

## DOMESTIC VIOLENCE IN BANGLADESH: HUMAN RIGHTS PERSPECTIVE

Md. Jakir Hossain<sup>1</sup>

<sup>1</sup>(Lecturer, Pundra University of Science and Technology, Bangladesh)

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**Abstract:** *Violence against Women is a major threat to the rural Bangladesh. Despite remarkable achievements in the field of women's development and bearing a magnanimous history of women's movement, incidences of violence against women are still burning issues. It is qualitative research. It is not easy to guess whether violence against women has decreased or increased over the past decades because of lack of reliable baseline survey but in absolute term, the number of incidences is on the increase. The majority of women are domestically violated by their husbands, in-laws and other family members. This Paper makes an attempt to make a sense about the types, reasons, and domestic violence against women in rural Bangladesh, collecting data and analysis from different sources. For these reasons, we have selected 118 respondents to identify the socio-economic and demographic status and causes of domestic violence.*

**Keywords:** Domestic Violence, Women, Immediate Causes, Impact and Practice, Bangladesh

**Research Area:** Social Science

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### 1. INTRODUCTION

Although domestic violence against women is pervasive worldwide, there is no universally accepted definition or terminology. Unfortunately, domestic violence is a complicated and difficult issue to study and the research findings are inconsistent. There is no truly objective way to think about the issue because values, beliefs, and emotions affect how we see it or if we see it at all (Levy, 2008). For example: although women may feel that violence used against them is painful or wrong, they may not necessarily define it as a crime. On the other hand, many women do not define forced sex by the husband or intimate partner as rape (WHO, 1997). Consequently, the definitions of domestic violence or violence against women also differ in line with various perspectives and orientations, such as, the various theoretical, political, and policy responses of human rights and developmental organisations (Pickup, William & Sweetman, 2001), as well as the various local, national and time-specific perspectives shaping and influencing the definition. In addition, an act that is not treated as violence in one situation or time may be treated as violence in another situation or time (Hearn, 1998). The general concept of "domestic violence" includes many different categories and meanings, such as: "intimate partner violence", "domestic abuse", "domestic assault", "battering", "partner abuse", "marital strife", "marital dispute", "wife beating", "marital discord", "women abuse", "dysfunctional relationship", "intimate fighting", "mate beating" (McCue, 2008), "spouse abuse", "wife abuse" and "wife assault" (Ellesberg, 1997; Mears, 2003), "conjugal violence", "marital violence", "family violence" (Hearn, 1998), 'gender violence' (Harne & Radford, 2008), "partner aggression", and "intimate terrorism" (Aldarondo & Castro-Fernandez, 2011).

Domestic violence is defined as a subset of violence perpetrated by intimate partners (Kishor & Johnson, 2004). Specifically, it refers to the acts that are perpetrated by intimate 58 Anisur Rahman Khan partners or other family members, resulting in, great cost on the physical, sexual, psychological and economic wellbeing of women and girls (UNICEF, 2000). UNIFEM (2009) defines domestic violence as a form of violence against women that

is perpetrated by intimate partners and family members. Domestic violence often occurs in private spaces and is often tacitly condoned by society as a private or family matter. Though some feminists are critical of the use of the term domestic, spousal and family violence as they hide the gendered nature of the problem (Dobash & Dobash, 1992), the term domestic violence is widely used in many parts of the world as violence by a man against a woman (Romito, 2008). The concept of domestic violence is often considered gender specific because it is most commonly experienced by women and perpetrated by men and that any type of woman can experience domestic violence regardless of race, ethnicity, religion, class, disability or lifestyle. Most importantly, domestic violence is repetitive, life-threatening, and destructive to the lives of women and children (Women's Aid, 2009).

