husband from torturing her, decided to go back to her husband's house and try again. She was yet to receive the divorce letter and was not aware of her husband's activities. She went back to her husband's house after one month and Babul did not tell her anything about the divorce letter. They continued as married couple..

However, the villagers informed about the matter and arranged arbitration in their village to settle the issue. During the arbitration, the villagers passed a Fatwa that justified the divorce according to Shariah law. It was also announced that they cannot stay together as husband and wife again without a Hilla marriage. In accordance with the arbitration, the villagers started arranging a Hilla marriage for Rozina.

Meantime, Hasina Begum, a member of Vigilance Team who knew about all the developments, informed it to local partner organisation of Bangladesh National Women lawyers Association (BNWLA). On January 9, 2006, this organisation, with the help of Vigilance Team and the villagers, moved to stop the Hilla marriage. The Vigilance Team members tried to make the locals understand that it is against the existing law and is a disgrace to the society. However, it was very difficult to make the villagers understand because they judge it on the ground of religion.

They continued to discuss this with relatives of Babul and Rozina who had to face threats from the local religious leaders. After a long deliberation, members of the Vigilance Team and partner organisation succeeded to convince the locals for Babul and Rozina's living again as husband and wife without Hilla marriage.

"None of us, neither my husband nor I, was in favour of Hilla marriage but the locals, especially the so-called religious leaders who were trying to force Hilla marriage on us," Rozina says, thanking the members of the Vigilance Team and partner organisation for their timely intervention.

The couple is now living a happy marital life again.

## **Fulmoti's Rescue from Shame Case of SKS, Gaibandha**

Khalil Mia would probably never again make such an utterance, not even jokingly. "I've got my lesson. I did not understand that people would seriously take my uttering as divorce and push us to such a situation," Khalil says heaving a sigh of relief.

Khalil, son of Robijol and Zarina Begum of Gidari Union Parishad (UP) of Gaibandha, married Fulmoti, the daughter of Abdul Ajit and Momina Begum of Ghagoa UP 20 years ago. The couple was living with Khalil's parents. Though they were having happy conjugal life, Fulmoti sometimes had quarrel with her mother-in-law over different issues, none of which was serious. The couple already had three children when they realized that it was no more possible for them to live in the joint family and thus go through such quarrels. As a result, Khalil and Fulmoti started living separately with their children.

They were living happily but certain incidents created a split in their relations. When Fulmoti's 17 year old son asked his father for a bamboo in mid-September this year, Khalil took him to his father Robijol's bamboo-clump. As they were preparing to fell a bamboo, Robijol tried to stop them, which later led to quarrel between the father and son.

The father- and mother-in-law hurled abusive words which led to quarrel between the housewife and her mother-in-law. As it took a bad turn and the two started exchanging abusive words, Khalil asked his wife to stop. But Fulmoti didn't. Khalil asked her several times to stop quarrelling but she didn't pay any heed to his words. Infuriated at this, the husband threatened her of divorce and uttered the word 'divorce' several times in a fit of anger. Locals who were present there took it for granted that Khalil has divorced his wife and that she won't be able to go back to her husband's home. They started spreading the news and saying that Fulmoti would have to sit in Hilla marriage with someone else if she really wanted to go back to Khalil's home.

"Though I wanted to go back, my neighbours strongly prohibited me to do that and asked us to arrange Hilla marriage," Fulmoti says.

Finding no other option, she later took shelter in a neighbour's house. Meantime, realizing his mistake, Khalil told people a day later that he uttered the word 'divorce' losing his temper and that he did not really mean it. He tried to meet his wife, but his neighbours prevented him from doing that. They told him again that he could not live with her anymore until a Hilla marriage.

Informing the incident by this time, the leader and members of Apple Family Club communicated with Khalil and Fulmoti and asked them to meet Union PDV committee member. Prevention of Domestic Violence committee has taken initiatives to stop the Hilla marriage. They protested the issue and through salish they has been able to mitigate the problem successfully.

Fulmoti smiles, adding that her husband is apologetic about what happened

### **Community leaders Rescue Sharufa Case of POPI, Kishoreganj**

In rural areas many women have to end their marital relationship merely due to their husbands' whimsical utterance of the word 'divorce' at some point of arguments, Sharufa is one of them, but fortunately, with the help of her neighbours who have voice against such fallacies, rescued from the impediment of Hilla Marriage.

It was August 18, 2008. Thirty two-year-old Moksud Ali of Nurpur village in Elongjuri Union Parishad went back home after ploughing his field. Exhausted and hungry Moksud called his wife and her for food. The wife was busy and asked him to wait. Moksud was too impatient to wait because he was too hungry. He started beating her and she argued with him which became very heated. Her husband became very angry and which further infuriated the husband and he uttered the word 'divorce' thrice.

Sharufa turned speechless and was at a loss. She thought she has already been divorced due to her husband's utterance of the word. As she did not know that such verbal utterance does not mean anything since he pronounced the word just out of anger. However, the husband could understand his mistake afterward and repented that he did it whimsically out of anger. The repented Moksud wanted to continue with Sharufa as husband and wife but some so-called religious leaders of the locality were not ready to accept this. They told him that he did not have any relation with Sharufa anymore since he divorced her verbally.

They told him that just verbal utterance is enough for divorce and he cannot live with her anymore without a Hilla marriage of Sharufa. They also warned him that he would act against Islam, if he resumed their conjugal life without a Hilla marriage. Such stance by the 'religious leaders' put the couple in a difficult situation. Not only for the fate of their conjugal life, were they very anxious about the future of their five children – two sons and three daughters.

Meantime, some members of yard meeting (Uthan Baithak) of POPI's PRPV project came to know about the incident. They also informed that the so-called religious leaders were trying to force Sharufa into a Hilla marriage.

As there is no legal basis of verbal divorce, yard meeting members talked with the couple first and then with the local elders and so-called religious leaders. Members of the local arbitration committee and POPI jointly arranged a meeting on August 22, 2007 where they settled the issue between the husband and wife and finally convinced all that Sharufa does not need a Hilla marriage for going back to her husband. They announced at the meeting that they were not divorced at all since Moksud did it verbally out of anger.

After that incident the couple didn't have any major disagreement since then and are now cautious about doing the same mistake and the housewife says that they are now leading a happy conjugal life.

### **Firm Protest of the Victim and Community Drives Away Fatwaz Case of Mahidev Jubo samaj Kalyan Sangstha( MJSKS)**

Anjuara, the daughter of a poor man of Anantapur village in Hatia Union Parishad of Ulipur Upazila was married to Upjor Ali, son of another poor man of the same village. Professionally Upjor Ali was a rickshaw puller.

Seeing how hard the husband worked, the housewife decided to engage herself with some kind of income generating activities. She took training in sewing. Anjuara managed the money, to purchase a sewing machine. Soon after starting sewing dresses for people of her village, she earned the reputation as a good tailor and was earning a good amount of money. Besides, her husband was also earning from rickshaw pulling. The couple by this time had two sons – one studying in class seven, while the other in class three.

As more and more orders were coming, Anjuara appointed an employee to assist in her work. When the couple was leading a happy life, there was rumour in the village that Anjuara's husband was attracted to another woman. Anjuara came to know about the affair and strongly rebuked her husband. This angered the husband who physically assaulted his wife in return. As Anjuara protested, the husband got more furious and uttered the word 'divorce' thrice. He also drove her away from their house.

Finding no other alternative, the shocked housewife went back to her parents' home. But after a while Upjor Ali calmed down, he realized his mistake. After two months he met Anjuara at her father's home, and he apologized for his misbehaviour with her and brought her back home.

Eight months after the incident, a local religious leader refused to attend a post death ritual program for one of Upjor's nephews scheduled for October 5, 2008. He argued that Upjor uttered 'divorce' thrice; the couple is no more married as per Islamic law and by living together again without Hilla marriage, the two have committed a major sin. The religious leader also declared that no one of the area would attend the program if Anjuara and her husband went there.

Anjuara, is a member of the watch committee and the village committee of preventing domestic violence project of MJSKS. Both the husband and wife knew that just utterance of the word does not nullify a marriage.

The couple took the matter to the local Field Facilitators. All the members of the village and the watch committee later strongly protested against the fatwa issued by the so called religious leader. They also convened an emergency local arbitration to settle the

matter. Sensing that the locals were getting united against his fatwa, the so called religious leader fled the village. The locals and the members of the two committees later sat to settle the dispute between the husband and wife. When the members asked about his utterance of 'divorce', Upjor replied –

“I made a big mistake by doing that. I want to stay with Anjuara and continue as husband and wife.”

With great repentance again he apologized for his previous attitude at the same time he was determined not to bow down to any fatwa.

### **Legal provisions:**

The Legal process of Divorce or Talak has been prescribed by the section 7 of the Muslim Family Law Ordinance-1961 as follows:

(1) Any man who wishes to divorce his wife shall as soon as may be after the pronouncement of talak in any form whatsoever, give the chairman notice in writing of his having done so and shall supply a copy thereof to his wife

(2) Whoever, contravenes the provision of subsection(1) shall be punishable with simple imprisonment for a term which may extend to one year or with fine which may extend to ten thousand taka or with both.

(3) As provided in sub section 5 a talak unless revoked earlier expressly or otherwise shall not be effective until the expiration of ninety days from the days on which notice under sub-section (1) the chairman shall constitute an arbitration council for the purpose of bringing about a reconciliation between the parties and the arbitration council shall take all steps necessary to bring about such reconciliation.

(4) Within thirty days of the receipt of the notice under sub-section(1) the chairman shall constitute an arbitration council for the purpose of bringing about a reconciliation between the parties and the arbitration council shall take all necessary steps to bring about such reconciliation

(5) If the wife be pregnant at the time talak/ divorce is pronounced, talaq shall not be effective until the period mentioned in sub-section (3) or the pregnancy, whichever ever be later ends.

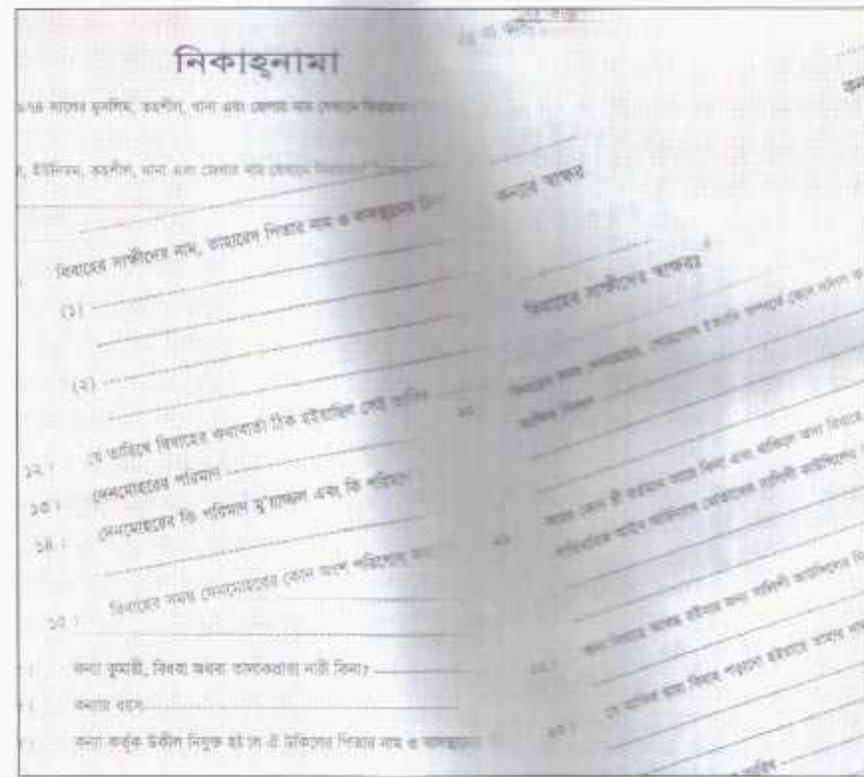
**Lastly, and most importantly sub section (6) runs ending the process of Hilla Marriage as:** Nothing shall debar a wife whose marriage has been terminated by talaq

effective under this section from re-marrying the same husband, without an intervening marriage with a third-person, unless such termination is for the third time so effective.

Section 2 of the Dissolution of Muslim Marriage Act-1939 also provides some legal grounds under which a wife can dissolve the contract of marriage with the intervention of the court on the grounds: (i) the whereabouts of the husband are unknown for a period of four years; (ii) failure of the husband to provide for the maintenance of the wife for a period of two years; (iii) sentence of imprisonment on husband for a period of seven years or more; (iv) failure without reasonable cause to perform marital obligations; (v) impotence of husband; (vi) insanity of husband or his suffering from virulent venereal disease; (vii) repudiation of marriage by wife; (viii) cruelty of husband; and (ix) any other ground which is recognized as valid for the dissolution of marriage under Muslim law. This right is available to a wife without prejudicing to the right to get Dower.

# CHAPTER

# 3



Mohr/ Dower and Maintenance  
is women's right

**Dower (mahr)** It is the sum of money or other property which the wife is entitled to receive from the husband in consideration of the marriage. Muslim law made it binding (farz) for all Muslim husbands to settle the amount of dower in marriage and record the same in the marriage contract popularly known as Kabinnama or Nikah nama. The amount of dower is settled basing on the bride's social status, personal traits, and beauty. The husband may settle any amount he likes by way of dower upon his wife, which in any case must not be less than ten dirham or equivalent thereof. Husband is bound to pay the entire amount of dower even though it is beyond his means. It is the debt of husband to his wife, and he has to pay the wife the total amount on demand unless otherwise is stated in the marriage contract. Realisation of dower is a right of wife and even a widow can keep her husband's properties in possession under a claim for her dower till the whole amount is paid.

In Islamic societies mahr or denmahr (bride price) is payable in two parts - on the spot at wedding and delayed. The wife may legally refuse to have conjugal relations with the husband until the first part is paid. The second part is a debt that a husband must pay on demand even if divorced or widowed and this is to be paid if the claim is made within three years. Denmahr is payable to the wife under all circumstances even if there is no mention of it in the marriage contract. It is obligatory on the part of the husband whether he is rich or poor, adult or adolescent, young or old. If he is incapable of paying, the court will not spare him. Under Islamic law, denmahr is entirely the wife's property. Denmahr, bride price or dowry, never permitted the wife to be treated harshly by the husband; it merely conferred legal recognition of the two to lead conjugal life and to have children.

**Maintenance** Maintenance (nafaqa) is the monetary support that a wife, children, parents, and grand children can claim as a matter of legal right on the husband, parents, son, and grandfather respectively to maintain their livelihood. It includes food, clothing, lodging, medical support for the adults (in applicable cases), and also includes other necessary expenses for mental and physical well being according to their respective status in society. Grounds by which the obligation is imposed on a person in order of gravity are: (a) marriage, (b) kinship, and (c) inheritance. A father is bound to maintain his sons until they have attained puberty, and his daughters until they are married.

Maintenance of widowed or divorced daughters is also a responsibility of father. If the father is poor and incapable to maintain, mother will shoulder the responsibility. If the father is poor and infirm, and the mother is also poor, obligation to maintain the children lies on grandfather, provided he is in easy circumstances. Wife is the first and prime claimant of maintenance, and she has every right to realise the claim even though she is financially well off than her husband or the husband does not have enough means to meet up the claim. After divorce, wife is entitled to maintenance up to iddat period which may extend to three months. There are provisions for maintenance in other religions too. An able man should, in addition to his wife children and parents, subject to capability, maintain grandparents and other relations.

## **STORIES FROM GRASSROOTS**

### **Perseverance and Firm Determination Helped Establish Her Right Case of Uddog, Dinajpur**

The proverb “Man is the architect of his own fate” most probably goes best with Ismat Ara. When all of her neighbours thought she would pass her life undergoing torture, like all other victims of dowry, she changed the course of her own fate.

Ismat Ara is the youngest among the five children of Abdul Majid of Betura village in Bhandara Union Parishad (UP) of Birol Upazila. The father, a day labourer by profession, earns less than Tk 2,000 per month and has to struggle to feed his seven-member family with this meagre income. The man often fails to manage square meals for his children – three sons and two daughters.

In such a poor family situation the father decided to marry Ismat Ara off according to the suggestion of a matchmaker in 2002. The father thought that it would not only lessen the burden on him but also ensure a better life for her. As per plan, Ismat Ara was married off to one Hashem Ali, son of Shahed Ali of Paikpara village, on June 14, 2002 when she was only a student of class six. Before her marriage, she didn't have any idea what kind of a person he (her husband) was. When she learnt about it, it was too late and she didn't have anything to do then as she was only 13 years during her marriage. The husband began both mental and physical torture on her immediately after the marriage and it became an everyday routine - turning her conjugal life into a hell. When she herself was in such an unpleasant situation, Ismat gave birth a baby. But the torture didn't see any respite even after the birth of a child.

When she could no more bear with the torture, she used to go to her parents' home but she had to come back some days later to face the same again. The wretched girl uttered that it was her destiny to sustain such inhuman torture. The local influential people arranged arbitrations to stop the torture but the husband didn't change himself. Rather he intensified torture on her and became more brutal.

Once he put pressure on her to work as a prostitute and threatened to kill her if she doesn't comply. Frightened, she fled and went back to his father house with her baby.

After coming to know about Ismat Ara's incident, Noor Akhter Banu and Bazlur Rashid of Village Development Committee (VDC) invited her to a monthly meeting of the VDC where they listened to her problems in details. Community Mobiliser of UDDOG, a partner organisation of Manusher Jonno Foundation, was also present there. As per their decision, UDDOG launched a legal campaign and referred her to BLAST for necessary legal aid on May 24, 2005. Taking the case, BLAST later issued a legal

notice for compromise before arranging a hearing for both the parties. Ismat Ara did not agree to go back to her husband's home and requested for legal assistance to recover her denmahr. With the help of BLAST, Ismat's finally received Tk 15,000 on August 15, 2005 and a divorce from her husband.

She bought two cows with the denmahr money. The cows give plenty of milk which earns money for her. Now Ismat is fully self-reliant with more cows and looking forward to have a bright future of her child.

### **The Bold, Vibrant Jasmine's Dreams Never Diminish Case of Fareea Lara Foundation, Barguna**

While studying in BA, Jasmine Sultana, the daughter of Qadir Mia of Chhoto Lobon Gola, was dreaming of having a bright future - of getting established, marrying someone of her dream, having kids and above all, a happy family. But her dream fell apart and broke into pieces. The unwanted incident that happened in her life stopped ability to dream.

One day Mahbubur Rahman, an army captain, son of one Sanu Howlader of Gourichonna Union, proposed her father to marry her. She thought it was the time to see her dreams coming true. Like many other young girls, she also considered an army personnel to be a good bridegroom. And her parents, noticing Jasmine's eagerness, also did not raise any objection. As planned, Jasmine got married to Mahbubur amidst a ceremonial wedding function. But the girl did not have the slightest idea that she was deceived all through. She never imagined that her husband's family hid many things from her, especially the information that prior to her marriage her husband was terminated from the army.

After her marriage she started noticing some 'unethical' attitudes in her husband. Sensing that she was noticing his attitudes, he started maintaining distance with her. Jasmine first protested those mildly. But her husband somehow made her convinced for a while that those were nothing serious. Few days later she understood that it was really a serious matter and strongly raised her voice against his suspicious behaviour. Realising that she could not be convinced with false logic, the husband started torturing her. But Jasmine was becoming rebellious and could not be stopped this way. Jasmine did not know for sure what actually he was doing until she received a letter from Jessore Cantonment. It was addressed to her husband. With permission from her father-in-law, she opened the letter and read it thoroughly. She came to know from the letter that her husband married before in Jessore and presently he was terminated from the army.

Learning the information she was feeling very angry for her stupidity. She strongly protested before her father-in-law for hiding the information. But her father-in-law requested her to forgive his son and advised her to continue the conjugal life with Mahbub.

She turned down the proposal to continue with the cheat and decided to live alone independently. Accordingly, she sought divorce and claimed her dues (Denmahr) from her husband. But Mahbub's family did not agree to it. They tried to put pressure on Jasmine's family saying Mahbub, being a former army officer, had strong influence and could create a lot of trouble for them.

But Jasmine didn't care about threats. In this situation, Jasmine went to Fareea Lara Foundation (FLF) and appealed for settling the issue peacefully. Analysing the situation, representatives of the FLF and LAAC organised arbitration locally and asked both the parties to attend. But Mahbub and his family did not turn up.

