



*Institute of Governance Studies,
BRAC University*

Working Paper

*Domestic Violence against Women in Bangladesh: Discovering
Two Sides of A Coin*

Jannatul Fardosh

*IGS Working Paper Series No: 09/2013
June 2013*

Domestic Violence against Women in Bangladesh: Discovering Two Sides of A Coin

IGS Working Paper Series No: 09/2013

Published by the Institute of Governance Studies, BRAC University, June 2013

Institute of Governance Studies

SK Center (5th - 7th Floor), GP, JA-4, TB Gate, Mohakhali,

Dhaka 1212, Bangladesh

Tel: +88 02 881 0306, 881 0320, 881 0326, +88 01199 810 380, +88 35303

Fax: +88 02 883 2542

Web: www.igs-bracu.ac.bd

Email: igs-info@bracu.ac.bd

© Copyright 2013 Institute of Governance Studies 2013

Domestic Violence against Women in Bangladesh: Discovering Two Sides of A Coin

Jannatul Fardosh¹

¹ Research Associate, Institute of Governance Studies (IGS), BRAC University



Acronyms

ASK-Ain o Shalish Kendro

BBS-Bangladesh Bureau of Statistics

BDHS-Bangladesh Demographic and Health Survey

BLAST-Bangladesh Legal Aids Trust

BNWLA- Bangladesh National Women Lawyers' Association

BWHC- Bangladesh Women's Health Coalition

CEDAW-Convention on the Elimination of All Forms of Discrimination against Women

CIDV-Citizen Initiative of Domestic Violence

CPD-Centre for Policy Dialogue

DV-Domestic Violence

FWLD-Forum for Women, Law and Development

GII-Gender-Inequality Index

ICCPR-International Covenant on Civil and Political Rights

ICDDR, B-International Center for Diarrheal Disease Research-Bangladesh

KIIs-Key Informant Interviews

MCHs- Medical College Hospitals

NAP-National Action Plan

NCAVD-National Coalition against Domestic Violence

NGOs-Non-governmental Organisations

NIPORT-National Institute of Population Research and Training

OCC-One-Stop Crisis Centre

PDVA-Prevention of Domestic Violence

PFA-Platform for Action



PHR-Protecting Human Rights

UDHR-Universal Declaration of Human Rights

UN Women-United Nations Entity for Gender Equality and the Empowerment of Women

UNDP-United Nations Development Programme

UNFPA-United Nations Population Fund

UNGA-United Nations General Assembly

UNICEF- United Nations Children Fund

UNIFEM-United Nations Development Fund for Women

UN-United Nations

VAW-Violence against Women

WHO-World Health Organisation

Glossary

Fatwa- A legal pronouncement in Islam

Maulanas-Islamic reader

Nari Nirjaton Protirodh Cell- Women violence protection cell

Sadar- A main part of a certain area

Sharia- Islamic rule

Upazila- Sub-district



Table of Content

1. Introduction	1
1.1 The Concept of Domestic Violence	3
1.2 Historical Background	6
1.3 Objective of the Study	7
1.4 Rationale	7
1.5 Methodology	8
2. Review of Literature	8
3. Theoretical Background	14
3.1 Social-psychological Model of Domestic Violence	14
3.2 Socio-Cultural Model of Domestic Violence	15
4. Existing institutional laws and arrangements for domestic violence in Bangladesh	19
4.1 Laws to protect women	19
4.1.1 The Domestic Violence (Protection and Prevention) Bill-2010, Bangladesh	23
4.2 Government support services to end women violence	25
4.3 Other support services to end women violence	27
5. Empirical Findings	28
5.1 Age	28
5.2 Education and Employment	30
5.3 Social Class	30
5.4 Domestic violence Act, its execution and future	34
6.4.1 Background	34
6.4.2 Importance of the present Act	35
6.4.3 Obstacles to execute the present Act	36
6.4.4 Future of the present Act	37
6.4.5 The Act overall	37
6. Discussion	38
7. Recommendation and Conclusion	39
Bibliography	43
Appendix	49



List of Tables, Boxes, Figures & Maps

List of Tables

- Table 1: The Global Gender Gap index ranking of Bangladesh from 2006 to 2012
- Table 2: Socio-economic indicators (Women)
- Table 3: Bangladesh's GII for 2012 compare to other selected countries
- Table 4: Definition and existing laws of domestic violence from different countries
- Table 5: Dowry related violence against women in Bangladesh
- Table 6: Different types, forms, reasons and consequences of domestic violence
- Table 7: Private and public patriarchy
- Table 8: International legal framework on domestic violence (ratified by Bangladesh)
- Table 9: Major laws, actions or plans for protecting women in Bangladesh
- Table 10: Percentage distribution of the reported DV victims by their age
- Table 11: % distribution of reported DV victims by their age and causes of violence
- Table 12: Relations between the education level and forms of violence (both husband and wife)
- Table 13: Percentage distribution of social classes of the victims of reported cases
- Table 14: Forms and reasons of domestic violence in different social class

List of Boxes

- Box 1: UN definition of domestic violence
- Box2: The purpose of domestic violence legislation as per the UN framework for Model Legislation
- Box 3: Case study-1
- Box 4: Case Study-2

List of Figures

- Figure 1: No. of reported cases of domestic violence in Bangladesh, from 1982-2010
- Figure 2: A coordinated response system towards domestic violence

List of Maps

- Map 1: One-Stop Crisis Cells (OCCs) around the country



Acknowledgement

I wish to acknowledge my gratitude and thanks to Mr. Munir Uddin Shamim, the Former Senior Programme Manager of Institute of Governance Studies, BRAC University, who gave me intensive and in-depth support to write this paper. I also wish to acknowledge the financial support received from Institute of Governance Studies (IGS), BRAC University which made this study possible. Thanks are also due to Mr. Mr. Chanchal Mukharji, the Project Officer, and Ms. Carmen Miquel Acosta, the Research coordinator (Rule of Law project) of German Development Corporation (GIZ), and Mr. Kumrul Huda, the Rule of Law Specialist of Plan Bangladesh who are interviewed. Finally want to thanks all the victims interviewed and other agencies working with domestic violence issues helped by sharing database.



Abstract

Bangladesh has made significant stride as far as women empowerment is concerned reflected in various gender indicators. However, the country's progress has seen less satisfactory in one particular area and that is domestic violence. Over the year it was expected that domestic violence against women would decline in line with our steady urbanisation, higher literacy rate and economic well-being, yet contradicting with all these assumptions, the degree of violence is still on the rise. Among other factors, the patriarchal social structure where women are not treated as equal to men followed by economic backwardness, patriarch psychological domination, cultural or religious dogma and superstitions are some of the major issues considered as the major contributory factors inducing violence against women at home. Also the lack of proper enforcement of the existing laws is believed to be another major reason behind this higher prevalence of domestic violence against women. Addressing remedies to this backdrop, this paper looks into two dimensions of domestic violence one from sociological perspectives, and another from governance perspectives where it has focused on existing legal and policy framework. The available literature is reviewed to depict a scenario, highlighting the cross country experience that concerns the major factors contributing in domestic violence. The paper also delineated some policy recommendation to end domestic violence in Bangladesh.



1. Introduction

“Changes in mindsets and enacting laws were essential for ending domestic violence”
(Kamal cited in The Financial Express 2010)

Violence against women (VAW) is a pandemic problem around the universe. It is one of the most invasive of all human rights violations, refusing women equality, security, dignity, self-worth, and their right to enjoy fundamental freedoms (United Nations Children Fund [UNICEF] 2000). Violence against women is a cross cutting issue and no country can claim that they are free from domestic violence. According to United Nations Development Fund for Women [UNIFEM] country database (2011), more than 70 per cent of women experiences physical or sexual violence from men in their lifetime². Nevertheless, in South Asia it is a regular and deucedly fact for millions of women where most of the cases are trapped by the cultural structure and shaped by firm perceptions of patriarchy (Farouk 2005). There are multiple forms of violence including domestic violence, acid throwing, rape, sexual molestation, dowry deaths, suicide, trafficking and other psychological and financial oppression perpetuated in the living of a South Asian woman. Among all of them domestic violence is the most prominent (ibid.). An Oxfam International report (2004) claimed that one among every two women in South Asia is exposed to violence at her home. Domestic violence (DV) has presumed as one of the prior reasons to women’s physical and psychological injury all over the world which is no exception for Bangladesh.

Bangladesh belongs to patriarchal social structure which is interrelated with gender based violence. According to this structure women are defined as inferior; husbands are assumed to 'own' women, and to have the right to dominate them, if necessary by using force. Domestic violence is thus deeply embedded in patriarchal norms and attitudes about gender relations in Bangladesh. These attitudes are reinforced sometimes by the lack of government attention or at times by the existing laws which are not in favour of women (Mollah ca2005). However; according to Islam (2004) the patriarchal role of women is changing gradually due to changes in different social factors or indicators namely age at marriage, dowry situation, marriage registration, education, social mobility and sometimes women's rights. According to the Human Development Report of UNDP; Bangladesh has ranked 111 out of 148 countries in the year 2012 index (United Nations Development Programme [UNDP] 2013). However; the Gender Gap Index showed a very random statistics for Bangladesh (see Table 1).