The term "domestic" refers to the family home where such violence is perpetrated against women. Violence against women in the home is especially dangerous because while the home is said to be the safest palace for men, the home can be the least safe place for women (Edwards, 1989). Violence against women in their home is a unique phenomenon in the world of violence and only in a prison or similar institution would an individual be likely to encounter such persistent abuse or violence (Dobash & Dobash, 1992). Domestic violence against women is a serious problem in Bangladesh. Although the term "domestic violence" is now being replaced by the term "intimate partner violence" (WHO, 2005a) in the global literature, this article shall use the term "domestic violence" since some features of the concept of intimate partnerships or relationships, such as the idea of civil partnerships - living together without marriage, are not culturally accepted, socially practised or religiously permitted in the context of Bangladesh. Although the idea of intimate partners may or may not be legally married, domestic violence is present in both marital and cohabiting relationship (Hattery, 2009). Intimate partner violence usually includes a range of sexually, psychologically and physically coercive acts used against adult and adolescent women by a current or former intimate partner (UN, 2006). However, the referential meaning of violence against women within intimate relationships as "domestic violence" or "spousal abuse" is now well established (UN, 2006). In fact, the term domestic violence remains the most popular way of talking about men's violence against Domestic Violence against Women in Bangladesh: A Review of the Literature... 59 their female partners throughout much of the world (Hearn, 1998). In this review of the literature, the author focuses on the marital relationship, i.e., the husbands' violence against their own wife. The term "domestic violence against women", is meant violence that is perpetrated against a woman by her husband.

## **2. LITERATURE REVIEW**

Literature review of research in the past 30 years on domestic violence against women focuses on the cycle of violence within abusive relationships, why women so frequently stay in abusive relationships, ' and what is the most helpful in allowing them to leave. Following the review of the literature is a discussion section in which the researcher examine the usefulness of qualitative research approaches in studying this topic, review of different cases; as well as areas which need further research, such as women in rural and immigrant populations identifying resources and support in order to leave abusive relationships and determining which community resources are most useful to women who are coping with domestic violence situations.

## **3. METHODOLOGY**

Through a heuristic document search, this study reviews a significant number of Major academic articles on domestic violence against women in Bangladesh. The main objective of this paper is to explore and represent the hidden agenda of domestic violence against women in Bangladesh as well as to review the existing major literature on domestic

violence against women in Bangladesh and To identify the major gaps in the existing literature on domestic violence against women

The secondary data sources are relevant books, journal articles, judicial decision, internet, organizational reports, policy papers, working papers, government policy documents and documentation unit of different NGOs working women issues like National Women Council, ASK, BNWLA, Naripokkho. In addition, other necessary materials related to this issue were collected from websites. All the information and data were analyzed to draw a conclusion of the relevant objectives of the paper. This literature review is intended to identify the major gaps in the existing academic literature in order to design effective interventions for the critical problem of domestic violence in Bangladesh.

From the research-work, the researcher has found that domestic violence is caused mainly by dowry, addiction, social, cultural as well as political aspects, sexual behaviour of the husband, making familial decisions, giving birth to female children and so on. Though the literacy rate of our country is increasing day by day, the extremeness of domestic violence remains the same. Most of the families face disorganization among the family for violence; most children are being dropped out of school as they face quarrelsome behaviour of their parents. In some cases, wives are being beaten severely, sometimes being raped by turns, sometimes being hung and tried to prove it as a suicide. Again, in most of the families, women are tortured for any simple reason, as they fail to bring money demanded by their husbands. In some situations, we have found that the inability of the husband to impregnate their wives or sterility is imposed on wives. Actually, most violence is caused by the patriarchal role. Moreover, domestic violence is caused by dowry demand by family authority, decision making, and wife's appearance, the existence of 7.6% for co-wives, addictions, first female child, or having a greater number of female children. Furthermore, - women are being tortured by their husbands in the home because of sterility, inauspicious treatment, unwanted sexual union, and religious and cultural values. Finally, we can realize that patriarchal social values are responsible for most of the domestic violence against women in rural areas.

