

# FOCUS

## Doesn't it Amount to Licence to Rape?

by Anu Muhammad, Meghna Guhathakurta Shameem Akhter, Khaleida Khatun and Rahnuma Ahmed

*The Jahangirnagar University 'campus rapes' took place within a peculiar set of political and economic arrangements, backed not only by male aggression but by a monopoly of armed violence.*

We are not at all impressed with the Jahangirnagar University's Syndicate decision. The Syndicate awarded the following punishments for committing what they termed as 'morally degrading' activities: Jasimuddin Manik, received a life-long expulsion order from Jahangirnagar University. Two others, Sheikh Miradul Islam and Mohammad Ali Dallas received a three-year expulsion. Atiqur Rahman Naim received a two-year expulsion. Nabilul Haq Ronny received a one year suspended expulsion (i.e. he faces expulsion if found guilty of misconduct, within a year). The suspended expulsion was on account of his 'good conduct' as a student. Hasibur Rahman Barkat and Anisur Rahman were served with warning notices. The six students who were accused of aiding and abetting the others in committing rape — Mir Mehedi Hasan Titu, Ferdous Alam Kabir, Rafiqul Islam, Nur Mohammad Ruhul Quddus, Mohammad Farhad Siddique Shohag and Yusuf bin Sattar Kajol — were acquitted of the charges. Two students who were accused of giving obscene slogans, Ples and Milton — were acquitted. Four other students were also acquitted: two had been accused of *mastani* or thuggery — Babu and Hamidul — and two others of harassing women students — Said and Mahfuz. The names of the three outsiders who were reported to be involved — Sohel, Mukul and Raj — are to be forwarded to the police authorities.

The university authorities have failed to give exemplary punishment. That is the reaction, not only of Jahangirnagar University General Students Unity (Shadharon Chhatro Oikko) — who waged an unrelenting struggle against campus rape demanding that the rapists be punished — it is also the reaction of organizations and groups (women's organizations, students' organizations, political groups, civil rights groups, legal groups), and of people generally as voiced in post-editorials, in letters to the newspapers, in interviews, and in conversations. In these circumstances some questions are only natural: why did the university authorities fail to give exemplary punishment? What prevented them from doing so especially in matters so serious? Does not the nature and the extent of the punishment given say something about the university's authorities itself? What prevented those who are in positions of authority? Were they afraid? Of being humiliated, of being attacked, of fac-

ing reprisals? Were they afraid for themselves, for their family members? Did they receive any threats? Yes, threats were received during the six-week-long movement. By students, both women and men. Women students were threatened and, with what else, but rape? Obscene phone calls were continuously made at the women's halls of residence. Word was spread around that rape trials were being prepared. Death threats were made. The name of one of the women organizers, a Chhatro Union member, was hung around a dog's neck and it was leashed on campus. The alleged rapists hung around the women's halls of residence, with their mobiles in hand, in intimidating postures. Taunting, teasing remarks (the usual) were now accompanied by slurs, swear words, insults (if we had given them some money after raping them, they would have kept shut). This one hasn't quietened down even after being raped. We are keeping track of all those who are protesting. After the movement is over, we will rape them en masse. Earlier, we had raped them in the dark, now we will drag them out of the halls and rape them. Processions chanting horrible slogans (*Andolon kore jara, deho baybsha kore tara*, Women who protest, are tarts at best), threatening slogans (*Action direct*), and direct action around the campus, particularly around the women's halls of residence. Unknown men suddenly appeared in Bangladesh Chhatro League processions on campus. Women students surmised that they were hired musclemen. BCL members constantly encircled groups of women students, who were keeping night-long vigils outside the Registry building when the Syndicate met inside to deliberate. On the night of the 24<sup>th</sup> one BCL member was seen moving around with a bag. Some of the male students who were part of the student's movement were beaten up, others were hassled, roughed up, threatened. Some male students were forced to join BCL processions under the threat of being beaten up if they didn't. Teachers were also recipients of threats, of intimidation. Naseem Akhter Hussain, the Provost of a women's hall of residence, and a member of the Truth Assessment Committee (Shottashotto Jachal Committee), received threats. She was warned that once her Committee membership was over, she would have a lot to answer for. A. N. Rasheda, a Syndicate member who was also a mem-

