

Education for empowerment: a note on BRAC's Human Rights and Legal Education Programme (HRLEP) at Matlab

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EXECUTIVE SUMMARY

This study attempts to address selected aspects of BRAC's Human Rights and Legal Education Programme (HRLEP) in Matlab Thana. HRLEP at Matlab began in January 1996 through training of the members of village organizations (VOs) on human rights and legal education. The major objective of the study was to assess the process of HRLE training at Matlab and explore the level of interaction between VO members and the shasthya shebikas (SSs) and Programme Assistant (PA) involved in training. The study also aimed to elicit the participants' perception of the programme and to evaluate the contents of the training manual.

Data were collected through direct observation of HRLE training sessions in 15 villages. Programme information were collected from HRLE staff at Matlab. Published articles, manuscripts, annual reports, and research reports on the issue were also used as secondary material.

It was found that none of the shebikas at Matlab received training manuals (as on 15 May 1996), rather they were providing training with the help of their notes taken during their own training. It was also found that some of the VO members were not interested in the course at the beginning but became interested later on. Credit was found to be an important factor in motivating enrollment; once they start attending the training classes, they tended to grow interest in the course and wished to continue. Another important finding was that some VO members' husbands objected to their participation in the course. A common objection of their husbands concerned the teaching of Muslim Family Law, especially the issue of divorce. Hindu VO members demanded that Hindu Law be included in the course contents as well.

Major recommendations include:

- Teaching manuals should be supplied immediately to the SSs.
- It is suggested that issues such as Hindu Family Law and Laws of Inheritance and domestic violence be included in the course contents.
- Flip charts used in the course should include more illustrations. The size of the illustrations should be increased so that each page contains only one picture. Four separate flip charts can be produced for four different laws.
- A strong follow up system should be developed, so that BRAC members do not forget what they have learned.

INTRODUCTION

The purpose of launching the Human Rights and Legal Education Programme (HRLEP) was to make the rural poor aware of their own rights. Specially the aim of the programme is to increase Village Organization (VO) members' knowledge of law and human rights and their willingness to take up and act on these rights and responsibilities. The programme (previously named Paralegal Training) is based on the notion that legal awareness will help VO members protect themselves against illegal, unfair or discriminatory practices by others (1). The programme started at Matlab in 1996 where the BRAC-ICDDR,B Joint Research Project is currently investigating the impact of socioeconomic development on the well-being of the rural poor. This study contributes to the Joint Project by providing an assessment of the content and process of HRLEP, one of the many components of BRAC's Rural Development Programme. This study covers different aspects of HRLEP at Matlab. Sessions on HRLEP started in January 1996. It is quite expected that whenever BRAC is trying to develop capacity of the VO members from different perspectives, their legal knowledge would not be left behind. In this regard present study, although initiated at very early stage of the programme, has great importance to responding future queries.

HRLEP in brief

The main objective of HRLEP is to increase VO member's knowledge about law and human rights; and thus empower them. Specific objectives of this programme are:

- to give VO members access to information about law;
- to demystify the law through legal literacy classes;
- to raise awareness of the rural poor about their legal rights; and
- to empower them legally and socially.

BRAC members are provided necessary information on four major laws: Muslim family law; Citizen's rights; Muslim law of inheritance; and Land law.

The programme is conducted by means of 28 day course¹ involving one to two hours daily. The programme is offered to a group of 25 BRAC members. Each group is lead by a shebok/shebika (S/S) or paralegal volunteer, who provides them education and receives

¹ Distribution of time in HRLEP training:

i. Muslim family law	7 days
ii. Citizen's rights	4 days
iii. Muslim law of inheritance	6 days
iv. Land law	<u>5 days</u>
	22 days
Review	5 days
Closing	<u>1 day</u>
Total	28 days

Tk. 10 from each participant as honorarium. The S/S also gets Tk. 175 from BRAC. After completion of the course, a five member team (selected on the basis of good performance) is formed from each group which is known as Legal Implementation Committee (LIC). Although the efficiency of LIC is the key determinant to the success of HRLEP, it has not been clear what the exact role of LIC should be (2). Issue based meeting on legal matters are arranged by 2/3 LICs. LIC works according to 20 points given to them.²

HRLEP at Matlab

Matlab is a large thana of Chandpur district where ICDDR,B has been working since early 60s. BRAC's Rural Development Programme (RDP) started operating in Matlab since 1992. As elsewhere, RDP has implemented in Matlab its basic programmes including institution building, functional education, skills and human development training, credit, children's education and legal literacy. Recently RDP has begun implementing HRLEP.