² Available at http://www.unifem.org/gender_issues/violence_against_women/facts_figures.html Accessed in February 9, 2013



Table 1: The Global Gender Gap index ranking of Bangladesh from 2006 to 2012

Year	Rank
2012	86
2011	69
2010	82
2009	93
2008	90
2007	100
2006	91

Source: World Economic Forum 2012

Though since independence the country has experienced significant positive changes in different socio-economic indicators related to women development (see table 2). However, the recent Human Development Report revealed that Bangladesh is doing much better in reducing gender based inequalities and human development factors compare to other South Asian countries (see Table 3). Even though our constitution promises for equal rights to women [Article 10], women are facing violence and discrimination increasingly in different forms in our society. Over the year among other forms of VAW, domestic violence has become a major challenge in the field of women and development (Koenig *et al* 2003).

Table 2: Socio-economic indicators (Women)

Year	Socio-economic Indicators (Women)				
	Sex Ratio	Literacy Rate	Mortality Rate (15+)(per 1000)	Labour Participation Rate	Number of Parliament Member
1973-74	36.8	12.2	485.91	4.1	15
1980-81	43.6	13.2	388.06	4.3	32
1990-91	53.4	19.5	308.15	15.8	39
2000-01	60.2	33.4	168.71	23.9	6*
2010-11	71.1	64.12	137.17	36.4	63

*no reserve seat at the election for women

Source: Bangladesh Bureau of Statistics (BBS) 1974, 1981, 1991, 2001, 2011, National Election Commission Reports

Table 3: Bangladesh's GII for 2012 compare to other selected countries

	GII value	GII Rank	Maternal mortality ratio	Adolescent fertility rate	Female seats in parliament (%)	Population with at least secondary education (%)		Labour force participation rate (%)	
						Female	Male	Female	Male
Bangladesh	0.518	111	240	68.2	19.7	30.8	39.3	57.2	84.3
Pakistan	0.567	123	260	28.1	21.1	18.3	43.1	22.7	83.3
Nepal	0.485	102	170	86.2	33.2	17.9	39.9	80.4	87.6
South Asia	0.568	—	203	66.9	18.5	28.3	49.7	31.3	81
Low HDI	0.578	—	405	86	19.2	18	32	56.4	79.9

Source: UNDP 2013

This study is divided into five major sub-sections. The first section deals with the review of existing literature, narrating different trends, types, reasons and consequences of domestic violence from both



national and international arenas. Then the next section has taken the theoretical groundwork to support the empirical findings of the study. In the third section, different laws, rules and existing support services have been delineated to disclose the present legal framework and institutional arrangement for ending women violence. Then the main empirical findings have discussed in the fourth section. Finally some policy recommendations have been suggested in line with the study findings to end domestic violence against women.

1.1 The Concept of Domestic Violence

Domestic Violence can be described as misuse of power to control another in marital relationship. It is the establishment of power and control in a relationship through violence or other forms of oppression. Domestic Violence is not only physical like just hitting, or fighting, or an occasional argument. However, it could be psychological, sexual or economic. Although woman is the prime target, violence sometimes aims at children, and sometimes toward family members and friends (UNICEF 2000). Domestic violence has been directly linked to numerous kinds of immediate and long-term physical and psychological injury to women. Though the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) was adopted as a bill to the United Nations General Assembly (UNGA) in 1979 for VAW; it was the General Recommendation 19 (Article 16 and 5) in 1992 which for the first time consider domestic or family violence separately;

Family violence is one of the most insidious forms of violence against women. It is prevalent in all societies. Within family relationships women of all ages are subjected to violence of all kinds, including battering, rape, other forms of sexual assault, mental and other forms of violence, which are perpetuated by traditional attitudes. Lack of economic independence forces many women to stay in violent relationships. The abrogation of their family responsibilities by men can be a form of violence, and coercion. These forms of violence put women's health at risk and impair their ability to participate in family life and public life on a basis of equality³.

Followed by this recommendation, the UNGA's declaration (48/104) on the Elimination of Violence against Women (1993) states about family violence in its Article 2 (a) as;

Physical, sexual and psychological violence occurring 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 exploitation⁴.

Nonetheless the most significant UN resolution (58/147) came out as the Elimination of domestic violence against women in 2004 by the UNGA (see Box 1)⁵.

³ Available at <http://www.un.org/womenwatch/daw/cedaw/recommendations/recomm.htm> Accessed in 17 April 2013

⁴ Available at <http://www.un.org/documents/ga/res/48/a48r104.htm> Accessed in 16 April 2013

⁵ Available at <http://www.undemocracy.com/A-RES-58-147.pdf> Accessed in 16 April 2013



Box 1: UN definition of domestic violence

The UNGA (resolution 58/147) recognises domestic violence as;

- (a) That domestic violence is violence that occurs within the private sphere, generally between individuals who are related through blood or intimacy;
- (b) That domestic violence is one of the most common and least visible forms of violence against women and that its consequences affect many areas of the lives of victims;
- (c) That domestic violence can take many different forms, including physical, psychological and sexual violence;
- (d) That domestic violence is of public concern and requires States to take serious action to protect victims and prevent domestic violence;
- (e) That domestic violence can include economic deprivation and isolation and that such conduct may cause imminent harm to the safety, health or well-being of women;

Source: UN official website

Different countries have classified domestic violence differently (see Table 4). The following table mainly focuses on the existing definition and laws on domestic violence in different South Asian countries.

Table 4: Definition and existing laws of domestic violence from different countries

Country/Act	Reference	Definition of domestic violence
Bangladesh (The Domestic Violence [Protection and Prevention] Bill 2010)	Government of Bangladesh (GoB) (2010)	Domestic violence means physical, psychological, sexual or economic abuse against a women or children or by any other person of a family with whom the victim has been in family relationship.
India (The Protection of Women from Domestic Violence Act 2005)	Saikia (ca2006)	Domestic violence may be perpetrated by the lateral branch of the family whether they are related by blood, marriage, fosterage or adoption, or by intimate partners or legal guardians and the spectrum of domestic violence may include psychological, physical, sexual, financial and emotional abuse which may manifest itself as physical injury, the deprivation of food, money or other resources, intimidation, humiliation and degradation.
Nepal (Domestic violence [Crime and Punishment] Act 2008)	Forum for Women, Law and Development (FWLD) (ca2009)	Domestic Violence denotes any form of physical, mental, sexual and economic abuse perpetrated by any person to the other person with whom he/she has a family relationship. The definition also covers the acts of reprimand or emotional abuse.
Sri Lanka (Prevention of Domestic Violence [PDVA] Act 2005)	Wijeyesekera (ca2008)	The PDVA defines 'Domestic Violence' as an act which means an offence which contains against the human body, extortion criminal intimidation and attempt to commit any of the said offences; any emotional abuse (which means a pattern of cruel, inhuman, degrading or humiliating conduct of a serious nature directed towards an aggrieved person).

Domestic violence is a kind of violence against women by the intimate partner or family members which often occurs in private space and considered as a private matter by the society. After CEDAW another



UN recommended model framework for domestic violence named “A Framework for Model Legislation on Domestic Violence” in 1996 provides direction on the provisions which need to incorporate in the domestic violence legislation. This model recognises domestic violence as a serious crime against individual and society. It also caters to the platform for giving legal and physical support to victim and ensures punishment for the criminal according to the established law (UNIFEM 2003). This is a very impressive framework for combating domestic violence as it covers all the aspects of what a criminal offence should consider. This impressive legal framework has incorporated constitutional, civil, criminal and administrative law to mandate a variety of legal and non-legal measures to address prevention of violence, protection and support to survivors, as well as punishment of the person responsible for (see Box 2).

Box 2: The purpose of domestic violence legislation as per the UN framework for Model Legislation

- p) Comply with international standards sanctioning domestic violence
- q) Recognise that domestic violence is gender-specific violence directed against women
- r) Recognise that domestic violence constitutes a serious crime against the individual and society, which will not be excused or tolerated
- s) Establish specific legislation prohibiting violence against women within interpersonal and family relationships, protecting victims of such violence and preventing further violence
- t) Create a wide range of flexible and speedy remedies (including remedies under special domestic violence legislation, panel and civil remedies) to discourage domestic violence and harassment of women within interpersonal relationships and within the family and protect women where such violence has taken place
- u) Assure survivors of domestic violence the maximum protection in cases ranging from physical and sexual to psychological violence,
- v) Establish departments, programmes, services, protocols and duties, including but not limited to shelters, counselling programmes and job training programmes to aid victim of domestic violence
- w) Facilitate enforcement of the criminal laws by deterring and punishing the perpetrators of domestic violence
- x) Enumerate and provide by law comprehensive support service including but not limited to:
 - I. Emergency services victims of abuse and their families
 - II. Support programmes that meet the specific needs of victims of abuse and their families
 - III. Education, counselling and therapeutic programmes for the abuse and their families
 - IV. Programmes to assist in the prevention and elimination of domestic violence which includes rising public awareness and public education on the subject
- y) Expand the ability of law enforcement officers to assist survivors, to enforce the law in cases of domestic violence and to prevent further incidents of violence
- z) Train judges to be aware of the issues relating to child custody, economic support and security for survivors in cases of domestic violence by establishing guidelines for protection orders and sentencing guidelines which do not trivialise domestic violence
- aa) Provide for and train counsellors to support police, judges and victims of domestic violence and to rehabilitate perpetrators of domestic violence
- bb) Develop greater understanding within the community of the incidence and causes of domestic violence and encourage community participation in eradicating domestic violence
- cc) and victims of domestic violence and to rehabilitate perpetrators of domestic violence
- dd) Develop greater understanding within the community of the incidence and causes of domestic violence and encourage community participation in eradicating domestic violence

Source: United Nations Entity for Gender Equality and the Empowerment of Women [UN Women] 2011



whom the victim have been in family relationship. However; domestic violence is not occurs only in private sphere but can be happened in public. Again the UN considers only the state as an actor to take serious action, not the persons who involved in the violence. Some definitions have specified the reasons (i.e. India) though the reason can be vary from incidence to incidence and not necessarily confined to specific reason. Moreover there should be no mention of reasons in the definition except mentioning some common patterns (Physical or psychological) of the violence.