As the situation was turning bad to worse, the FLF representatives met DC (deputy commissioner) of Barguna for a solution. The DC informed the local police about the matter and instructed the law enforcement authority to take necessary steps, if situation demanded.

The FLF representatives organised a local arbitration again and requested both the parties to join it timely. Learning that the law enforcement agency is quite strong about the issue, Mahbub's family joined the arbitration, though Mahbub himself remained absent there. In the arbitration Mahbub's father announced that he is ready to accept any decision that the arbitrators take. The arbitrators decided to recover Tk 175,000 in Denmahr for Jasmine, which Mahbub's father agreed to pay. Paying the Denmahr to Jasmine, he apologised before everyone for hiding the information and for his son's misbehaviour.

Then Jasmine resumed her studies again also resuming her dream to get established herself. "Sweet dreams never die, just you need to know how to dream and how to pursue it," says a confident Jasmine who did not compromise with illegal demand and bowed down before the malpractices still prevailing in the society.

### **At Last Hamida Obtains Conjugal Life and Her Daughter's Identity Case of Fareea Lara Foundation, Barguna**

It was definitely a long journey, but Hamida has the solace that she at last got what she had been fighting for: recognition of her relation and identity for her daughter.

Fifteen-year-old Hamida lived with her father, Noor Mohammad, in Haritana village of Patharghata Upazila. Kamal Hossain, a distant cousin of hers, went to visit their house once. While she was sleeping on March 5, 2004, Kamal forcibly raped her. As she protested and said she would disclose the incident to all, he told her not to do that. He assured her that he would marry her and take her to his house. Using the same trick, he continued physical relation with her. As a result of such relation Hamida became pregnant. Her parents guessed that something is wrong with their daughter. And they became sure about it when Hamida was pregnant with a five-month baby. They met

Kamal's parents and, telling them everything, requested them to arrange marriage between the two. But they did not agree.

Hamida's family went door to door to plead with influential people of their area but nobody came forward in their help; even no one cared about the justice for her. At that time Hamida was passing the crucial time of her life. As the baby growing up inside her, she thought that committing suicide would be the only option waiting for her and she was mentally preparing herself for that.

But while Hamida was taking mental preparation for that, her parents came to learn about the activities of Fareea Lara Foundation (FLF). They motivated her not to commit such act and take care of herself.

On January 1, 2005, Hamida gave birth to a girl baby. With her newborn daughter and parents, she later went to FLF office and told the officials everything in details. Listening to her story, the FLF's legal assistance committee got an idea what a mental pressure she had to undergo during her pregnancy. The FLF leaders decided to provide her legal assistance to ensure justice for her. Accordingly, they had a meeting with Kamal's family.

But interestingly, Kamal and his family attempted to divert the incident in another way by saying that one of Hamida's brother-in-laws is responsible for her pregnancy. Understanding that the family could not be buzzed off from their position by such pressure, the FLF officials decided to file a case against them. They, accordingly, lodged a case with a Barguna court under Women and Children Repression Prevention Act on February 3, 2005. While the trial process was continuing for one and half years, Kamal's family felt that they should now appear in a negotiation. They could understand that they have made a mistake. This made Kamal agree to marry Hamida and accept both Hamida and her daughter. Accordingly, Kamal, after coming out from jail, married Hamida pledging Tk 1.5 lakh Denmahr.

Now Hamida is passing her happy days in Kamal's house with her daughter. While visiting her in last Eid, a representative from FLF found the family in a happy mood. The incident has created strong sensation in the area and created awareness on torture against women. The FLF activists are sensitising women against torture with a hope that the overall rate of incidents of torture against women can be brought down by addressing such problems gradually.

### **Jahanara Succeeded to Establish their Property Right Case Fareea Lara Foundation, Barguna**

Since the birth of his daughter Jahanara, Abdus Samed was entangled by the cycle of poverty. When he found it was hard to manage his family, Jahanara's father decided to

marry her off. On February 25 in 2004, Somed married off his daughter to Ponu Mia, son of one Joynuddin Hawlader of the same village. Although the father married the tender aged-girl off due to poverty, after her marriage it was poverty that caused her untold torture and sufferings.

After the marriage, even in poverty the couple had a happy conjugal life until Jahanara gave birth to a son. After that her husband started pressing her for dowry money. As she failed to bring Tk 50,000 as dowry from her father, Ponu started physical torture on her.

On June 29, 2005 Ponu was in bad mood and swooped on his wife. He started kicking, punching and jabbing her while he heard that Jahanara had failed to bring the dowry. He continued until Jahanara collapsed on the ground and left the house.

Failing to bear with it anymore, she rushed to the members of the legal assistance group of Fareea Lara Foundation (FLF), and applied to the committee seeking help to address her issue. On receipt of the complaint, a probe committee visited Jahanara Begum's father's house. The FLF member reported that it was truly impossible for a poor father to bear her expense and to give her any financial support. Besides, it was also reported that Jahanara was in a very bad mental condition which might lead her soon to become mentally sick.

After the investigation, the FLF members had a meeting with Ponu Mia where they tried to persuade him from torturing his wife and take her back to his house. But he did not agree to take back his wife without the dowry money which he had demanded from her parents.

Finding no other option, the FLF members decided to resort to legal steps. As per the decision, they filed a case later on July 2, 2005 under Women and Children Repression Prevention Act in Barguna court. Advocate Habibur Rahman moved for FLF in the court. As the court ordered an investigation into the allegation, the defence side proposed settling the matter through negotiation. As per Ponu's desire, a local arbitration was arranged where influential locals and FLF's 'Conscious Citizens Parishad' were present.

During the arbitration, Ponu agreed to take back her without any dowry. In addition to that he also agreed to build a new house for Jahanara which will become her own property. Ponu also agreed to provide Jahanara with a smart amount of money monthly for subsistence and give his son 40 decimals of land to ensure that he is not going to be deprived of his share.

Ponu took back Jahanara and now regularly looks after them. "Had not Lara Foundation stood besides me, I could have had a different end,"

## **A Successful Pursuit of a Poor Father to Protect the Right of Her Daughter Case POPI, Kishoregonj**

Murtuz Ali, A day-labourer of Bazra village in Salua Union Parishad in Kishoreganj's Kuliarchar Upazila who married off his daughter Mariam Begum to Rabiullah of Algichar village. The day labourer father was at a loss what to do when his daughter got back home due to his failure to provide dowry. And this was a very embarrassing for a father to see his daughter suffering due to his failure to meet his son-in-law's demand.

It was on December 6, 1999. Though the girl was a teenager then, and her father arranged her marriage after failing to continue her study due to abject poverty, he had been struggling in vain for years to overcome her daughter's problem. Despite his poor condition, the father managed with much difficulty two *tola*'s of gold and Tk 12,000 which he gave his son-in-law as dowry during his daughter's wedding.

The couple had a happy conjugal life for five years. But after five years, Rabiullah started to ask Mariam to bring money from her father and started to put pressure on her for that. The husband started mental torture on her demanding again for dowry money saying that he needed the money to begin a business. But the wretched daughter knew that it was a difficult task for her father to manage more dowries.

As she failed to comply with his demand, Rabiullah started to beat her regularly. By this time, the couple had four children – three daughters and a son. But Rabiullah married another woman without the permission of his first wife. After this marriage, he started living with her (the second wife) and stopped looking after Mariam and her children. Despite knowing that they are starving, he stopped providing them food. In addition whenever she asked him for it, the husband started beating her. Rabiullah often drove Mariam away from his house and sent her to her father's house. He even did not bother for her and the children's subsistence. He did not even bother to know for long time how they were passing the days at his father-in-law's home.

Finding no solution to the problem, the father met the Chairman of his Union Parishad (UP) who arranged a local arbitration to settle the problem. Though the UP leaders asked Rabiullah not to torture Mariam again, the husband cared little and kept on behaving with her as before.

Having no solution to the problem, the father started feeling totally helpless as what to do, where to go for help. He could not even decide whether he would go to the court since he did not know what the legal provisions were in this regard and how to file cases.

Fortunately one of Murtuz's neighbours told him that an organisation named POPI helps the people who are the victim of VAW with necessary legal help. Without wasting a single moment he contacted with the assigned person of POPI's PRPV office. With the assistance of the PRPV, he filed a case against his son-in-law at the court and received legal assistance free of cost.

He is happy to file the case and now feels that he is not so helpless as he thought earlier. Murtuz is waiting for justice for his daughter, which he truly deserves.

### **Legal provision to protect the right:**

The Legal provisions of Dower has been prescribed by the section 9 of the Muslim Family Law Ordinance-1961 as follows:

Where no details about the mode of payment of Dower are specified in the nikahnama or the marriage contract the entire amount of the dower shall be prescribed to be payable on demand.

Rights of dower not to be affected under Section 5 of the Dissolution of Muslim Marriage Act-1939: Nothing contained in this Act shall affect any right which a married woman may have under Muslim Law to her dower or any part thereof on the dissolution of her marriage.

The Legal provisions of Maintenance has been prescribed by the section 8 of the Muslim Family Law Ordinance-1961 as follows:

- 1) If any husband fails to maintain his wife adequately or where there more wives than one fails to maintain them equitably the wife on all or any of the wives may in addition to seeking any other legal remedy available apply to the chairman who shall constitute an Arbitration Council to determine the matter and the Arbitration Council may issue certificate specifying the amount which shall be paid as maintenance by the husband.
- 2) A husband or wife may in the prescribed manner within the prescribed period and payment of the prescribed fee, prefer an application for revision of the certificate to the Assistant Judge concerned and his decision shall be final and shall not be called in question in any court.

Any amount payable under sub-section (1) or (2) if not paid in due time, shall be recoverable as arrears of land revenue.

# CHAPTER

# 4



Dowry- One of the Common Forms of VAW & affects the Women Empowerment

A **dowry** is the money, goods, or estate that a woman brings to her new husband. The dowry is an ancient custom, and its existence may well predate records of it. Dowry is an evil system and all of us, at some level, condone it and even contribute to it.

In Bangladesh it is known as *pan* or *joutuk*. Over the past three to four decades, there has been a dramatic rise in the demands for dowry and violence associated with it in Bangladesh. Dowry is a possible reason for the slow rate of change in age at marriage since there is strong association between age at marriage and dowry. Young age at marriage is associated with lower dowry and dowry amounts increase with higher ages at marriage. Thus early marriage may be a strategy for saving on dowry

There is considerable debate what constitutes dowry in its various forms. The confusion is more acute as in the societal context dowry is differently defined than in anti-dowry law. In a patriarchy dominated social context dowry refers to property given to the bridegroom and his family but the anti-dowry law regards it as the exclusive property of the bride. The modern phenomenon of dowry, property given or agreed to be given to the bridegroom or his relatives, does not tally with the earlier concepts of bride-price and with the customary concepts of giving property to the brides her. The recent emergence of dowry in Bangladeshi society is more due to the simple greed and commercialisation of marriage than the impact of traditional culture. Nevertheless, one of the reasons for this persistent demand of dowry is the rising unemployment among young male especially in rural Bangladesh.

## **STORIES FROM GRASSROOTS**

### **Struggle of Mina to Protect her Honour and Dignity Case of Concerned Women for Family Development (CWFD), Gazipur**

It was few months after her marriage when Mina realised her happiness had come to an end. Like others, the housewife of only about 17, dreamt of a happy conjugal life when she was married off to Mustafa of Bashan, Gazipur in 2006. But all her dreams were shattered when the husband fell in greed for dowry. Many said that she was unlucky, but the teenage housewife herself didn't accept that, because she was not at all ready to take the blame upon herself, and would like to resolve the fight in her own way.

"In less than five months after our marriage, he (Mustafa) changed totally; he started abusing me and torturing me physically for dowries," the helpless Mina says. During the time of marriage Mustafa received ornaments and cash from Mina's parents. But that did not satisfy him, rather made him further greedy and started rebuking all the time for not bringing him more dowries.

This is during this time that Mina happened to know about Alokito Manush (CWFD) from a watch group member. With the help of BRAC, this person arranged mediation on January 17 last year where Mina's husband and parents were present. And the matter was 'resolved' amicably. Despite Mina could not take it easily as she has to undergo severe physical and mental torture for dowry. Being a self restrained person Mina could not continue with her husband for long under the settlement and at one stage left his house. Though repeated attempts were taken by her relatives, but she refused to go back to her husband.

Realising that sending her back to her husband forcibly might further worsen the situation, Alokito Manush moved to resolve the dispute through mediation. Then they decided to convince the husband to divorce Mina and return all her belongings. As planned, Mustafa was reminded of the items he took from his wife including the gold necklace and earrings. During the arbitration, the husband also agreed to return Tk 80,000, which he had received as dowry during their marriage. He agreed to return the money through a bank account.

But that was not the end because there was doubt whether he would act as he promised during the arbitration. The success of the arbitration largely depended on putting pressure on him so that he complied with the decisions. Then a firm, confident Mina tried her best not to be oppressed or deprived any more as she asserted, "So, not only I but also Alokito Manush was there to pursue that he fulfils the commitments he has made because it was very important for me, very crucial for my being independent. The future course of my life depended on his action."

During follow-up visits later it was found that the efforts did not go in vain, she was found happy. Thanking both the CWFD and the BRAC again Mina says, "While local *Salish* (arbitration) failed to settle the matter, Alokito Manush as well as BRAC has succeeded. This would definitely have lasting positive impact on my life,"

### **Effective Counselling Changed the Rigid Sundari to Stop Dowry Case of USHA, Rajbari**

Like many people, especially in rural areas of Bangladesh, Sundari Begum did also believe that marriage is an occasion for the bridegroom to beg a smart sum of money in dowry.

"I also thought it would help my son get a good footing in business. So, I asked my son not to marry anyone whose family won't be able to provide a smart dowry during marriage," the woman, now 52 years, says as she recalls the event before her son Yunus Mollah's marriage.

Believe it or not, this very woman is now working in her area to raise public awareness against dowry.

52 years old Sundari lives in Baksipur village in Pangsa Upazila of Rajbari district with her son Yunus, 23, a day labourer. While she decided to marry off her son, Sundari asked Yunus to find a 'fair-coloured' and smart bride. But her main condition was that the bride's family must have to provide a rickshaw van to Yunus as dowry. While the search was going on, it was learnt that Yunus had a strong feeling for Moyna Begum, a 19-year-old girl living in Joykrishnapur village. As Yunus Mollah kept on insisting her mother to arrange his marriage with the girl, Sundari agreed, finding no alternative. But she did not buzz off from her condition of a rickshaw van as dowry. He found himself caught in a complicated situation because Moyna's parents did not have the capability to gift the bridegroom a rickshaw van during their daughter's wedding. Though both Yunus and Moyna were determined to marry each other, they remained caught in this tricky situation due to Sundari Begum's demand for dowry.

Meantime, as the issue became a talk of the locality, members of Samaj Bikash Sangstha (SBS) came to know about the love affair between the two and also Yunus' mother's demand for dowry. In one afternoon, Sundari Begum, who was also a member of the SBS for 10 years, found some honourable persons of the area at her home. Introducing themselves as members of Social Support Group (SSG) of the SBS, they said they work for women empowerment and establishment of rights and dignity for women.

When they inquired about her family and the wedding of Yunus, Sundari Begum told them everything including that she wanted to receive dowry from her proposed daughter-in-law's family. After hearing everything, the SSG members left her house saying that they would meet her again the next day.

After returning from Sundari Begum's house the group members decided that they would have to stop Sundari from taking any kind of dowry. Since she was adamant in her decision, they decided to bring the poor father of Moyna before her and create such a situation so that she couldn't demand dowry from him. As planned, the SSG members went to Sundari's house again with Moyna's father and discussed the marriage issue. The group members intentionally discussed that to give and take dowry is a legal offence. One might be jailed or fined for committing this offence. In addition, the SSG members explained to Sundari that both Yunus and Moyna were adult and would share all the responsibilities of the family. During this happy occasion, the dealing of money would leave a scar which both the bride and the bridegroom would have to carry over their whole life. This was not only legally unacceptable but also no good for a young man like Yunus to receive dowry. Besides, the SSG members also explained to her that there is also strong prohibition in Islam in giving and taking dowry. SBS executive director Rafiqul Islam assured that his organisation would provide the couple with micro credit to run a business as well as provide training for both of them. Their family would be well off with the income of the two persons.

The motivation succeeded to convince Sundari that she was about to commit an offence. "I have never thought this way," Sundari Begum said, confessing her guilty. Without further delay, she gave her consent for her son's marriage with Moyna without any dowry. Yunus and Moyna tied the knot in a month through a ceremony attended by, among others, members of the SSG.

Sundari has honoured her promise. She is now actively working to create public awareness against dowry.

### **Timely Intervention Encourages the Youth and Brings Happiness to Shyamoli Case of Fareea Lara Foundation, Barguna**

Everyone was tensed that the hour for completing the wedding formalities was running out. The invitees kept on inquiring the organisers what the matter was, why they were delaying in starting the formalities, etc. Parents of Shyamoli Rani, were at a loss what to do. They just came to learn that the bridegroom's family had demanded Tk 20,000 as dowry. "How would we arrange the money? The matchmaker did not tell us about the demand earlier," Shyamoli's mother says in helpless tone.

This is the story of Shyamoli, the 20 years old daughter of Amal Chandra Kulu. Her marriage was finalised three months ago with Babul Chandra Mitra, son of Madhu Chandra Mitra of Boro Singa village of Mothbaria Upazila of Barguna district. A matchmaker settled everything. When the bridegroom's family asked him to bring Tk 20,000 as dowry from the bride's family, he did not disclose the matter before Shyamoli's parents, fearing that it would immediately spoil the marriage prospect. He told the bridegroom's family that he would disclose it a little later because the bride's father was not in a position to pay the dowry money at the moment. On the consent of both parties the date for the marriage was set. When invitees from both the sides went to the wedding venue on the scheduled date, they suddenly felt an uneasy calm and found that there was no move to start wedding formalities although time was running out.

"When I asked the bride's mother and aunts, they told me that they just came to know that the bridegroom's family had a demand of Tk 20,000 in dowry. How could a poor family like them manage so much money all on a sudden?" says Bashanti Rani, a worker of Fareea Lara Foundation in Barguna who was also an invitee.

Feeling that the marriage may fall apart anytime, Bashanti immediately shared the matter with two members of conscious citizens' group. They later called the bride to a neighbouring house to discuss the issue.

They explained everything before the bridegroom including the financial condition of his proposed wife's parents and the matchmaker's not disclosing the matter earlier, and the

difficulty the family would face to collect such a huge amount of money. They also explained the legal provisions regarding dowry and the punishment for taking it. Most importantly they explained to him that the bride's family would not be able to marry off their daughter anymore if he did not marry her due to the inability to provide dowry.

It was a matter of pleasant surprise that after such a discussion the bridegroom became convinced and agreed to marry Shyamoli without any dowry. It is he who later convinced his parents and other family members about not taking any dowry during his marriage. Shyamoli's parents, who were waiting eagerly to see what happens next, were grateful to Bashanti and the other group members. Shyamoli's mother thanked them and admitted that if they did not intervene in time the bridegroom's family could withdraw themselves from the wedding function and Shyamoli has to suffer indeed.

The group members experienced that the ordinary people could play an important role to prevent dowry, early marriage and torture on women in their own society with the help of the experiences they received from different training and workshop on VAW. As Bashanti delineate with smiles, "If we play our due roles timely, we can address many of these social ills and get a better society."

Shyamoli and Babul are happy in their conjugal life. Such a marriage without dowry in Hindu family encouraged many locals in Bamna and Mothbaria Upazila's to marry without dowry.

### **Group Members' Timely Intervention Accelerates the Happiness to Paira Case of Mukti Nari O Shishu Unnyan Sangstha, Kushtia**

Paira Begum took it for granted that she did not have any luck with husbands. As her first husband died leaving her with a little daughter, her second husband divorced her, and third husband started torturing her and drove her away from home as she failed to bring him dowry from her parents.

Being a daughter of poor farmer Kazim Ali Sheikh of Gopalpur village in Kushtia, Paira has been witnessing, since her childhood, that her father struggling hard to meet his everyday family expenses. It was really difficult for the poor father to feed his wife and six children. His wife was just a housewife and was not involved in any income-generating activity. Failing to manage square meals for his family, Kazim Ali married off Paira, eldest of his six children, to an old man when she was just 12 years old. While she was still a teenager, her husband died. By this time, she has given birth to a girl baby. Paira's family arranged her marriage again. But the husband divorced her. Then according to Shariah law Miraj Ali Sheikh, son of Afil Uddin Sheikh of Kashempur village in Kumarkhali Upazila of Kushtia, married her.