ber of the Assessment Committee, was assaulted by BCL leaders and members on the night of the 24<sup>th</sup> of September when she tried to leave the Registry building premises. One of us, Rahnuma Ahmed, a university teacher who was earlier assaulted while taking photographs of a BCL anti-rape rally was the object of a smear campaign. BCL processions chanted slogans against her, outside the department where she teaches, and all around campus (*Rahnuma Ahmeder chakra, kutta diye kamra*, Let dogs tear at Rahnuma Ahmed's skin, *Baybshcharini Rahnuma Ahmed, el muhurte campus chhar*, Adulteress Rahnuma Ahmed, leave the campus this very moment). Obscene letters, of an anonymous one, were sent to the Truth Assessment Committee naming a few other teachers, among them Anu Muhammad, Khaleida Khatun, who taught part-time last year at Jahangirnagar, has been receiving obscene phone calls at her home in Dhaka. There were also others — teachers, another Committee member, members of the residential community who were targeted. However, the list is not a never-ending one. It does end and right at its edges one of the nineteen students accused, the decision was as it was, 'not due to lack of written complaints, but due to the lack of required votes.' And from unpublished accounts, but highly reliable ones, we have learnt of what actually went on: the attempts to save this one's nephew, that one's shagred (disciple), the wheeling and dealing, the mobile phone calls to Dhaka, the endless bickering, the handful of Syndicate members who strongly felt that the offenders should receive strict punishment, and the hard, merciless, unrelenting countenances of the others who sat in that august house, and refused to punish those who had committed grave injustices. It was not 'lack of evidence', or the failure of rape victims to come forward and voice their sufferings, or their sad-mindedness (in the words of well-known journalist and JU Syndicate member A. B. M. Musa) which resulted in this unjust decision. It was patronage, it was corruption, and a total disrespect bordering on paranoia and hatred of any form of protest. Regardless of how valid and just the cause may be. Why should those who are meting out justice — in the form

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change of government. For instance, Jasimuddin Manik and a few others left the Jahangirnagar unit of the JCD and joined the BCL, soon after the Awami League government came to power. Students wings are equally critical to both positional and oppositional political parties in the interests of exercising and maintaining political control, and the help of *bohigato* or 'outsiders' meaning non-students, often professional criminals, is sought. These outsiders reside in halls of residence along with the armed cadres. The university authorities are far removed from the concerns and tribulations of the general students, and look upon the ruling students wing as indispensable to 'smooth administration.' And viewed superficially, things did seem calm and quiet and 'smooth' until explosions occurred as they did in Jahangirnagar, in the months of August and September, this year. To consolidate the monopoly of armed violence, the help of *bohigato* or 'outsiders' meaning non-students, often professional criminals, is sought. These outsiders reside in halls of residence along with the armed cadres. The university authorities are far removed from the concerns and tribulations of the general students, and look upon the ruling students wing as indispensable to 'smooth administration.' And viewed superficially, things did seem calm and quiet and 'smooth' until explosions occurred as they did in Jahangirnagar, in the months of August and September, this year.

### The Structures in which Rape Thrived: The Truth

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### Allegations of a cover-up:

Of the twenty women students who are reported to have been raped, two women, both students of the Drama and Dramatics department, are said to have notified the then Proctor. One of the rape victims is also known to have informed the Hall Provost, a woman teacher. Both the Proctor and the Provost are reported to have discouraged them from bringing written complaints; they had reminded them of the social ostracism which they would face if it were to become widely known. These allegations have been denied both by the Proctor and the Provost.