1.2 Historical Background

Domestic violence has been a social concern throughout the history. However the social and legal traditions have tolerated or even supported the physical assault of women by men. In ancient Rome, a husband could lawfully divorce, physically punish or even kill his wife. Any punishment to wife was called chastisement⁶. Before mid 1800s, most of the legal systems recognised wife beating as a valid exercise of husband's authority over his wife. The only exception to this was the *Body of Liberties of the Massachusetts Bay Colonists* which acknowledged that a married woman should be "free from bodily correction or stripe by her husband."⁷

However the modern attention to domestic violence began in the early 1970s with different women movements particularly within the contexts of feminism and women's right as concern about wives being beaten by their husbands gained attention. Since 19th century women got greater attention in the legal and political rights as such the right to vote (SCCADVASA 2011). The National Organisation for Women and other women rights based organisations in the western world started campaigns for raising public awareness to domestic or intimate partner violence. While 30 years back it was recognised as a private matter, today it is widely considered as a harmful social stigma.

Domestic violence can be described as misuse of power to control another in marital relationship in the socio-economic context of South Asia. However it was only in the early 1980s, when it started to be considered as an offence in the name of 'dowry related violence' but gradually get recognition widely by considering other major marital violence as domestic violence in Bangladesh (see Figure 1). Despite significant achievements in country's socio-economic context the rate of domestic violence is increasing and gradually becomes a major challenge to address. The figure below showed only the reported number cases of domestic violence starting from 1982 to 2010. However, it is important to consider that

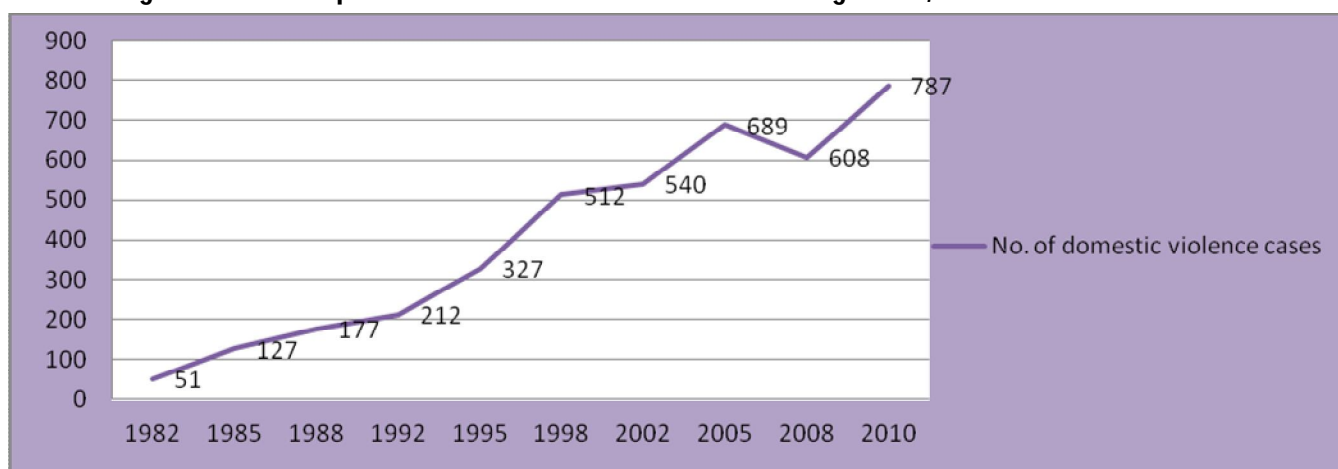
⁶ Available at <http://www.sccadvasa.org/domestic-violence-facts-and-stats/overview-of-domestic-violence.html> Accessed in 16 December 2012

⁷ Available at <http://history.hanover.edu/texts/masslib.html> Accessed in 16 December 2012



the cases of domestic violence are still under reported. Another contributory factor to the concurrent rise of reported cases could be the augmentation of social awareness in our society (as seen in the previous section with the progress of women in different socio-economic indicators). According to Khatun and Rahman (2012) domestic violence with its consequences are under-reported because it is considered as private or family matter. Similarly in male dominated society the acts of violence by the head of the family against any member is considered his authority and perceived as disciplinary measure. The society looks down upon a woman if she goes out to share the so called private matter or to complain against any violence which taken place in home. Thus cases of domestic violence either go unreported, as women are either embarrassed or are humiliated to talk about it.

Figure 1: No. of reported cases of domestic violence in Bangladesh, from 1982-2010⁸



Source: Ain o Shalish Kendro (ASK) 1999; Akanda and Shamim 1985; Bangladesh National Women Lawyers' Association (BNWLA) Documentation Unit, ASK Documentation Unit, Nari Pokhkhro documentation unit

1.3 Objective of the Study

The main objective of this paper is to explore and represent the hidden agenda of domestic violence against women in Bangladesh. This paper has tried to disclose two dimensions of domestic violence one from sociological perspectives, which is supported by the empirical findings and content analysis (newspaper scanning) and another from governance perspectives where it has focused on existing legal and policy framework, its implication, limitation to address domestic violence in Bangladesh. Finally recommend some policies to overcome the concurrent situation.

1.4 Rationale

The rationale for choosing this study is to explore factors that contribute to the increasing rate or incidences of DV despite the socio-economic progresses. Secondly, domestic violence is treated as

⁸ Dowry related violence has included as domestic violence.



private matter and people do not want to share with others or in the public sphere which allows the offense to remain under reported and neglected. This paper mainly focused on domestic violence as the most dominant even relatively hidden and neglected form of women violence. It aims to disclose the present context of domestic violence in Bangladesh along with the ethnographic and statistical evidences.

1.5 Methodology

The study is based on primary and secondary information collected from different sources. As methods to primary information source, it has picked Key Informant Interviews (KIIs), case study and content analysis. Ten KIIs have been taken with victims and some with the legal experts who were directly involved in the domestic violence Act formulation process. Interviews with the victims have been conducted to explore the factual evidence of domestic violence. Hence experts are interviewed to understand the process and urge of domestic violence law formulation. Moreover it helped the study to identify the loopholes to enact the present Act. However everyone spoke on the condition of anonymity. As content analysis 12 most popular national dailies (the Prothom Alo, the Shongbad, the Jugantor, the Ittefaq, the Janakantha, the Inqilab, the Amar Desh, the Shamakal, the Nayadiganta, the New Age, the Daily Star and the Independent) 6 months (from November 2011-April 2012) news clippings have been used. The newspaper clippings helped the study to get an idea about the overall picture of domestic violence in Bangladesh.

The secondary data sources are relevant books, journal articles, organisational reports, policy papers, working papers, government policy documents and documentation unit of different NGOs working on women issues like National Women Council, ASK, BNWLA, Naripokkho. In addition other necessary materials related to this issue were collected from websites. All the information and data were analysed to draw conclusion of the relevant objectives of the paper. Also used qualitative and quantitative data were cross checked from multiple data sources.

Though there are different forms of violence against women in the context of Bangladesh this study has limited its focus on domestic violence. Another limitation is the time constrain for which no field based survey could be conducted (except some KIIs). Also the study lacks any primary information from the rural areas of the country.

2. Review of Literature

Domestic violence is a very omnipresent and serious social curse equally for the developed and developing countries. Almost all the countries have experienced the increase rate of domestic violence



in last few decades. Different studies showed that around the world half of the women who die from homicides are killed by their intimate partners (Kruger *et al.* 2002).

