



Violence against Women

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Introduction:

While women in many parts of the world have made advances in areas previously closed to them, the problem of violence against women remains pervasive. Unfortunately, this violence takes many forms and occurs across national, cultural, racial, and religious borders. Women and children are often in great danger in the place where they should be safest: within their families. For many, 'home' is where they face a regime of terror and violence at the hands of somebody close to them – somebody they should be able to trust. Those victimized suffer physically and psychologically. They are unable to make their own decisions, voice their own opinions or protect themselves and their children for fear of further repercussions. Their human rights are denied and their lives are stolen from them by the ever-present threat of violence.

Violence against women and girls continues to be a global epidemic that kills, tortures, and maims – physically, psychologically, sexually and economically. It is one of the most pervasive of human rights violations, denying women and girls equality, security, dignity, self-worth, and their right to enjoy fundamental freedoms. Violence against women is present in every country, cutting across boundaries of culture, class, education, income, ethnicity and age. Even though most societies proscribe violence against women, the reality is that violations against women's human rights are often sanctioned under the garb of cultural practices and norms, or through misinterpretation of religious tenets. Moreover, when the violation takes place within the home, as is very often the case, the abuse is effectively condoned by the tacit silence and the passivity displayed by the state and the law-enforcing machinery.

The global dimensions of this violence are alarming, as highlighted by studies on its incidence and prevalence. No society can claim to be free of such violence, the only variation is in the patterns and trends that exist in countries and regions. Specific groups of women are more vulnerable, including minority groups, indigenous and migrant women, refugee women and those in situations of armed conflict, women in institutions and detention, women with disabilities, female children, and elderly women.

Definitions and Key Concepts:

There is no universally accepted definition of violence against women. Some human rights activists prefer a broad-based definition that includes "structural violence" such as poverty,

and unequal access to health and education. Others have argued for a more limited definition in order not to lose the actual descriptive power of the term.¹

In any case, the need to develop specific operational definitions has been acknowledged so that research and monitoring can become more specific and have greater cross-cultural applicability. The United Nations Declaration on the Elimination of Violence against Women (1993) defines violence against women as "any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life."²

This definition refers to the gender-based roots of violence, recognizing that "violence against women is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men." It broadens the definition of violence by including both the physical and psychological harm done towards women, and it includes acts in both private and public life. The Declaration defines violence against women as encompassing, but not limited to, three areas: violence occurring in the family, within the general community, and violence perpetrated or condoned by the State.

Domestic violence, as defined for this paper, includes violence perpetrated by intimate partners and other family members, and manifested through: *Physical abuse* such as slapping, beating, arm twisting, stabbing, strangling, burning, choking, kicking, threats with an object or weapon, and murder. It also includes traditional practices harmful to women such as female genital mutilation and wife inheritance (the practice of passing a widow, and her property, to her dead husband's brother) *sexual abuse* such as coerced sex through threats, intimidation or physical force, forcing unwanted sexual acts or forcing sex with others.

Psychological abuse which includes behaviour that is intended to intimidate and persecute, and takes the form of threats of abandonment or abuse, confinement to the home, surveillance, threats to take away custody of the children, destruction of objects, isolation, verbal aggression and constant humiliation.

Economic abuse includes acts such as the denial of funds, refusal to contribute financially, denial of food and basic needs, and controlling access to health care, employment, etc. Acts of omission are also included in this Digest as a form of violence against women and girls. Gender bias that discriminates in terms of nutrition, education and access to health care amounts to a violation of women's rights.³ It should be noted that although the categories above are listed separately, they are not mutually exclusive. Indeed, they often go hand in hand.

¹ Heise L.L., Pitanguy J. and Germaine A. (1994) *Violence against Women. The Hidden Health Burden*. Discussion paper No 225, p.46. Washington DC: The World Bank.

² General Assembly Resolution 48/104 of 20 December 1993.

³ Hayward, Ruth F. (In Press) *Breaking the Earthenware Jar: Lessons from South Asia to End Violence against Women*. New York: UNICEF.

Defining Gender-based Abuse

The Declaration on the Elimination of Violence against Women is the first international human rights instrument to exclusively and explicitly address the issue of violence against women. It affirms that the phenomenon violates, impairs or nullifies women's human rights and their exercise of fundamental freedoms.