Statistically, about 25% of physically abused women had lost children after they were born compared to 18% of women who were never abused. In Bangladesh, 13.8% of maternal death in pregnancy occurred as a result of violence. Besides, children who witnessed violence were at a higher risk for the emotional and behavioural problems, including anxiety, depression, poor school performance, low self-esteem, disobedience, and nightmare violence perpetrated by the husband accounted for 49% of household death.

#### **4. CATEGORIES OF VIOLENCE AGAINST WOMEN**

##### **4.1 Family Violence**

The definition of family violence used in the present study emphasized 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 by domestic help or non-family members living with the family. Family violence here included child abuse, sibling abuse, parent abuse, in-law abuse, perpetrated by both male and female Aggressors on female and male victims. Acid Assaults: Acid assaults are another prevalent form of violence that may well be a phenomenon unique to Bangladesh. The first documented case of acid attack occurred in 1983 in Sylhet (Naripokkho Acid Log, 1997. Acid attacks usually occur when men want to take revenge for the refusal of proposals for sex or marriage, or when demands for dowry are not met or when there is a political clash.

#### ***4.2 Rape and Sexual Violence***

According to Section 375 of the Bangladesh Penal Code, rape occurs when a man has intercourse with a woman of any age without her consent. Many instances of gang rape are also reported as well as rape followed by murder. Rape may occur in a different form: marital rape, rape in armed conflicts, rape of women refugees, statutory rape, gang rape, and jackrolling or “recreational rape”. Sexual assault or abuse is any type of sexual activity that a person does not agree to, including rape or attempted rape touching body or making touch someone else in or sexual contact with a child someone watching or photography in sexual situations someone exposing his or her body. Custodial Violence Custodial violence refers to violence that is directed towards anybody placed under State custody. State custody refers to government agents, such as the police or military personnel, other law enforcing agencies, as well as different shelters and vagrant homes run by the state machinery. Women are vulnerable to abuse whether accused of petty theft, inappropriate sexual behaviour or affiliation with a “wanted” criminal. There is a rule of not arresting women after sunset. However, often police misuse Section 541 especially after sunset to arrest women and keep them in police custody.

#### ***4.3 Murder and Suicide***

Both women and men are victims of murder at the hands of strangers as well as known People including family members. Women are often murdered by their closest relatives such as husband, brother, son and in-law as a consequence of a family quarrel, demand for land, polygamy, husbands extra-marital affair or remarriage, demands for dowry, failure to give birth to children especially a son. In many cases, women commit suicide when they cannot bear the pain of physical and mental torture as a consequence of rape, religion-based community violence such as fatwa, dowry demands and abandonment. Both of these forms of violence violate the first clause of the Universal Declaration of Human Rights – the human right to life Community Violence occurs when community members collectively perpetrate violence on individuals of the same community. It is the outcome of a “community” decision to punish one of their members.

#### ***4.4 Trafficking in Women***

Trafficking of women and children is a significant problem in developing countries around the globe and particularly in South Asia. In the absence of social protection economic security and legal support, an alarming number of women and children from the poor, marginalized section of the community become easy victims of trafficking Bangladeshi women and children are trafficked both within the country and internationally. The never-ending demand for women and children make trafficking a highly profitable business. Victims of Trafficking are generally trafficked for forced prostitution, but sometimes also for other purposes such as organ transplants and slave labour.

#### ***4.5 Torture by Husband***

Wife beating is the most commonly occurring Act of domestic violence in Bangladesh. In Bangladesh, it is common knowledge that husband exerts their authority and physically assault wives for even minor mistakes such as unsatisfactory meal, an untidy room, a conversation with another man or any act of disagreement. Men have been socially conditioned to genuinely believe in their own superiority. From childhood, they are treated differently from their sisters. They grow to believe that they are more valuable and more deserving than women that their opinions and views should have more weight than any woman’s. This way, men are able to delude themselves into believing that abuse of their wives amounts to religious duty and they are completely justified in their actions.