One survey conducted in the United States named National Coalition against Domestic Violence (2009) reported that about 1.3 million women are subject to abuse by their intimate partner every year in United States where 81 per cent faced physical assault and 31 per cent assaulted sexually (National Coalition against Domestic Violence [NCAVD] 2009). A study conducted by UNIFEM in Afghanistan from January 2003 to June 2005 claimed that out of 1327 incidents of violence against women 44.4 per cent women were killed by their intimate partners (UNIFEM 2007). One representative (Renuka Chowdhury) from the Minister for Women and Child Development of India argued that about 70 per cent of the women in India are subject to domestic violence (British Broadcasting Corporation [BBC] News 2006)⁹. Again a World Health Organisation (WHO)'s multi-country study (in 2005) revealed that out of ten different countries more than 50 per cent women in Bangladesh, Ethiopia, Peru and Tanzania are subjected to either physical or sexual violence by their intimate partners except Japan which did 15 per cent (WHO 2005).

However the number of DV cases is still under reported due to social stigma in the context of Bangladesh as women report for DV only when it becomes a serious problem to their lives (Khatun and Rahman 2012). The Bangladesh Demographic and Health Survey (BDHS) (2011) argued that the prevalence of DV is difficult to assess due to the cultural context of Bangladesh (National Institute of Population Research and Training [NIPORT] 2011). About 13 per cent women experienced battering by their husbands in the past 12 months and 34 percent beaten at sometimes but not in the previous 12 months (*ibid.*). Similarly a study conducted by the International Center for Diarrheal Disease Research-Bangladesh [ICDDR, B] claimed that 60 per cent of women experience some sort of domestic violence during their lives in Bangladesh (ICDDR,B 2006). Moreover the Immigration and Refugee Board of Canada¹⁰ revealed that about 65 per cent of men are perceived wife beating as justified in Bangladesh (Immigration and Refugee Board of Canada, 2004).

The multi-country report (2005) by WHO defined physical violence as choking, burning and threatened or actual use of weapons. Similarly sexual violence is defined as physically forced into intercourse by a partner or forced by a partner into sexual behaviour (WHO 2005). However the Centre for Policy Dialogue (CPD) study (2009) revealed that there are mainly four types of domestic violence occurred in the context of Bangladesh including physical, psychological, sexual and economic (CPD 2009). It

⁹ Available at <http://news.bbc.co.uk/2/hi/6086334.stm> Accessed 17 April 2013

¹⁰ Available at <http://www.refworld.org/cgi-bin/texis/vtx/rwmain?docid=403dd1e40> Accessed 2 December 2012



identified physical violence as hitting, punching, kicking, hitting with an object, choking, burning, Acid throwing, hitting with a weapon and forced abortion. Sexual violence is categorised as marital rape, forced prostitution and refusal to have sex. For psychological violence it considered the threat of physical violence, insult, restricting mobility, abandonment and economic violence has defined as stopping food, stopping maintenance for victim, stopping maintenance for children, dowry demand, not allowing to earn money or force wives to earn (ibid.). However the BDHS (2007) considered slapping and pushing, shaking, throwing something at her as physical violence and the sexual violence as to force wives physically for sexual intercourse (NIPORT 2007).

Researchers found that factors associated with domestic violence connected with some individual, partner and social factors. They argued that domestic violence against women sometimes linked to women's individual attributes including age, education, economic autonomy, empowerment, previous victimisation and history of violence in parental family. Partner's attributes are like age, education, employment, use of alcohol or drugs, history of violence in parental family and level of communication with partner. The social context includes degree of economic inequalities between men and women, social attitudes towards gender roles, female independence or voice in the society (Khatun and Rahman 2012).

Dowry demand as one of the major inhuman practice results in domestic violence or violence related deaths. It involves women to be killed by her husband or in-laws as a consequence of not being able to meet the demands of dowry money. However, dowry murders mostly occurred in South Asia (UNIFEM 2007). Islam (2004) also claimed that dowry is one of the main reasons cited to explain domestic violence in South Asia. A study on rural South Asia reported that dowry becomes customary to most of the South Asian countries as wife abusing is more likely to occur when dowries are assumed to be inadequate (UNIFEM 2003). According to Telegraph online statistics 8391 dowry death cases were reported across India in 2010¹¹. Khatun and Rahman (2012) claimed that one of the major causes of intimate partner violence against women is the increasing prevalence of dowry which is strictly prohibited according to the Dowry Prohibition Act 1980 of Bangladesh. The table below showed that most of the dowry victims are aged between 19 and 30 (see Table 5). However it should be noticed that majority of the victims could not be identified irrespective of their age. Moreover the number of missing age of the victims increases over the year.

¹¹ Available at <http://www.telegraph.co.uk/news/worldnews/asia/india/9108642/Indian-dowry-deaths-on-the-rise.html>
Accessed 17 April 2013



Table 5: Dowry related violence against women in Bangladesh

Year	Age Group					Total	Case filed
	13-18 (except 2011)	19-24	25-30	30+	No mention of age		
2011	33	168	87	28	182	502	226
2010	17	131	85	21	141	395	51
2009	19	98	66	8	94	285	44
2008	10	117	59	7	103	296	42
2007	12	85	71	14	112	294	49

Source: Adopted from ASK documentation unit

Due to socioeconomic backwardness and treating women as the economic burden to the in-laws, dowry is widely rampant among all social sections in different forms. In addition to that envious character of men and society perpetuating dowry and abusing wives for not getting the expected dowry demand causes many deaths of women. And most of the cases women have to live with the obnoxious husband and in-laws by considering their socioeconomic dependency on men.

Another common reason of domestic violence is early marriage especially in Africa and South Asia. This is a kind of sexual abuse where young girls are forced to marriage at an earlier age and into sexual relations. Nevertheless economic reasons play significant role in such marriages as families believed it might help them to skip dowry demand (Khatun and Rahman 2012). One of the major factors contributing to this act of violence is early marriage as 57 per cent of the Afghan girls are married before the age of 16 (ibid.). According to UNICEF Bangladesh (2008) the rate of early marriage is still high in Bangladesh with 66 per cent of girls who are married before the age of eighteen and one third of girls are married before the age of fifteen¹². However, another study by Koenig *et al.* (2003) postulated that child marriage or early marriage which is mostly common in the rural areas in Bangladesh has the higher possibility of domestic violence.

The WHO's multi-country study found that among the factors contributed to domestic violence are individual or partner's age, is one of them (WHO 2005). Younger women, those aged 15 to 19 years, were at higher risk of physical or sexual violence, or both, by a partner all ten countries studied except Japan and Ethiopia. 48 per cent of women aged 15 to 19 reported physical or sexual violence or both by their partners in urban Bangladesh compare to 10 per cent of 45–49 years old. This pattern may reflect that younger men tend to be more violent than older men (ibid.). Khatun and Rahman (2012) argued that although woman's age showed no association with violence in the rural area of Bangladesh, in the urban area those in the youngest age group between 15 and 19 were more likely to violence than older women.

¹² Available at http://www.unicef.org/bangladesh/children_4866.htm Accessed in 12 April 2013



One study of the United States claimed that men who witnessed violence at their paternal home are more prone to violent behaviour with their partners (NCAVD 2009). Similarly another study by Naved and person (2005) revealed that in Bangladesh husband's violent behaviour is associated with the intergenerational experience which increases the chance of violence to his partner. Similarly women who have had the same experience of violence in her paternal family accept it as a common practice of the society (Naved and person 2005).

Hossain (2007) did one study mentioned that women are even abused by their husbands and in-laws due to the incapability of giving birth of a son and most of the cases women usually faces humiliation, verbal abuse, mental or physical torture, force to conceive again and again until a male child is natural, or husband divorces her or marries again. One study conducted on 190 rural women by Bhuiya *et al.* (2003) found that women faced violence for the reasons including wife questioned husband in day-to-day matters (29%), failure of wife to perform household work (11.5%) or not take proper care of children (10%), not conforming to veil or other expected behaviour (3%), refusal to bring money from paternal family (3%), and husbands day-to-day frustrations (2%). Some studies revealed that marital duration are associated with spousal violence. It claimed that the less the period of marriage, the more the chance of violence and the more the duration the less the chance of violence (Schuler *et al.* 1998; Koenig *et al.* 2003).

Khatun and Rahman (2012) argued that women in Bangladesh face violence for very minor matters and most cases without any specific reason which is the definite demonstration of inferior position of women in the patriarchal social structure. CPD (2009) revealed that the main reason of violence is the imbalance of power between men and women. A study of Hadi (2009) showed that higher education along with some other factors, influence respondents', both women and men's, patriarchal beliefs. The more educated men are the less likely to justify wife beating. Likewise, with higher education and employment women are less likely to believe that only men have power to decide on their behalf. The BDHS (2007) postulated that experience with violence is linked with the degree of education as husbands with no education are more likely to violence than those who are highly educated (62% and 38% accordingly) (NIPORT 2007).

Despite all common hypotheses a study conducted by Zaman (1999) revealed that two crucial facts in social and state systems rooted in traditions and culture which obstruct women's well being at every stage of life. The discriminatory or exploitative inheritance system as first and the existing marital laws system and its component of unilateral divorce right of husband (Zaman 1999). He argued that the uneven property right of women ultimately results discrimination and exploitation against women in



every sphere of life which is legitimised and reinforced by the existing socioeconomic system and increases women's helplessness and vulnerability to the male member of the family and causes domestic violence for lifetime. Again for marriage law only husband enjoy divorce rights and most of the women are in a threat of divorce in their marital life. Though in contemporary situation women can exercise their divorce right, but in practice it is very complicated in practice. A woman seeking a divorce has to go through extensive and difficult legal procedures, and suffers social stigma (Zaman 1999). However, Umberson represented a completely different notion that victims of domestic violence experience an increasingly diminished sense of control which leads to helplessness and vulnerable psychological conditions that disenable individuals from leaving abusive relationships. Also the individual who initiates this act of violence is characterised by low sense of personal control (Umberson *et al.* 1998).