“We were having a peaceful and happy life. Seven to eight months passed this way before everything changed,” Paira says while recalling her experience. This was at this point when the husband started pressing her to bring dowry from her parents.

“How would they give him dowry? Is it possible for a man who married off his 12-year-old daughter failing to feed her properly?” the housewife says as tears roll down her cheeks.

The husband later started torturing her physically to bring the dowry. On May 11, 2006, Miraj beat her mercilessly before driving her out from his house. Paira, who was carrying a baby, went back to her father’s house finding no option. Despite many difficulties, her father tried to help her as much as he could. On a sunny day, Paira gave birth to a beautiful child. With great happiness she sent a messenger to Miraj with the news and asked him to visit his child. But he did not go there visit her neither did he provide any financial support for his family.

Shahjahan, member of Nandalapur Union Vigilance Team of Mukti Nari O Shishu Unnyan Sangstha, which has been working for reducing domestic violence issue since July 2006, was aware about Paira’s husband’s torture on her. He informed Paira’s family about the Team activities and took his consent about settling the issue through the Vigilance Team. Shahjahan, on June 11, 2006, appealed with Union Motivator Khondoker Mustafizur Rahman for settling the issue.

Mukti Nari O Shishu Unnyan Sangstha formed a fact-finding committee five days later and convened an arbitration meeting on June 22 after getting evidence in support of the allegations. In the very first meeting, both sides reached an amicable solution. The husband promised that he would not press his wife again for dowry or torture her for any reason. The beauty of such meetings is that it bridges the gap between the quarrelling couple, he says, adding that both the husband and wife vowed to pay the due honour to each other.

“The arbitration became talk of the area immediately as the villagers could not believe that such issues can be solved so fast and without any legal fight in the courts,” says another member of the Vigilance Team.

### **Josna Marries without Any Dowry Case of MJSKS**

Josna was lucky enough that some good persons of her area happened to find her while they were looking for a bride. They were people who have been working in their society to root out the dowry menace and it was from their own home that they wanted to start their campaign by setting an example.

“We wanted to set an example so that we can become stronger in our position while trying to convince people for dowry free marriages,” an uncle of the bridegroom says while talking on their objective.

Son of Badshah Mia of Anantapur village in Hatia Union Parishad (UP) of Ulipur Upazila, Monnaf Mia went to Dhaka after he failed to pass the SSC examinations. He started working at a garment factory in the capital.

While he was still working there, elder members of his family decided to arrange Monnaf’s marriage during the Eid-ul-Fitr vacation in September 2008. As planned, the guardians started looking for brides.

Meantime, both Monnaf’s uncle, who is the chairman of the watch committee of MJSKS, formed domestic violence prevention committee, and Monnaf’s brother, who was a member of the NNPC, was committed to reduce the exchange of dowry in their society. The family decided that they would not receive any kind of dowry during Monnaf’s marriage and thus set themselves as a model.

When they found a 19-year-old girl of named Josna Begum, the daughter of one Abed Ali of Kadamtola village in the same UP, the family decided to arrange Monnaf’s marriage with her. After conversation between the both parties, October 26 was fixed for the marriage.

As planned, Monnaf married Josna on the scheduled date without any dowry which made a unexpected event to the locals who were accustomed to seeing that the parents of the brides always gave a large amount of money and other valuables in dowry to the bridegrooms during the marriage.

During the marriage ceremony, Tk 45,000 was fixed as Denmahr (the amount of money pledged to be paid to the bride by the bridegroom in a Muslim marriage) considering the ability of the bridegroom. Josna received Tk 1,000 of that there.

“By arranging my nephew’s marriage this way, I would like to encourage all the people of my area that a marriage without any dowry strengthens the bond between the husband and the wife, increases the trust between them,” Monnaf’s uncle says during the wedding function.

Pointing out that such marriages keep away dowry related violence and breaking up of many marriages, he expressed his hope that all the people of the area would stop giving or receiving dowry from the time on.

## **Ayoton's Endeavour to Recover Her Due Rights and Dignity Case of MJSKS**

To Ayoton Begum, nothing is more important than dignity. And due to her exalted notion when her dignity came under threats, she broke up with her husband. Not only this, she became successful in apprehending all which she was entitled to from her husband.

Daughter of Aynal Haq of Bagchir Khamar village in Ulipur Upazila, Ayoton was married off to Mojnu Mia, son of Asimuddin of Bhabesh village in the same Upazila on April 13, 2007. Some days after their marriage, Ayoton noticed that her husband was not going to his works regularly. He used to spend times with his friends at different places without caring that he needed to earn money to run his family. When it went beyond the limit of her tolerance, the wife asked him go to his works, but he would not listen to her. Ayoton says, "When I insisted, he became angry with me and asked me not to teach him what he should do."

As the wife did not stop protesting his whimsical acts, the husband started torturing her, both mentally and physically. This led to persisting tension in the relation between the husband and wife, destroying the peace of their mind day by day.

Sensing that they themselves couldn't reach an amicable solution, Ayoton, on September 23, 2008, applied to the watch commit of Kamarkatari village seeking the committee's intervention in the matter.

After gathering necessary information, the Hatia Bakshi Watch Committee formed by MJSKS fixed October 30 for a local arbitration to solve the matter. After hearing both the sides during the arbitration, the elders asked what Ayoton wanted to do. Then Ayoton boldly opined, "It is impossible for me to continue living with him anymore if I have to undergo such physical torture."

Furthermore she also said that if she had to go back to him, he would have to listen to her and honour her opinion. But the stubborn husband was not ready to lose his total control on his family and so declined to comply with Ayoton's conditions.

"It is not possible for me to stay with her maintaining her conditions," the husband said, adding that he would accept any decision from the arbitration following his refusal to stay with her.

The watch committee members later sought opinion from each of the members and decided that it would be better for both Ayoton and Mojnu to separate. Basing on the opinion of all the members, they asked Mojnu to pay Ayoton Tk 60,000 in Denmahr (the amount of money pledged to be paid to the bride by the bridegroom in a Muslim marriage) and Tk 5,000 for other expenditure.

Mojnu complied and the two officially separated through registering divorce officially.

Ayoton is presently living at her parents' home. She is planning to start off a small business with the money she got during her divorce.

"In a way, this has become better for me, because now I can stand on my own feet and live independently with dignity," says a confident Ayoton with dreams of a bright future.

### **Monjura Wins Over the Lust of Dowry Case of Shishu Niloy Foundation, Jessore**

The divorce letter after 15 years of the conjugal life made Monjura Baffled. However, she was not frustrated, rather bold enough to tackle the situation and struggle to protect her due rights, dignity and honour. Failing to force her to bring dowry from her parents the husband decided to divorce, but Monjura Begum was not ready to accept the decision. Defeating his husband's (Gazibur Rahman) greed for dowry, Monjura became successful by forcing her husband to marry her second time.

Monjura, daughter of Sarder of Ber Taherpur village in Chougachha Upazila of Jessore, was married off to Gazibur on January 15, 1991. Consequently they had two sons. And what she learnt about her husband over their conjugal life was that he is a very greedy person.

Being a poor couple, Monjura's parents underwent much difficulties rearing up their four children. They had to struggle to manage square meals for the family members and so none of the locals were surprised when they stopped their children from going to school at an early age and marry off his daughters. During Monjura's marriage, the couple had to borrow money from their relatives and neighbours. Even they had to sell some of their belongings, as they had to pay the bridegroom Tk 20,000 in dowry. It became very clear immediately after their marriage that he is a greedy person as he started putting pressure on her to bring him more dowry money. Then prior to one Eid-ul-Azha her husband started pressing Monjura for asking her parents to buy him a bicycle. But it was a very difficult task for her parents as Monjura says, "But it was difficult for my parents because they were so poor that they went to Dhaka in search for jobs as they had a lot of loan to repay. But they managed it to see me happy."

Going to Dhaka, her father took a job of a guard and her mother started working as a maid in a hospital. They sometimes visited their relatives in Jessore. During such visits, the parents gave the sons-in-law some money. Sometimes in 2005, the husband sent Monjura to her parents' home in Jessore saying her mother was sick. While she was in her parents' residence she received a divorce letter. Receiving the divorce letter Monjura sought help from the influential people of the village but they did not come forward to help.

Coming to know that there was a Women Repression Prevention Committee in Taherpur village and that activists from Shishu Niloy Foundation held meetings and

received complaints, Monjura asked one of her uncles to inform the committee about her matter. On her request, the SNF officials decided to pursue the case.

A local arbitration was organised to settle the issue. Monjura's husband Gazibur announced before all those present that he would not accept Monjura as his wife anymore. Rather he expressed his desire to take back his sons.

Leaders of villages tried in vain to convince him. Finding no other way, the participants asked local Union Parishad (UP) chairman Hafez Uddin to settle the issue. After several sessions with the UP Chairman, Gazibur said he was ready to take back his wife but how that was possible once that he had divorced her. He had another difficulty, as their marriage was not registered. The officials of the PDVT project of the SNF gave a solution: the couple would have to marry again this time by registering the marriage legally.

Both Gazibur and Monjura accepted the proposal and got married immediately.

He is now a totally different human being. He respects my opinion whenever he needs to take any decision on anything. Besides the husband's income, Monjura earns a smart amount of money from some poultry and a small grocery shop of her own.

Recently, when a team of SNF went to visit her last month Monjura said, "I am good. There is no quarrel or anything like before. He is now a different person,"

### **The legal provisions to prevent the dowry:**

The Dowry prohibition Act-1980 has been defined the Dowry as follows: Dowry means a property or valuable security given or agreed to be given either directly or indirectly-

- a) by one party to a marriage to the other party to the marriage. Or
- b) by the parents of either party to a marriage or by any other person or either party to the marriage or to any other person, at the time of marriage or at any time before or after the marriage as consideration for the marriage of the said parties, but does not include dower or mahr in the case of persons to whom the Muslim personal Law applies.

Section-3: Penalty for giving or taking Dowry:

If any person after the pronouncement of this Act, gives or takes or abets the giving or taking of dowry, he shall be punishable with imprisonment which may extend to five years and shall not be less than one year with fine or with both.

Women and Child Repression Prevention Act-2000 (amended-2003) define Dowry under section-2

(j)(a) "Dowry" means money, material or other kinds of assets paid or agreed to be paid, directly at the time of marriage or before marriage or during continuance of marriage, or on condition of marriage remaining fixed, or as dowry for the marriage, by the side of the bride to the father or mother of the bridegroom or any other person on the side of the bridegroom or money, material or other kinds of assets claimed on the said condition or as dowry by the father or mother of the bridegroom or any other person on the side of the bridegroom from the bride or any person on the side of the bride.

(b) Any material, money, or any other kind of assets paid or agreed to be paid at the time of marriage or before marriage or during continuance of marriage, or on condition of marriage remaining fixed, or as dowry for the marriage, by the side of the bride to the father or mother of the bridegroom or any other person directly involved on the side of the bridegroom or money, material or other kinds of assets claimed on the said condition or as dowry by the father or mother of the bridegroom or any other person on the side of the bridegroom from the bride or any person on the side of the bride.

# CHAPTER

# 5



Domestic Violence Affects the  
Whole Family

In all countries of the region, there are customary and traditional practices which continue to foster and legitimise the use of domestic violence against women. Laws should be developed in conformity with international standards in a concerted effort to eliminate these practices.

Domestic violence refers to violence that is perpetrated against women members of the family in the homes because they are women. There is a misconception that all women are safe in the homes. Violence is not an aberration of an individual who has at a certain moment lost control. It is a manifestation of socially condoned hierarchical gender relationship and a form of control over women.

The definition of family violence emphasised violence by any member of the family. While defining family violence, the term 'domestic violence' was consciously avoided, as technically this would also include violence on domestic aid or on-family members living with the family. Family violence here included child abuse, sibling abuse, and parent abuse, in-law abuse, perpetrated by both male and female aggressors on female and male victims. This form of violence included physical torture (including hitting with fists, punching, pushing, kicking, knocking about which are especially applicable in cases of wife-abuse and battering), beating, stabbing, asking dowry, murder, rape, and suicide. But in most of the cases the incidence of domestic violence is not reported always. Though it was reported that 312 women became the victim of different forms of violence in 2008 and only 133 cases were filed against the incidence. As a result a significant portion of victim does not get justice. However, it is evident that the ultimate finale of domestic violence not only disrupts the individual happiness but also hinders family, community and society.

## **STORIES FROM GRASSROOTS**

### **Tortured By Own Family Case of Banchte Shekha, Narail**

Enmity is what Poly has been seeing since she fell in love with Amir of her village. And this is what strengthened their bond. Shamsun Nahar Poly was a school student when she fell in love with Amir Hossain of Peroli village of Narail district. Though they used to meet secretly and tried to keep their love affair secret, they failed to do so after a certain period. As Amir's family strongly opposed the relation and did not agree for their marriage, the couple chose their own way and married on May 9, 2002 at a Kazi office in Narail. Though they decided not to disclose it to anyone immediately excepting Poly's parents, it got disclosed within a short time. "We're lucky that both our families accepted the marriage. Thanks God," Poly said.

But her dream of having a happy joint family shattered within a short time as her in-laws started demanding dowry from Poly. They kept on insisting her to bring dowry from her parents which turned her life miserable.

Failing to settle the matter or keep off his parents from demanding dowry, Amir left the village for Dhaka with Poly and took shelter at one of his cousin's residence. Amir's family members along with the cousins also went there to pursue for dowry.

Amir later convinced his wife that he would be able to persuade his family members from demanding dowry if they went back to their village. As planned, they returned to their village and three months later he left her. But after leaving Poly with her parents, Amir stopped maintaining communication with her for a long time. Poly tried to trace him but failed.

One day, she received a divorce notice sent by post office. This pushed her further in a deeper frustration. The news spread in the area very quickly that Amir had divorced her. She came to know from well-placed sources that Amir's family forced him to send the divorce notice.

Failing to solve the problem through local arbitration, the ill-fated housewife, with assistance from Banchte Shekha, filed a complaint with Narail Court under the Women and Children Repression Prevention Act against Amir and his family members. The verdict went in favour of Poly. Amir handed over her 30 decimal of land and they resumed their conjugal life.

It was on March 29, 2004 when she returned to her husband's house, and it was on the same day that Amir's family members beat both of them. Amir was rushed to Narail Sadar Health complex. As Amir filed a case against his family members, including his brothers Alamgir and Jahanigr and sister Fatema, police raided their house but failed to arrest anyone. After this, the accused started threatening them to withdraw the case and also started saying that the two were leading an illegal conjugal life as Amir had already divorced her.

Frightened, Poly went to Women Empowerment and Rights Protection (WERP) Committee formed by Banchte Shekha to seek help. After an investigation, Banchte Shekha arranged arbitration at a local school in second week of April 2004 where Union Parishad (UP) members, local elites, WERP Committee members and community people decided an amicable solution.

"We're having a happy and peaceful conjugal life. Now we are free from all kinds of repression," Poly says, citing her previous 'inhumane condition'.

**Shefali Rani: An Emblem of Empowered Woman  
Case of Jagorani Sangstha, Kotalipara, Gopalganj**

Shefali Rani herself cannot believe the transformation she has undergone in the last few years. “From an introvert housewife who had no knowledge about the outside world, I now lead the women of my area. I myself sometimes can’t believe the change,” says the housewife from Kotalipara Upazila of Gopalganj. The change, however, did not come easily and has a past of torture.

After her marriage with Babul, Shefali’s world got a big shake when her in-laws started to press her for dowry. Not only mental torture, physical torture became everyday affair in her conjugal life. Her husband forcefully sent her to her father’s house several times to bring him money for his business.

“Though my father is a poor man and has to struggle to earn square meals for his own family, he gave him money three times for business and became poorer,” says Shefali.

As the husband continued to demand for more money in dowry and Shefali failed to meet the growing demand anymore, Babul and his mother intensified torture on her. At one stage, Babul decided to marry again.

A member of Vigilance Team informed the matter to Jagorani Sangstha (JS), a local partner organisation of Manusher Jonno Foundation, which immediately initiated a move to stop Babul from marrying again. The NGO also started looking for ways to stop torture on Shefali and find an amicable solution to her problem.

“While doing this, we had to face opposition and threats from the local influential people and several other difficulties,” says a JS worker.

The JS, finally, succeeded to convince Babul not to marry again and to accept Shefali. Shefali later involved herself in the Vigilance Team as a member and took part in monthly meeting regularly. The JS also gave her training on violence against women and domestic violence issues.

“The interesting part is, I succeeded to involve my husband and mother-in-law in different community-level courtyard meetings,” Shefali says with a smile. Since she herself was a victim of torture, she could feel the misery of the women victims of violence. This is why she determined to protest and prevent the domestic violence in her respective area. As part of her activities, she started discussing the issues with her relatives, neighbours and others in different locality.

Observing her growing popularity among the locals due to her social service, her family members and community people encouraged her to be a member candidate during the Union Parishad election.

“Though I didn’t imagine it for a single time, I decided to honour their demand and participated in the election. And now you see, I came out victorious,” Shefali, now a UP member, says.

Local people's support in her social works and her win in the UP election has made her more confident. She takes part in local mediations and arbitrations at the village court. "I always try to support the women victim of torture and disparity, so that they get an impartial judgment," she says.

Shefali now has taken the responsibility of monitoring to protest and stop domestic violence in her locality. Villagers and other vigilance team members inform her whenever any violence or family dispute takes place anywhere in the locality and any woman falls victim to any kind of torture. Being a responsible and popular person in the locality, Shefali now is promoting action against such incidents. Women and adolescents of the area have become more aware about the issues and know how to prevent domestic violence and protect women from it.

### **Vigilance Team, a Unique Community Response Case of BNWLA, Charghat Rajshahi**

Champa Begum has all the reasons to celebrate life once she has got back her peace of mind and a happy conjugal life. Champa, a rural girl, of Charghat Upazila of Rajshahi had a sea of dreams when she tied up in the marital bond with Shaheen Alam at the age of only 14 years. And everything went very well for four years the couple was very happy and had a daughter. But everything changed all on a sudden four years after her marriage. Champa's husband started changing his attitude towards her. He became intolerant and violent sometimes. Champa came to learn that her husband regularly watched bad movies screened secretly at different places in their area. She pleaded with him many times not to watch the movies but her request went in vain. Champa says, "It became like addiction to him. And as I kept on insisting him for not going to watch those indecent movies, he started avoiding me."

As time passed, the husband and wife were having a distance growing fast between them. Her husband's avoidance became too heavy for the housewife to bear with and she decided at one stage to go back to her parents' home with her daughter. Champa also delineates that "I didn't find any reason to live there with him anymore. Life cannot go on like this. He made my life miserable"

Finding no option the housewife then met the members of vigilance team of Thanapara Swallows Development, a partner of BNWLA, during a village-level meeting. Champa shared her misery with Monowara Begum, one of the vigilance team members who listened to her very attentively with compassion. Taking the issue very seriously, Monowara asked her not to lose her own confidence saying that she would be in her side until the issue was not settled amicably.

“Apa (Monowara) told me it was not right on my part to leave that house this way because I didn’t have any fault. She asked me to go back to my husband and try to make him understand about the bad effects of such indecent movies,” she says.

Collecting information on the areas where such bad movies were screened, members of the Vigilance Team met Upazila Nirbahi Officer (UNO) and told him everything including how such movies had bad impact on different families in the area. While the UNO and the Vigilance Team succeeded to stop this kind of video shows in the locality with their joint efforts, members of the Vigilance Team had several sessions with Shaheen and at last they finally succeeded to make him understand about the consequences of watching such movies.

“He is totally changed now. He doesn’t go to watch those movies anymore and says he is sorry for his behaviour,” says Champa, who now live with her husband happily in their home, adding that locals are aware about the consequences of such video shows and they are ready to prevent any attempt of anti-social activities in the area. The housewife expresses her heartfelt gratitude to the Vigilance Team for reviving her happiness and says with a smile, “Through this whole exercises, I have developed a very good relation with the members of the Vigilance Team and the Thanapara Swallows Development who often visit us and follow up our situation on regular basis.”