Training at different levels

HRLEP arranges training at three levels. At the first level, training is given to HRLE Programme Assistants (PAs) at BRAC's Training and Resource Centres (TARC) for 14 days. Afterward another 6 day training is given to the PAs. Following the selection of SSs, the PAs attend another 3 day training at TARC with the SSs. SSs are selected from among the BRAC RDP/VO members³. Following selection, they receive a 6 day training at TARC. When SSs provide HRLE training to the VO members, they receive periodic refresher courses at area offices.

The PA look after the monetary transactions of members. He supervises SSs and another major duty of the PA is selection of LIC member. He has to be present in training classes at least three or four times in a week.

The Area Manager (AM), supervises the HRLE PA. His/her presence is compulsory at the opening and closing day of a training cycle. He takes active part in selecting the SSs for his area. The regional programme organizer (RPO) also visits the classes occasionally.

Objectives

This study aims to explore the total process of HRLE training at Matlab. More specifically it:

- evaluates the level of interaction between VO members and SS;
- elicits the course participants perception about the programme; and
- review the contents of the training manual of HRLE.

² Please see ANNEXURE for further information about LIC activities.

³ Please find further details of conditions for selecting SS in the ANNEXURE D

METHODOLOGY

Data for this study are based on observations of training classes during April-May 1996. Focus has been given on groups which were receiving the training at the time of field work. Selected interviews with members (who were receiving training at that time) were conducted using a checklist. The primary data were supplemented with programme information collected from secondary sources. A detailed checklist was prepared to guide interviews with VO members, shebikas and PA. PA was interviewed in the area office (AO) and performance of shebikas were observed during the training class. VO members were asked different questions relating course content, knowledge and their evaluation of its utility.

HRLEP at Matlab at a glance (as on 15 May 1996)⁴

HRLEP target for 1996	:	84 VOs (2100 members approximately)
Training completed	:	15 VOs (375 members approximately)
Ongoing training	:	5 VOs (125 members approximately)
Total LIC formed	:	15
No. of HRLEP PA(s) involved in Matlab	:	1
No. of SSSs	:	12

Up to 15 May 1996, about 375 VO members received HRLE training and another 125 members were receiving training. Among those who already received training, 15 LICs were formed (one LIC from each VO. But no workshop on HRLE was arranged in Matlab.

Number of VOs according to research cells⁵ of BRAC-ICDDR,B Joint Research Project (of completed and ongoing training courses of VOs in Matlab)

Training completed	:	15 VOs →	BRAC + ICDDR,B cell: 8 VOs
			→ BRAC only cell: 7 VOs
Ongoing training	:	5 VOs →	BRAC + ICDDR,B cell: 4 VOs
			→ BRAC only cell: 1 VO

⁴ Information on training of completed VOs and ongoing VOs are available in the ANNEXURE C.

⁵ Information on training of completed VOs and ongoing VOs according to intervention cell are available in the ANNEXURE C.

Limitations

The major limitation of the study was time constraint which kept the sample size very small. Also LIC could not be studied since these did not exist at the time of field work. LICs are an important link between theoretical course of HRLE and the practical application of law in VO members lives (2), the study plan for LIC had to be cut down.

FINDINGS AND DISCUSSION

Reaching whom

The training target for each year is set of the head office level (RDP). In Matlab the target number of groups is 84 this year. About 25 VO members in each group are receiving HRLE training. The programme is quite strict and no more than this number is allowed to participate even if a member shows interest. However, one VO member in *Bhangarpar* village requested the PA to allow her to attend the course (which she was attending from the very beginning of the training⁶) for it was convenient for her, otherwise she would not be able to attend later due to some personal reasons. The PA was interested more on the fixed number by managing *some of the not interested VO members* receiving the training. This particular personal problem of the VO member could be solved by replacing any other member who live nearby. Such problems may happen during harvesting period. Those who works in the harvesting seasons can interchange their training classes with those who does not work.

There appeared to be no transparent criteria guiding the selection of participants for HRLEP training. According to the PA almost all VO members receive this training in group. However, not all VO members were equally motivated at the same time for receiving this training. Credit was found to be an important factor for motivating enrollment and participation in HRLEP training. Some PAs promised to give of credit to motivate members to attend classes, while a few others threatened the withdrawal of credit to achieve the same purpose.