Notwithstanding all the above findings the recent BDHS (2011) found that the most prominent reason for wife beating in Bangladesh (about 22 per cent) is arguing with husbands followed by neglecting children (19 per cent). Eight per cent women confessed that refusing to have sexual intercourse as the reason of battering whereas only four per cent of women reported about not burning food (NIPORT 2011).

As consequences of domestic violence different studies have highlighted tangible and intangible costs. Tangible costs are counted as health care cost of the victims in terms of physical or psychological health. Also the economic cost (loss of working days/ earning) is considered both at household and national level. He economic costs can be direct and indirect (as hidden cost). There are economic costs as medical health cost, social service cost, displacement cost, cost due to lost working days, court and other legal procedural costs and bribe (took by police) (CPD 2009). Also there are some social consequences such as the victims faces social condemnation (shame and dishonour), rejection from family/society and deprivation from education or battered people in a weaker position that they could not show that to others due to social prestige and higher chance of marriage break. Intangible consequences can be the costs of pain, sufferings and morbidity (*ibid.*).

Table 6: Different types, forms, reasons and consequences of domestic violence

Types	Forms	Reasons			Consequences
		Individual (Victims)	Partner (Perpetrators)	Social	
Physical	Hitting, punching, kicking, hitting with an object, acid throwing, forced abortion, slapping, pushing,	Intergenerational experience, age, educational background, lack of social and	Diminishing sense of personal control, social and economic	Dowry, early marriage, social contracts like Marriage Registration	Economic cost a. Household level b. National level



	shaking, throwing something at her, chocking, burning, threatened or actual use of weapon, forced to take child again and again	economic autonomy, family pattern, religious views, failure of wife to perform household work, not take proper care of children, not conforming to veil or other expected behaviour, refusal to bring money from natal family, incapability of giving birth of a son, socio-economic dependency, disobedient to husbands, not burning the food	status, family pattern, religious views, employment pattern, conforming to veil or other expected behaviour, day-to-day frustrations, infidelity, lack of communication with partner, excessive alcohol or drug use, envious character of the men, duration of marriage	law, existing marital laws system, discriminatory or exploitative inheritance system, uneven property right of women, demonstration of inferior position of women, imbalance of power, social perceptions, religious superstition like Fatwa, social image or prestige	<ol style="list-style-type: none"> 1. Medical Support/ Heath care cost, <ol style="list-style-type: none"> a. Physical b. Psychological 2. Social service cost 3. Displacement cost 4. Cost due to lost working days 5. Court and judicial legal costs 6. Bribe <p style="text-align: center;">Social Cost</p> <ol style="list-style-type: none"> a. Social condemnation (Shame and dishonour) b. Embarrassment or harassment c. Chance of marriage breaks <p>Also the costs of pain, sufferings and morbidity.</p>
Sexual	force wives physically for sexual intercourse or marital rape, forced wives into sexual behaviour, forced prostitution, refusal to have sex				
Psychological	Emotional abuse, husband's violent behaviour, the threat of physical violence, insult, restricting mobility, abandonment				
Economic	Topping food, stop giving cost of family maintenance ,stop giving maintenance for children, dowry demand and not allowing to earn money or force to earn				

Source: Adopted from literature review

3. Theoretical Background

Several researches have been conducted to find out the major cause behind domestic violence but yet to discover the correct answer. However to have a very cursory knowledge of it theoretical analyses is incumbent. This paper has presented the theories grouped into models as such the social-psychological model and the socio-cultural model.

3.1 Social-Psychological Model of Domestic Violence

This model is mainly encouraged by the social learning theory. It tried to analyse the external factors which affect family like mental stress, family structure or intergenerational experience of wife beating. It also believes that biological superiority of men inspire them to act violently. Burgess and Draper (1989) illustrates that individual perform in certain way to ensure that their inherent (genetic) superiority will transfer to next generation. However Smuts (1992) argued that men's aggression against women postulates the result of men's reproductive urge and men use aggression against women from kind of intimidation. Thus it has been seen from different experience that men assume as the bread earner of



the family due to the biological superiority or sometimes due to the feeling of inferiority which ultimately encourage them to beat wives.

Some of the theorist believed that violence is a learned behaviour and can have the influence of other situational factors. O'Leary (1988) explains that violence is a learned behaviour and can be precipitated through contextual or situational factors such as mental stress, violent behaviour, aggressive personality, drug or alcohol abuse, marital infidelity or illegal relationships. However the most dominant notion of the social learning theory is the intergenerational transmission of family violence which explains that people who have experienced physical family aggression in their childhood have a greater probability of living in a violent domestic situation later on in life (Straus, Gelles and Steinmetz 1980; Pagelow 1981; Groth 1983; Kaufman and Zigler 1987). Thus it has been assumed that the environment or social context in which family development occurs and where family resides is a big contributory factor to DV. Moreover domestic violence happens when the parents, children or the family mismatched with the neighbourhood or community context. With complete opposite notion Gelles (1987) states that, "To put it simply, people hit family members because they can".

Thus this model presumed that violence can be an ideological or psychological practice or can be a learned behaviour from society or family.

3.2 Socio-Cultural Model of Domestic Violence

This model mainly focuses on the role of men and women in the society. It also highlights the cultural attitudes towards women and the acceptance of violence as family or private matter in the society. This model mainly tries to find some causes of domestic violence with theories like the patriarchal theory as one of the root causes.

a) Patriarchy and its relation with domestic violence

Patriarchy is a social and ideological construct denotes the rule of the father of a male-dominated family. It refers a society where the father (bread earner) ruled not only the women but every member of the family. The patriarch¹³ power mainly derived from his ownership of wealth. According to the traditional view patriarchy is determine by the biological distinction of men and women and their social roles where men considers (who are the patriarchs) as superior to women (Ray ca2005).

This model has taken the arguments of Hartmann (1979) and German (1981) of patriarchal theory to understand the core relation of patriarchy and domestic violence. According to Hartmann (1979) patriarchy is "a set of social relations between men and women, which have a material base, and which,

¹³ The control of dominating



through hierarchical, establish or create interdependence or solidarity among men that enable them to dominate women". She further explained that the base upon which patriarchy establishes is the men's control over women by labour power as all the social structures enables men to control women's labour and this power is controlled by the refusal of women's access to necessary economic resources or activity. However German (1981)¹⁴ argued that there are mainly two dimensions of patriarchy such as ideological or economic. There is a connection in between the economic basis and the ideas arise in a society. He argued that consequence of the supremacy of ideas or of a succession of ideas and men use to behave violently as they think themselves as the superior which ultimately outweighed the economic autonomy of women (ibid.).

Hamilton (1978), states that patriarchal mode defines the system of male domination or female subjugation in any society and it has a historical basis of its own. According to the Marxist argument patriarchy is a social structure where "male shall dominate female". Human beings are living with patriarchy which has no biological basis but gender roles are socially constructed. They again postulate that capitalism is the fundamental structure which serves patriarchy (Engles 1884)¹⁵. Engles wrote, "It is based on the supremacy of man, the express purpose being to produce children of undisputed paternity; such paternity is demanded because these children are later to come into their father's property as his natural heir" (ibid.).

The notion of patriarchy can also be linked with the "hegemonic masculinity" theory (1982) adopted by Connell's acceptance of the essential feminist insight that the relations between men and women involve oppression and domination. Connell's hegemonic masculinity is a type of external hegemony and connected to the institutionalised power relation of men's dominance over women. He highlighted three different relations how men dominate women. Firstly; the labour relations concedes material advantages served by labour market, then the power relations by which men control the mean of institutionalised power through state and thirdly emotional attachment defined as men is superior over women through society (Demetriou 2001).

This study has considered patriarchal theory as one of the main defense to establish the arguments of the paper. Patriarchal notion is historical which has accepted the men domination over women as embedded. The argument of this paper is mainly inspired by the notion of patriarchy which is the root causes of domestic violence context of Bangladesh. Some women have argued that men try to benefit from women's oppression, and believe that they are able to do so because of the fundamental biological

¹⁴ Available at <http://www.marxists.org/history/etol/writers/german/1981/xx/patriarchy.htm> Accessed 12 November 2012

¹⁵ Available at <http://www.blacksacademy.net/content/2978.html> Accessed 4 February 2013



differences between the sexes where the basis for patriarchy lies. However, other theorists bring down different sectoral examples to narrate the existence of patriarchal practice in every sphere of life.