#### **4.6 Dowry Related Violence:**

The practice of dowry demand (*joutuk*) is not deeply rooted in Bengali Muslim tradition but has emerged as a major social evil in recent years. Generally, dowry means the property that the bride's family gives to the groom or his family upon marriage. In Bangladesh law, dowry has been given an extended meaning. Whatever is presented whether before or after marriage under demand, compulsion or pressure as consideration for the marriage can be said to be dowry. Rising unemployment has contributed to the phenomenon as more and more young men are unable to find employment, their families use marriage and dowry demand as a source of income, prospective grooms and their families demand large sums of money or property from the would-be brides family as a pre-condition to the marriage agreement. Although dowry demand is illegal the practice persists in the rural communities. For example, the women have acid thrown her face, in burnt, severely beaten and in some even murdered. High-risk pregnancy, For the most part, married women in Bangladesh are not aware of their own sexual and reproductive rights and have only limited control over their own bodies. A Women's freedom of choice regarding sexual intercourse, birth control, Pregnancy, prenatal care and abortion is a restriction by the collaborative decision-making of her husband and his family. In this situation, the husband is the aggressor and the wife merely a passive participant. Similarly, wife personal convictions on birth control and family planning are irrelevant in decision- making. Only 5% of the reproductive-aged women access existing health care facilities. In fact, 37% of all death of reproductive-aged women is due to maternity-related issues In Bangladesh, three women die every hour because of maternally related complexities and nine million whose lives have been saved following maternity-related complications continue to suffer from other long-term diseases.

#### **4.7 Pornography**

Another concern highlighted in the special reporter's report is "Pornography" which represents a form of violation against women that "glamorizes the degradation and maltreatment of women and asserts their subordinate function as mere receptacles for male lust."

#### **4.8 Eve-teasing**

Eve-teasing is a great concern today in the discussion of the violation against women in Bangladesh. Eve-teasing is not a new problem in Bangladesh. However, recently it's a magnitude has increased and it has become a big crisis for the country. Nowadays, it is dealt with seriously by different types of professionals, especially social activities and academics. The term "Eve-teasing" is an activity where the girls are teased by the boys. It means when a boy or a group of boys try to disturb girl or girls by yelling, showing, sexual gesture and instrument, obstructing, offering bad proposal etc.

#### **4.9 Reasons for Violence**

The social and economic status of women can be a dire result of violence. Gender violence represents an expression of human behaviours and it is rooted in society. Traditional attitudes by which women are regarded as subordinate to men involving violence, such as family violence and abuse, forced marriage, dowry death, acid attack and female circumcision. Such prejudices may justify gender-based violence as a form of protection of women. The effect of such violence on the physical and mental integrity of women is to deprive them of an equal enjoyment and knowledge of human right and fundamental freedom. The immediate causes of violence vary from any type of violence; there are different causes for different types of violence. However, causes can be categorized as immediate, intermediary and underlying as discussed below:

## **5. IMMEDIATE CAUSES OF VIOLENCE**

### **5.1 Acid Assault**

Male ego and problems in dealing with rejection is another important cause of acid throwing. Refusal of love (44 cases), marriage proposals and family disputes (33 cases) are three major causes of such type of violence. After marriage when dowry demands are not fulfilled, brides may fall victim of acid throwing. In 88 cases reasons for the acid attack are unknown. Other causes of acid throwing include family dispute, failure to misappropriate of wife's wealth, sterility, and getting divorced from wife, refusal of sexual relationship, failure to kidnap, the woman not being agreeable to prostitution and a woman's refusal to agree with husband's second marriage.

### **5.2 Community Violence**

There are diversified reasons for community violence. It depends on the attitudes of the local elites and other religious persons. Pre-marital pregnancy and the pre-marital and extra-marital sexual relationship were found to be the major cause of community violence.