VO members as receivers and level of interaction

It was found during the study that not all VO members were interested in attending the course. In response to question like *why did she come although she was not really interested*, the answer was '*because of credit*'. There were a number of members who were interested in receiving legal knowledge. Interestingly, once they start attending the training classes, they became interest in the course and wished to continue.

"My days have gone. Now I think how useful it would be if I knew it earlier. I can't go back to my days. Certainly I will not allow my daughter or any woman to suffer like me. I will help her to ensure legal rights" (a VO member, aged 43)

⁶ She was attending the course without having her name in the register.

Depending on the ability of VO members, some of them could almost recall previous lessons while some could hardly recall anything. Some VO members mentioned that it was possible to remember the lessons because they discussed them with other family members. This group of women tended to participate more during class time. Those who fails to recall previous lessons tended to talk less in the class, and were particularly shy when the PA was present.

When a woman is prevented

There were instances where some women were not allowed to attend training classes by their husbands; yet they were obliged to come to assure that they would receive their next loan. According to these members the common objection of their husbands concerned the teaching of Muslim family law, especially issues of divorce. Although not physically abused, almost all the VO members had to finish or at least somehow managed their household work before going to training classes to avoid having their husbands and/or sons complaining about "*useless training*" which did not bring any financial gain.

"I do not discuss with my husband what I learn here, otherwise he will not allow me to come any more and in addition he may beat me." (a VO member, aged 29)

One shebika faced some problem in *Begumpur* village while giving training. A member's husband objected about teaching lessons on *Talaq laws* (divorce). The class was stopped and commenced only after a conciliatory meeting arranged with village elite and the BRAC authority.

A VO in *Dighirpar* village refused training because the husband of the president of that VO disapproved. In *Enayet Nagar* the shebika was prevented from attending training sessions as her husband did not want her to go outside the village. Among 20 training courses (15 completed courses and 5 ongoing courses) occurring in April-May at least four groups had problems with the husbands of VO members.

HRLE training manual

According to the course contents, four laws are taught during the training. These are:

- Muslim family law
- Laws regarding the implementation of the rights of the citizen
- Muslim hereditary laws
- Land laws

The story books, illustration and songs that are used in the HRLEP classes are really an excellent attempt to effectively communicate course contents to its learners. The easy and lucid language of training manual was also very helpful for the PAs and shebikas. But unfortunately, shebikas did not receive the training manual (as on 15 May 1996). It has been found that they were providing training with the help of their personal note book

which they maintained at the time of their training classes at TARC. Any single misunderstanding or wrong perception may mislead the whole group.

Also there was a great demand from Hindu VO members to incorporate into manuals the family laws and laws of inheritance which are applicable to the Hindu community. A significant number of our VO members are Hindu and attending HRLE training classes with interest.

"Being a Hindu, I have learned more and know more about Muslim Family Law than the Muslim members did. Should not I know a little bit of our own law?" (a Hindu VO member, aged 38)

Teenagers as listeners

Everywhere it was found that along with other interested non-members, a number of teen age girls and boys were present at the place where training classes were going on. These teenagers would often answer questions asked to the members. Clearly they were interested in learning about issues of dowry, divorce and marriage in particular.

CONCLUSION

Because Matlab has only recently initiated HRLEP, it is facing some barriers, especially from the husbands of the women participants. Also of concern is the use of credit as a mean of motivating and/or threatening women to participate. This practice is neither wise nor sustainable. Important to programme success is the willing participation of VO members. Knowledge and empowerment can only be achieved if participants are motivated to help themselves. To ensure that knowledge about legal rights retained and applied, it is important that a good follow-up system be established. The success of HRLEP depends largely on the effectiveness and relevance of training. As such it is important to develop course contents so that they meet the needs of all members, including women from the Hindu community.

RECOMMENDATIONS

- Teaching manual and cassette players should be supplied immediately to the shevikas.
- Proper follow up is required for the group members. One/two hour refresher session at least once a month will help them remember what they have learned. While recruiting members for training, attention should be given to their personal and family problems.