A Feminist notion to Patriarchy: Individual to state

Feminism is an awareness of patriarchal control, exploitation and oppression in the family, work place, society or state as a whole. This is more or less a struggle to achieve equality for women in home and outside. According to the feminist notion patriarchy is the ultimate reason of all violence against women. During last few decades with the emergence of the feminist school in the 1960s or 70s domestic violence has started consider in detailed discussion. In the early modern feminist work patriarchy was identified as the only cause of all forms of violence against women in the social construction which mainly stimulate violence (Tracy 2007).

Sylvia Walby (1990) argued that patriarchy is a type of social structure and practice where 'men dominate, exploit and oppress women'. Thus patriarchy promotes hierarchical and iniquitous power relations in between men and women where women treated as subordinate to men. Sigmund Freud mentioned that for women "anatomy is destiny". Naturally, violence against women is explained in terms of power struggle, for feminists in a patriarchal society those with all the power (males) must resort to violence when their position of dominance is endangered. This feminist perspective on domestic violence is almost the same.

Several feminists' stated that "domestic violence is a consequence of patriarchy, and part of a systematic attempt to maintain male dominance in the home and in society" (Knickmeyer *et al.* 2003). However many religious feminist argued that patriarchy is the major cause of violence against women. Similarly, Ruether (1989) argued that "Domestic violence against women (wife battering or beating) is rooted in and is the logical conclusion of basic patriarchal assumptions about women's subordinate status."

According to the radical feminist both the biological and social structure are significant in domestic violence. They argued that the biological difference might have some difference in gender roles but this should not be the only basis of the sexual hierarchy for men. There must be some historical socio-economic and political processes of the society by which men oppress women (Ray ca2005).

Hence not only individual but state can be patriarchal in nature as well. The radical feminist school presents a strong patriarchal state and illustrates the state as the oppressor itself and the state as a social structure and body not only serves men's interest but inherently gendered in nature (Zajicek and Calasanti 1998). Through family, church and institute men secure women oppression and each of these institutions justifies women's subordination to men (Mandell 1995 cited in Ray ca2005). However,



according to Connell (1982) the state is “not essentially patriarchal” but is “historically patriarchal”. Connell’s notion of historically patriarchal state explains state from an outcome denaturalised outcome of social struggle rather than natural reality. The liberal feminist school argued that state’s structure is not inherently patriarchal but it is representing the interests of the dominant group of the society and as men use to be the powerful group, the state acts as the agent for their interests (Peterson and Runyan 1993 cited in Zajicek and Calasanti 1998). Likewise Walby (1990) argued that state has a systematic way of bias towards patriarchal interests in its policies and actions.

Thus not only individual but the state itself can be patriarch in activities. The existing system of a country or the rule and regulations can be male dominating in nature. Sometimes the state forces can be patriarch in nature or act.

The debate of public and private

There is a debate on whether domestic violence is a public or private matter. Men think that battering wife is a private matter and it should not be open up to public. The notion of private or public is mainly encouraged by the concept of patriarchy. Walbe (1990) explained that there are two forms of patriarchy private and public which involve a change both in relations between the structure and within the structure. Private patriarchy is mainly concerned with the women’s oppression at the household level whereas the public patriarchy based on the oppression at market or state level. It is presumed that private patriarchy is more dominant (see Table 7). The liberal feminist school explains patriarchy or male violence from a psychological view whereas the Marxist feminist explains it from social class context. Gelles (1987) argued that the absences of social controls over the family relations enhance the possibility of engaging family violence. Also privacy as a phase of the family unit with low intervention possibility amplifies the chance of engaging in violence for the family members.

Table 7: Private and public patriarchy

Form of patriarchy	Private	Public
Dominant structure	Household production	Employment/State
Wider patriarchal structures	State/Sexuality/ Violence/Culture	Household production/Sexuality/ Violence/Culture
Mode of expropriation	Individual	Collective
Patriarchal strategy	Exclusionary	Segregationist

Source: Walde 1990

Though this paper has taken two models to establish its arguments, the main theoretical foundation has been established on the theory of patriarchy. It believes that not only individual but the state forces as well act as patriarch towards women. The paper also considered the conception or debate of private and public as men use violence against women as a matter of their private autonomy.



4. Legal Framework and Institutional Arrangements for domestic violence in Bangladesh

During last few decades many global initiatives have taken to promote women's right worldwide as domestic violence is a universal problem across the regional boundaries. It has been a persistent problem manifested as historically unequal power relations between sexes and is regarded as one of the major public policy concerns. Moreover any type of violence can be serious human rights violation whether it is in private or public sphere (UN Women 2011). Different rules and laws have been initiated in both national and international arena. An UN study (2006)¹⁶ on All Forms of Violence against Women of UN explored that 89 states around the world had some form of prohibition on domestic violence while 60 had specific domestic laws. In India the domestic violence law has been passed only in 2005 followed by Nepal and Bangladesh passed in 2008 and September 2010 respectively.

4.1 Laws to protect women

The Universal Declaration of Human Rights (UDHR) was adopted in 1948 specifically which recognise the equal right of men and women in its Article 1, 2 and 7. The right to equality is also acknowledged in the International Covenant on Civil and Political Rights (ICCPR) and in the International Covenant on Economic, Social and Cultural Rights (Article 3). Bangladesh has ratified all these declaration and conventions except Article 19 of the UDHR and ICCRP which are concerned with the right to freedom of opinion and expression. It is only September 2000 when Bangladesh ratified Article 19.

Though the UN General Assembly passed several treaties and declarations, even declared a decade (1975-85) for women, but the most important one was the CEDAW ratified in 1979 by 187 states out of 192 to date. CEDAW is the first formal instrument for protecting women's human rights which legalised elimination of all sort of violence against women and it obligates state as the only actor to ensure equal right to men and women, protection of discrimination against women and legal framework to address the prevailing inequality or discrimination that are perpetuated in the social structures, laws and institutions (UNIFEM 2003). At the same time it recognised domestic violence as a criminal offence include mandatory arrest and 'no drop' prosecution policies, and measures to encourage survivor participation in criminal proceedings, such as the implementation of witness protection programmes. Under the obligation of CEDAW state is responsible for taking different preventive measures to stop domestic violence like public information sharing, educational programme offer and so on. Though CEDAW considers only 'state' as an obligatory body for the discrimination of women, the General

¹⁶ Available at <http://www.un.org/womenwatch/daw/vaw/SGstudyvaw.htm> Accessed in 2 December 2012



Recommendation 19 (adopted by CEDAW committee) in 1992 included firstly the non-state actors to perpetrate gender based violence (United Nations Population Fund [UNFPA] 2003).

Bangladesh has ratified CEDAW in 1984 with reservations of Articles 2 and 16.1. (c). The Article 2 states that all the existing laws which are subject of discrimination should be abolished and new laws and new legal protection regulations need to establish for taking appropriate measures to stop discrimination against women. Afterward the Beijing Platform for Action (1995), the government started considering violence against women as a major issue and as a part of that it has endorsed the Platform for Action (PFA) without any reservation (see Table 8). Moreover, a National Action Plan (NAP) was drafted in 1997 which identified action against violence against women as a priority area to intervene by government. Similarly the Fifth Five-Year Plan (1997-2002) has identified some measures towards eradicating violence against women. Similarly, the Sixth Five-Year Plan (2011-2015) has focused on gender parity, women's equal right and women empowerment. The first national women policy was formulated in 1997 on the basis of CEDAW and Beijing Platform for Action. Later National Women Development Policy has been adopted in 2011.

Table 8: International legal framework on domestic violence (ratified by Bangladesh)

Laws	Provisions
CEDAW, 1979 (Reservation on Articles 2 and 16.1. (c).)	<p>"...any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field".</p> <ul style="list-style-type: none"> - States shall be commit themselves to undertake some measures including incorporate principles on equality of men and women and abolish other laws discriminatory against women. - It shall establish tribunals and public institutions to ensure protection of violence against women. - It realises that equality between men and women through ensuring women's equal access, opportunity in political or public life. - It is the only human rights treaty which affirms the reproductive rights of women and targets culture and tradition as influential forces shaping gender roles and family relations.
Beijing Platform for Action, 1995	<p>"violence against women" means any act of gender-based violence that results in physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, and other traditional practices harmful to women, non- spousal violence and violence related to exploitation.</p> <ul style="list-style-type: none"> - Violence against women is one of the crucial social mechanisms by which women are forced into a subordinate position compared to men. - Violence against women is a demonstration of the historically unequal power relations between men and women which have led to domination over and discrimination against women by men.



	<ul style="list-style-type: none"> - Developing a holistic and multidisciplinary approach to the challenge the task of promoting families, communities and States that are free of violence against women is necessary and achievable. - Governments and other actors should promote a doable and visible policy of mainstreaming a gender perspective in all policies and programmes
--	---

However, the constitution of Bangladesh itself pledges equality for men and women in every sphere of life. Some other major laws such as Child Marriage Restraint Act 1929, Muslim Family Laws Ordinance 1961, Muslim Marriage and Divorce Registration Act 1974, Dowry Prohibition Act 1980, the Cruelty to Women (Deterrent Punishment) Ordinance 1983, Family Court Ordinance 1985, the Prevention of Women and Children Repression Act (1995 amended in 1997 and 2000) and National Child Policy 2011 (see Table 9).