The Declaration provides a definition of gender-based abuse, calling it "any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life".

The definition is amplified in article 2 of the Declaration, which identifies three areas in which violence commonly takes place:

- Physical, sexual and psychological violence that occurs in the family, including battering; sexual abuse of female children in the household; dowry-related violence; marital rape; female genital mutilation and other traditional practices harmful to women; non-spousal violence; and violence related to exploitation;
- Physical, sexual and psychological violence that occurs within the general community, including rape; sexual abuse; sexual harassment and intimidation at work, in educational institutions and elsewhere; trafficking in women; and forced prostitution;
- Physical, sexual and psychological violence perpetrated or condoned by the State, wherever it occurs.

Violence against women in the family occurs in developed and developing countries alike. It has long been considered a private matter by bystanders -- including neighbours, the community and government. But such private matters have a tendency to become public tragedies.

The Special Rapporteur's report highlights the importance of adopting legislation that provides for prosecution of the offender. It also stresses the importance of specialized training for law enforcement authorities as well as medical and legal professionals, and of the establishment of community support services for victims, including access to information and shelters.

Women experience multiple forms of violence in Bangladesh, the most common of which are:

Domestic violence:

Violence against women in the family occurs in developed and developing countries alike. It has long been considered a private matter by bystanders—including neighbours, the community and government. But such private matters have a tendency to become public tragedies.

Domestic violence, or violence perpetuated in the home or family environment, is a major social problem in Bangladesh. Domestic violence residences are fairly common and widespread across the country and women of all economic strata are vulnerable to the maltreatment and abuse

of husbands, in-laws, and other family members. Despite the severe consequences to women's physical and emotional health, domestic violence is not recognized as a serious social obstacle and society does not perceive domestic violence to be a formidable crime. Rather it is viewed as a personal matter that should be resolved privately within the family. As a result, law enforcement is reluctant to get involved in cases of domestic violence and women are often victimized with no recourse.

The implicit indifference of society in matters of domestic violence perpetuates the notion that domestic violence is legitimate and male domination in the family is acceptable. While men take advantage of this right to exert authority, women's tolerance of domestic violence further entrenches domestic violence into the fabric of daily life in Bangladesh.

Traditional practices/ Torture by Husband/Wife Beating:

In many countries, women fall victim to traditional practices that violate their human rights. The persistence of the problem has much to do with the fact that most of these physically and psychologically harmful customs are deeply rooted in the tradition and culture of society.

Wife beating is the most commonly occurring act of domestic violence in Bangladesh. An international report published by the United Nations in September of 2000 ranked the country first in wife beating and found that nearly half of the adult female population surveyed reported physical abuse by their husbands. This fact may be startling in the international community, but in Bangladesh it is common knowledge that husband's exert their authority and physically assault wives for even minor mistakes, such as an unsatisfactory meal, an untidy room, a conversation with another man, or any act of disagreement or disobedience.

Men have been socially conditioned to genuinely believe in their own superiority. From childhood they are treated differently from their sisters and grow to believe that they are more valuable and more deserving than women are, and that their opinions and views should have more weight than any woman's. Furthermore, predominant religious misinterpretations have further legitimized these feelings. The religious interpretations have also provided men the right to chastise wives in order to punish them for disobedience and bring them back to the so-called correct path. In this way, men are able to delude themselves into believing that abuse of their wives amounts to a religious duty and they are completely justified in their actions.

Battering of women:

The battering of women within the household appears to be widespread throughout Bangladesh. Most women who are beaten suffer from beatings every week which are severe enough to 'leave marks on the body and cause pain for several days. Such beatings may be related to dowry, to the perceived failure of a woman, particularly a wife, to fulfill her household duties, or to be 'properly humble and obedient; or they may serve as an outlet for male frustration. Numerous commentators have remarked on beating as a punishment for failing to do the husband's bidding.

Dowry-related violence and early marriage:

In some countries, weddings are preceded by the payment of an agreed-upon dowry by the bride's family. Failure to pay the dowry can lead to violence.

Early marriage, especially without the consent of the girl, is another form of human rights violation. Early marriage followed by multiple pregnancies can affect the health of women for life. The report of the Special Rapporteur has documented the destructive effects of marriage of female children under 18 and has urged Governments to adopt relevant legislation.

