



Not a Tale of Two Only

by Zaheda Ahmad

NO, Sadly it is not. Within a short span of the last few months only we heard about the tragic murder of two village women—both named Nurjahan. Their alleged offences were adultery for which one was stoned and the other burnt to death. In every other respect their cases were more or less similar—poor village women, illiterate or barely literate and absolutely powerless to defend themselves against the machinations of self-styled and self-seeking village elders. What is more, they were not alone. Every day, scores of their fellow female citizens meet violent ends in one form or another. Thousands more suffer atrocities, are subjected to maltreatment in the hands of the more powerful members of a male-dominated society.

Women in Bangladesh have been subjected to all conceivable forms of violence for a very long time indeed. Ever since the dawn of history male domination has been a characteristic feature of the social landscape here as well as in many other parts of the world. A male dominated society not only accords low status to its womenfolk but also ensures female subordination by means of elaborate customs, practices, traditions and usages. Social institutions like strong patriarchy, private property, laws of inheritance — institutions in the formation of which men alone were the actors — were designed to reinforce subordinate female status. This is why gender inequality is so deeply entrenched in all patriarchal societies. Being less than equal women in such a society, more often than not, are very vulnerable to male aggression. Such aggressive pattern of male behaviour is often idolized and idealised as the supreme expres-

sponsible for the urge to keep alive the fiction. In a poor society like ours no human existence can be worse than those of dependent females.

A male dominated society by its very nature glorifies male chauvinism as an essential characteristic of ideal manhood.

High incidence of rapes and criminal assaults on women, even on a minor girls — of which a few are reported but most remains unreported — may be traced to such a state of mind.

These are, of course, the most glaring and high profile examples of aggression on women. But violence may take place and quite often does in cases involving middle and upper class people — in rather subtle forms. Such covert forms of violence — a consequence due largely to middle class social values which like to avoid undue publicity.

Explicit or implicit, all violations of women's fundamental human rights must be considered to be acts of aggression on women. The United Nations must examine critically its failure to incorporate women's human rights into its human rights programmes and approve measures to rectify this omission. So far, its various bodies have ignored many gender specific violations of women's human rights. Violation which affect women disproportionately, such as rape, limitations on women's capacity to seek legal redress or constraints on access to food are mostly ignored or brushed aside as social or cultural norms outside the scope of human rights definitions.

National and international commitment to and mechanism for implementing guarantees of gender equality are still too weak to overcome systematic gender discrimination in the

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sion of manliness. Through centuries of careful brainwashing the message had been drilled into the national consciousness that femininity consists in taking things lying down. It becomes a woman of good lineage to rebel against established practices.

In a situation like this an oppressive and a deeply conservative society like ours is always ready to find easy scapegoats in helpless women in preference to men. It employs all its coercive powers to punish the alleged female offender but lets the males go free. Such collective punishment apart, individual incidents of violence against women, particularly at the family level, constitute by far the largest number of cases of male aggression on women. Since arranged marriages are still the prevailing norm here, a bride is expected to bring a substantial if not fabulous dowry with her into her new home. Family to do this often leads to maltreatment or death even. Marriage related atrocities and maltreatment of women here are so persistently widespread so as to make the much publicised claim of improvement in female status as exemplified in the emergence of female leadership in the political arena look like a cruel hoax.

This brings us to the question of economic status of Bengali women. Not only that our women in general occupy a lowly position on the social scale but their economic condition is even worse. In fact, these two aspects of female status are linked closely.

It would not be too far-fetched to say that in almost all the cases of failed or destructive marriages, lack of economic freedom on the part of the female partner may be held re-

family life and family laws, political and public life, education, employment and health care.

Craving for a male child in many societies is so strong as to encourage female infanticide and now, thanks to improved foetal sex detection technology, foeticide or killing of the female foetus. All these constitute a clear breach of the existing guarantees in the Universal Declaration and the convention on the Elimination of all forms of Discrimination Against Women.