### Male Behaviour: Yet, after

having surveyed all this evidence — rape squad, the use of weapons, the targeting of newcomers, Manik's celebration of his hundredth rape, extortionism, drug-dealing, the allegations of an administrative cover-up — the Vice-Chancellor still thinks it is women students who are to blame. It is women's behaviour which is at fault, women go and live in the male halls of residence, 'they are out till 2 or 3 o'clock in the morning' and, 'it is this free-lance (sic) state of affairs which enabled miscreants to take advantage of the situation' (see the Vice-Chancellor's exclusive interview, *Bhorer Kagoj*, 30th September, 1998). We presume the Vice-Chancellor means 'free living' and not 'free lancing' which refers to a person who works for oneself, one

without an employer, a self-employed person. Whose 'free living' and which 'miscreants' is the honourable Vice-Chancellor talking about? Why should these rapists be termed 'miscreants'? Is that not a vague, ill-defined word? If there was any 'free living' it was the rapists who practised it, and under administrative cover, as the Committee report clearly shows. Women are being chastised to be 'modest' in their behaviour, in their appearances, in their demeanour. What about male behaviour? It is male behaviour which should be up for trial, definitely not female behaviour. It is men who are immodest, who violate the norms of decency, who are a threat to women's security and their sense of well-being. It is men who sexually harass women at work and on the streets, who sexually and violently assault women, who sexually abuse women, who rape women — these are all exercises of male power, which routinely takes violent forms.

Rape is an assault on a woman's moral as well as physical integrity. Rape and wife-beating are the more glaring instances but there is also, and most importantly, a range of male behaviour patterns which are dismissed as everyday nuances such as obscene phone calls, making obscene comments about the woman's body, touching parts of a woman's body in crowded situations, giving catcalls which are nothing but different manifestations of collective male violence. These cannot be dismissed as being 'purely individual,' a lack of 'taste,' 'bad upbringing,' rather they express a collective, socially-sanctioned hatred of women which is important in maintaining the collective power of men. Why should these be tolerated? And, if it is women who invite rape by not behaving modestly, what about the hundreds of thousands of Bengali women who were raped during 1971 by Pakistani soldiers and their collaborators? Are the Birangonas to be blamed for being raped? Were the Birangonas raped because they were 'free living' in their behaviour, in their demeanour and appearances and hence taken advantage of? By unnamed miscreants? Or was it a socially-sanctioned ethnocide which separately targeted the 'nation' of Bengali women and sexually brutalised them, to their very beings? The experience of 'freedom' was very different for the Birangonas. Many Bengali men, whether fathers, husbands, brothers or sons, shuddered to receive them back in their homes because they, these courageous women, were 'defiled.' In a recent publication (Nilima Ibrahim ed, *Ami Birangona* Zoleili) many of these freedom-fighters have accused their menfolk of cowardice, not only for having left them behind, for the rapacious soldiers to attack and consume, but also for not having stood by them after the birth of the new nation. Male cowardice works in devious ways.

### What About the Godfathers?

Since the Syndicate decision, we have learnt that the campus rapists are angry at their godfathers, at those who had protected them, and given them the licence to rape. They feel that they, the smaller fry, have been named and identified whilst the bigger fry have gone scot-free. The writers are — Anu Muhammad: teacher in economics, Jahangirnagar University; Meghna Guhathakurta: teacher in international relations, Dhaka University; Shameem Akhter: writer, filmmaker; Khaleida Khatun: lawyer, researcher; Rahnuma Ahmed: teacher in anthropology, Jahangirnagar University

## The Making and Maintaining of the Female Divorcee Destitute

by Lubna Marium

*The reality in Bangladesh is that women are not only denied their share of resources, their rights are further derogated by denying them the right to better their situation through the basic opportunities such as nutrition, health and education.*