### **Lesson to Fight Odds Case of SOVA-Jhenidah**

After the marriage, Razia had to live with abject poverty, negligence, rebuke, misbehaviour, mental torture and a sea of frustration. The laziness and indifference of Razia’s husband made her life miserable. It continued day after day. Being frustrated with such attitude, she decided to commit suicide once. But she finally didn’t.

After passing class five, Razia Begum of Sonadah village in Dogachhi Union of Jhenidah was married off to Shawkat Ali, a poor man who drives rickshaw van. The lone bread earner of the family, Shawkat often used to duck going out with his rickshaw van. As Razia says in despair, “Though, being very poor, he didn’t afford sitting idle at home, he could not be motivated for going to work; he simply didn’t get it.”

Although the husband misbehaved with his wife, Razia was always worried about how to manage the square meals for the family. The family received loan from Grameen Bank but failed to improve their economic condition. And yet again, the responsibility of repaying the loan was put on the wife. Razia, however, repaid it with great pain. But debt kept growing as no change came to the mentality of the husband, and with it grew the incidents of quarrel between he husband and wife. It reached such a level at one point that the wife decided to commit suicide.

At that time SOVA intervened to change the course of Razia’s life. Some activists of the NGO went to Sonadah Putia aiming to form a Village Dispute Resolution Committee

(VDRC), which mediated for resolving family disputes. Learning about Razia's case, they met her and explained her objective of SOVA.

"When I had been suffering from such immense mental disturbance, a team of four persons came to me and asked me to become a member of the Village Dispute Resolution Committee. After they explained their aim and expectations, I agreed," says the housewife.

She showed great enthusiasm to be an active member of VDRC. And dramatic change in Razia's life began as she started attending different programmes of SOVA. She received various trainings including livestock, kitchen gardening, pici-culture, human rights and gender issues from SOVA in Jhenidah and learnt to find hope about life as she came in close contact with the activists of the NGO. Now she has engaged herself with different social development activities like micro credit, motivational and social service activities along with SOVA. Razia is an important member of SOVA's Bazar Goalpara VDRC. Besides, she has also engaged herself with other NGOs and is working as an efficient community leader.

"Once I thought of committing suicide. But now the same person (Razia) is giving advice to others not to make family disputes, which may ultimately lead to committing suicide," says Razia who once didn't think that she could ever overcome abject poverty, negligence, mental torture and a sea of frustration. Now she is an important earning member of her family. She grows different seasonal vegetables and rear cattle round the year. Addition to that her husband, inspired by her struggle, also goes to his work now regularly.

Besides solvency, now she can raise her voice and have a significant role in decision-making, who has now become a role-model in her locality. During different motivation sessions in her area, she cites her own example. Nonetheless, Razia says thanking SOVA for what they did for her and other women. "I appreciate SOVA's initiative very much because the NGO is not only saving the lives of some people but also playing a key role in stopping many kids from being orphan."

### **Arpana: At Last Revived Her Happy Life Leaving the Nightmarish Case of JS, Gopalganj**

While she was having happy days after her marriage, Arpana didn't have the slightest idea how difficult life was going to be in days ahead.

"It was like sudden fall from heaven. You have all the happiness in the world and, a moment later, you discovered that all those are gone," Arpana says as she recalls the haunting memories and preceding happy conjugal life.

The girl from Chanda Dighirpar Kadambari village was married off to Bishnupodo Biswas of Bhuterbari village in Sadullapur Union Parishad of Kotalipara Upazila in 1993 according to Hind religious culture. The couple had a very happy conjugal life for six years.

“After we had our first baby, his attitude towards me began to change. He started misbehaving with me,” the housewife says referring to mental and physical torture she had to experience then. Arpana kept off from disclosing it with any of her relatives or neighbours even with her parents. But as Bishnupodo increased the torture on her, Arpana at one point found it no more bearable and shared some incidents with her neighbours.

“Though I shared it with them many times, no one of my neighbours came forward to help me out from this situation,” says Arpana.

Failing to bear the torture anymore, she met members of Buterbari Social Voluntary Group (SVG) and disclosed everything to them. As per request of Arpana the SVG members took some steps but failed to convince Bishnupodo. Again they attempted to convince him on August 8 this year but he appeared stubborn. At one stage of talks that day, Bishnupodo realised his mistakes and apologised before his wife and the SVG members for all the misbehaviour he had done to his wife in last 15 years. The husband also committed before them that he would never again torture Arpana mentally or physically.

A number of locals were also present at the meeting that day where Bushnupodo finally asked his wife to go back to his home and live together again. Chairman of the SVG, other members of the committee and other locals not only prayed for their happy conjugal life but also said that they would keep an eye on them to see whether Arpana comes under any kind of torture again.

“I want to forget those haunting memories forever. I want to live happily with my baby and my husband. Let bygones be bygones,” the housewife says, adding that her husband is also trying to change himself and never misbehaved anyway with her since the reconciliation.

### **Husband Nabbed for Torturing Wife and Marrying Again for Dowry Case of Anirban Samaj Unnayan Sangstha (ASUS), Patuakhali**

Lucky felt something ‘fishy’ in her husband’s behaviour when all on a sudden he asked her to visit her parents’ home. “I did not know for sure why I was feeling that. But it seemed to me that he was hiding something from me,” the housewife says about the event that would ultimately expose her before a life changing experience.

She was right. Her husband had something else in his mind. Lucky Akhter of Kathaltoli village in Madhabkhali Union Parishad (UP) of Mirzaganj Upazila married Abul Kalam of Purbo Chaita village in the same UP four years ago. During their marriage, the bridegroom agreed to pay the bride Tk 50,000 in Denmahr. After their marriage, both Abul Kalam and Lucky went to Dhaka where the husband used to work in a garment factory. They started to live with Abul Kalam's family in Dhaka. Two years into their marriage, the two got their first child, a daughter.

"When our daughter was seven months old, he (Kalam) one day told me that he wants to go abroad in search of a good fortune," Lucky recalls.

Telling her that he wanted to go abroad immediately, the husband asked Lucky to manage the money from her parents. But the wife refused to ask her parents for the money. But firmed Lucky said clearly that she won't be able to seek dowry from her father and mother who, in fact, do not have such huge amount of money. And even if they had, she won't ask them to give her the money as dowry.

After some days, Abul Kalam proposed his wife to visit her parents' home in Mirzaganj Upazila. Though lucky could sense that there was something wrong in his attitude, she agreed to the proposal thinking that she would be able to meet her parents after a long time. A few days later, he asked Lucky to stay behind in Patuakhali saying he needed to return to Dhaka on emergency basis, the wife says while describing the incident chronologically. "He told me that he would soon come back to Mirzaganj and take us back to Dhaka," Lucky says. But he didn't. Kalam did not contact his wife for quite a long time. She wrote him letter but he did not give reply to any of those. Rather she later came to know from different sources that her husband moved to another house without informing herself. After a few days, Lucky could know that Kalam had married again and was living in another house with his new wife. "I then could understand why I was feeling uneasy with him during that time," the housewife says.

Then she informed Abdul Barek Hawlader, the UP member elected from Ward No. 4 who was also the president of Domestic Violence Prevention Committee (DVPC), about the developments. He later made arrangement for informing the project coordinator of social initiatives project of it. The project coordinator later proposed the DVPC committee members to organize a local arbitration where the family of Abul Kalam will also remain present and give if they have any points.

"But without agreeing to attend such an arbitration, his family started to says bad things about me linking my name to objectionable activities," Lucky says.

The housewife later talked with the DVPC members again and went to the Patuakhali office of Anirban Samaj Unnayan Sangstha (ASUS) to seek legal assistance. They initiated a move to provide legal assistance through Bangladesh Legal Aid and Services Trust (BLAST) to the victim. BLAST issued two notices to both the parties to attend an arbitration on the issue. As the accused side did not respond, a case was filed against Abul Kalam. When the accused went to the court to attend during regular hearing, the

court ordered to send him to the jail. It was on August 14, 2008. Abul Kalam is still languishing in the jail and the trial of case is continuing.

### **Mutual Understanding among the Couples Strengthen the Family Ties Case of Shishu Niloy Foundation, Jessore**

The teenaged housewife could not help arguing with her husband and in-laws even over trivial matters, which, as an obvious outcome, gave birth to quarrels, and finally threatened the marriage.

But it was the good sense of the couple and their guardians that finally saved the bond as well as the future of a child the couple was blessed with.

Nur Islam of Syedpur village in Chougachha Upazila of Jessore found it difficult to manage his two wives and their children only with his income. So he married off his daughter Ferdousi Begum at a very early age to young Babur Ali of Digharsingha village. The father had to pay dowry during the marriage.

It appeared very difficult to 13-year-old Ferdousi to accept everything her husband and in-laws started telling her after her marriage. The impatient young housewife used to lock in arguments with them over trivial issues. Her husband did not use to pay to her opinions and vice versa.

One day, Ferdousi had a quarrel with her sister-in-law over eating egg and her mother-in-law also got involved in it.

“According to his mother’s and sister’s advice, he (Babur Ali) beat me severely and sent me to my father’s home,” the housewife says while describing the event, which had more sufferings in store for her.

Neither Babur Ali nor any of his family embers contacted Ferdousi to know how she was.

“I then thought it cannot go like this and shared it with the members of VTPC in my father’s village. As they suggested, I later lodged a complaint with the Union (Parishad) Council,” Ferdousi says. The UP Council arranged arbitration five times but Babur Ali and his family members stuck to their resolve that they would not take her back to their home.

The husband was also sceptical that Ferdousi had conceived. The arbitration finally decided to resume again seven months later to see whether Ferdousi truly gives birth to a child. It also decided that Babur Ali would bear all the cost since birth of the child.

But when she gave birth to a boy seven months later, Babur and his family did not spend a penny. When the arbitration resumed, they reiterated their previous resolve not to accept her. They even said that it was not Babur's son.

Shocked and infuriated at this, Ferdousi's father and brother also said they would not let her go to Babur's family.

Fearing that a divorce might have bad impact on the two and newborn child's future, the VTPC members sat with both the families to convince them for uniting the couple. They held several sessions with them and explained the bad effect of divorce and finally succeeded to convince them. Babur Ali took back his wife and son to his home.

"I now understand that my arguments with my in-laws were not healthy for the family bond. I shouldn't lock in arguments with them on everything," says Ferdousi, visibly shy.

The exercises taught the families that mutual respect strengthen family bond. Ferdousi's in-laws ask for her opinion on different issues. Babur Ali bought some chickens and ducklings for Ferdousi which she reared. Patience and compromising attitude helped to revive the happiness.

A happy Ferdousi says, "I am saving the money in a bank that I get from selling the eggs. My husband has received some cultivable land on lease and we're now growing crops there,"

**Legal Provisions:**

There is no legal provision to address Domestic Violence issues directly in Bangladesh.

# CHAPTER

# 6



Sexual Harassment is unacceptable  
and should be punishable offence

Sexual harassment is not a new phenomenon and neither is it specific to any culture, country or society. Conduct which constitutes sexual harassment exists and has existed for as long as anyone can remember. However, harassing behaviour which has sexual connotations attached to it has been prevalent throughout the ages. In Bangladesh, the knowledge of such type of behaviour being illegal and the need to deal with it in reality as being socially unacceptable have only very recently been acknowledged though several laws do exist that deal with offences akin to sexual harassment. The fact that incidents of harassment occur in the workplace, as well as outside and inside the home, is beginning to be admitted in Bangladesh.

However what it connotes is still unclear and what sort of behaviour is unacceptable and thereby will fall within the purview of harassment continues to create confusion. Some consider only violent sexual behaviour like rape to constitute harassment, and anything less to be harmless. The confusion as to what sexual harassment is exists not only amongst the general people but also victims and perpetrators.

Sexual harassment is an unwelcome behaviour of a sexual nature that interferes with a student's ability to learn/study, work or participate in school activities. Sexual harassment involves a range of behaviours from mild annoyances to sexual assault and rape. The definition of sexual harassment includes harassment by both peers and individuals in a position of power relative to the person being harassed. In schools, though sexual harassment initiated by students is most common, it can also be perpetrated by teachers or other school employees also. And the victim can be a student, a teacher, or other school employee.

It is not only limited to schools but also expanded to work place. Unwelcome sexual advances, requests for sexual favours, and other verbal or physical conduct of a sexual nature constitute sexual harassment when this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment.

Prevention is the best tool to eliminate sexual harassment in the school and workplace. Employers and school teachers are encouraged to take steps necessary to prevent sexual harassment from occurring. They should clearly communicate to employees/students that sexual harassment will not be tolerated. They can do so by providing sexual harassment training to their schools/employees and by establishing an effective complaint or grievance process and taking immediate and appropriate action when an employee complains.

## STORIES FROM GRASS ROOTS

### **People Unite for Justice\*\* Case of POPI, Kishoreganj**

The air of Kishoreganj's Kuliarchar was reverberating the sound of hundreds of people. They gathered not to celebrate anything pleasant, but to ensure justice for a teenaged schoolgirl.

Happy Rani, the 14 years old girl, was studying in class nine of Kuliarchar Pilot High School. While Happy along with one of her female friends was going to her private tutor, who was also a teacher of their school, Johnny Das, the derailed son of Subrata, a commissioner of the municipality, intercepted them. He told her many bad things and gave me appalling proposal. Happy and her friends tried to walk past him, but Johnny made obstacle to their path and teased her. As happy protested it, he tried to touch her in a vulgar way. Then Happy breaks down in tears. As Johnny advanced with his attempt, Happy lost her consciousness. Seeing her collapsing on the ground, locals rescued her and rushed to local hospital. The wretched girl was admitted to the hospital.

As the news spread fast, Happy's father Rupon Chakrabarty contacted the local police station and the school governing committee. Meanwhile, a committee was formed consisting of the members of the local committees in assistance with POPI-PRV project to prevent torture, moved to settle issue when they informed about the incident.

On July 30, 2008, a local arbitration was arranged at Kuliarchar Pilot High School ground to settle the issue. The municipality chairman, members of the school committee and local influential people attended the programme. Since the incident created strong sensation and the locals were very much against such activities, hundreds of local people thronged the venue of the arbitration. Before the arbitration hundreds of people shouted demand for punishment of the local thugs. Tension soon spread among the people as the locals became very angry in their demand and chanted their demand for exemplary punishment to the boy to recurrence of such activities in the locality. Noticing that the crowd may go out of control, local administration called law enforcers to the venue. The leaders of the society could not complete the arbitration process there due to the growing tension.

Asked by the local administration, police brought the situation under control. Overwhelmed by the public unity Happy's father Rupon Chakrabarty later settled the issue through negotiation. He simply overwhelmed by the public reaction. There are certain norms in society which needs to be followed by everyone. Otherwise there will be no discipline.

The locals believe that the incident would strengthen their unity further to work for the betterment of the society. According to local leaders, the unity among people against injustice will strengthen the voice for ensuring justice in the society.

“What the people have done here today has opened our eyes to realise that people can press home their logical demand if they unite with a spirit to subdue the social ills and whatever is unwanted, bad for our society,”

### **Legal Provisions:**

Women and Child Repression Prevention Act, (Amendment-2003) describe the Punishment for Sexual Harassment under section 10 (1) If any man, to get his sexual desire gratified illegally touches, by any of his organ or any object, the sex organ of a woman or a child or violates modesty of a woman the act as such by him shall constitute sexual harassment and for that he shall be liable for punishment with rigorous imprisonment for not exceeding ten but no lesser than three years and cash fine also in addition.

# CHAPTER

# 7



Severity of Violence against Women  
(Death for Dowry)

Dowry deaths are the deaths of young or adult women who are murdered or driven to suicide by continuous harassment and torture by husbands and in-laws in an effort to extort an increased dowry. Dowry deaths are reported in various Countries and also in Bangladesh. Dowry death is considered one of the many categories of violence against women in Bangladesh.

Most dowry deaths occur when the young woman, unable to bear the harassment and torture, commits suicide. Most of these suicides are by hanging, poisoning or by fire. Sometimes the woman is killed by setting her on fire; sometimes disguised as suicide or accident.

## **STORIES FROM GRASS ROOTS**

### **The Lust of Husband Persuade Sheema to Meet the Chill of Death Case of Bangladesh Society for the Enforcement of Human Rights**

Lying on the bed, the burn victim Sheema Akhter, 31-year-old housewife delineated before the Dark Star mobile team details about how her husband started the mental and physical torture on her and how finally he had set fire to her by pouring kerosene.

Sheema Akhter, 31-year-old housewife succumbed to her burn injuries on October 20, 2008 four days after her husband, Abul Kalam Azad set fire to her pouring kerosene, at Dhaka Medical College Hospital (DMCH). For a long time her husband had been pressing her for dowry. Then started mental torture on her to force her to bring dowry and failing in that, he started torturing her physically. Not only that she was threatened several times and would have to face dire consequences for not complying with his demand. Prior to attack very often her husband said that he would soon teach her a good lesson.

On the very day Sheema was busy in her household works and her husband was preparing for the attack. It was around 4:00pm on October 16, 2008. Suddenly he came to her with a pot in his hand. Getting closer, he poured kerosene on her body and set fire. Sheema was rushed to the DMCH immediately and was admitted at the HDU unit.

An informer informed the BSEHR officials on the next day that one of his relative by the name of Sheema Akhter was set afire by her husband the previous day. Getting the information, the Dark Star mobile team members Sirajul Islam and Faisal Ahmed rushed to the DMCH and talked with the victim and her brother Saiful Islam, neighbours Uzzal, Mizanur Rahman and Jewel.

After taking the statement, the team later talked with the on-duty doctors and nurses to know Sheema's physical condition. It was noticed that her condition was not good. Her brother lodged a general diary with Shahbagh Police Station on October 17 for taking the statement of the dying victim. An FIR (First Information Report) was lodged with Khan Jahan Ali Police Station in Khulna simultaneously on October 18.

The Dark Star mobile team of Strengthening Good Governance through Human Rights (SGGHR) project of Bangladesh Society for the Enforcement of Human Rights (BSEHR) tried their best and provided the necessary assistance to the burn victim but she was so badly burnt that doctors even had doubt whether she would survive or not.

Though doctors tried their best to save her, they could understand that they had no hope so in the case as Sheema's injuries was too severe. It was on October 20, 2008 when the ill-fated housewife breathed her last giving in to the injuries inflicted by the greedy husband after a four-day fight with death.

Now the Khulna unit of the SGGHR project of the BSEHR is currently monitoring the case.

### **Innocent, Fragile Thulshi Failed to Save Herself from the Inhuman and Cruel Jaw of Her Husband Case of Bangladesh Society for the Enforcement of Human Rights**

Thulshi Khatun would at least rest in peace in her grave now once that her killer husband has been given death penalty for torturing her to death. The cruel husband not only tortured her mercilessly but also did not provide her necessary treatment thus ensuring her death. Unlike many other ill fated women, Thulshi's departed soul will have no other solace for the tragic and untimely demise of the housewife who dreamt of a beautiful future with her husband, son and daughter.

Thulshi, the daughter of Imarat Hossain of Mollickpur village of Kaliganj Upazila, Jhenidah district, was married off to Oliar Rahman alias Olid of Armukhi village of the same Upazila.

During their marriage, Olid claimed Tk 30,000 in dowry. But Thulshi's father, who is a very poor man, managed to collect Tk 16,000 only which he gave during the wedding function. But Olid did not forget about the rest of the dowry money and used to ask Thulshi very often to bring him the money. Besides mental pressure, he also tortured her physically and mentally to bring the money.

Sixteen years passed since their marriage. The couple by this time got a son and a daughter. But the torture for the dowry money did not stop.

Being a soft-spoken person, Thulshi never raised her voice against her husband though sometimes she would like to revolt, but could not. And the torture continued. Very often she was seen crying due to the inhuman torture.

On August 24, 2005, Olid asked his wife again for the rest Tk 14,000 of dowry money. As she expressed her parents' inability to pay it, he started beating her mercilessly. He was so angry that at one point of his beating, the husband hit Thulshi with a stone. The attack left the wife badly injured. But the cruel husband did not admit her to any hospital or take any step for her treatment, rather strongly ordered not to go outside.

As her condition deteriorated, Olid's relatives forced him to take her to Kaliganj Hospital two days later. The husband got her admitted there. But doctors at the hospital later referred Thulshi to Jhenidah Sadar Hospital saying they did not have arrangement for necessary treatment.