### **5.3 Murders**

Enmity, political differences and land disputes were the main causes for male murder case followed by dacoits and family feuds. Other causes included dispute on uprooting a beam tree, toll collecting, and dispute over lending money, cheating while distributing goods, dispute on a sugar cane field and quarrels. On the other hand, dowry demand, family feud and rape and failure to rape were the major causes of a female murder case.

## **6. INTERMEDIARY CAUSES OF VIOLENCE**

### **6.1 Dowry**

Despite the Dowry Prohibition Act (1980) dowry transactions continue to become a socially legitimate part of marriage negotiations. Maleka Begum in her book *Dowry* says that dowry is a major factor in violence, starting from verbal abuse, battering, torture and ending in death.

### **6.2 Lack of Education**

Lack of education makes women more vulnerable. Statistics show that a year of schooling is associated with the prevalence of violence; no statement could be made how and why education has a role in reducing violence. Greater years of schooling may provide women with an opportunity to gain knowledge and information which they lack and as a result, they become less vulnerable. When Khan was trying to assess the impact of education, he found that although education did not give them the power to change the traditional division of labour within the household, the most educated women had more equal power relationship with their husbands, who were less dependent upon husband's approval for self-esteem. Though education does have a role in women's power and autonomy, education cannot overcome the power of the patriarchy.

### **6.3 Lack of Security**

There is a lack of security for women's travelling from the workplace, no transport facilities are provided for them travelling at night, no housing facilities for migrant workers from rural areas and no institutionalized codes of conduct to enable the workplace to overcome some of the negative cultural perceptions of women.

## **7. UNDERLYING CAUSES**

### **7.1 Poverty**

General economic causes of family violence are increasing landlessness, pauperization, unemployment which has increased tension in poor households and give rise to desertion, divorce and violence. Kabeer also states “Violence, including systematic and random is a part of the condition of poverty is associated with relative powerlessness, and the poor are least able to defend themselves or to remove themselves from threatening situations.” Lack of resource, especially food in poor rural households and women’s failure to accomplish traditional gender roles lead to gender violence.

### **7.2 Child Marriage**

Child marriage continues to be widespread despite the existence of the Child Marriage Restraint Act since 1983. A girl child is regarded as a burden to poor parents. In the marriage market, the younger the bride, the lesser the dowry demand. Parents’ fear for their daughters’ security, especially when she is an adolescent and is capable of conceiving a child out of wedlock, she becomes a reason to marry them off early. When a young single girl becomes pregnant not only does she stand to be condemned by her community, her parents are also punished with social isolation and shaming. Cultural stigmatization of sex outside of marriage puts the family honour at stake. Female Supporter Pilot Study (Azim, et al, 2002) found that the age of first marriage is associated with violence in marital life. Marriage at twenty-five or more years is a protective factor. Women activists believe that early marriage of girls usually starts between 12-19 years old, along with a wide age gap between spouse’s results in an unequal relationship and invites marital disharmony. Lack of knowledge about sexual health aggravates the situation of violence within a spousal relationship.

### **7.3 Religious Dogmatism**

Community violence occurs when community members collectively perpetrate violence on the individuals of the same community. It is the outcome of a community decision to punish a member of the community. The violence is directed to women for sexually inappropriate behaviour in the name of so-called religious edicts. Precisely speaking religiously recognized persons have the authority to give any religious edicts which are the pronouncements of opinions based on religious texts. However, the practice of religious edicts is often abused as a tool of torturing women. It is not fundamental religious leaders but also influential people of the community who often issue religious edicts. Thus religious edicts are used to control subordinate women’s self-determination, sexuality and bodies. Even when both man and woman are involved in a case of sex outside of wedlock; the woman and her families are punished more heavily than their male counterparts (Case of Nurjahan, Bangladesh Mahila Parishad, 1997). Because it is disguised as a religious edict and involves the complicity of the community in which a woman belongs to, it becomes a powerful tool of oppressing women (IWRAW).

