

## RIGHTS OF THE GIRL-CHILD

## Who is Responsible for Safeguarding It?

by Shaheen Anam

*In most South Asian countries, a young girl's first encounter with violence is on her wedding night. She is sexually abused not only once but many times in the name of marriage*

THE general perception is that children are treated with love and affection in most homes. The image of the loving mother who cares for all her children equally is something of a folklore. At the national level, we constantly hear that children are the future of the country and must be provided with protection and care for their healthy growth and development.

However, this rosy picture is mostly true for the middle-class households. But for the majority, this is something of a myth as we know that millions of children are deprived of their basic rights and needs. The promise of care and protection exists in the Constitution and has little relationship with the real world. Children, of course, from poor families bear a heavier burden of abuse and neglect.

Among the millions of deprived children, there exists a group, which on the surface lives under the protection and care of families. However, their human rights are violated every day, all over Bangladesh. This violation has society's stamp of approval and sanction. They are the thousands of young girls, married off before they reach physical or emotional maturity. Parents claim they are providing them security, but we all know how elusive and mythical that security is.

The question is: who will safeguard their human and basic rights when even their parents become a party to the violation? The tragedy is compounded by the fact that marriage, no matter what age or situation, once solemnised gets the approval of society. Never mind that Islam dictates that a girl cannot be married without giving her consent. Her marriage is solemnised by few utterances of a mullah after which everything becomes legal. Does anybody know or care what happens to these girls who are still children by all social and biological definition?

In a recent regional meeting on violence in Kathmandu, it was agreed by the participants that in most South Asian countries, a young girl's first encounter with violence is on her wedding night. She is sexually abused not only once but many times in the name of marriage and the sanctity of the family. The only difference is that she has no one or nowhere to complain or go to after such abuse.

Our eastern values of family, marriage, children are enmeshed as being the fabric of society that binds us together. The western values of individualism, break up of marriage and independence of children are all condemned as decadent and therefore not acceptable. Eastern values uphold the duties of a wife, and no matter how young she is, once married, she is expected to conform to all the societal norms. Her submission is considered to be a virtue. The greater the pain inflicted upon her, the more sympathy she gains for tolerating it. By the time she has crossed her teens, she is a mother several times over, physically drained of all strength, ravaged by disease and sickness.

This girl-child is forced to tolerate every violation of her human rights because she is young, dependent and vulnerable. If her basic right is violated, such as her right to choose her partner then she has no place to go and seek redress. If she is raped by her husband at the tender age of 13, 14 or even 16 which is still below the legal marriageable age, she cannot go anywhere to complain. No police station will entertain her complaint — leave alone getting a conviction against her parents or husband.

However, few people want to talk or discuss this problem. There is inhibition and a taboo against discussing such unpleasant and intimate details of a young girl's married life. Our so-called elite society members are quick to protest when words such as 'marital rape' are men-

tioned. We, supposedly, are not ready for such concepts. It is 'too western' and that we have other problems to deal with first.

I would like to question the entire assumption that surrounds marriage and family: what is the status of the girl-child? who is responsible for her protection? And going back to my first question: who is responsible to protect her rights when even her parents abandon her?

In a recent meeting on Juvenile Law organised by the UNICEF and the Law Ministry, the Convention on the Rights of the Child and Bangladesh's position was discussed. Participants brainstormed over issues such as 'the child's right to innocence'. Yet ironically, this innocence is violated, under the sanction of early marriage and nobody protests. The girl-child is not stigmatised or her family's prestige is not lowered in the eyes of society as long as she has been safely married off to one man. Nobody cares for the trauma she experiences of being uprooted from her family at a tender age and then forced to submit to her wily duties.

A grassroots NGO worker narrating the harrowing experience of seeing girls as young as 12, 13 married off said 'most of these marriages last from 2 to 3 years. According to her, parents start thinking of marriage as early as 10 or 11. Their rationale is that it is too risky to keep young girls at home. The risk being she might be kidnapped, raped or assaulted. They marry off their daughters in lieu of security. However, this is a false sense of security. Chances are, she will return within two years with a child in her arms. Till her husband divorces her, the girl's parents are able to say that their daughter is married and, in so saying, believe their prestige in society is still intact.

For many years now, women's groups and organisations have been protesting child

marriage. It was in the face of widespread demand that the minimum marriage age law was enacted. However, as with most laws, this has remained in paper with little thought to its implementation. Officials argue that with few birth registrations being done, it is impossible to impose this law strictly. Others argue that poverty is the reason, and unless we arrest poverty, these violations are bound to occur.