It certainly seems a pity, that while theologians, jurists and feminists continue to engage in an unending pedantic discussion about the ultimate fate of the divorcee women, Shahbanu, Shammunnahar et al continue to languish in a state of poverty and destitution. Well, fortunately, now that the West has decorated Dr. Sen, thus sanctioning discussions on unappealing topics like 'welfare' and 'equity', can we please get to the basics of the problem? So, who are these female divorcee destitutes? What are the forces which work in the making of such an entity? Does the state distinguish between a destitute and a divorcee destitute? The equal rights of the women of Bangladesh are not just safeguarded by its Constitution, it also provides that the state shall not be prevented from making specific provisions in favour of women; the basic secular concern being the right of a woman to share all socio-economic opportunities to defend herself against an inequitable social system. The crux of the matter is then the inequity inherent in our society. On the one hand, the Constitution and the Legislation constitute the fundamental documents which declare the intention of the state to uphold equality. On the other hand, it is the socio-economic and gender thrust of the state that governs equity. The reality in Bangladesh is that the postulates of 'market economy', founded on production for the market and profit by the proprietary classes, governs overall planning and shaping of socio-economic development strategies. On this rests the states inability to satisfy the basic needs of the people, including providing purchasing power, social, educational, health and cultural facilities to vast masses of the people; people whose only power is their own labor, a puny inefficient tool, or a tiny piece of land. This, too, in a setting wherein they have to purchase these requirements as commodities from the market. It is thus these contentious forces which give rise to deep-seated disparities in income, which are further compounded by gender discrimination against women. In the social context, the above disparities in income and gender are, unfortunately translated into the subservient of the needs and priorities of the disadvantaged, specially that of women. Power holders further tend to discriminate on the basis of religion, customs, and strong social norms of pa-

triarchy and female subordination. The reality in Bangladesh is that women are not only denied their share of resources, their rights are further derogated by denying them the right to better their situation through the basic opportunities such as nutrition, health and education. They fare just as badly in spheres of wages for labor, social services, credit procurement and asset creation. This, in spite of the fact that women devote most of their working time to intangible contributions in the care and maintenance of the household and unpaid labor at most levels of economic activity. And even when women are involved in waged work or self-employment their family commitments can prevent them from participating to the same extent as men. Furthermore, assertion of rights leads to a situation of conflict which often results in withdrawal of support from the family. So, here we have an emerging picture of the marginalized Bangladeshi woman, dependent on the male members of her household for her sustenance and maintenance. The manifesting of this disempowerment of women is the loss of security and fear of harassment, often up to the point of sexual abuse. Thus, as soon as girls cross puberty the first concern of the family is to hand over the burden of an 'unmarried daughter' into the hands of a willing bridegroom. The situation in the upper echelons of society, one may say is not so grim. However, disempowerment and subordination of the needs of women is equally prevalent. The picture further sharpens. We have before us women lured into a make-believe world of security courtesy their husband's hand-outs, unconsciously, or often consciously too, failing to make independent provisions for themselves. Thus, one day if they so choose, the husbands have the undeniable prerogative to throw their wives out in the streets with token provisions to tide them over the period till they find themselves another savior to cling on, too. Voila! There before you stands the female divorcee destitute with barely a stitch on her back. You may well blame, she has only herself to blame. Why for goodness sake did she not make provisions for herself? You may even say, why the street, why not back to the parental abode? Or for that matter the State? For the first, the inability of the women to better their situation is in itself the root cause of this problem and the need to address has already been discussed. To answer the next query, there are no laws that oblige the parents to maintain a daughter who has left their abode. The State, too, has a long list of destitutes to take care of, with the divorcee coming way down in the list. Come on, you say, someone must be responsible for this poor woman, for she certainly is not at fault. And this is where the cycle returns to the academic discussion on her ultimate fate. Enter the theologians for, throwing constitutional provisions of equality to the winds, it has been so ordained that matters of such personal concern are to be governed by Islamic jurisprudence, that too as interpreted by a masculine understanding. Seeing as a distasteful on the tenability of religious tenets dictating such matters, let us listen to this learned discourse. Therein lies the first problem. Which discourse, or which interpretation? For there have been many, all by men of much learning but all in the context of their own present social scenario. The debate now shifts to the acceptability of traditional interpretations that dictate all Muslim laws by commentators who lived some hundreds of years ago and also the admissibility of their reinterpretation in the changing world. Iqbal in his book, *The Reconstruction of Religious Thought in Islam* gives one of the most generous and rational perspectives in this matter. He says, the closing of the door of *Jihad* (analogical deduction) is pure fiction suggested partly by the crystallization of legal thought in Islam, and partly by that intellectual laziness which, especially in the period of spiritual decay, turns great thinkers into idols. The Lahore High Court reported in PLD 1960 Lah 1142 (Mst. Rashida Begum vs. Shahan Din) as follows: 'If the interpretation of the Holy Quran by the commentators who lived thirteen or twelve hundred years ago is considered as the last word on the subject, then the whole Islamic Society will be shut up in an iron cage and not allowed to develop along with the time. It will then cease to be a universal religion and will remain a religion confined to the time and place when and where it was revealed.' So, what then are the religious dictates concerning the destitute Muslim female divorcee? The debate revolves around whether the woman is entitled to a one-time provision or to an on-going maintenance;