Table 9: Major laws, actions or plans for protecting women in Bangladesh

Laws/Action/Plan	Provisions
The constitution of Bangladesh (Article 10, 28 and 29 respectively)	<p>Participation of women in national life.</p> <ul style="list-style-type: none"> -Steps shall be taken to ensure participation of women in every spheres of national life - Women shall have equal rights with men in all spheres of the State and of public life. - There shall be equality, irrespective of religion, race, caste, sex, of opportunity for all citizens in respect of employment or office in the service of the Republic.
Child Marriage Restraint Act 1929 (start practicing from 1983, amendment in 1984)	<p>It is expedient to restrain the solemnisation of child marriages.</p> <ul style="list-style-type: none"> -According to this law "child or minor" means a person who is a male under twenty-one years of age, and a female is under eighteen years of age. -Contracts of a child marriage shall be punishable with simple imprisonment which may extend to one month, or with fine which may extend to one thousand Taka, or with both.
Dowry Prohibition Act 1980 (amended by Dowry Prohibition Ordinance 1982)	<p>"Dowry" means any property or valuable security given or agreed to be given either directly or indirectly in marriage.</p> <ul style="list-style-type: none"> - If any person, after the commencement of this Act, gives or takes or abets the giving or taking of dowry, he shall be punishable with imprisonment which may extend to five years and shall not be less than one year, or with fine, or with both. In this Act Dowry has defined as a criminal offence by the Code of Criminal Procedure, 1898 (Act V of 1898), where
The Cruelty to Women (Deterrent Punishment), 1983	<p>This is a special law providing deterrent punishment to any offences against women.</p> <p>This offence includes kidnapping, trafficking, dowry death, rape, torture and so on. All the offences under this ordinance should be trialed by criminal courts.</p>
Family Court Ordinance 1985	<p>The Family court ordinance is an ordinance to establish Family Courts at different district and Thana level.</p> <ul style="list-style-type: none"> - This ordinance considers the matters namely, dissolution of marriage, restriction of conjugal rights, dower, maintenance, guardianship and custody of children.
Women and Children Violence (special rule) Law, 1995	<p>This law was enacted to provide special provisions on certain heinous act against women.</p> <p>It mainly divided all punishable offences into two categories: crimes and attempt to commit crime. Murder after rape or gang rape, deaths due to rape or gang rape, causing death for dowry and causing grievous hurt by burning, corrosive or poisonous substances.</p>
National Action Plan, 1997	<p>End physical, mental and sexual harassment at the family and social level, rape, prostitution of women, dowry and violence against women</p>



	-Amend the existing laws and ensure participation of women in the judiciary system and policy force to implement laws properly.
Fifth Five-Year Plan, (1997-2002)	This plan suggested one important measure to women violence -The elimination of all sorts of violence against women and for the treatment and rehabilitation of violence survivors.
Sixth Five-Year Plan, (2011-2015)	This plan has focused on the overall rights of women, achieve gender equality and empower women, and include women in the mainstream of development activities. -Government should consider different international laws to establish women's right. - The major target is to eliminating violence against women and the party the police, the administration and the judiciary will be sensitised to apply CEDAW with provisions in cases of VAW and women's rights. -To strengthen women's participation economic decision making ever consider integrating gender issues in national planning and budgetary process.
Prevention of Women and Children Repression Act 2000	This law was formulated to protect women and children from heinous crimes such as rape, dowry, severe injury and so on. -This law has provision for the punishment of sexual abuse and sexual harassment. It also has put restrictions on the media for protecting the victims' privacy. - This act has introduced capital punishment for rape, and grievous injuries.
Domestic Violence (Protection and Prevention) Bill 2010	See section 5.1.1
National Child Policy 2011	Development of the Female Children. - Steps shall be taken to remove or eliminate the existing discrimination in between the male and female child a fact in our socioeconomic perspective. - All discriminatory behaviour towards female child shall be eliminated and gender equality in the family be ensured - Necessary arrangements shall be ensured so that the female children do not victimise of any sexual harassment, pornography and physical and mental abuses in various situations such as in the streets including inside educational institutions or family
National Women Development Policy 2011	To eliminate all forms of discriminations including physical and mental abuse and sexual harassment, rape, dowry, family abuse and acid throwing in family, society and in the workplace to women in recognition of the fact that men and women are equal in all the areas of human rights and fundamental freedom as such socio-political, economic and cultural freedoms. - To take necessary steps to publicise and implement the Convention of the Elimination of All Forms of Discrimination Against Women (CEDAW). - To extend legal support to women victim and to make enforcement of justice by trained the judiciary and the Police department. - To give necessary support and assistance through the one-stop crisis centres (OCC) at the divisional towns and through women support centres in prevention of abuse of women and to take necessary steps to expand OCC at the district level. To increase activity of National Trauma Counselling Centres to give the women victim of abuse mental support and assistance. To extend necessary assistance through the Ministry of Women and Children Affairs, National Women Organization and Department of Women Affairs. - To raise widespread awareness in prevention of abuse of women in all the levels of the society through integrated initiative with the NGOs and take appropriate initiatives in bringing about changes the male dominated thought process. - To create widespread public awareness by the mass media in prevention of abuse of women.

Source: Adopted from different national laws, plans and policies



However the most significant Act on family violence is the Domestic Violence (Protection and Prevention) Bill passed in October 2010 in national parliament and came into force on December of the same year. This Act has recognised domestic violence as a criminal offence for the first time.

4.1.1 The Domestic Violence (Protection and Prevention) Bill-2010, Bangladesh

a. Definition:

The Domestic Violence (Protection and Prevention) Bill-2010 is the first momentous national initiative of Bangladesh. According to the definition of the Bill (mentioned in section-3) domestic violence means abuse in terms of physical, psychological, sexual or economic losses against women or children of a family by one person or by any other person with whom the victim has been in family relationship; irrespective of the physical location where that offence takes place (GoB 2010). According to this act physical abuses are such which cause bodily pain, harm or danger to life, limb or health. The psychological abuses are considered as verbal abuse, harassment or controlling behaviour. Sexual abuse includes any conduct of sexual nature or economic abuse includes deprivation from all economic resources, not allow to use daily necessities, deprivation or transferring legal rights or assets of victims without consent.

b. Duties and responsibilities of different stakeholders:

The sections 4 to 9 have mentioned duties and responsibilities of multiple stakeholders involved in the execution of the act. Article 4, 5 and 6 of the Act pointed that after receiving a complaint, the police officer or the enforcement officer or the service providers should inform the victim about the available services including medical or legal service and grant a Protection Order or any other legal Order. The court even can pass a rule to compensate victim's injury or damage or any economic loss due to domestic violence. The duties of a police officer have been mentioned in the section 4 where it has given the authority to police as a supportive agency. Also an enforcement officer (section 6) shall be appointed under the supervision of the court in each upazila to assist the victim to the total procedure starting from assisting in court discharge or functions, providing report, inform the local police station, make application to the court, ensuring legal or psycho-socio services, shelter homes and medical facilities within the jurisdiction of the court.

Moreover the act (section 7) has also included any voluntary social welfare agencies, non-profitable companies or non-governmental organisations (NGOs) (working with women and children rights protection) as service provides to protect the human rights especially the rights and interests of women and children by any lawful meaning including legal, medical, and financial or any other aid.



c. Interim protection or protection order:

According to this Act any women or children or handicap adult can be subject to domestic violence, any victim who has been family relationship with the respondent can seek protection. The victim can lodge complaint with a judicial or metropolitan magistrate seeking protection from such violence or any person can lodge complaint on behalf of the victim to an application form under section 11. If the court satisfied with the supporting documents it calls a show cause notice to the perpetrator to reply within 7(seven) working days why permanent protection order shall not be issued against him which is called an interim protection order (Section 13). According to the section 14 the court could may, after giving the parties an opportunity of being heard, satisfied that domestic violence has taken place or is likely to take place, issue a protection order in favour of the victim and issue order restraining the respondent. This order may includes acts like prohibiting any act of domestic violence, entering any protected person's place of employment, educational institute or any other institution which the protected person ordinarily visits, prohibiting all type of communication with the protected person.

d. Residence order:

According to section 15, the court may restraining the respondent from residing or visiting the shared residence or specified part thereof where the victim resides however the Enforcement Officer will arrange for a safe shelter or safe place for the victim and her children.

e. Compensation order:

The section 15 mentioned that if there is any personal injury or financial loss or trauma or psychological damage or damage to movable or immovable property or any possibility of such damage or loss as a result of domestic violence, victim may file a claim for compensation either along with the application under section 11 or separately later on. The amount of compensation may decide by the provisions of the Public Demands Recovery Act, 1913(Bengal Act III of 1913)

f. Penalty order:

The breach of protection order by the respondent shall be considered as an offence (section 30) and shall be punishable with imprisonment which may extend to 6(six) months, or with fine which may extend to 10(ten) thousand Taka, or with both. The repetition of any offence shall be punishable with imprisonment which may extend to 2(two) years, or with fine which may extend to 1(one) lac Taka, or with both. However under section 31 the court may (instead of passing an order of sentence against the respondent under section 30) pass an order to perform various welfare services by the respondent and responsibility may be vested upon any institution or organization to supervise such services. Again the section 32 mentioned about the punishment of a false compliant he/she shall be punishable with imprisonment which may extend to one year, or with fine which may extend to fifty thousand Taka.



g. Other mentionable sections:

There are some other sections considered some important issues as section 21 and 22 mentioned about trial and procedure of trial accordingly. It contained anything in the Code of Criminal Procedure or in any other law for the time being in force, any application or trial of an offence or any proceeding under this Act shall be trialed by a First Class Magistrate or where applicable, by a Metropolitan Magistrate. Also according to the section 36, government has the power to make rules by notification in the Official Gazette for the purpose of carrying into effect the provisions of this Act.