While one cannot deny that poverty is a strong reason for early marriage, yet it is not the only reason. Too often, poverty is used as an excuse to shrug off responsibility. The government, political parties, civil society — everyone tends to hide behind it. Meanwhile, innocent young girls are sacrificed in the name of family, prestige and security.

It is time to strictly enforce the minimum marriage law act. Offenders need to be punished and some scope should be made for registering cases of violations. One of the ways this may be enforced is through local bodies. A democratically elected local government will be accountable to the people. One of the tasks of local bodies is birth, marriage and death registration. Since women will comprise 30 per cent of seats, they will be able to act as a strong lobby group for the enforcement of the law.

Issues of child marriage has deep roots and is embedded in our culture and religion which dictate that the earlier a girl is married, the better. It has as much to do with attitude and perception as with poverty. A massive campaign should be taken up against this social evil. First of all it should be brought out in the open and discussed. This should be treated as an act of violence against girls in the same way as rape, assault or murder. The lives of young and innocent girls should not longer be sacrificed in the name of sanctity of marriage and family.

## A Flash of Bangladesh in Bhutan



In the past, most Bangladeshi ornaments were made purely of metals such as silver, gold etc., sometimes with a string of pearls or a precious stone here and there. Recently, *deshi* jewelry is seeing variety as imported semi-precious stones,

glass beads, metals, shells, and mother-of-pearl are being integrated with gold and silver. Intricate designs on other metals and terra-cotta motifs have also found appreciation over the last few years. These are the very styles in

jewelry that were exhibited in September last by Aarong at the Food and Jewelry Festival held in Thimphu, Bhutan. It was organised by the Bangladesh Embassy at the residence of the Ambassador Mrs. Mahmuda Haque Choudhury.

"It was a golden opportunity to share Bangladeshi custom with and expose a certain portion of our culture to one of our neighbouring countries," said Ms Maheen Khan who is the design manager of Aarong. It was the only jewelry stall at the fair and the exhibits did not only earn a lot of appreciation but also got all sold out.

The visitors to the show largely comprised members from the royal family and elite of Bhutan and also Bangladeshi expatriates, while HM the Queen inaugurated the exhibition.

According to Mrs. Choudhury, "The idea behind having a jewelry exhibition was to project a livelier picture of Bangladesh rather than the usual images of cyclones, floods and drought." The favourite of the exhibition were the very traditional silver *hashulis*. Each design was a work of art in itself; the 22 karat gold necklace with pearl strings, the oxidised bands adorned with black and white little balls, *hashulis* in multi-coloured strings etc. All the items were specifically made by Aarong for the exhibition and have not yet been on display at any of its outlets in Bangladesh.

— Jessica Noval

## BANGABANDHU MURDER CASE

## Verbatim Text of Cross Examination of 41st Prosecution Witness

Following are the excerpts from cross-examination of PW-41 Brig Shahjahan by state defence counsel for Lt Col (ret'd) Khandaker Abdur Rashid:

Q: 2 Bengal, 16 Bengal and 2 Field Artillery were under the 46 Brigade.

A: Yes.

Q: 2 Field Artillery had night training on August 14.

A: All the units, including 2 Bengal, 16 Bengal and 2 Field Artillery under the 46 Brigade had night training programme. 16 East Bengal Regiment had its night training till 10 pm on August 14 as on the day time we were in ambush demonstration.

Q: Night training programme was a scheduled one.

A: Yes.

Q: When did Col Shafat Jamil gave the order to continue the night training till 10 pm?

A: Before the Magreb prayer on August 14.

Q: Major Rashid was your friend.

A: Yes you can say that... he was my course mate.

Q: Is there any provision to take punitive measure if asked to take part in any job outside the programme?

A: Action should have to be taken. But, I don't know whether any action was taken or not in this case. I informed by Brigade Commander about Rashid's request.

Q: Did Gen Zia, CGS and others, who were there, came to know about Rashid's request?

A: I informed my Brigade Commander and at that time the CGS also came to know about it. Both of them asked me not to join the road march and go to the New Airport.

Q: Action would have been taken against him, if there was any offence.

A: I don't know about that.

Q: You informed Col Jamil about Rashid's request twice.

A: Twice.

Q: Major Rashid didn't request you for road march.

A: The statement is not true.

Q: Your promotion is due.

A: Yes, it was, since 1995.

Q: For the sake of promotion you have given false statement involving Major Rashid as said by the prosecution.

A: It is absolutely wrong.

Q: In what capacity you attended the August 17 conference?

A: As the acting CO.