- Flip charts used in the course need to include more illustrations. The size of illustrations should be increased so that each page contains only one illustrations. Four separate flip charts can be produced for four different laws.
- The programme should be more participatory and each participant should be given equal attention. The PAs and shebikas should be adequately oriented to this participatory approach.
- Issues of Hindu family law and Hindu laws of inheritance and violence against women should be incorporated in the course curricula.
- Special meetings or issue-based meetings should be organized where participants come along with their husbands (if present) and discuss the purpose of HRLEP. This may reduce confusion about HRLEP, and increase the knowledge of members' families about legal issues.
- Teenage daughters of the VO members should be welcomed in these training classes.

ANNEXURE

A. Contents of four different laws

Muslim Family Law:

- Marriage and condition for marriage
- Dowry
- Divorce in favour of husband and remarriage
- Divorce in favour of wife
- Multiple marriage
- Maintenance of children

Laws regarding the implementation of the rights of the citizen

- Right to vote, freedom of religion
- Forbidding of inhuman punishment
- Rules for arrest and duties of citizens
- Rights of arrested citizen and duties of police

Muslim Hereditary Laws

- Major sharer according to the Quranic law
- Main inheritance
- Rights of the orphan grandchildren
- Division of property of the childless deceased

Land Laws

- Precautions for protecting land ownership
- Mortgaged property
- Homestead property

B. 20 Points of LIC

Muslim Family Law

1. The LIC will protest against adolescent marriage.
2. The LIC should play an active role in acquiring children's consent regarding their marriage.
3. All VO members should register their marriage.
4. Copies of marriage registration of all VO members should be signed.
5. Dowry system should be abolished.
6. Husbands and wives should be aware of the amount of *Denmohar*.
7. Notice should be given before the divorce filed before a *Quazi*.
8. *Hilla* marriage should be stopped.
9. *Denmohar* should be collected by the wife upon separation from the husband.
10. Multiple marriage should be stopped.

Laws Regarding the Implementation of the Rights of the Citizen

11. Promise to cast vote.
12. Taking part in the village meeting and *shalish*.
13. All kinds of inhuman punishment should be protested.
14. Ask for a warrant if the police comes.
15. If arrested, it is better to seek a lawyer than any other 3rd person.

Muslim Hereditary Laws

16. Everyone should know the amount they are entitled to through inheritance.
17. Orphans should know what they are entitled with respect to their grand parent's property.

Land Law

18. Thumb print or signature should not be given on a blank piece of paper.
19. Land should not be purchased without proper evidence.
20. Partition should be done after land purchased.

C. List of villages and No. of VOs received/receiving HRLE training

<u>Village name</u>	<u>Total no. of VO received training</u>	<u>Intervention cell</u>
1. Dhakirgaon	2	BRAC+ICDDR,B
2. Majulishpur	1	BRAC+ICDDR,B
3. Digholdi (Shatkuri bari)	1	BRAC+ICDDR,B
4. Nobo Kalash (2)	1	BRAC+ICDDR,B
5. Upadi Balikandi	1	BRAC+ICDDR,B
6. West Nagda	1	BRAC+ICDDR,B
7. Bhangarpar	1	BRAC+ICDDR,B
8. Moharakdi	1	BRAC+ICDDR,B
9. Baishpur (North and South)	2	BRAC only
10. Gilatali	1	BRAC only
11. North Ludhua	1	BRAC only
12. Baluchar	1	BRAC only
13. Nolua (Dighirpar)	1	BRAC only
14. Gore Bhan	1	BRAC only
TOTAL	16	

Names of villages where training is going on

<u>Names of villages where training is going on</u>	<u>Intervention cell</u>
1. Dhanarpar	BRAC+ICDDR,B
2. South Islamabad	BRAC+ICDDR,B
3. Pailpara	BRAC+ICDDR,B
4. Durga	BRAC+ICDDR,B
5. South Dighaldi	BRAC only
Total: 5	

D. Conditions for selecting SS

- SS should be a group member.
- Should have good communication skill.
- Should be aged between 20-45. Age between 20-40 is preferred.
- Should be married.
- Can write and read.
- Do not have child under one year.
- Not involved in other BRAC programmes.
- Should not have two wives at a time.
- Physically fit.
- Geographical considerations should be taken into account.
- Should not believe in superstition.
- Possess a good character.
- Willingness to go and teach in other villages.
- Should give time for developing skills.
- Should be motivated about BRAC's programme.

REFERENCES

1. BRAC Annual Report 1994.
2. Chenier K. From legal education to legal action, BRAC's legal implementation committees: a survey of activities (draft). April, 1996.
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5. Rural Development Programme IV: project proposal for 1996-2000. Dhaka: BRAC, 1995.