So the emphasis has to be on the enjoyment of human rights for all citizens irrespective of sex or gender. We must keep in mind the fact that women are not a class apart, they are an integral part of the whole society and as such should be brought into the mainstream. But for any progress to be meaningful the mainstream itself also requires drastic improvement. A society which discriminates against its women cannot liberate its men either, constitutional guarantees an legal provisions by themselves are not enough.

They do exist in one form or another. Modern democracy gives an illusion of equality but reality belies the promises extended by the system.

The system, then, is in need of basic wholesale structural changes which would put powers in the hands of the vast majority now languishing by the wayside. Faces of violence are many and varied but poverty is the worst form of violence against humanity that creates vast tract of barren human wasteland in any society. And since the basic causes of poverty are class discrimination and exploitation any poverty alleviation measures which do not strike at these root causes are bound to be cosmetic only. In Bangladesh, a land by now well known for its legendary poverty, women as well men are trapped in its net although women because of their socioeconomic vulnerability suffer more than men do.

Until and unless these twin evils are eliminated women and men alike will continue to suffer violations of their basic human rights.

World Conference on Human Rights

VIOLENCE AGAINST WOMEN



The UN is holding a World Conference on Human Rights after an interval of twenty-five years in Vienna on 14-25 June. The conference is being held in a post cold-war situation, and in an age marked by the development of new technology which has made it impossible to sustain 'curtains' and information barriers. Simultaneously, the world is being drawn together by the use of powerful symbols and images. The illusion of a more united and homogeneous world is before us. But it is this very homogeneity which makes it imperative to decipher and understand the sources and origins of power, and to strengthen the instruments that safeguard the rights of people all over the world. The conference will be a venue for re-examining and perhaps re-defining the concept of rights and the universality of their application. There are demands to integrate the issue of economic development with rights and the issue of violence against women into the main body of human rights.

THERE is very little statistical information on the extent of violence against women. However, here are some examples of the violence women must endure, and their implications for development.

- On July 13, 1991, 71 teenage girls were raped by their male classmates and 19 others died in a night of violence in the dormitory of St. Kizito's co-ed boarding school in Meru, Kenya. In a report of the Kenya Times, the newspaper called the rape of St. Kizito a "common occurrence". The deputy principal was quoted as saying, "The boys never meant any harm against the girls. They just wanted to rape." This form of violence within an educational institution is not an isolated incident. One can only imagine the impact of such incidents on educational programmes targeting girls and women.
- It is estimated that 75% of the world's 19 million refugees are women and girls. Refugee women are subject to sexual violence and abduction at every step of their escape, from flight to border crossing to life in the camps. The UNHCR data on

violence against Vietnamese boat people, for example, indicate that 39% of women are abducted and/or raped by pirates while at sea.

- Rape of women living under Muslim laws can have dramatic implications. Rape can be proven only if four adult Muslim males can bear witness to the act. It should be noted that rape can be equated to adultery defined as a crime against the State and which carries the punishment of flogging and/or death by stoning.
- In 1990, the World Health Organization estimated that

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- eight to ten million people were infected with HIV, and that a little over one third are women (most have no sexual partner other than their husbands who are becoming infected). By the year 2000 the annual number of AIDS cases in women will begin to equal that in men. It must be noted that the less bargaining power a woman has, the harder it is to avoid taking risks. Women fear potentially losing a relationship

which confers status, emotional and perhaps financial support, should they insist upon a condom. UNICEF estimates that by the year 2000, as many as 5 to 10 million children could be orphaned when their parents die of AIDS.

- Roughly 10% of children in the sub-Saharan African region, between the years of six to fifteen years of age, could be orphaned.
- According to the World Health Organization more than 84 million women today have undergone genital mutilating procedures

conducted by the PNG Law Reform Commission, in Papua New Guinea, 67% of rural women and 56% of urban women have been victims of wife abuse.