Q: When did Col Amin Ahmed Chowdhury joined as CO of your unit?

A: On August 15 morning, but he left Joydevpur for Dhaka immediately after joining.

The excerpts from cross-examination of Brig Shahjahan by Advocate Abdur Razzak Khan, the defence counsel for Lt Col (ret'd) Sultan Shahriyar Rashid Khan:

Q: When did you join the army?

A: I was commissioned on August 8, 1966 in the Pakistan Army.

Q: When were you promoted as brigadier?

A: Probably in the month of May in 1985.

Q: Where does the personal files of the army officers are kept?

A: In the MS (Military Secretary) branch of the Army HQ.

Q: Col Shahriyar (accused) raised the 15, East Bengal Regiment of the Bangladesh Army.

A: I don't know.

Q: In 1981 Shariyar was holding the rank of Lt Col.

A: I don't know.

Q: When did you become Lt Col.

A: Probably in August, 1976.

Q: When were you posted in Joydevpur?

A: As 2-IC in the 16 East Bengal Regiment in 1973.

Q: Whose permission is required to use the helicopters of the Armed Forces?

A: As per the demand of the requirement, Armed Forces Division gives permission.

Q: Gen Osmari, after August 15, visited several army installations by helicopter and campaigned in favour of the new government.

A: He did not come to my unit and I can't say anything about others.

Q: Osmari was appointed as the Defence Adviser to the President.

A: I don't know.

Q: Did you have the habit of reading newspapers?

A: Very little.

Q: You attended the conference held on August 17. Did you attend another conference at Dhaka Cantonment on August 19?

A: No.

Q: After August 17, when did you visit Dhaka Cantonment for the first time?

A: In September, 1975, on the occasion of my posting outside.

Q: How long had the conference on August 15 continued?

A: For about one hour from 11 am.

Q: Gen Shafatullah and Brig Khaled Mosharraf were present at the conference.

A: Only Col Shafat Jamil was present.

Q: Where was the army auditorium in Dhaka Cantonment in August, 1975?

A: The Garrison Cinema Hall was used to use as auditorium.

Q: Gen Osmari addressed the officers and jawans in August 1975 at the auditorium.

A: I can't recollect.

Q: When did you wake up on August 15?

A: At about 7 to 7:15 am.

Q: Did anyone inform you about the killing incident before Lt Rouf came to you with the chit?

A: No.

Q: Didn't you hear the radio announcement? When did you switch on the knob of radio.

A: No. I did not have any radio set.

Q: How you used to communicate with your headquarters in Dhaka?

A: Through magneto telephone.

Q: Where the 16 East Bengal was stationed?

A: At Joydevpur Rajbari (palace).

Q: When you came to know for the first time about the promulgation of Martial Law in the country?

A: I didn't know. My unit was not deployed in any place.

Q: On August 17, when you came to the Dhaka Cantonment, was it a topic of discussion that ML had been promulgated?

A: No.

Q: Organizational matters were in the agenda of the conference.

ference.

A: Brigade Commander discussed about the situation of the country and said that army should maintain proper discipline.

Q: After August 15, special and summary martial law courts were set up across the country.

A: It was not known to me.

Q: The whole country was divided into several zones.

A: Deployment of army began in November, 1975.

Q: You hide the truth in the court that radio announcement on promulgation of martial law was given on August 15 morning.

A: It is not true.

Q: Chiefs of the Armed Forces expressed their oath of allegiance and that was broadcast on the radio on August 15 morning.

A: I probably heard about it when I came to the cantonment to attend the conference on August 17 or after that.

Q: Where was the deployment of Rakshi Bahini in Joydevpur?

A: There was no deployment of Rakshi Bahini in Joydevpur.

Q: In August 1975, Rakshi Bahini used to stay in the Joydevpur thana.

A: No.

Q: You did not have any connection with thana in between August 15-17.

A: No.

Q: Name the places of the army installations in 1975.

A: Dhaka, Comilla, Joydevpur, Chittagong, Bogra, Rangpur, Jessore, Rajshahi, Rajendrapur, Syedpur and few other places.

Q: Without any reason, you have implicated the name of Shahriyar and told the court that you have heard about his involvement with the August 15 incident.

A: It is not true.

Q: Aziz, CO of 2 Bengal Regiment, did not say that troops of Bengal regiment were not involved with the August 15 killing incident.

A: He said.

Further texts of cross examination will be published as and when received.

— UNB

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## Metropolitan

## BCI team meets Energy Minister

A 41-member delegation of Bangladesh Chamber of Industries (BCI) held a meeting with Energy and Mineral Resources Minister Nooruddin Khan at the conference room of the ministry yesterday, reports UNB.