### **7.4 Subordination of Women**

The basic cause of violence is reinforced by religion and culture is the subordination compared to men. Violence is a means of reinforcing subordination. The General Assembly Resolution 48/104 states “violence is a manifestation of unequal power relation between men and women, which have led to domination over women by men and to the prevention of full advancement, and that violence is a crucial social mechanism by which women are forced into a subordinate position compared with men.

## **8. IMPACT OF DOMESTIC VIOLENCE IN BANGLADESH**

Domestic violence is caused mainly by dowry, addiction, social, cultural as well as political aspects, sexual behaviour of the husband, making familial decisions, giving birth to female children and so on. Though the literacy rate of our country is increasing day by day, the extremeness of domestic violence remains the same. Most of the families face disorganization among the family for violence; most children are being dropped out of school as they face quarrelsome behaviour of their parents. In some cases, wives are being beaten severely, sometimes being raped by turns, sometimes being hung and tried to prove it as a suicide. Again, in most of the families, women are tortured for any simple reason, as they fail to bring money demanded by their husbands. In some situations, we have found that the inability of the husband to impregnate their wives or sterility is imposed on wives. Actually, most violence is caused by the patriarchal role. Moreover, domestic violence is caused by dowry demand by family authority, decision making, and wife's appearance, the existence of 7.6% for co-wives, addictions, first female child, or having a greater number of female children. Furthermore, -women are being tortured by their husbands in the home because of sterility, inauspicious treatment, unwanted sexual union, and religious and cultural values. Finally, we can realize that patriarchal social values are responsible for most of the domestic violence against women in rural areas.

## **9. RECOMMENDATIONS**

From the discussion above, it is true that the main reasons for domestic violence against women take place due to the lack of proper knowledge and the violation of the law. Moreover, the traditional authority has been dominating women for ages. However, the following recommendations can be suggested as proper steps to ensure a fair environment of women's full participation in the socio-economic activities in Bangladesh:

- Greater economic opportunities for women, ensured through access to credit, awareness increasing activities and skill training, would ensure self-esteem and status of women within households; improve the spousal relationship to reduce domestic violence.
- Awareness can be brought among community members and family members: VAW is an extreme violation of women's human rights, which is a criminal offence under the law. Also, it has serious psychological consequences for both women and children.
- The primary responsibility to conduct a study of violence against women should rest on the government and the conscious citizen per year.
- The role of state inaction in the perpetuation of violence connected with the gender-specific nature of domestic violence being classified as a human rights concern rather than as a domestic criminal justice concern.
- A gender sensitization module should be incorporated in all training program for police, prosecutors, magistrates, and legal personnel and judiciary.
- The roles of courts in case of domestic violence play a significant role. The courts deal with such cases in a realistic manner to the objects of social legislation, more attitudinal changes on the part of the judges is essential to make gender justice a reality.

## **10. CONCLUSION**

Domestic violence is a violation of fundamental human rights. One of the most effective measurements in identifying violence is to assess official compliance with international standards relating to human rights' abuse. In Bangladesh, it is a major concern. Although globally women's rights are human rights, violence against women remains a



pervasive issue. Recognizing domestic violence against women as a violation of human rights is a significant turning point in the struggle to end violence all over the globe. To promote human rights and prevent domestic violence, conscious people must undertake effective steps to ensure gender equality. Government, as well as citizens, must be more conscious and sensitive to provide access to immediate means of redress to the victims of violence. As a democratic country like Bangladesh, the government ought to maintain the policy of zero tolerance in bringing the perpetrators of domestic violence to justice. In fact, to make a good nation, domestic violence against women should be not only lessened but also stopped. Moreover, the conscious community should unite to achieve a world free from violence against a woman to ensure a healthy, happy, and decent life for us all.

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