- There has not been a national survey in Bangladesh, so statistics are unavailable. However, research studies show that violence against women is considered to be part of the marital relationship. Both husbands and wives consider it to be the husband's prerogative to physically abuse his wife if she has made mistakes in her work or is late in serving food.

- It is well-known that Bangladesh has one of the highest rates of maternal mortality in the world. A recent compendium produced by the Bangladesh Bureau of Statistics which presents sex disaggregated data suggest that deaths of women due to violence is greater than deaths due to child-birth. The government and international agencies are trying to address the issue of high maternal mortality through improved maternal and child health services and the Safe Motherhood Campaign.

Constitutional and Popular Manifestations of Religious Bigotry

IN Bangladesh, the growing phenomenon of religious intolerance depicts one aspect of this tendency. The guaranteeing of the rights of ethnic and religious minorities has been overlooked by all governments in Bangladesh. The voicing of minority views and the establishment of minority rights is a necessary feature for any democracy. The focus in this article is on religious intolerance, but it is important to understand how discrimination based on religion cuts across gender, class and ethnicity and jeopardises the right to citizenship of marginal and minority groups.

Let us first look at the constitutional and legal provisions which 'legitimise' intolerance, and then go on to look at manifestations of such intolerance and the way that we, both the government and the people, respond to such incidents.

Constitutional

- The Eighth Amendment to the Constitution of Bangladesh has abridged people's right to preach and propagate their religion. Islam has been adopted as the state religion, while it is stated that people of other religions 'may' practice in peace. This amendment has divided the citizenry on the basis of their religious affiliation, and given the Muslim majority the status of first-class citizens, while people of other religious beliefs and affiliations have been made subsidiary. Discrimination on the basis of religion has thus been legitimised and ratified in the Constitution.

This amendment was made, in 1988, by a parliament which was held to be a puppet of an 'undemocratic' regime. Since then, a popularly-elected government has come into power, and the country has reverted to a parliamentary form of government. But neither the government nor the opposition in parliament have ever brought out the issue of the repeal of this amendment.



Certain laws, such as the Enemy Property Act, originally promulgated in 1965, continue to exist in the name of Vested and Non-Resident Property Act. Besides reflecting a discriminatory attitude towards people of the Hindu community, this law has often acted as a powerful instrument for depriving people of their rightful inheritance.

- The Constitution has kept intact the Personal and Family Code, based on religious law, which adjudicates over the personal lives of its citizens. This law governs marriage, divorce,

guardianship of children and inheritance of property. By making religion the basis of legal rights in the family, it effectively differentiates one set of citizens from another. Further, it makes a public/private division, directly affecting women, whose lives are determined within the institutions of family and marriage, customarily viewed as the 'private' sphere. The women's movement per-

were not reported in the state-owned media. The government, by remaining silent, failed to reassure the Hindu community. Further, by denying the seriousness and extent of this violence, the government has failed to ensure the security of life and property of its citizens.

- Minority voices amongst Muslims are also subject to such bigotry. A case in point is the organised attack on the Qadiani mosque in November, 1992.

- Bigotry and the invoking of religious sentiment are used to victimise already-vulnerable groups of people. Such was the case with the organisation called the Committee for the Resistance of un-Islamic Activities, formed in Narayanganj to threaten the eviction of brothel dwellers.

- Self-appointed judges and judgements have also invoked religion to perpetrate violence against women. The case of Nurjahan of Sylhet is known to all. Finally, the growing use of religion in political and civic life is a matter of grave concern. This is discernible not only in the proliferation of religious political parties, but in the use of religious symbols, practices and vocabulary by all parties, even within 'progressive' movements. Religion has to be separated from the state and its intervention. Religion is an intensely private matter, and the source of great spiritual comfort and upliftment to many. The politicisation of religion negates its positive aspects and creates discord and division.