Olid, however, did not care about the doctors' recommendation to take her to a better place for treatment. He took his ailing wife back home.

Meantime, learning about the miserable condition of Thulshi, her parents and brother rushed to Olid's house. They were alarmed at the critical condition of Thulshi and started taking preparation to take her to the hospital as referred. But while they were taking preparation, she died at around 5:00pm.

Thulshi's father Imarat Hossain filed a case with Jhenidah Sadar Police Station on August 27, 2005 against the husband under Women and Children Repression Prevention Act.

The Jhenidah unit of the Strengthening Good Governance through Human Rights (SGGHR) project of Bangladesh Society for the Enforcement of Human Rights (BSEHR) investigated the case and found evidence in support of the father's description. Officials of the unit provided all necessary assistance, including legal assistance, for the prosecution during the trial of the case. They also assisted the law enforcers with information for the arrest of the accused. However, the main accused, Olid, could not be arrested during the passing of the verdict of the case.

At the end of the trial process, Mafizul Islam, the judge of Women and Child Repression Prevention Tribunal delivered the verdict of the case wherein he pronounced death sentence for absconding Oliar Rahman Olid for his brutality ie for murdering his wife for dowry.

The other accused Abed Ali, Jabed Ali, Sayed, Daud, Azad and Mannan were acquitted unconditionally as the charge against them could not be proved.

## Legal Provisions:

Women and Child Repression Prevention Act-2000 (amended-2003) define Dowry under section

(j)(a) "Dowry" means money, material or other kinds of assets paid or agreed to be paid, directly at the time of marriage or before marriage or during continuance of marriage, or on condition of marriage remaining fixed, or as dowry for the marriage, by the side of the bride to the father or mother of the bridegroom or any other person on the side of the bridegroom or money, material or other kinds of assets claimed on the said condition or as dowry by the father or mother of the bridegroom or any other person on the side of the bridegroom from the bride or any person on the side of the bride.

(b) Any material, money, or any other kind of assets paid or agreed to be paid at the time of marriage or before marriage or during continuance of marriage, or on condition of marriage remaining fixed, or as dowry for the marriage, by the side of the bride to the father or mother of the bridegroom or any other person directly involved on the side of the bridegroom or money, material or other kinds of assets claimed on the said condition or as dowry by the father or mother of the bridegroom or any other person on the side of the bridegroom from the bride or any person on the side of the bride.

Section-11. Punishment for causing death for dowry etc. If the husband of any woman or father, mother, guardian, relative of the husband or any other person on behalf of the husband causes death and attempt to cause death, she is injured by grievous hurt or she is injured by simple hurt the said husband, father, mother, guardian, relative or the person on his side shall be liable to punishment for –

- (a) causing death or attempt to cause death with rigorous imprisonment for life and in either cases, cash fine also in addition;
- (b) in case of grievous hurt life time imprisonment or imprisonment for not exceeding twelve years but no lesser than five years and in both cases with cash fine also in addition.
- (c) in case of simple hurt imprisonment for not exceeding 3 years but no lesser than one year and in both cases with cash fine also in addition.

# CHAPTER

# 8



Acid Throwing

Acid throwing is one of the cruellest forms of violence against women. Since 1980s it became a common means of taking revenge and it reached its highest peak in the recent years. Owing to the availability of acid in the open market the situation gradually worsens. As Acid Survivors Foundation (ASF) is gravely concerned over the increase in the number of reports regarding acid attacks against women in Bangladesh and has taken some significant initiatives. The victims/survivors of acid throwing are usually young girls and women between 10 and 60 and the perpetrators are usually jealous boyfriends, spurned suitors, neighbourhood stalkers, and sometimes, angry husbands in search of more dowry or permission to enter into a polygamous marriage. The crime of acid throwing is particularly prevalent in rural areas and smaller towns, although there are some incidents in large cities among factory/garment workers and the slum dwelling population as well. Most victims of acid throwing are seriously burned on their faces and even after extensive treatment, the scars usually remain unchanged. In addition, reintegration of such victims into society is another difficult task in the stigmatized society like Bangladesh.

### **Causes and consequences:**

Acid throwing is a type of “crime” which is perpetrated when a woman allegedly steps out of her socially prescribed role, especially, but not only, with regard to her sexuality or her relationship towards men. For example, in Bangladesh the reasons for the acid throwing /attacks include the refusal of an offer of affair or marriage or illegal physical relations, dowry disputes, domestic fights and arguments over property, political dispute and even a delayed meal.

Male ego and problems in dealing with rejection is another important cause of acid throwing. Refusal of love, marriage proposals and family disputes are three major causes of this type of violence. In some of the cases reasons for acid attack are unknown. Other causes of acid throwing include, protest of husband’s second marriage, failure to misappropriate of wife’s wealth, sterility, and getting divorce from wife, refusal of sexual relationship, failure to kidnap, the woman not being agreeable to prostitution etc.

It was reported in different case studies and interviews with experts in the area of redress it can be surmised that illegal sale, cheap and easy availability of acid in any roadside shop is considered an important factor contributing to the practice of acid throwing. Impunity, protection of criminals by the politically powerful, and the information about the possibility of assaulting others with acid are probably the reasons behind the increase in the incidences of acid assaults. Lack of proper infrastructure and transport facilities is one of the major factors that make acid violence more harmful. It was reported in many cases of acid violence occur within the woman’s own home and at night.

Both in rural and urban areas slums, shanty houses are mainly made of bamboo or other type of thin straw like materials which can easily be broken into. Such insecurity in the place of residence makes women more vulnerable to attacks by men in their area. It

has been mentioned that in many cases the acid is aimed at women's vaginas. In many cases the shared toilets are located at a distance from the houses, and the perpetrators easily targeted the victims, either they are attacked in toilets or acid is placed in the water they use to clean themselves with.

The physical effects of acid's use are hideous. It melts away skin and muscle, and also can dissolve bones. Lost of sight in one or both eyes is also possible. The scarring and disfigurement for all victims is permanent and horrific. Victims are as young as less than one year, and are mostly from poor families that cannot afford the extensive surgery needed to repair the damage. Besides the immense physical pain of acid attacks, the victim also suffer from a life time stigmatization, resulting in loss of self esteem and an inability to study or work and retreating to social isolation.

## **STORIES FROM GRASSROOTS**

### **The Struggle of Little Durjoy Case of Acid Survivors Foundation (ASF), Dhaka**

Durjoy was just one month and 19 days and saw the cruel nature of the people. It is his own aunt who fed the baby boy with acid because she was afraid that her daughters wouldn't get her property, according to Hindu family law, as long as he was alive.

However, Durjoy managed to survive thanks to Acid Survivors Foundation (ASF)'s because they took the long arduous effort. He needed to be sent abroad for better treatment as doctors said the kind of treatment he needed was not available in Bangladesh.

The ill-fated incident happened on January 19, 2005 after receiving polio vaccine, Durjoy was sleeping at their home in Jessore. And his mother was cooking in another room. Suddenly she heard the screaming of the baby at the top of his voice, and saw his aunt coming out of the room. Rushing there, she saw smoke coming out of Durjoy's mouth. The sight made his senseless. Latter on it was said by the doctors that the little baby was fed with acid.

Durjoy suffered severe burn injuries in his whole mouth and neck. The inner side of his mouth was badly burnt, his lips were stuck almost closed leaving only a small cavity, and his chin got stuck to his chest. He was having breathing problem and could only be fed with a drop.

Durjoy's aunt has two daughters, not any son, and they are very close to Durjoy's parents. Since the family is Hindu, they will have to comply with Hindu family law, which says properties can only be passed down through the male ancestors.

After the birth of Durjoy, aunt was jealous, and feared that her daughters might be denied of their part of the property. This might have tempted/ allured/prompted her to try to kill the baby with acid.

Despite the situation took a new turn as the victim's parents refused to file a lawsuit against the suspected perpetrator due to the fact that she was a family member, though the ASF tried a lot to persuade them in this regard.

However, on March 6, 2006 the family went to the ASF again a year later, Four days later, Dr Ronald William Hiles, one of ASF's visiting international plastic surgeons, operated upon the boy. It was a complicated operation, which took seven hours. Doctors didn't know exactly what was the condition of inner side of Durjoy's mouth. To fit a tube for giving anaesthesia into Durjoy's mouth, Dr Hiles had to perform a tracheotomy, opened the lips and cleared the cavity.

After the operation the boy seemed stable, but in the next night, he suffered a major cardiac arrest. On March 12, Durjoy was admitted to Central Hospital where he suffered a severe bacterial attack. The surgery there was aimed to enable him take food through his 'newly made mouth' and to breathe through the nose. But he failed to breathe whenever the doctors tried to withdraw the tube from the tracheotomy. His lips were also closing again requiring special support to keep his mouth open, according to doctors. Dr Hiles, who is now back to the UK and is in regular consultation with ASF doctors and opined that it was not possible to treat Durjoy in Bangladesh as it required highly sophisticated and specialized team care which is not yet available here.

Durjoy has now returned to Jibon Tara, but the ASF is trying desperately to find a way to send the child abroad for better treatment.

### **Much ado for Dolena in giving statement Case of Acid Survivors Foundation (ASF), Dhaka**

Dolena had no idea that her fight was yet to end when doctors released her from the hospital after treatment for her acid burn injuries. When she attempted to make her statement at the court, the 40 years old house from Kishoreganj faced strong opposition not only from the defence lawyers but also from the public prosecutor (PP). The PP, who was supposed to uphold Dolena's cause, refrained from making her deposition before the court as he did not get bribe from her.

Dolena's husband had long been having a land dispute with their neighbours. Both parties filed cases against each other. It was on October 17, 2003 when some of Dolena's neighbours broke into their house and threw acid when Dolena and Mina, her 18-year daughter, were sleeping. But suddenly they cried out with fear and pain as she says-

“As if somebody set fire to my body. Sending a scream, my daughter also started crying in pain,”

Eighteen percent of Mina’s body was burnt. Meanwhile, Dolena also injured by the attack. Different parts of her faces and body were burnt by the Acid. Dolenna guessed that the attackers had intension to throw acid on her husband but mistakenly they became the victims of wrath of the opposition.

When lawyers of Acid Survivors Foundation (ASF) went to attend Kishoreganj court as part of their regular activities on May 7, 2006, they were informed that Dolena had attempted to give her statement six times over the past nine months but the PP (Public Prosecutor) did not take necessary initiatives. Asked by the ASF lawyers about the allegation, the PP said it had been postponed due to the defence lawyer’s illness. But official documents showed the case was postponed due to lack of witnesses.

Then the ASF lawyers brought the attention of the district judge to the matter and assured them of looking into it. On June 27, the ASF lawyers also turned up to the court when Dolena once again appeared there to give her statement.

But unfortunately, when the ASF lawyers asked the PP to order Dolena’s appearance before court, he simply refused to do so. He said Dolena’s family had not pay him, though the ASF lawyers requested the PP repeatedly, the latter insulted them saying he won’t do that. However, he finally agreed after successful counselling. Even then, the defence lawyer threatened the ASF lawyers indirectly and tried to prevent the witness from making her statement.

But the ASF lawyers, who were firm and determined not to give up, didn’t let them go ahead with their plans. They finally succeeded to gain cooperation from the judge and the trial started with hearing the testimony of the witness.

### **Shamima the Torchbearer for The Victims Case of Acid Survivors Foundation (ASF), Dhaka**

“When I want to stand straight holding all the power of the earth  
My rebellious mind suddenly becomes quiet;  
Half of my soul searches for peace  
My burnt soul teaches me to taste the new life...”

This is the self-assertion of the bold, optimistic Shamima who was simultaneously a victim of early marriage and acid throwing. In early 1996, Shamima was only 14 and a student of class eight when her family married off to a 35-year old aged man. As the bridegroom was a service holder the age gap between the couple was not a problem for brides’ family.

But the teenaged girl was frightened with her husband's extreme sexual desire since the wedding night. And after terrible three days, she went back to her father's home. Again she was sent to her in-laws, but husband's company was a horrific event to her. Like others, her in-laws did not consider her mental situation and kept on teasing her, saying she might have a love affair with someone else. All these impede/forced Shamima to return home again.

Meanwhile, the rumours were also spread in her own village too. At that time her husband threatened of throwing acid on her to take 'revenge'. It was around 2:00 in the night of September 14, 1996 while Shamima was sleeping in her father's house suddenly she felt somebody set fire to her face. Hearing her scream, some neighbours rushed to save her while some others caught her husband from a nearby symmetry with proof of throwing acid.

Her faces and different parts of her body were badly with acid and worsening quickly for not using water; she was taken to Kotchandpur Hospital for primary treatment, then transferred to Khulna Hospital after one-hour treatment at Jhenidah Hospital. She was taken back home after seven-day treatment in Khulna. But her situation was worsening day by day and her father somehow collected Tk 80,000 to send her to India for better treatment in 1997. After one month long treatment in India she returned home.

Then she took admission in class nine and started receiving sewing training. After completion of the training launched 'Oikya Nari Kalyan Sangstha' (ONKS) with 43 deprived women of her village and 25 of who were physically disabled. They were given training on sewing, block and batik. Shamima is also continuing her studies at Open University in parallel with her official duties.

After reading a newspaper feature on her success in 2005 a photographer associated with the Acid Survivors Foundation (ASF) advised her to go to the ASF for treatment. After a long time, Shamima at last took treatment at the ASF. She underwent two surgeries and needs more. Meanwhile, with the help of Acid Survivors Foundation (ASF) Shamima's family filed a case, the perpetrator was handed 43 years' imprisonment and is now in jail.

Unlike others she was not a defeated soldier, rather a bold successful woman who overcomes all the impediments with her strong willpower and self-motivation. She is also showing the path for those women, who are falling victims to different kind of tortures everyday throughout the country. It was also said with firm determination that she wants to show the acid burnt victims and physically disabled women how to protest such cruel acts and how to be self-reliant.

## Legal Provisions:

Acid Violence Prevention Act-2002 describes the Punishment for Death Causes by Acid Violence under section-4: If any person causes the death by throwing acid, that person shall be punishable with death or rigorous imprisonment for life and in addition, a fine

not exceeding Taka One Lac.

Section-5(a): Punishment for Causes Injury by Acid Throwing: If any person causes injury to any person by throwing acid (a) in cases of impairment of eyesight or hearing capacity or disfigurement of the face, breast or sex organ, that person shall be punishable with death or rigorous imprisonment of life and in addition, a fine not exceeding Taka One Lac.

(b) ) in cases of impairment or disfigurement of any other part or organ of the body, that person shall be punishable with imprisonment which may extend to fourteen years but shall not be less than seven years and in addition, a fine not exceeding Taka Fifty Thousand.

Besides, the Penal Code also provides punishment for causing grievous hurt to human body with corrosive substances [Section-326A] and Section 4 of the Women and Child Repression Prevention Act-2000(as amended in 2003) provides punishment for committing or attempt to commit any crime by using corrosive substances to any women or child.

# CHAPTER

# 9

## Suicide is a Criminal Act and is Punishable

Suicide commonly understood as the intentional killing of oneself. In terms of causation, suicides are classified mainly as altruistic, egoistic and anomic. In altruistic suicide the victim is motivated by some social ideals and purposes, encouraging or even requiring him or her to sacrifice life for a cause. Certain cults even train their votaries to sacrifice life for eternal bliss and to commit suicide, either individually or en masse. In egoistic suicide, the individual suffers from lack of adequate integration into society and support of the collective forces that prevent suicide. Anomic suicide emanates when the individual's desires and ambitions cannot find satisfaction.

### **Cause and Consequences:**

Suicides and murders are both forms of death due to intentional injury – in one case the death is caused by oneself, and in other case someone else is responsible for the death. It is also alleged that many suicides are in reality murders that were covered up cleverly. It is also alleged that many people are driven to committing suicide by the treatment they are subjected to by others around them. In many cases women commit suicide when they cannot bear the pain of physical and mental torture as a consequence of rape, social stigma, religion based community violence such as fatwa, dowry demands and abandonment.

Poor statistics does not allow for a scientific analysis of incidences of suicide in Bangladesh. However, it can be said that the number of cases, as in other South Asian countries, is quite high. Not all cases of suicide, particularly in the rural areas, are reported to the police or to the newspapers mainly to avoid legal hassle and extortion by the police and the lawyers. Poor and ill-educated rural people are hardly able to face up to the situation. Many such unreported cases are settled locally with the help of village elders with the aggrieved party being paid some amount of money. Most suicides in the country are committed by younger women on account of torture in the husband's family for non-payment of dowry, social shame arising out of rape, pregnancy before marriage, infidelity of a husband, divorce, and inability to bear children. Other common causes of suicide are inability to feed children because of extreme poverty, failure to pass a key examination, and prolonged suffering from an incurable disease. Poverty related suicides point to the lack of social security and the inevitability of begging or, in the cases of younger women, ending up in a brothel. Besides, eve teasing is another reason which impede to commit suicide. Generally, suicides are committed by taking an overdose of sleeping pills or pesticides, hanging from ceiling fans or bamboo bars, use of firearms, throwing oneself before a racing vehicle or a running train or drowning. Only a small proportion of attempts at suicide is thwarted by timely intervention by others.

In all most every religion emphasized not to commit suicide. In Islam suicide is treated as a heinous act and it is an unpardonable sin. In Bangladesh there are some legal provisions which describe the punishment of influencing women to commit suicide. Despite every year such incidence occurred. But in some cases it was also reported that to some extend, timely intervention and mutual cooperation among the family members, friend circle, neighbours etc prevent people to commit suicide.

## **STORIES FROM GRASSROOTS**

### **Timely Intervention Paves the Path for Reduction of Suicidal Trends Of Women in Jhenidah Case of Society for Voluntary Activities (SOVA), Jhenidah**

This is the story of Lal Banu which simultaneously depicts her suppression, struggle and success. Unlike many women of our society, she got married. But her husband and mother-in-law started demanding dowry immediately after her marriage. They started torturing her physically and force Lal Banu to bring dowry from her parents. Due to her poor parents Lal Banu remain reluctant. She underwent the torture for day after day and it became a continuous process. Once being overburdened with mental and physical torture she decided to commit suicide. As per plan, she attempted to commit suicide but did not die luckily.

At that time local NGO 'Society for Voluntary Activities' (SOVA), which has been working in three Union Parishads and one Upazila of Jhenidah for the last four years with assistance from Manusher Jonno Foundation on surveillance and reduction of women suicidal trends in the district, came to know about the helpless housewife.

Learning the incident SOVA started providing medical support as well as counselling to Lal Banu and her family. After continuous counselling for quite a long time, Lal Banu succeeded to overcome the penchant for suicide. The family members could also understand their mistakes.

SOVA not only succeeded to surmount the penchant for suicide, but also provided Lal Banu skill training on kitchen gardening. She later motivated her family members to start a small business. Collecting seeds from local market, she started selling the plant in the same market later. In addition, she was providing financial support to her family through this means. And gradually she expanded her business later on.

Now an active member of Village Dispute Resolution Committee, Lal Banu enriched herself by receiving training on violence against women and laws on suicide prevention.

"Women and adolescents of my area are now aware of the bad effects of suicide. I have also taught them how to prevent and protect violence and domestic violence," says Lal Banu.

Inspired to see her activities, chairman and members of local Union Parishad, local elites, members of the civil society, doctors, religious leaders, government officials, teachers and students have come forward to support Lal Banu in stopping the social ills like violence, domestic violence and other forms of torture on women that persuade many women in the region to commit suicide.

Many women and adolescents who are now aware about these issues are now active in the community to protect and prevent suicide and domestic violence against women. As a result, the rate of suicide has now decreased in the area. And the group members as well as villager thanked MJF for introducing the timely and effective strategy/intervention/programme to bring such a radical change in some areas of Jhenidah.

### **Rescue from Suicide Case of Jagorani Sangstha, Kotalipara, Gopalgonj**

Lying on a bed at the hospital, Bhokti Ghorami stares at the white ceiling as teardrops fall on her pillow rolling down her cheeks. Anyone, if observes her closely, can see the muscle of her face becoming stiff maybe in a firm resolve not to give up. Yes, she is now determined to win in her fight and not to give in. She is yet to recover her physical strength but has got back her mental strength, which she lost long ago in her fight with her husband.