## Life in Dhaka Private Tuition at Taka Two Per Minute!

by A Husnain

The enthusiasm is driving the market crazy, the pupils craziest, the guardians craziest, and teachers are bemused to watch the raindrops of mercy called money dropping into their laps from all sides. A senior student of a private English-medium school, confronted his father with the estimate for private tuition. His Taka 1500 per month for eight sessions for one subject, at the residence of the private tutor. It is not individual coaching (1:1 teacher-pupil ratio) but group coaching, a regular duplicate class as in the school (sometimes by the same teacher). There are added perks or enhancements, such as remote audio coaching with audio cassette player and headphones/loudspeaker; with the live teacher taking a live class in the adjoining room. Bangladesh is certainly booming or inflating, thanks to the government's relentless pursuit for quick development of the education sector. The enthusiasm is driving the market crazy, the pupils craziest, the guardians craziest, and teachers are bemused to watch the raindrops of mercy called money dropping into their laps from all sides. A hundred yards from our residence, during the evening, art of the road is double-parked with cars waiting to pick the students. When do these students get the time for other extra-curricular activities for balanced development of the mind and the body? Cram and vomit must be a noble philosophy of life! This is not black-marketing or sale of education. It is a highly educated service to the future rulers of the country. On the average, the rate comes to around Taka two per minute for the private tuition of a school student (not college or varsity student). For four subjects, the guardian has to cough up around Taka 3,000 per month (for an English-medium pupil). In addition to the school/educational expenses — and that is for one of his several children. In a private English-medium school, the monthly fee is around Taka 1,000 pm for the upper classes, and 3,000 for A level grade; excluding the transport and tiffin expenses (it is not known how VAT is paid, because it is not shown in the money receipt). During the initial admission, there are a lot of mysterious surcharges which amount to several thousand taka — and all these are excluding the coercive 'donation' for 'development' of the land and buildings (not the mind). On the higher class, the 'admission' charges mysteriously reappear in different forms. For external examinations, the cost of the 'signature' on the form is also about Tk 4,000 (quoted from first-hand experience). As for the foreign books (English-medium), the 'origi-

go for English-medium education? One per cent of three million is 30,000. Can such a large number of families afford private English-medium schooling for their children at the rates roughly indicated above; and in addition, pay for the tutorials? The effect of official regulation of English-medium education in the country is not very clear to the guardians and to the public at large. There are English-medium education is so popular, then the authority have to take notice of the situation and help provide educational facilities in that sector at popular and affordable rates, to match the take-home pay in the middle class families. One guardian lamented how to get out of the trap, as he had become a new pensioner, and suddenly he had to take up expenses of his own son! A father cannot coach a son, according to the son (supported by the mother). So, while the son leaves home to go to his private tutor, other pupils enter his home to be coached by his father; and the money goes for the son's tutorial fees! PS: That pupil has grown up, and is now at the university, and he has started coaching some school students to earn his pocket money. We have built up a practical social movement in the education sector. The merits and demerits of the prevailing educational environment is left to the experts on Education.