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Gender-based Violence and Human Rights

by Rashed Mahmud Titumir

"WHAT do males and women have in common? The answer to the riddle is 'A good beating makes them both better.' The brutality against women is reflected in popular culture all over the world and another saying echoes the same refrain: 'A wife may love a husband who never beats her, but she does not respect him.'

Far from being an isolated personal problem, gender-based violence or the threat of it is a massive social problem that pervades almost all aspects of women's lives such as abuses range from family violence to forced prostitution to female malnutrition to sexual torture and in voluntary pregnancy in different cultural contexts.

It is pervasive not only in the number of women directly affected as victims but also in the impact that the threat and fear of it have on women's day-to-day affairs. Violence accompanies her where she goes and what she does, this limiting her freedom of movement, speech, and assembly and undermining her sense of human dignity and rights in the world. Moreover, the nature of this is most insidious, as it is simultaneously hidden, denied, tolerated, legitimised and trivialised by both individuals and governments.

For most abused women violence begins at home with husbands, fathers, brothers. In developed and developing countries alike, physical, sexual and psychological abuse within the family affects an astounding

so long and so failed to attract international attention. During the last 20 years, however, recognition of the fact that violence against women is a major problem has grown and has become a priority on the international agenda.

Only in 1975, at the World Conference of the International Women's Year held in Mexico City, was the issue of conflict within the family raised. Also in 1975, the Fifth UN Congress on the prevention of crime and the treatment of offenders noted that sexual assault, which particularly affects women, was becoming more prevalent in many parts of the world, though it remained a 'hidden' crime and subsequently UN bodies adopted several resolutions and charters.

Realising that violence against women had not been specifically addressed in any international human rights instruments, the commission on the status of women convened an inter-cessional working group that met in September 1992 for drafting a declaration on violence against women.

The working group adopted by consensus a draft text, that will be submitted for consideration to the General Assembly at its 48th session.

The move is fast spreading all across the world. Women throughout the world have been engaged in a organising and preparing at the local, regional and international levels for the World Conference on Human Rights.



number of women. The fact that abuse is generally condoned by social customs and considered part of marital life, rather than a crime, is in itself a grim indication of its high incidence.

Amartya Sen, in his study of sex ratios estimates that 68 million women are missing in India and China alone. These disappearances constitute a form of genocide which some call femicide. Femicide results from a combination of gender-based discriminatory factors beginning before birth with female infanticide, including the use of abortion for sex pre-selection. For example in Bombay 95.5 per cent of abortions are of female foetuses.

For women of child-bearing age, maternal mortality claims many more lives than it should because health care and family planning services are inadequate and women's reproductive rights, more often than not, are denied.

Women are held involuntarily in slavery for prostitution and pornography, and domestic servants are sometimes beaten, raped and locked into their bosses' homes.

Women face terrorism in the form of sexual assault on the streets and in jobs where sexual harassment can be a condition for receiving a paycheck.

Gender violence and lack of democracy often prevent women from exercising their rights to participate in society and from engaging fully in the development process. Even in countries with a formal democratic structure, women are often prevented from exercising their right to free speech and assembly because of the social system and taboos.

The dimension of violence against women especially in the family, had been concealed for

According to the working paper prepared for the Vienna Conference of the women's caucus of the NGO coordination group, women from over 120 countries circulating a petition calling for the inclusion of women in all aspects of the proceedings and deliberations for the World Conference on Human Rights and specifically for the recognition of gender-based violence as a human rights violation.

The paper further said more than 250,000 signatures have been collected and also noted that in all regions it has been found, that the UN and governments have by and large failed to promote and protect women's human rights, whether civil, political, economic, social and cultural.

Gender-based violence is not simply a crime but the result of systematic political, social and economic deprivation as an inbuilt serious weakness in the present structures. That have been manipulated to dominate people and women in particular. Change, must come only when these serious defects are addressed after an intimate realisation of the issue.