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. 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 bride's family as a precondition to the marriage agreement. In Bangladesh, Although dowry demand is illegal according to the Nari O Shishi Nirjaton Damon Ain of 2000, the practice persists in the rural communities. In fact, few marriages in the rural areas are performed without a dowry condition.

In most cases the complete dowry is not paid at the time of marriage. Rather the bride's family pays part of the dowry before the marriage and promises to pay the remainder soon after the marriage. When the bride's family fails to meet the deadline, her husband and in-laws verbally and physically abuse her to compel her family to pay. The issue of dowry is most probably the most extensive source of domestic violence in Bangladesh.

Female genital mutilation:

According to the World Health Organization, 85 million to 115 million girls and women in the population have undergone some form of female genital mutilation and suffer from its adverse health effects.

Son preference:

Son preference affects women in many countries, particularly in Asia. Its consequences can be anything from foetal or female infanticide to neglect of the girl child over her brother in terms of such essential needs as nutrition, basic health care and education.

In China and India, some women choose to terminate their pregnancies when expecting daughters but carry their pregnancies to term when expecting sons. According to reports from India, genetic testing for sex selection has become a booming business, especially in the country's northern regions.

Murder:

The murder of women by their husbands and in-laws is associated with both escalation of dowry demands, and with the more general harassment and severe beating of women.

Rape:

Rape can occur anywhere, even in the family, where it can take the form of marital rape or incest. It occurs in the community, where a woman can fall prey to any abuser. It also occurs in situations of armed conflict and in refugee camps. Even many known cases are not reported in the press or case filed in police station because of social stigma attached to it. The unfortunate part of the story is that the raped women is socially condemned, ostracized and boycotted, ignored and widely believed to be responsible for their own rape. A raped woman also is considered as abandoned women no place in the society, hence the raped women or relatives of that woman keep the incidents secrets. There are various form of rape in Bangladesh such as: rape in work place, rape in domestic environment, rape in police custody, child rape, gang rape, data rape institutional rape, spousal rape and rape by intimate male relations.

Prostitution and trafficking:

Many women are forced into prostitution either by their parents, husbands or boyfriends -- or as a result of the difficult economic and social conditions in which they find themselves. They are also lured into prostitution, sometimes by "mail-order bride" agencies that promise to find them a husband or a job in a foreign country. As a result, they very often find themselves illegally confined in brothels in slavery-like conditions where they are physically abused and their passports withheld.

Most women initially victimized by sexual traffickers have little inkling of what awaits them. They generally get a very small percentage of what the customer pays to the pimp or the brothel owner. Once they are caught up in the system there is practically no way out, and they find themselves in a very vulnerable situation.

Since prostitution is illegal in many countries, it is difficult for prostitutes to come forward and ask for protection if they become victims of rape or want to escape from brothels. Customers, on the other hand, are rarely the object of penal laws.

The extent of trafficking in women and girl children has reached alarming proportions, especially in Asian countries. Many women and girl children are trafficked across borders, often with the complicity of border guards. In one incident, five young prostitutes burned to death in a brothel fire because they had been chained to their beds.

The Special Rapporteur has called on Governments to take action to protect young girls from being recruited as prostitutes and to closely monitor recruiting agencies.

Acid Violence:

Acid throwing is another form of violence against women, which are increasing at alarming women, which are increasing at an alarming rate. The young and teenaged girls fell victim of acid burn because of refusal of marriage and rejection of love proposal given by young man. Acid burns also taken as measures of personal revenge, family quarrel and quarrel in couple and also feuds between two families, kinship.

A recent study by the Acid Survivor's Foundation that land disputes account for 27% of acid attacks, followed by 18% for family disputes, 10% for refusal of sex, 8% for refusing to enter

into a relationship, 5% for dowry conflicts, 4% for marital disputes, 3% for refusal of marriage proposal, 2% for political enmity, and the remaining 23% for unknown reasons. Although acid attacks were originally used primarily against women, males are now being targeted as well.

Victimization By Fatwa:

According to Islamic teaching, a fatwa is a religious edict based on Islamic principles pronounced by a religious scholar. In Bangladesh, however, half-educated mullahs use the fatwa to exploit vulnerable members of the society. Rural clerics, through the mode of an informal justice system, punish women for so-called anti-social or immoral activities. Although these punishments are not legal per se, because the rural clerics exert considerable autonomy and power in the rural areas, the punishments are generally carried out against the helpless women.