BCI president Sharif M Afzal Hossain led the delegation. They discussed with the minister overall situation in the power and gas sector, pointed out some problems in the sector and suggested to privatise the sector, said a press release.

## BUET team wins ACM computing contest

The International Collegiate Programming Contest (ICPC) was held at North South University in the city yesterday, reports BSS.

The ICPC, held here for the first time, was organised by the Association of Computing Machinery (ACM), the largest body of computer professionals in the world.

A team of Bangladesh University of Engineering and Technology (BUET) secured the first position, while the team from the Computer Science Department of Dhaka University came second.

The winning team will participate in the ICPC international contest finals to be held in Atlanta, USA on Feb 28, 1998.



Bangladesh Water Resources Minister Abdur Razzak (L) and his Chinese counterpart Niu Maosheng exchanging a MOU on flood control and water resources development signed between the two countries in Beijing on Nov 11. — PID photo

## JMS concerned at repression on women

Jatiya Mohila Sangstha (JMS) has expressed its grave concern over the gradual increase of women repression in different parts of the country, reports UNB.

In a statement, JMS Chairman Ivy Rahman today (Tuesday) said, news of some repression in newspapers have been noticed by her organisation.

She referred to the gangrape of a newly-wedded woman who went to Cox's Bazar for honeymoon and fell victim of night-long rape at a hotel on Saturday.

## Attack on BCU leader condemned

Hasan Hafizur Rahman Sohel and Manjur-E-Khuda Tarik, president and general secretary respectively of Bangladesh Chhatra Union (BCU) in a statement yesterday condemned the attack on its Chittagong district unit general secretary Shagata Dhar Titu by 'the terrorists of Islamic Chhatra Shibir'.

They said Jamaat-Shibir, the defeated forces in the liberation war, attacked Titu being afraid of the movement against them by Chhatra Union. The leaders expressed their concern over the terrorist attacks by Shibir on the Chittagong University campus.

## Khoka visits residences of captive BNP leaders

Dhaka city BNP convenor Sadek Hossain Khoka, MP, yesterday visited the residences of some imprisoned party leaders of Mirpur Ward No 4, reports UNB.

He met with the family members of Mirpur thana BNP leader Malek Hawlader, Haji Rafique Islam and Khoshdel Alam, consoled them and requested them to have patience.

Talking with the family members, Khoka said this 'fascist Bakshi' government has arrested thousands of BNP leaders and workers across the country and resorted to torture on them in jails.

The BNP leader demanded immediate release of all those arrested.

## First class first

Sabera Hasin Tamanna has stood first class in the M Sc final examination, '93 (held in '97), from Govt Jagannath College under Dhaka University.

She is the eldest daughter of Md Abdul Goffur Miah, Assistant Teacher of Bangla Bazar Govt Girls High School and Mrs Hasina Jahanara Goffur.



The popular band, MILES, performing at a concert sponsored by Coca-Cola on the occasion of Rag '98 at the BUET campus recently.

Weather					
Dry spell likely					
Temporary light rain or drizzle is likely at one or two places over Rajshahi division and the regions of Mymensingh during the next 12 hours till 6 pm today, reports UNB.					
Met office said weather may remain mainly dry elsewhere over the country with partly cloudy sky during the period.					
The sun sets today at 5:11 pm and rises tomorrow at 6:17 am.					
Minimum and maximum temperature and humidity recorded in some major cities and towns yesterday were:					
City/Town	Temperature in Celsius		Humidity in percentage		
	Min	Max	Morning	Evening	
Dhaka	15.8	29.6	68	65	
Chittagong	18.2	28.2	94	79	
Rajshahi	15.2	27.6	69	81	
Khulna	16.2	30.4	63	74	
Barisal	15.8	29.4	82	74	
Sylhet	18.0	28.8	79	74	

## Body to formulate nat'l population policy

The government has formed a 28-member committee to formulate a national population policy as per the decision of the National Population Council, reports UNB.

Health and Family Welfare Minister has been made chairman while State Minister for Health Vice-chairman of the committee. Health Secretary will act as its member secretary, said an official handout.

## Obituary

Akhteruzzaman Chowdhury, a former Zemindar of Belgachi estate in Rajbari district, died Monday night at the IPGMR in the city of old age complications. He was 87, reports BSS.

He left behind five sons, three daughters and a host of relatives.

Chowdhury, a popular and widely respected philanthropist in the greater Faridpur district, was associated with many educational and social organisations throughout his life.