Twelve days into her attempt to commit suicide, Bhokti is still undergoing treatment at Upazila Sadar Hospital. Since her childhood, parentless Bhokti was in custody of her maternal uncle who was the only person she knows as her kinfolk in the world. He reared her up at his house until she reaches adolescence. When she turned 14, her uncle wanted no more to carry the 'burden' and rather decided to marry her off. According to his plan, Bhokti was married off to Subol, a local mason. A minor girl, she neither had any idea what does it mean by 'husband' nor what it is to have a family. She was too young to understand what means by conjugal life. Also, none of the husband and wife has any idea about family planning. In an obvious outcome, Bhokti gave birth to two sons in her teen age. Failing to bear the load, she began to lose her physical strength. On top of it, the husband was also not able to provide her food regularly let alone nutritious food. All these caused her losing her strength to work. Though she knew she did not have the necessary physical strength, she tried beyond her capability to do the household chores. But despite of her endeavour he was not happy with her and always rebuked her severely. The housewife could understand that Subol did not find interest in her anymore and started hurling her abusive words for any trivial matter. Deprived of her husband's love, she continued to live there with him considering the future of their children. Besides the mental torture, suddenly he started to ask her for bringing dowry from her uncle. It was a very difficult task for her as she was reared up by that uncle who married her off as he did not want to take the burden anymore. Would he agree to give any dowry?" Bhokti says.

As she failed, the husband increased mental torture and, at some point, started torturing her physically.

"Thus I passed 15 years, in absolutely unbearable condition before stating thinking about alternatives," the housewife says.

As she didn't see any light of hope anymore, she decided to commit suicide. According to her plan, Bhokti took poison on November 11 to get rid of the torture forever.

Getting the news of her suicide attempt, members of local Jagorani Sangstha (JS) and Violence against Women Prevention Committee (VAW-PC) rescued her and rushed her to Upzaila Sadar Hospital with the help of local influential people and municipality commissioner. Bhokti has been fighting with death for 12 days and was undergoing treatment at the hospital.

Members of the JS and VAW-PC are attending at her service and continuously giving her motivation.

Though physically weak, she has, by this time, gathered her mental strength to win in her struggle. The JS and VAW-PC members have not only successfully provided her assistance in treatment but also instilled confidence and trust in her own strength. The housewife says in a confident tone, "I'll fight and won't give up anymore,"

### **Cloud Of Uncertainty In Bilkis' Life Has Resolved Case of SOVA, Jhenidah**

"The situation was so mind boggling that I thought I had no chance of overcoming it. If I look backward, simply I cannot believe that I have really made it," Bilkis says sitting on the porch of her house. She has been living in this house with her husband's family since her marriage recently, a marriage that followed a series of events which she deliberately wants to forget forever.

Daughter of Nuru Mondol of Huda Putia village in Jhenidah Sadar Upazila, Bilkis, now 20 years of age, had to stop going to school at an early age due to her father's poor financial condition. The parents had difficulties in managing square meals for the family members.

Due to the poverty, there was a persistent feeling of needs for essentials unmet which took away the peace in the family. As a result, there were frequent quarrels among the family members on trivial issues.

This is during such a time that Bilkis fell in love with one of their neighbours, Mukut Biswas, the son of one Chunu Biswas. Mukut also expressed similar feeling to her and a love affair developed between the two. The couple was having very happy times. Mukut had already committed to marry her by that time. According to Bilkis there was a frequent physical relationship between them. They did not bother the issue as both of them were determined about their in marriage. But she did not know that the boy had a different plan.

"When I asked him one day to marry me, he simply refused to do it," Bilkis says expressing her ignorance about any reasons for his rejection. The betrayal strongly

disappointed her. And she was so shocked and disturbed that she decided to commit suicide.

“As planned, I purchased some sleeping pills over some days and decided a date for taking all the pills together,” she says, adding that she chose the way because she had learnt that it is very difficult to save someone several hours after taking some pills together. But she stopped from taking the pills at the eleventh hour thanks to the sudden turn up of a new idea.

“When I was about to take the pills on the scheduled day, an idea popped up in my mind that I may share it with someone who would truly keep the matter secret. The person whose name came to my mind first was Zayedapa. I had trust in her that she would be able to find a solution, I was quite sure of it,” Bilkis says.

Meeting Zayedapa, the Union Parishad facilitator of non-government organisation SOVA with a hope to get a solution of her problem, Bilkis told her everything in details and requested her help her overcome the situation. She told Zayedapa that she did not anymore want to marry Mukut Biswas due to his betrayal.

With deep frustration she also told that she would not want to make public the issue. Besides, she didn't have any evidence in support of her claim that the man promised her of marrying and that he used to have physical relation by banking on his promise of marriage.

But Zayedapa could understand that Mukut's betrayal shocked her very strongly causing her strong mental depression. Zayedapa was feeling that she may commit suicide anytime if she cannot be saved from the haunting feeling.

Resolving to save her, the SOVA official counselled her for a couple of months finally to succeed to remove the trauma of suicide. She also motivated her to dream of a new life with possibilities of a happy life ahead. Bilkis recently married a man of Dhanajopur village in Jhenidah Sadar Upazila.

During follow-up visits, SOVA officials found her happy in her new life.

### **Timely Motivation Facilitate to Enjoy a Sound Conjugal Life Case of SOVA, Jhenidah**

He won't listen to anyone or care anybody. He would rather ask everyone to act the way he likes them to do. He is none but the Husband of Surjovan, a very ill tempered and stubborn in nature. As Surjovan says while talking about her husband: “While doing so, he won't bother at all whether he is behaving logical or how difficult it would be for others to comply with his expectation.”

It is for him that she attempted to commit suicide once and decided later again to take her own life. She is lucky that she was not successful in her attempts. Surjovan recalls as she described what harried her to try to take her own life: "I can hardly recall any day when I felt a little bit relaxed from the persistent strain that resulted from his physical and mental torture."

Nawsher Ali, the husband, is physically disabled and very bad tempered. He cannot talk with his family members without shouting at them and finds fault in each of their actions. Besides, nobody cannot say anything that goes against that he believes. He would like to control everything from his own point of views and impose his decision on the rest of his family.

The couple has six children and runs a small business which is the lone source of income for the whole family. Nawsher was struggling a lot to meet all the expenses with the meagre income from his business.

As he had huge difficulties in doing that, Nawsher had to set priorities. At one stage, he stopped his children from going to school to 'lessen some burden'. He later engaged them with some sort of income-generating works. If anyone showed any kind of negligence in his works, he (Nawsher) would not spare him. He would immediately start beating him severely. In addition, in most such cases her husband thought that it was his wife's irresponsibility and that is why he also started torturing her very often. All these incidents made Surjovan so upset that she once that she could not bear such incidents any more. "So, I decided to commit suicide," she says.

She, however, failed in her attempts. Her suicide attempt could not move her husband to realize what mental state she was passing on. So, she had to undergo the same experience again for months before she decided again to commit suicide.

Knowing about her condition, members of Village Disputes Resolution Committee and Women Suicide Prevention Committee, bodies formed by SOVA for working among the people, tried their best to find a solution to the longstanding problem but failed.

After a while a WSPC member, officials of SOVA took some time to observe the situation before approaching Nawsher. When the SOVA officials requested Nawsher later to change his behaviour, he refused it outright. Then they asked Surjovan in front of him what she would like them to do. At this, Surjovan urged them to motivate her husband and bring him back to a normal way of life to ensure a peaceful conjugal life.

It was on May 13, 2008 when SOVA project counsellors organized a family counselling and continued the process for a couple of month. After counselling of the project officials they became successful to motivate the couple, especially the husband who needed it badly. Realizing his faults, he apologised for those.

With a repentant tone her husband (Nawsher) confessed that it was his own misbehaviour for which all of them had to undergo tremendous mental sufferings and fortunately no-one of his children like him. The couple is now having happy conjugal life. Now Surjovan says with smile, "I would never think again of committing suicide. In fact, I don't have reason now to do that".

### **Case Anwara is Back to Happy Conjugal Life Case of SOVA, Jhenidah**

With strong disbelief, Anwara brushed off her neighbours first when they told her that her husband was having an extramarital relation with another woman. But surprisingly it was proved true after a while.

Feeling the shame too heavy to bear, the wretched housewife decided to commit suicide. But she was lucky that people of her society helped her to return her life again.

Anwara Begum and her husband had a very happy conjugal life with Monirul Islam. The couple with their two children – one of 10 years and other 13 years became a reason for their neighbours to be jealous of. But when Anwara turned 32, her husband started treating her as less attractive. It was also felt by her that the attraction was gradually decreasing. And probably the problem happened as she was becoming old. Once she felt that her husband might have love affairs with some other woman. But she strongly opposed when some of her neighbours told her that Monirul really had developed an extra-marital relation with another woman. She never imagined such rumour will come true to her life and the wretched housewife says with utter frustration, "Though I had suspicion, I myself could not accept it when they said. In fact, I did not take it seriously and did not pay any heed at all in disbelief."

But when a neighbour told her one day that her husband married another woman, she felt very angry with him as well as herself. The fact that her husband did not tell her anything let alone taking her permission infuriated her very much. Besides, Monirul also did not take permission from the concerned Shalishi Parishad of their village.

Considering the incident as a strong disgrace, she decided to end her life by committing suicide. According to her plan, she later tried to commit suicide by hanging herself. But her neighbours and members of the concerned WSPC did not let that happen. After knowing her utterances that she would commit suicide, they had become alert and kept watch on her movements. Members of the VDRC and the WSPC tried their best to calm down her and allay her concerns.

Then the local VDRC president informed SOVA officials about the issue, SOVA project staff met her and counselled her initially for more than one hour to ease her strains. Anwara was kept under close observation while the Union Parishad facilitator and counsellors were giving her motivation. The efforts finally succeeded after two months when Anwara was convinced that committing suicide was not a good solution or option which refrained her from committing suicide.

After one month later, SOVA officials asked her to take legal steps against her husband, but she refused the proposal, rather desired for an amicable solution. As per her desire, members of the VDRC and the WSPC decided that Anwara's husband must look after her like before. Monirul was also motivated to maintain an honourable relationship with Anwara. And promised before that entire he would not take his second wife to the village, rather he promised there he would take her (second wife) to the town or any other place. To resolve the chaotic situation Anwara accepted the proposal.

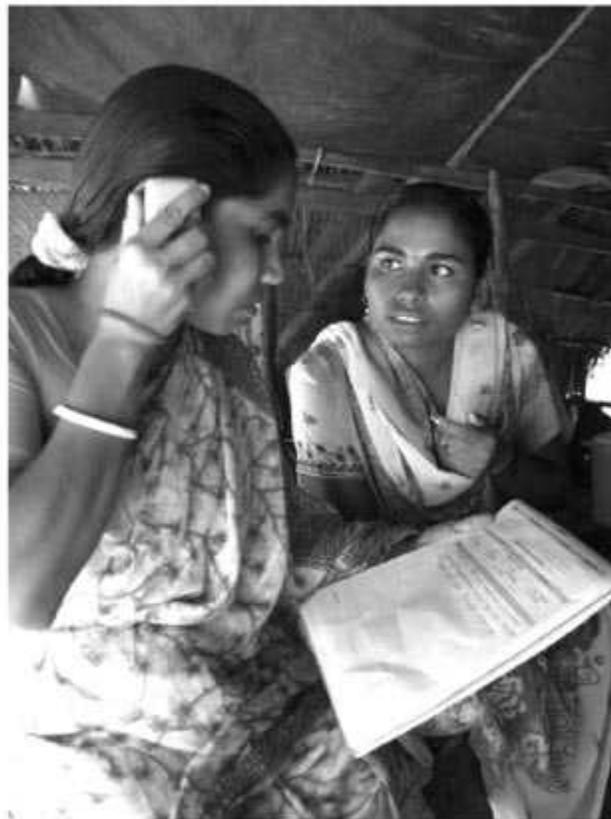
Everyone, especially the elders, welcomed her decision and praised her for choosing such an option. When staffs of SOVA visited the couple recently, they found both husband and wife cheerful.

### **Legal Provisions:**

Women and Children Repression Prevention Act 2000(amendment-2003) describes the Punishment of influence of suicide of women under section 9(a) - if any women without her consent or if by the willful act of a person violates the modesty of a women and this act as such by which any women committed suicide or influenced for committing suicide, for this offence the punishment for accused is not exceeding 10 years and not less than 5 years imprisonment and cash fine also in addition.

# CHAPTER

# 10



Women Empowerment  
through Entrepreneurship Development

An entrepreneur as “a person who has decided to take control of his future and become self-employed whether by creating his own unique business or working as a member of a team, as in multi-level marketing.” It identifies work ethics and several character traits of successful entrepreneurs, ending with “Entrepreneurs compete with themselves and believe that success or failure lies within their personal control or influence.” This begins to touch on motivational aspects for being an entrepreneur which may distinguish the type of person drawn to being an entrepreneur.

There has been a great deal of attention paid to the subject of entrepreneurship over the past few years, stemming primarily from the discovery by economic analysts that small firms contribute considerably to economic growth and vitality. Moreover, many people have chosen entrepreneurial careers because doing so seems to offer greater economic and psychological rewards than does the large company route. Programmes, such as the USHA and Action Aid Bangladesh through its Partner organisation strive to identify potential entrepreneurs from within the target group of unemployed women and, to a certain extent, teach entrepreneurship.

Many definitions of entrepreneurship can be found in the literature describing business processes. The earliest definition of entrepreneurship, dating from the eighteenth century, used it as an economic term describing the process of bearing the risk of buying at certain prices and selling at uncertain prices. Other, later commentators broadened the definition to include the concept of bringing together the factors of production. This definition led others to question whether there was any unique entrepreneurial function or whether it was simply a form of management. Early this century, the concept of innovation was added to the definition of entrepreneurship. This innovation could be process innovation, market innovation, product innovation, factor innovation, and even organisational innovation. Later definitions described entrepreneurship as involving the creation of new enterprises and that the entrepreneur is the founder. Considerable effort has also gone into trying to understand the psychological and sociological wellsprings of entrepreneurship.

The program of Micro-financing through Self Help Groups create empowerment promoting conditions for women to move from positions of marginalization within household decision making process and exclusion within community, to one of greater centrality, inclusion of voice.

The Social processes of Micro financing programmes strengthens women’s self esteem and self worth, instil a greater sense of awareness of social and political issues leading to increased mobility and reduced traditional seclusion of women. Most importantly micro-finance programmes enable women to contribute to the household economy, increasing their intra-household bargaining power. Thus, micro financing through Self-help groups has transferred the real economic power in the hands of women and has considerably reduced their dependence on men. But the lack of education often comes in the way and many a times they had to seek help from their husbands or any other educated man/ woman for day-to-day work. The political as well as economic empowerment will not succeed in the absence of omen education in skills and vocations

they require the most. Through economic empowerment means Women's control over income; relative contribution to family support; access to and control of family resources

## **STORIES FROM GRASSROOTS**

### **Self restrain and Synergic Effort of a Vibrant Community can Change the Women's Status Case of Banchete Shekha, Narail**

"I have got the lesson from my own experience," this is the recollection of Roksana, her sufferings and success. She is used to live with her widow mother a brother and two sisters in Peroli village of Tularampur Union Parishad in Narail district. Torture on her began immediately after she married a person named Sazzad by her own choice and went to her in-laws' house in Bashgram UP of the same district. Roksana met Sazzad in her early age and developed a relationship with him. Though they married at a Kazi office secretly without informing their family members and began to stay at their respective homes separately, both families and villagers happened to know about it within six months.

When her father-in-law accepted their marriage and took them to his home, Roksana became very happy. She started a new life in the new place without having any idea about the awaiting there for her. After few days it was heard that her husband had been sent to Dhaka very intentionally. But she did not inform about it at all. Mental torture on her began whenever she raised question about this, Roksana wipes the tears rolling down her cheeks. Days passing and the torture kept on increasing. Apart from this, both her father-in-law and mother-in-law started torturing her physically. They rebuked her and used to beat her everyday for dowry. They took away her necklace and demanded Tk 50,000 in dowry. Failing to bear the torture, Roksana left her in-laws' home and returned to her father's residence. Roksana became mentally sick due to long separation from her husband. She was waiting for him to return and take back her to their home, but he didn't come.

While passing her days in utter despair and frustration, the wretched woman came to know about the activities of Women Empowerment and Right Protection (WERP) Committee facilitated by Banchete Shekha and appealed to them for resolving her problem. The committee summoned Sazzad twice to an arbitration but he didn't turn up. As the matter was being delayed, local elites including the UP chairman and members WERP committee members again fixed another date for arbitration. Sazzad, at last, went there along with his family on that date. After hearing all the sides and opinions of the elders, it was decided that Roksana and Sazzad would stay together at the husband's home, no dowry would be demanded and Roksana would have to face no torture or violence. Accordingly, Roksana went to her husband's home again.

“Our families are happy now,” said Roksana, who is now an active member of the women empowerment committee. The WERP members followed up with their conjugal life over the next few months and were happy to see them happy.

Total 100 such pressure groups are now working to advocate and hold discussions against domestic violence taking place in different communities. The committees along with 25 Union Parishad level forums were able to organize 125 marriages without dowry and protect 78 early marriages in five Upazila’s of Jessore, Narail and Gazipur. They resolved 97 out of 156 cases received. As many as 135 girl students who were about to fall victims to early marriage are now getting access to educational institutions. A total of 4,090 direct beneficiaries like Roksana are involved with this process.

One hundred members of Women Empowerment Committees gained social reputation in terms of managing and solving different types of problems related to violence towards women and children. They have also developed negotiation and bargaining skills so that they could communicate with the government officials and informal community leaders.

Despite once Roksana was a victim of Dowry, now shows other victims how to fight the menace. As Roksana opines, “Acceptance of women leadership reflects a positive impact on women’s mobility, work opportunity, access to arbitration and increase participation in decision making at family- and community-level,”

### **Poverty Is No Bar to Success Case of USHA, Tangail**

“When I look back to the old days, I can’t believe sometimes that I’ve made it. It was really very difficult but the reward is sweet.”

Bashona, a woman who has changed her fate by her own endeavour. She is a successful small entrepreneur now living at Pathrail village in Delduar upazilla, Tangail. But her ascending was not smooth; each and every step she has to face obstacles. Her husband was a hawker who used to sell plastic goods, was a hard working person. But with his insufficient income it was very difficult for him to meet the needs of his seven-member family, which includes his three children. Besides, he was responsible for rearing up his younger brother. While the husband was finding no way to meet the growing demand of his family, Bashona felt the need to contribute from her part.

“I knew that USHA (a partner organisation of Manusher Jonno Foundation) provides different kind of trainings and credit on loan to poor people to start business, I decided to go to them,” Bashona says. She later received training on gender sensitivity and women entrepreneurship, which changed her viewpoint about herself as well as the society. When she felt that she was ready to start business, Bashona received Tk 5,000 in loan from USHA and started her own small business. She started with some grocery items and I displayed those at a corner of our house.

To attract customer to her shop, Bashona went to the houses of her neighbours and told them about her small business. Gradually, more and more customer started to buy different items from her shop. With more benefits, her capital also rose soon. As size of her shop was growing day by day, Bashona built a separate structure beside the road for her grocery shop. She maintains her shop solely on her own. Though it is appalling but she has to admit the fact as the house wife says with grief, "You know, it is not very simple for a woman to do a business in our society because there are many social barriers. Many people say many things when a woman attempts to start a business no matter how small it is."

Overcoming all the social barriers, she is continuing her business, and her monthly income is now Tk 8,000-10,000. Now she can smoothly manage all the family expenditure. Her three children are going to school. After her economic empowerment she participates at family and community-level decision making in her area. Her fight against poverty has earned Bashona confidence that cannot be shaken easily and an ability to dream to become a big business person. A confident Bashona says, "Willpower and hard work can earn even a woman having nothing a success that she has never dared to dream of. Poverty is no bar to success."

### **The Story of a Brave and Vibrant Woman, Capable to Bring Changes Case of USHA, Tangail**

She is, in nature, like her name. 'Ulka', which means meteor, has the characteristics similar to those of a meteor. She is very spirited, confident and talented. And her 'meteor characteristics' were what changed her destiny.

After her marriage, Afroza Sulatan Ulka, now 33, was an average rural housewife wearing a veil whose world was limited within the courtyard of her in-laws' house. A shy woman, she was asked not to think about anything else other than cooking, rearing child and taking care of her father- and mother-in-law. If she wanted to go out of the house her in-laws would say that she will be spoilt if she go outside.