Mental or Psychological Torture:

Women are also victim of silent mental torture. Apart from physical torture they are made subject to mental torture both at home and outside. Even at their work place they are after ignored, ridiculed, deprived of financial benefits. Socially derailed and arrogant young boys also often tease the school and college going girls. The acid victims become mentally depressed and pass their days under fearful mental agony.

Torture during Pregnancy:

Bearing a child is very difficult task and causes a lot of physical strain. For the growth and development of the baby and is normal and easy birth an woman requires sufficient food, leisure which are often denied or not taken into notice in most case of joint poor family she is deprived of regular medical checkup and not getting proper medicine for keeping the baby healthy and alive. Denial of all these facilities are nothing but a stress for the women to survive to deliver the baby.

Forced Prostitution:

This is an old practice and an evil, a social disease too. On many pretext and temptation the girl are abducted and forced to live a life of sex workers and those who control them or manage them. They are also great exploiters. They enjoy a greater share of money earned by the sex worker and on the other hand the latter are reduced to a life of bare necessities.

Sexual harassment:

Sexual harassment in the workplace is a growing concern for women. Employers abuse their authority to seek sexual favours from their female co-workers or subordinates, sometimes promising promotions or other forms of career advancement or simply creating an untenable and hostile work environment. Women who refuse to give in to such unwanted sexual advances often run the risk of anything from demotion to dismissal.

But in recent years more women have been coming forward to report such practices—some taking their cases to court.

In a report of the UN it was stressed that sexual harassment constitutes a form of sex discrimination. "It not only degrades the woman", the report noted, "but reinforces and reflects the idea of non-professionalism on the part of women workers, who are consequently regarded as less able to perform their duties than their male colleagues."

Custodial violence against women:

Violence against women by the very people who are supposed to protect them- members of the law enforcement and criminal justice systems-is widespread.

Women are physically or verbally abused; they also suffer sexual and physical torture. According to a report of Amnesty International, thousands of women held in custody are routinely raped in police detention centres worldwide.

Pornography:

Another concern highlighted in the Special Rapporteur's report is pornography, which represents a form of violence against women that "glamorizes the degradation and maltreatment of women and asserts their subordinate function as mere receptacles for male lust".

Violence against women in situations of armed conflict:

Rape has been widely used as a weapon of war whenever armed conflicts arise between different parties. It has been used all over the world: in Mexico, in Rwanda, in Kuwait, in Haiti, in Colombia.

Women and girl children are frequently victims of gang rape committed by soldiers from all sides of a conflict. Such acts are done mainly to trample the dignity of the victims.

Violence against refugee and displaced women:

Women and children form the great majority of refugee populations all over the world and are especially vulnerable to violence and exploitation. In refugee camps, they are raped and abused by military and immigration personnel, bandit groups, male refugees and rival ethnic groups. They are also forced into prostitution.

Violence against women migrant workers:

Female migrant workers typically leave their countries for better living conditions and better pay – but the real benefits accrue to both the host countries and the countries of origin. For home countries, money sent home by migrant workers is an important source of hard currency, while receiving countries are able to find workers for low-paying jobs that might otherwise go unfilled.

But migrant workers themselves fare badly, and sometimes tragically. Many become virtual slaves, subject to abuse and rape by their employers. In the Middle East and Persian Gulf region, there are an estimated 1.2 million women, mainly Asians, who are employed as domestic servants. According to the independent human rights group Middle East Watch,

female migrant workers in Kuwait often suffer beatings and sexual assaults at the hands of their employers.

The police are often of little help. In many cases, women who report being raped by their employers are sent back to the employer -- or are even assaulted at the police station. Working conditions are often appalling, and employers prevent women from escaping by seizing their passports or identity papers.

Conclusion:

These examples illustrate some steps taken at the national level towards the eradication of violence against women. Combating and eradicating this scourge require enhanced and concerted efforts to protect women at the local, national and international levels. States have tended to adopt a passive attitude when confronted by cases of violations of women's rights by private actors. Most laws fail to protect victims or to punish perpetrators. Any approach designed to combat violence must be twofold, addressing the root causes of the problem and treating its manifestations. Society at large, including judges and police officers, must be educated to change the social attitudes and beliefs that encourage male violence.

