



**Justice Salma Masud Chowdhury**

## **‘Human Rights - Women Rights’**

**Justice Salma Masud Chowdhury**  
Bangladesh Supreme Court.

All human being are born free and equal in dignity and rights. The key international documents defining human rights are the Universal Declaration of Human Rights, the International Covenant of Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights. Together they comprise the International Bill of Rights.

The foundation of freedom, justice and peace in the world is the recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family. The Rule of Law is the ultimate protector of the fundamental human right, of the dignity and worth of the human person and of the equal rights of all the human being as between themselves. The standard of civilization in a given area at a given time is determined according to the degree of respect shown to these rights and freedom as manifested in the legal system of that particular society.

In Bangladesh, the constitution guarantees the fundamental rights, criminal law guarantees peace by punishing the offenders, property laws guarantees rights to the property and personal laws provide protection to personal status and dignity of each individual, Despite the existence of these various branches of law, tyranny, oppression, social injustice and infringement of human rights in various other respects is nevertheless rampant.

The abuse of the process of law either by default or by design is not limited to specific areas of the world. There are instances of gross violations of human rights in both the developing world as well as the advanced societies in the west.

Women, especially of our country, though born free but the question remains on the minds of many whether they are equal in dignity and rights with their opposite sex. It is rampant heard in seminars, workshops etc even in social gatherings as comments from persons holding positions in our society saying that in a country where both the leaders of the ruling party, being the Prime Minister, and the opposition party are ladies why do women are subject to so much torture and oppression in all fields including domestic and work place. But the persons commenting on women issue forget that it is not the question of being a women in the position or opposition of the government - it is the total positive attitude of the citizens at large towards women which is necessary to upgrade the position of our womenfolk. Men were earlier ruling the country and the leaders of their opponent political parties were also men and it is undeniable that they also tired their best to improve the condition of women.

The Legislature promulgates laws safeguarding and protecting the womenfolk. Women are often termed as weaker sex but apart from physical strength, in some cases, they can never be weaker from their male counter part in education, profession, job, social encounters etc.

It is an undeniable fact that women have been working as partners of men in all spheres of life since time immemorial. Women's contribution towards the establishment of the civilization is yet another truth which can hardly be called into question by any quarters. The important status of women found its expressions in many forms in almost all the religions and societies, but in reality, the status of women has been maintained in varied degrees depending on the type of societies and nations.

Recent estimates show that half the world's population is women and they receive very minimum of the world's income and own very less of the world's property. Furthermore, they are deprived of their rights and opportunities in all spheres of life. However, at long last, there has been a growing realization in the world to-day that no real progress of mankind is possible without the involvement and participation of women in the mainstream of development process.

The question of women's right is a much-discussed matter in today's world. The Bangladesh Constitution has ensured that women shall have equal rights with men in all spheres of the state and public life. The Government has taken various legislations have been enacted and number of laws have been amended to ensure that the rights of women are upheld.

The existing law relating to women of Bangladesh are quite exhaustive and adequate but unfortunately at most times they remain on paper as legal theory for speakers to expound upon from time to time seeking amendments repeal etc. if the need arises. For the majority of the people the acts and enactments are totally meaningless and they continue to live in ignorance to be exploited and opposed by the more powerful. The non-governmental organizations, especially the lawyers' associations should come forward to make the women of our country conscious about their legal rights.

The Women of Bangladesh are supposedly fortified with theoretical legal rights, but there is a gulf of difference between the theory and its actual application. As earlier observed there are a considerable number of women, who have no idea about their legal rights or the vital legislations that have been enacted to safeguard their interest. They are either ignorant, callous or fatalist and thus became the victims of torture and injustice and cannot take the help of laws. The women of our country must be made conscious about the favourable laws protecting their interests or their legal rights and this can be done by launching legal literacy programmes.

The women lawyers can take an active part in its implementation and conduct these programmes and take it to the grass root levels. The women both of urban and rural areas must come forward and take legal actions whenever there is violation or denial of their legal rights and this they can do only when they are conscious and not ignorant of their legal rights.

Poverty is a serious problem of Bangladesh. Even though a woman is conscious about her legal right. She cannot protest when her right is being violated in fear of litigation expenses and social harassment. Legal Aid Societies can step forward to help the downtrodden people of our society. There may be centers open for the shelter of these

portion of the society especially for their accommodation during the litigation period when the disputes relate to family matters.

Women living in urban areas of Bangladesh are in a better position than their sisters living in rural areas. They have clear ideas on issues like equality, freedom from domination of the opposite sex, participation in the overall nation building activities, on the other hand the mass of our rural, women folk still live in the primitive state of male domination.

The status of women differs from one family to another depending on the education, wealth and upbringing of the women. Today most of the education urban women feel happy at being able to come out of the domination of men in the house as well as in society. In the cities and towns women are participating more and more not only in bringing up children and looking after the welfare of the family, but they are also coming forward to assist men to mould the social structure, leading towards modern way of living. This is possible by inculcating modern ideas through education. In the legal system of Bangladesh, custom, traditions, culture and socio-economic conditions play a vital role in patterning the status and role of women in the family, in the society and in the overall development process.

With the education being taken to the doorsteps of the villages and the education being made free up to a certain level the day is not far away when our rural sisters/daughters will think alike like our urban sisters / daughters.

Countries which have tried to bring about changes through law only, before changing the political, economical, educational and social conditions - those countries have been disappointed. When the socio-political-economic educational groundwork have been laid, when those who shape opinion in a country are ready to move ahead, then the law can be a powerful agent to change.

Thus, women should leave no stone unturned to get best education which pave their ways towards economic emancipation, resulting in social up gradation. Time will come when women will have equal status in all major areas of family life, education, work, employment, control over the process of production, health etc. The gender issue will then not be a burning topic. Women's human rights will be established and the existing discrimination between men and women will be eliminated, acknowledging the women's contribution in social and economic sphere. It is neither the leaders of the ruling party and the opposition party nor the government and non-governmental organizations who can eliminate the gender discrimination. It is the women themselves who are to be bold enough to overcome the hurdles of the society and get emancipation through education and economic independence. No doubt women are to provide their worthiness in all spheres of life more so in her career while a man is expected to rise automatically. Bangladesh is proud to have a Prime Minister, four Supreme Court Judges, diplomats, established industrialists, pilots who are ladies apart from hundreds of women lawyers, doctors, teachers, engineers etc.

Day have come of positive thinking and to look forward to equal participation of both male and female in all sections of life and development. May be, Insha Allah. a day will come when we can say that we have achieved the destruction of the high, thick and broad wall of human discrimination as a result of the persistent and continuous struggle of all Bangladeshis.

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