Believe it or not, that very Ulka now runs a shop. Not an ordinary one like a grocery shop, it is rather a refrigerator shop. Her husband, Shah Alam, is a refrigerator mechanic who has a shop on Malancha Cinema Hall Road in Tangail town. Besides repairing old refrigerators, he also purchases old refrigerators, repairs those and sells those from his shop. His family knows him to be an irresponsible person because he doesn't perform his duties towards his family.

"He doesn't provide our school-going son's books, registers and other necessary things," Ulka says, adding that she raised the issues many times but to no avail. When she proposed to work outside to provide financial support to her family, her in-laws used to discourage her saying it would spoil her. As the hardship went on with no change in her husband's mentality, Ulka decided that she would start any income-generating job.

Accordingly, she received training from Upoma, a local NGO, under the Gender and Entrepreneurship Training program of USHA's CDEPWE project two and half years ago. The training entirely changed the introvert and soft-spoken housewife. On receiving the training, it is quite forcefully that she took control of their refrigerator shop in her own hands.

She took loan from Upoma and invested that in the shop. Though her husband does the repairing works, it is Ulka who maintains the account. She has to stay in her shop till 9:00pm on the weekdays. The income is quite handsome, and she manages everything including all the expenditures including the everyday expenses, their children's school and tuition fees.

"Now that I contribute to my family and have got a command, no one now dares to say I would be spoilt if I go outside," says the housewife, now far more confident than ever.

She rather herself comes forward to punish bad elements of the society. Once a drunkard was uttering abusive words and creating nuisance in a fit of drunkenness a few yards off her shop few days ago, Ulka, along with some locals, caught him and handed over to community police. The bold, courageous, empowered Ulka is working not only for her family also plays a vital role in her society and community as well.

### **Asiya Now Leads Her Family and Society Case of Polli Sree, Takurgaon**

Asiya sometimes cannot believe her transformation as it was. The reason is, she was at a loss after her husband's death, and was forced to stop her children from going to school. She was not only unable to bear their educational expenses but also failed to provide them with square meals in a day. "As if, I was in a black hole," Asiya says while recalling her days of utter sufferings.

Hailed from in Barunagaon of Salandar Union Parishad in Thakurgaon, Asiya was married off with one Mohammad Hanif. As her husband was the lone bread earner of the family, she did not have to worry about anything else other than her household chores. So, when her husband died suddenly, she fell in an utter despair and it was very difficult to tackle the whole situation with her children.

"I was so much overwhelmed by the situation that I thought I won't be able to go on. Never in my life had I thought that I would once have to worry about earning livelihood for my family," the housewife says.

The problem for her was that she did not have any working skill. Neither had she had any money to start a small business with nor any knowledge needed for running a

business no matter how small it is. As a result, it became very difficult for her to bear the everyday family expenditure let alone paying for her children's education. Some days later, she had to stop her children from going to school.

"At this point, I came to know about the Reflect circle's activities and thought that it could be very helpful for me if I join such a circle," she says. Asiya joined a Reflect circle named 'Chetona Mohila Unnayan Shamity' of Janani Seba Shangstha (JSS), Thakurgaon as a member with the hope to improve her life.

After a need assessment for income generating activities later, she selected poultry project for herself. She later received training on poultry and started business. She started purchasing newborn chicks, mostly one-day-old from Kazi Firm and rearing those for one month. When those are one-month old, she took those to the market and sold. Then she started saving the benefit from the proceeds separately to implement her future plan. Already a confident small entrepreneur, Asiya was then dreaming of expanding her business. So, she planned to start a grocery shop.

As planned, she received a revolving fund of Tk 3,000 after some days from 'Chetona Mohila Unnayan Shamity' with the support of their group leader. She set up a small grocery shop beside her house and invested her savings and the revolving fund as the primary capital. She now sits at her grocery shop regularly and is running her business smoothly. Still Asiya is also continuing with the small chicken-rearing project which, in fact, changed her life. She now bears all her family expenditure.

"As I found a means, I got my children admitted to school again, and it is no difficulty for me to pay for their education cost from my profit," a confident Asiya says.

With improving her own financial condition, she also has earned a social status. She now regularly attends different social works and arbitrations in her community where her opinion matters a lot.

### **Ernest Endeavour, Patience and Firm Determination Make Their Dream True Case of Action Aid, Dhaka**

Negative criticism could not keep off Banu, Golapi, Sabina, Anjuara and Shofiya from changing their fate as the five were determined to move ahead with their plan to bring solvency in their family. The women, whose opinions once had no impact on decision-making in their families and were rarely paid attention to, are now the key bread earners of their families and have significant role in decision making in their locality.

"Just a little support from our families has helped us to make our way through difficult times," Golapi says with a smile.

The five women from Kuturbari Poshchimpara of Rajapur Union Parishad in Bogra Sadar Upazila were in a very miserable condition in their families due to not having any income of their own. They did not have high education and were totally dependent on their husbands, who were the only earning members. Besides, they did not have any working skill except household works. Furthermore, their husband did not have pretty good income because most of them are day labourers and farmers.

Contrary to that the recent shots of price hike put the families in difficult situation like thousands of poor rural households across the country. It became very difficult for the poor husbands to manage everything with their income which turned out to be too meagre to cope with the increased prices of essentials.

“We were struggling to manage our food expenses let alone meeting the expenses of medicine and education of our children,” Golapi says while describing their difficulties.

Active members of “Dolonchapa”, a Reflect circle of Grameen Alo, Banu, Golapi, Sabina, Anjuara and Shofiya once sat together to discuss their family condition. Through their discussion, each of them felt that there is no alternative to their getting involved in income-generating activities.

“We felt that we should also play a role side by side with our husbands to face the crisis and decided that we must have to engage ourselves in something which will earn us some money to support our husbands,” says Golapi.

The five later sat to assess which IGA (income-generating activity) would be best for them. Then they decided to pick a business which is very uncommon especially for women in their area. As they decided to sell new plastic and metal utensils and crockery, they also decided that they would sell those in exchange of used home appliances.

The five housewives later submitted their joint business proposal to their Reflect circle. All the circle members discussed the plan and decided to provide them a revolving fund of Tk 25,000 to implement it.

As planned, they first rented a shop at Kuturbari Bazar. They decorated the shop with home appliances, plastic and metal utensils and crockery. They worked out a rotation and started sitting at the shop accordingly. Every evening, they sit together and settle up the daily income. Something which they didn't think about happened.

“When we started our business in the market, most of the male shopkeepers of the market strongly criticized and spoke bad things about us,” Shofiya says.

“How dare you sit among so many male shopkeepers? Don't you have any self respect?” she quoted one male shopkeeper to be saying in an attempt to discourage them. Some others, meantime, tried to discourage them by saying that they cannot survive in the market “with little business knowledge”. The villagers also ridiculed them.

But their families always stood beside them and encouraged to continue disregarding these criticisms and their determination paid off in return. After three months, they saw Tk 8,500 net profit. Feeling that their sale would increase to a great extent if they have a 'mobile shop', the women later decided to hire a rickshaw van and ferry their items from one place to another. As planned, they hired a rickshaw van at Tk 60 a day. Every morning, they took their items on the rickshaw van and sell that whole day within their village, sometimes in the adjacent villages.

As their financial condition has been changed, the housewives now can support their families. The change in their financial status also helps to change their social position and can participate in different social programs.

"We are now saving our profit for our future planning," Golapi says, adding that they have a plan to rent a bigger shop in the market and start a new business.

### **Lone Fighter Makes It Home Again Case of Action Aid, Dhaka**

Suhuniti, the name of a lone fighter in the struggle of life, after the death of her husband, it was a very difficult task for her to sustain a sound life. She was at a total loss with her five children. No one of her relatives came forward with any sort of help when she was trying to find a way to survive.

"I didn't have any skill which might help me find a job. All the years he (her husband) was alive, I did not have to worry because it was he who was earning for the whole family," Shuniti says while recalling her days.

But she has made it all alone. The woman was living with her five children - two sons and three daughters in Bilbilash village in Bauphal Upazila of Patuakhali district. As she was not involved in any job, it became very difficult for Shuniti to bear her daily family expenses after her husband's death. All her children were too minor to be engaged in any income-generating activities.

It appeared quite impossible for her to arrange a meal for her kids, she could not think about other expenses, like that of education, or health etc. Then she was forced to stop her children from going to school. She engaged one of her sons with a tailoring shop to learn tailoring. Next to that Shuniti married off one of her daughters. But she still had to worry how to feed the rest of the children.

At that moment she came to know that many women have succeeded to improve their condition of life with some help from Reflect circle. Then she thought to give it a trial. She joined as a member of a Reflect circle, named "Shefaly", of Grameen Nari Unnayan Sangstha (GraNUS), in Patuakhali. After joining the group, she discussed with other members of the group what would be the appropriate thing for her to do, which the

members term 'need assessment' of income-generating activities (IGA). Everyone agreed that she would do better in the Thonga (paper packet) project.

Shuniti later received a three-day training on Thonga making before starting her production. After the training she bought paper from the market or different households and then made Thonga with those. Then she took those to different shops in the bazaars in her locality and adjacent villages and sold them. However, the business was not 'very good' at first as she was a new supplier to the shop. Despite of the demand of Thonga, it took some time for her to have good relation with the shopkeepers. Soon she became successful in her dealings with them and they started purchasing Thonga (paper bag) from her on regular basis. Shuniti then started to see profit coming and she saved a little portion of her income for her future planning.

After some days, she applied for a revolving fund to start a small business and received Tk 2,000 from the group with the support of their group leader. According to the plan, she started a small business in her house with her saved profits and the revolving fund. She now runs her business herself with the help of her children.

"I'm planning to take Tk 3,000 from my group's revolving fund for further extension of my business," the housewife says proudly.

The housewife who once struggled to manage a square meal for her children now does that successfully and also sends them again to school. Her hard work and strong willpower has made her a successful small entrepreneur in the locality. As a confident Shuniti says, "The change of my financial condition has also changed my social status,"

Besides, the people of her area seek her opinion whenever they are in any kind of problem and also invite her to different village arbitration.

# CHAPTER

# 11



## Women and Girls in Bangladesh Subjected to Violence - Rape

Rape is forced, unwanted sexual intercourse. Rape, sometimes also called sexual assault, can happen of any age.

Rape is about power, not sex. A rapist uses actual force or violence — or the threat of it — to take control over another human being. Some rapists use drugs to take away a person's ability to fight back. Rape is a crime, whether the person committing it is a stranger, a date, an acquaintance, or a family member.

No matter how it happened, rape is frightening and traumatizing. People who have been raped need care, comfort, and a way to heal.

Whatever happened, it wasn't her fault. No one has the right to have sex with you against your will. The blame for a rape lies solely with the rapist.

## **STORIES FROM GRASSROOTS**

### **DNA Test Identifies Signs of Gang Rape and Murder in Barnali's Skeleton Case of BSEHR, Bagherhat**

The danger befell Barnali while she was having her fantastic time with her loved one. While going out to meet her lover, she was murmuring her most favourite tune and did not have the slightest idea what danger was awaiting her a few minutes later.

This is the story of gang rape and gruesome murder of Barnali Chandra Gosh, Daughter of Bipul Chandra Gosh and Susoma Rani Gosh of Chitra village in Bagrehta's Rampal Upazila that sent a chill down the spine of the locals after it was reported in the media. Barnali was an Honours first year student studying Accounting at Azam Khan Government Commerce College in Khulna. She was a student of class ten in Kadir Khola High School when she developed a love affair with Raju Halder alias Sujit, son of Kamal Halder of Bipul Bunia village in the same Upazila.

On June 28, 2007, Barnali went home to pass her weekly holiday with her family and had talked with Raju the next day from her friend Munmun's mobile phone. Raju went to the area at around 11:30pm on June 30 with his friends Liton and Monuj. Munmun called out Barnali from her home at his request. As a canopy of darkness covered the area, the four were having a walk down the road that passed by Barnali's house. All on a sudden, local youth Kamal intercepted them and kicked and scared away Raju, Liton and Monuj. Kamal blindfolded Barnali and forced her inside a battery recharging shop. Then began the nightmarish act: Kamal and local thugs Nahid, Hasan and Mahbub raped Barnali one after another for whole night. As the girl fell sick for the overnight torture, the violators strangled her to death.

To remove all the evidence, they burnt Barnali's body with sulphuric acid which they found in the batteries. Eleven days later, one Sumita Biswas found the corpse in the

nearby jungle where her cattle grazed. “There was no flesh at all with the skeleton,” Sumita said as she recalls the day. Searching the area, the victim’s neighbours and her family members found a piece of her dress.

Barnali’s father filed a case on July 11, 2007 in this connection. As the accused were very influential, they tried their best to divert the case different way.

Learning about the incident, Advocate Elena Khan, Executive Director of BSEHR, formed an investigation team tasking Advocate Mominul Islam with heading it. Feeling that DNA test was essential to ascertain the identity of dead victim, the investigation team submitted an application to the First Class Magistrate Court of Bagherhat for the test. Acting on the plea, the court passed an order on September 20, 2007 for DNA test of the skeleton at Dhaka Medical College Hospital. The blood samples of Barnali’s father and mother were given in the presence of Advocate Elena Khan for DNA testing at laboratory.

Finally on January 23, 2008, the DNA test report was made available to the First Class Magistrate Court (Area-Gha) of Bagherhat.

“The report confirmed that the skeleton was of Barnali Chandra Gosh,” a court official said.

The case is now being monitored by Khulna unit of BSEHR’s SGGHR project.

**Deceived by the Most Trusted One and by Army Personnel**  
**Case of Naripokkho, Dhaka**  
**Associated organisation: Taranga Mohila Kallyan Sangstha, Jamalpur**

It was the event very significant for Payel, an ill fated poor girl while met with Kamal. She was delighted at the thought that she had found the man of her dream, but never thought that it was the tragic finale of her life as it snatches her sweet dream, her belief and chastity.

The marriage proposal also came immediately before the 20-year-old girl got any time to have an idea how Kalam is as a person or what is his background. And she made the mistake there, which she would pay for over her whole life.

After her mother died, Shahinur Islam Payel was living with her father Abdur Rob who married another woman named Selina. When the man died, the stepmother started torturing the ill-fated girl. Failing to bear with the torture, she came out of her stepmother’s house, despite of her minor age. At that tender age she become baffled and started wandering here and there at last she went to Arambagh slum where a man named Shyam gave her shelter.

“He was kind enough to give me shelter but the man did not have the ability to feed me so poor he was,” the wretched girl says.

To manage her food, Payel became a scavenger and started picking up thrown away paper, metal, tin etc from the garbage. After picking those up, she used to sell those and take food at roadside small restaurants. If she had some money left after purchasing her food, she kept the money with Shyam uncle (the man who gave her shelter) as a saving for future.

By this time, Shyam went to his village home in Comilla to make arrangements for his daughter’s marriage. And it was a long gap while Shyam was busy due to his daughter’s wedding and delayed to return to Dhaka.

This is when Payel met with Kalam in the slum area. It was on June 29, 2008 when Kalam formally proposed Payel that he wanted to marry her. As Payel recalls-

“He allured me of many things, many riches, a good home, etc. I also lost myself in the dream of having a family with him and kids and happy days,”

The same day, Kalam forced her to board a Mymensingh bound train. Getting down from the train, Kalam took her to Nandina in a human hauler named ‘Maxi’. The man introduced Payel with some of his friends there. The next day, Kalam and four of his friends mixed an addictive drug in tea and forced Payel to take that. As she fell drowsy, they took her to a nearby bamboo thicket.

“While we’re talking, Kalam tied up my hands and legs with gamchha (a napkin made by handloom) with the help of his friends,” Payel says as she describes the horrifying experience.

Kalam later raped her there. As she was profusely bleeding and fell unconscious, the violators left her on the road. While passing by the road that night, a group of army personnel discovered her lying unconscious there. They immediately informed local police who rescued her at around 9:00pm. The policemen rushed her to the emergency unit of Jamalpur Sadar Hospital and admitted there. The doctors immediately sent her to the gynaecology department where the on duty doctors gave stitches to her injuries.

Getting the news from Jahangir Selim, a local journalist who is a coordinator of Unnayan Sangha, at 9:30am the next day, Shamima Khan, the Executive Director of Taranga Mohila Kallyan Sangstha, gave the concerned project officer necessary instruction.

A case was filed with Jamalpur Sadar Police Station in connection with the rape incident on July 4 and the investigation officer, Nazmul Karim, submitted the investigation report on August 13.

Since Payel does not have any guardian or relative in the area, she has been kept in safe custody. Now the officials of Taranga are doing a regular follow up on the progress regarding the court. It was also informed that gradually Payel is doing fine and recovering the shock.

**Accused Goes Scot free for Lack of Persuasion by  
Victim's Family Case of Naripokkho, Dhaka  
Associate Organization:  
Lakhipur Dustho Mohila Shilpa Sangtha (LDMSS), Rajshahi**

The minor girl underwent the blow twice - firstly when she came under rape attempt and secondly when her family withdrew the charge in exchange of some money.

Though some social activists tried to make the family understand how important it was to prove the charge against the violator, Shapla's family was more interested to settle the matter saying it does not matter to them whether the attacker is punished or not, rather they preferred money as the girl was growing up. As Alekjan, Shapla's grandmother says turning down the proposal for continuing the fight in the court, "The girl is growing up; we'll need money to marry her off."

The incident took place at around 11:30pm on January 24, 2007. After having arguments with her grandmother, Shapla Khatun, the 12-year-old scavenger, was sitting near their house in Naodapara area in Shah Mokhdum Upazila of Rajshahi. Accused Noor Islam, a neighbour of Shapla .

The accused, was sitting inside his shop. Seeing her sitting there alone, he asked her to go the girl says while describing the incident. All on a sudden, the man pulled out a knife and asked her not to raise any alarm. He undressed her pointing the knife at her throat and tried to rape her forcibly. As the minor girl tried to prevent Noor Islam and screamed in fear, their neighbours rushed there and rescued the frightened child.

Some locals accompanied Shapla and her grandmother Alekjan to the Shah Mokhdum Police Station to file a case in this connection but the on duty official Sub Inspector Jahangir refused to record a case. Acting on their neighbours' suggestion, Shapla and her grandmother went to Lakhipur Dustho Mohila Shilpa Sangstha (LDMSS) the next morning and sought assistance.

The girl said that her father divorced her mother and married another woman, and her mother also married another man later. As no one of the father or mother looks after them, Shapla and her younger brother live with their grandmother in Naodapara. The kid said she scavenges paper and other stuff from garbage and buy food with that.

When the officials of the LDMSS contacted officer-in-charge of the police station and informed the on-duty officer's negligence in recording the case, he immediately instructed the officers to record a case under the Women and Children Repression Prevention Act in connection with the incident.

However, investigation officer Sub-Inspector Miraj unnecessarily delayed in submitting the investigation report allegedly due to have become influenced by the accused. The charge sheet was finally submitted on June 3, 2007. As the accused could not be arrested, and the court issued warrant of arrest against him and ordered to confiscate his properties. Following strong pressure from the NGO, the local police finally arrested the accused with the help of locals on March 17, 2008.

On May 10, 2008, Alekjan went to the LDMSS office to say that Shapla's father has taken her to his home after the defence side proposed to pay him money for settling the issue outside the court. With utter surprise an LDMSS official quotes the grandmother –

“Though he did not use to look after the girl and his son, he became very eager to take her home when he heard that the accused is ready to pay some money to settle the matter,”

Shahana Akhter, the regional project officer of Rajshahi region unit of Durbar, met Shapla's father and grandmother later to convince them not to stop pursuing the case in the court for the sake of ensuring punishment to the perpetrator. But neither Alekjan nor her son showed any sign that they were convinced, Shahana says that Alekjan rather said they want to settle the issue because they don't want to have any enmity with anyone in the area.

On June 16, 2008, the complainant, as instructed, and other prosecution witnesses in the case told the court that no incident of attempt of rape took place. They termed it an incident of misunderstanding.

Before delivering its verdict, the court told the complainant, “What was the need to make everyone work so hard had it been true that no such incident took place?” It later acquitted Noor Islam of the charge.

While following up, the LDMSS officials came to know that depriving the innocent victim to get the justice the victim's family received Tk 10,000 for settling the issue.

**The Desires of Flesh Destroyed the Little Sahera  
Case of Naripokkho, Dhaka  
Associate Organization:  
Mouchak Mohila Samaj Kallyan Samity, Narayanganj**

Sahera, a 13 years girl was weaving her dream for a magnificent future. In her dream, she could foresee that her widow mother and younger brother and sister having happy times together. There was no one to stop her from dreaming. But the little girl had no idea about the cruelty of mundane world.

After the death of her father Khokon Majumder who was a three-wheeler driver in profession, Sahera's mother had to take all the responsibility of the family. With much difficulty, she was trying to manage square meals for her four children – three daughters and a son – in Sripur village in Shahrasti Upazila of Chandpur.

Sahera's mother Rabeya Begum started working as domestic help at different houses. She has already married off her eldest daughter. Second among the children, Sahera was mentally troubled seeing her younger brother and sister suffering due to their poor financial condition. Then she started working in a garment factory to support her mother. The tender aged girl has been working as a sewing helper at Fashion Bangla Garments in BSCIC Industrial Area at Fatulla, Narayanganj for the last seven months.

The incident took place on January 15, 2007. As usually Sahera went to the factory at 8:00am. While working on the first floor in the evening, supervisor Emon asked her to go to the second floor, which she complied.

When the supervisor asked her to work during the night shift, she declined to work. At this, he held her mouth gagged her and forced her to the rooftop of the four-storied building. It was also observed by the wretched girl that the electrician Shahin following them to the rooftop. On the rooftop, the 21 years old electrician held her mouth gagged while Emon raped her forcibly. Shahin came after Emon. Raping the girl one after another, the two left her there injured. Not only that both the rapist threatened her as Sahera says, "While leaving, they threatened me of dire consequence in case I disclose the incident to anyone," the victim says as she recalls the horrifying event.

Sewing operator Foisal was searching for Sahera this time as he did not see her for half an hour since 6:30pm. Without finding her anywhere he went to the rooftop with his helper Nishi and found her there. She was crying, her face swollen. Then Foisal asked what she was doing there, Sahera disclosed everything to him. After that the man took her to their house, the girl burst into tears and told her mother about the incident. Hearing all the poor mother was perplexed and shared the incident with her landlady in the next day. After discussing it with her husband, she helped her in filing a case with police.

While policemen from Fatulla Model Police Station arrested Emon the same night, Sahera was kept in safe custody.

After learning the incident from newspaper reports on January 20, two project officers of Mouchak Mohila Samaj Kallyan Samity (MMSKS) collected information about the incident and the victim.

When MMSKS chairperson Jahanara Begum met officer-in-charge (OC) of Fatulla Model Station two days later, OC Ashraf-ul Islam said he himself was investigating the incident and that main accused Emon had already been arrested. With the help of MMSKS, Sahera was released from safe custody and was handed over to her mother on February 1, 2007. After releasing from the safe custody she says, “Emon often used to make abusive comments and asked me many times to go to the rooftop with him, but I strongly refused.”

Meantime, when the MMSKS chairperson visited Sahera’s mother on February 5, her mother told her that Emon’s family was trying to settle the issue in exchange of money. But she did not agree to their proposal at that time. Later on she agreed to Emon’s family’s proposal for supporting Emon’s bail petition.

Currently, Sahera has been kept in her mother’s custody. Both the accused - Emon and Shahin – have been freed on bail and appear before the court on the scheduled dates. Not to compromise with the situation she would like to get the justice. As the firm Rabeya says, “They are still trying to settle the matter by paying us some money. But we will not agree to it. We want to see them punished for the heinous crime they have committed by deflowering my minor daughter.”

Officials of MMSKS have regular contact with her and are encouraging her not to bow down to any pressure or financial offer. They are also keeping contact with the public prosecutor so that justice can be ensured for the poor minor victim.

### **Little, Innocent Nintu could not Protect her Chastity from the Lust of Rapist Case of Bangladesh Society for the Enforcement of Human Rights**

Nintu, a young girl was yet to see her ninth birthday when she had to fall victim to the lust of a rapist. The incident took place in Jhenidah Sadar Upazila on December 30, 2006, a date the minor girl would never be able to forget in her life.

While she was playing in their house, a local youth by the name of Mahmudul Hasan kidnapped her from there forcibly. It was around 7:30pm. The rapist took her to the under-construction house of Bahar Uddin. Frightened, the little girl was crying and asking him to let her go, but of no avail.

Pinning her to the ground beside the stairs of the under-construction house, Mahmudul raped her forcibly leaving her seriously injured. As blood started coming out from her vagina and the baby kept on screaming in pain, the rapist ran away in fear. And before he left, Mahmudul threw Nintu on the road. Hearing her screams, people rushed to the spot and found her lying on the road in a pool of blood and crying in pain. Rescuing her from there, the locals rushed her to a local hospital.

Hearing the news, Nintu's parents rushed to the hospital and heard everything from their daughter. Learning about the incident from the locals, staff members of the Jhenidah unit of the Strengthening Good Governance through Human Rights (SGGHR) project of Bangladesh Society for the Enforcement of Human Rights (BSEHR) rushed to the hospital. They talked with the victim and her father. They assured him of all possible help, including legal assistance, to get justice for crime his minor daughter had to fall prey.

The SGGHR staff members told Nintu's father how to file the case and what he should write in the FIR (First Information Report). With their help, the father filed a case against Mahmudul under Section 7/9(1) of Women and Children Repression Prevention Act on the same day.

The Jhenidah unit of SGGHR project provided the legal assistance victim's family. Advocate MA Mottalib, a legal retainer of the project, fought for the case as a lawyer for the complainant. After hearing both the sides, examining the evidence and scrutinizing the statements of the prosecution witness, the court fixed May 14, 2008 for deliverance of the judgment of the case.

On the scheduled date, the court said in its verdict that the charge against the accused was proved before it beyond any doubt. The District and Sessions Judge of the Jhenidah Women and Child repression Prevention Tribunal handed Mahmudul Hasan life-term imprisonment and a penalty of Tk 50,000 for raping the adolescent girl. The court observed that such punishment might act as a restraint to such heinous crimes which especially target the minor girls.

### **The Deception of Husband, the Betrayal of Relation Case of Bangladesh Society for the Enforcement of Human Rights**

It was truly bizarre, unimaginable and unacceptable. May be it is not possible for any human being having self respect and sound judgment. It is the story of 22 years old Hasna Begum who had a happy life with her husband Nazim Uddin and also had very high notion about her husband's sense of morality. The couple lives in Dhunail village of Kalihathi Upazila of Tangail district.

Once her husband proposed her to visit one of their friends in Ghatail Upazila, the wife became happy because she did not go out on any visit for a long time. When Hasna was getting ready on the scheduled day as planned, she came to know from her husband that one of his friends, named Hason Ali of the same village, would also accompany with them. Hasna did not find any reason to object to that. The three started for Nazim Uddin's friend Helal Uddin alias Helu's residence at Baila village of Ghatail. They reached there timely.

Helal was very happy, as Nizam and Hason were, and they had good time till the evening. When the issue of their sleeping came up in the night, Helal asked Nazim Uddin and his wife to sleep in one bed and asked Hason Ali to sleep in another bed. The arrangement was made for them accordingly.

While she was sleeping, it was at around 11:00pm, suddenly she felt someone touching her in various parts of her body, especially on some female organs. Jumping up on her bed, she discovered Hason Ali there on her bed. She tried to protest this but her husband asked her, to keep silent. Nazim Uddin rather helped his 35-year-old friend Hason to rape his own wife.

The victim returned home the next day and told her husband that she would file a case. Being alarmed at this, her husband tried to refrain her from doing so. After few days the incident became public. The wife then met officials of the Strengthening Good Governance through Human Rights (SGGHR) project of Bangladesh Society for the Enforcement of Human Rights (BSEHR) and sought their assistance. Nazrul Islam and Nuruzzaman Mia, the on-duty MIF of Ghatail Thana unit of the project, assured her of all possible help and assisted her in filing a case against her husband and his friend Hason Ali on June 26, 2006 in this connection with Ghatail Police Station.

Under the supervision of SGGHR project, Kamonashis Saha, the monitoring and investigation officer, investigated the incident on July 3 and 4, 2006. Ataur Rahman Azad, Assistant Coordinator of Tangail Unit and Legal Retainer Advocate Jafar Ahmed monitored the case.

After hearing both the sides, listening to the statements of the prosecution witnesses and examining the evidence collected in support and against the allegation, the court fixed September 11, 2008 for delivering its verdict.

On the scheduled date, Judge Begum Jasmine Anwar of Women and Children Repression Prevention Tribunal of Tangail awarded both Nazi Uddin and his rapist friend Hason Ali life-term imprisonment. Apart from this, the court also slapped a penalty of Tk 10,000 fine on each of the convict and two years' imprisonment in default.

## Legal Provisions:

The Legal provision of Rape has been prescribed by the section 375 & 376 of The Penal Code-1860 are as follows:

**Section-375:** A man is said to commit "rape" who except in the case hereinafter excepted, has sexual intercourse with a woman under circumstances falling under any of the five following five descriptions-

Firstly: Against her will.

Secondly: Without her consent.

Thirdly: With her consent, when her consent has been obtained by putting her in fear of death or of hurt.

Fourthly: With her consent, when the man knows that he is not her husband, and that her consent is given because she believes that he is another man to whom she is or believes herself to be lawfully married.

Fifthly: With or without her consent, when she is under fourteen years of age.

**Explanation:** Penetration is sufficient to constitute the sexual intercourse necessary to the offence of rape.

**Exception:** Sexual intercourse by a man with his own wife, the wife not being under thirteen years of age is not rape.

### **Section-376: Punishment for Rape:**

Whoever commits rape shall be punished with imprisonment for life or with imprisonment of either description for a term in which may extend to ten years, and shall also be liable to fine, unless the woman raped is his own wife and is not under twelve years of age, in which case he shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

*Besides, The Women and Child Repression Prevention Act-2000 (amended-2003) also provide the punishment for rape.*

**Section-9: Punishment for Rape, Death caused by Rape:** 1) if any man rapes a woman or a child, in that case, he shall be liable for punishment with rigorous life term punishment and cash fine in addition.

**Explanation:** if any man out of wedlock, engages in sex with a woman over sixteen years of age with or without her consent or he does it by intimidation or by securing her consent through deception, or he does so with a woman under sixteen years of age with or without her consent he shall be deemed to have raped that woman.

2. If a woman or child raped dies in consequence of subsequent acts otherwise of the person involved, in that case the person concerned shall be liable to punishment with death sentence, rigorous imprisonment for life and cash fine no lesser than Taka One Lac in addition.

3. If more than one person involves in gang raping of any woman or child and the said woman or the child dies in consequence, on that case, each person of the gang shall be liable to punishment with death or rigorous imprisonment for life and cash fine no lesser than Taka One Lac fine in addition.

4. If any person-

(a) Attempts to cause death or wound by raping, he shall be liable for punishment with rigorous imprisonment for life and cash fine in addition;

(b) Attempts to rape, he shall be liable for punishment with rigorous imprisonment for not exceeding ten years but no lesser than five years and cash fine in addition.

5. If any women is raped while in police custody, and so by the those in whose custody she was at the time of occurrence and such person or persons who were directly responsible for her safe custody he or each of them, unless proved otherwise shall be liable to punishment with rigorous imprisonment of not exceeding ten years but no lesser than five years and cash fine also in addition.

# CHAPTER

# 12



## Best Practices

## **One Meal with Family Members Enhance the Family Ties and Changes Bharoti's life Case of Polli Sree, Dinajpur**

“I am simply amazed to see how everything is changed after we started taking our meals together. It worked like magic,”

Bharoti Rani Roy, one of the active members of 'Bondhon', a cooperative association of deprived community member formed by Polli Sree says this with a smile. The confidence is evident in her voice; she is no more a woman neglected and insulted by her family members.

At the very beginning of her adolescent when she was only 12 or 13 she had to went her in-laws' house. Due to her tender age she had no idea about the affairs of a married life and felt alone in a totally unknown place surrounded by new faces. Though Bharoti's mother advised her that after marriage her in-laws' house would become her own house and the people are closest ones and should try to cope with the situation. But the reality was too tough to adjust in the typical situation for a young girl.

Days were passing, by this time Bharoti got three children and had a 12-member family with all. In this long period, she observed that her in-laws, even her husband, didn't care at all about her feelings or requirements even her choice of food, clothing, shopping, mobility or other freedom. As a result, she was nowhere in the decision making process and was always has to work without cooperation & recognition. Always she had to eat the leftover after all the family members are done.

Being frustrated, one day she asked her mother in law why do we always take food after the other family members? In response to Bharoti's query her mother in law replied that it is the family 'rule' and that we have to maintain it. Otherwise, it will bring misfortune to the family and someone will be blamed for breaking the rule. Suddenly Bharoti recalled that her mother was also used to do the same thing. Even when her father wouldn't arrive timely, her mother used to put away adequate food for him first and distribute the rest among the children. But she herself won't eat until father finished his meal.

Being informed about the activity of 'Bondhon', a cooperative association of a deprived community Bharoti joined in 1994. As a member, she received micro credit from it to run income-generating activities and a lot of skill development training, and participated in different courtyard meetings. But her husband was annoyed to engage with the samity (association) activities. Quarrels became a regular practice and turn the family environment unpleasant. Due to chaotic environment of the family the children become violent.

But thanks to Almighty as one of the Polli Sree staffs went to the area to reorganize a new samity with the hapless girl about three years ago. Being a member of the Shamity she was informed for the first time about the importance of 'at least one meal with all

family members' campaign. With great enthusiasm she raised the issue before her husband for the first time, he didn't agree with her. But the tireless endeavour of Bharoti helped to convince her husband. After introducing the campaign of at least one meal with all family members the family ties has strengthened and the total scenario of her family has changed. Now she can join in the decision making process, not only that her own personality has also been resulted in getting help from her husband and children, as well as she attained honourable position in her society. Now she is working as a motivator of the campaign and sheared her experiences:

"Now I am getting the result of having my meals with the other family members. It has totally changed the behaviour of all; it has helped our family to reduce our conflicts, tamed the temperament of my husband and also changed my children's attitude," a proud Bharoti says, adding that she now has a command on her family.

Really amazing to see how they can change things if they get the right and timely directions from any of the society.

### **After Marriage Registration, the Couple Feel Happy and Secured Case of Banchte Shekha, Jessore**

One of the staff of Banchte Shekha proves that perseverance enhances the path of success and the case became an instance among the local people especially to make aware about their rights. Though it was a very difficult to introduce/practice the very unpopular event in context of Bangladesh, but proper and effective advocacy make the task easier and successful. Really to convince the two Hindu families to go for registration was quite cumbersome task and required a long effort.

As there is no provision of marriage registration in Hindu rites and religious practices, and bringing changes to such laws is a sensitive matter. Nothing has been done in this regard though registration remains a right.

However, a body, named 'Narir Khamotayan and Adhikar Sangrakkhan Committee' (NKASC), facilitated by Banchte Shekha is working among people with an aim to change the scenario by making people aware about the importance of marriage registration.

Parents of Shiaba Rani, a girl living with her family in Hatiara village in Sheikhhati Union Parishad in Narail district, decided to marry her off to Nilu Das who lived in Narail town.

Informing about the wedding preparation, members of the NKASC decided to make sure that both the parties willingly register the marriage with government marriage register's office. As per plan an activist of Banchte Shekha went to the bride's home and explained them the positive aspects of registering the marriage in a bid to make

them understand the importance of marriage registration, but the family outright declined to do it. However, the family had a preconception that it would be troublesome matter.

Without losing heart, the committee members met the family again and tried to make them understand that the matter is not too complex as they thought. But the attempt could not change their attitude; rather they thought that such an action is strongly prohibited /opposed in their religion and that it might bring any curse for the couple.

With much protest, the NKASC members collected the address of bridegroom and went to their home to convince them. Unfortunately, they did not agree. Despite they said that for the first time in their life that they heard about the necessity of marriage registration.

Though it was very frustrating, but the situation could not refrain the NKASC members from continuing to pursue the matter. They met the bridegroom's family again a few days later.

The marriage was scheduled to take place. Then the NKASC members again decided to join at the wedding venue to convince both parties in front of all the guests. According to their plan, they involved local UP members and met the parties during the ceremony. Long arguments and debates were going on during the ceremony as no one either the bride or bridegroom's families were not ready to accept the proposal for marriage registration. They tried to outwit logics for registration but failed.

Finding no other alternative the NKASC members requested both parties to go through the registration process. At last the bride and bridegroom's family agreed in principle to register the marriage with the Notary Public to give the marriage ceremony a happy ending. As Nilu Das, the bridegroom says that:

"I agree that none of our families was ready, and, in fact, both the families strongly opposed the idea. But we realize its significance now; we're very grateful to Banchni Shekha pestering us with it."

### **Marriage Registration after 40 Years, a Courageous Initiative Case of UDDOG, Dinajpur**

They were all smiles. All the 10 couples were jubilant and looking young, and, of course, happy when they got official recognition of their marriage 40-45 years after their marriage.

The innovative way of making people aware about marriage registration of UDDOG is a timely approach and will pave the path to establish the right of women. The idea was welcomed to all the locals and the message delivered properly.

Marriage is a legal bond between a man and a woman who become husband and wife once they tie in with each other. According to Islamic laws, marriage (*Nikah*) is a civil contract between a man and woman of sound mind on attaining puberty that aims primarily at procreation and legitimization of children.

There is an institutional arrangement and legal requirement for marriage registration in Bangladesh. A government-appointed Muslim marriage registrar registers the marriage and makes sure to mention the age of the parties to be at least 18. But in cases of most of the Muslim families in rural Bangladesh, a Moulavi (religious person) usually conducts the rituals without any formal documentation or registration.

And non-documentation of the marriage in many cases brings a negative impact on the lives of many rural people, especially poor rural women. For not having any valid paper in support of their marriage, many women, who fall victims to different kinds of torture and repression, cannot make it to the police stations or the courts to fight against the torture and repression, according to rights activists.

Due to lack of valid papers, they even cannot claim for the *Denmahr*.

UDDOG, a local NGO, which is involved in a project on prevention of repression on women and children, considers that marriage registration is an effort that ensures women's rights. To make people aware about the need of marriage registration, UDDOG arranged a marriage registration ceremony of ten elder couples, most of whom have been leading conjugal life for last 40-45 years.

As per plan, 10 couples, who were married through informal way by Moulavi's at least 40 years back, completed the official formalities for marriage registration through an authorised marriage registrar during the ceremony. Furthermore, the wives received the dower money from their husband as part of their rights mentioned in the registration. Upazila Nirbahi Officer of Birol Upazila, Hamidul Haque, attended the extraordinary ceremony as chief guest. The main target is to attract public attention to the event and spread the message through it.

Actually, the registration process helps women to promote and protect the right of women. Adding that they will be able to raise their voice for other couples who are yet to get their marriage registered from now on. As a part success they deliberately pronounced the following words:

"We are happy that see our rights recognized, though lately. But what makes the occasion more significant is that the event makes people of our society aware of their rights of getting their marriage registered."

## Conclusion

Violence in woman's life is typically conceptualized as a series of abusive, horrible or tragic events. From her birth even before from her birth when she is in the womb of her mother to death, a woman is a target of violence simply because she is women. From the aborting of female foetuses to intimate homicide, girls and women encounter numerous oppressions during infancy, childhood, adolescence, adulthood, and as elders. Some of these are confined to one stage in the lifecycle, some continue to subsequent stages. Violence against women is more than physical, sexual, economic and emotional abuse; it is also about living in a climate of fear, misery, loss, mistrust, humiliation and despair. These abuses are experienced in the context of additional oppressions based on race, ethnicity, age, sexual orientation, gender identity, type of labour being performed, level of education, class position, empowerment, disability, or immigration/refugee status etc.

Considering the severity of the situation in the country like Bangladesh this is the least endeavour of MJF, which will facilitate the people, relevant organizations/institutions to change the societal attitude towards women and engage more effectively in preventing VAW and ensuring justice for those affected by violence.

Needless to say that only enactment of new laws is not enough to protect women from violence. Most effective strategy should be taken to aware mass people and encourage people to resolve the problem locally/ through ADR.

To sum up, we must say this is a very courageous and appreciable synergic initiatives of MJF and its Partner which tries to find out the root causes of Violence against women, consequences, existing legal provisions of the country, pipeline legal initiatives, best fit intervention strategies, regular obstacles on the very issue and finally some successful pursuit to promote and ensure the rights and justice for women of our country indeed. The very practical experiences of this programme will work a as a milestone for all in the next.