4.2 Government support services to end women violence

Beside that during last two decades, different organisations both government and nongovernment along with some feminist institutions have been trying to promote public awareness against domestic violence in Bangladesh. Unfortunately, most of those approaches were incorrectly designed to reduce spousal violence in our patriarchal society where women were traditionally subject to exploitation by men. Although the conventional approaches were largely inactive in producing desired result, microcredit-based productive activities introduced by different NGOs regarded as successful because of their extensive planning and intervention at the grassroots level (Amin & Bayes 1996; Schuler & Hashemi 1994 quoted in Hadi 2005).

The Bangladesh government established a ministry named Ministry of Women Affairs in 1978 to fulfil its commitments towards women development. Moreover in the same year women sector was for the first time included in the development program under the Two Year Development Plan. Later in 1994 government reallocated the responsibilities of the ministry and renamed it as "Ministry of Women and Children Affairs". Nevertheless Bangladesh is one of the few countries around the world have a separate ministry which work for establishing the rights of women and children. The main aim of this ministry is to empower and ensure participation of women and children through different socio-economic and awareness building activities for development¹⁷.

Over the year the government of Bangladesh has taken several steps to stop women violence. It has set up a violence prevention cell called "Nari Nirjaton Protirodh Cell" under the police headquarter to take cases particularly cases on women violence in 1993. Similarly the Ministry of Home Affairs inaugurated another cell called "Women's Investigation Cell" on pilot basis. The main responsibility of this cell was to investigate cases filed under Repression against Women and Children (Special Ordinance) 1995.

Likewise, a multi-sectoral programme on violence against women has been taken to coordinate the role of National Action Plan on Violence against women. The main purpose of this project is to support the

¹⁷ Available at http://www.mof.gov.bd/en/budget/11_12/mtbf/en/30_Women.pdf Accessed in 12 April 2013

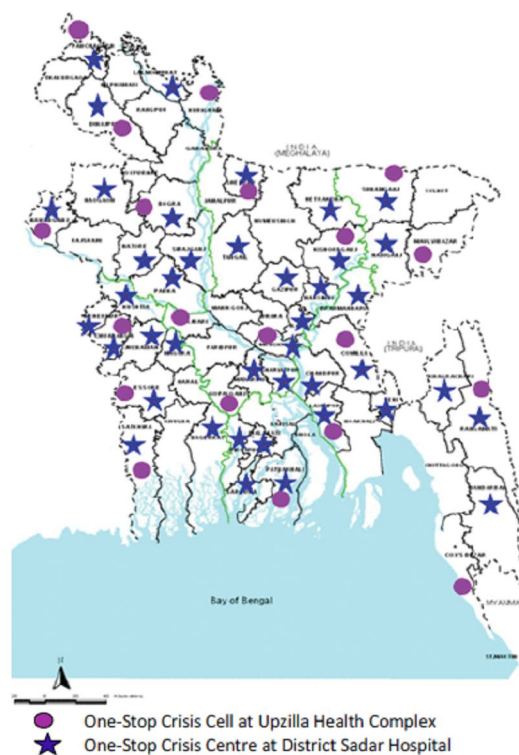


government to decrease the incidences of violence against women and children and improved redress through joint collaboration between relevant ministries and non-government agencies. Under this programme six main fields, i.e., (i) legal arrangements, (ii) social awareness and mental transformation, (iii) advancement of women's socio-economic status, (iv) protective services, (v) curative and rehabilitation services, (vi) inter-sectoral cooperation and (vii) community involvement. It also initiates national, divisional and upazila level consultation meeting with various stakeholders at all levels. This programme is being implementing jointly by the government of Bangladesh and Government of Denmark under the Ministry of Women and Children Affairs, Bangladesh. This project has already completed its second phase on June 2011. Now it is in its third phase which will continue till June 2016. There are many components under this multi-sectoral programme and one of them is the One-Stop Crisis Centre (OCC) in the Medical College Hospitals (MCHs).

The idea behind this OCC is to provide all required services to a victim in one place. The main services covered by the OCC are health care, police assistance, DNA test, social services, legal assistance, psychological counselling and shelter service and so on. There are 8 OCCs in Dhaka, Rajshahi, Chittagong, Sylhet, Barisal, Khulna, Rangpur and Faridpur Medical College Hospitals. All these OCCs are located at the divisional level thus major portion of victims cannot be able to get service by these few centres. Hence, around the country 60 One-Stop Crisis Cell (OCC) were established including 40 in District Sadar Hospitals and 20 in Upazila Health Complexes to extend the service coverage for the women and children victims (see Map 1).



Map 1: One-Stop Crisis Cells (OCCs) around the country



Source: MSPVAW 2013¹⁸

4.3 Other support services to end women violence

There are many NGOs who working with women related issues and providing free legal, medical, economic and other humanitarian or logistic support services to the victims. They sometimes offer loan schemes through micro-credit and self-employment training to women. Some local NGOs like ASK, BNWLA, Naripokkho, Marie Stops Clinic Society, Bangladesh Women's Health Coalition (BWHC), Bangladesh Legal Aids Trust (BLAST) and Bangladesh Women Council which provide legal and human rights protection to women. NGOs also provide package of support services such as primary education, legal support, essential health care service and skill training. All these development efforts raise our social consciousness; enhance the literacy level and ensure economic well-being. The participation of poor women in NGO-led economic activities is considered as a motivating force which strengthens their economic role in the family (Naved 1994). Also after involving in income generating activities, women find herself as effectively employed which enhance their self-reliance and confidence.

Along with all these activities media is playing a very significant role in disseminating and awareness rising campaigns against women violence. Everyday newspapers bring out news of women violence to

¹⁸ Available at http://www.mspvaw.org.bd/index.php?option=com_content&view=article&id=192&cmp=1&adfile=0 Accessed in 20 March 2013



catch public attention on this issue. Also the electronic media like; Radio, Television broadcast news related to cruelty towards women.

5. Empirical Findings

Among different methods of data analysis this paper has taken six months (from November 2011-April 2012) national newspaper clippings (105 cases of domestic violence have been reported) and 10 domestic violence victims interviews where some of the social, cultural or psychological variables of the victims like education, class, age, employment, locality or the nature of violence have been examined. Interview has also taken from three legal experts who were involved directly with the formation or for getting an understanding of the present law on domestic violence and its pros and cons in the implementation phrase. Though this study has found only 105 reported cases on domestic violence in six months newspaper scanning, the National Women Council has claimed 1168 cases of domestic violence from 1 January 2011 to 30 November 2011 reported in different national dailies. They again claimed that the real number of the incidences can be higher. Again a survey conducted by the PLAN Bangladesh under the Protecting Human Rights (PHR) project revealed that from October to December of the year 2012 about 1,094 women faced domestic violence in which 801 cases are filed and 448 cases are disposed¹⁹.

5.1 Age

It has been seen from newspaper scanning that most of the victims about 36.25 per cent belong to the age group from 21-25 followed by 22.5 per cent and 21.25 per cent in the age group of 26-30 and 16-20 accordingly (see Table 10). Thus, 80% victims are in the age between 16-30 years old and it has noticed that women could not fight back against violence. They remain silent and accept it as their fate like they have no such alternatives. However, a newspaper (the Janakontho) report on 13 February 2012 demanded that 60 per cent women got an early marriage at the age below 18 years and 90% got marriage under the age of 20 in the rural area of Bangladesh. This study again found that the more the age of wife, the lower the chance of violence. Also newly married wives who got an early marriage have low propensity to violence compared to old aged marriage.

Table 10: Percentage distribution of the reported DV victims by their age

Age	(%) of victim
16-20	21.25

¹⁹ Available at http://eprothomalo.com/displaypage.php?id=2013_03_27_6_0_b Accessed at 20 April 2013



21-25	36.25
26-30	22.5
31-35	12.5
36-40	0
41-45	7.5
Total	100

Source: According to the Newspaper clipping from November 2011-April 2012

The Table 11 revealed that victims who got an early marriage (age between 16 and 20) experience battering due to the inspiration of their in-laws to batter wife which is the most about 33.4 per cent. Again age groups 21-25 and 26-30 face multiple reasons to be beaten by their husbands. The study also found that dowry demand is the highest for the victims aged between 21 and 25 about 40 per cent. It also can be noticed that dowry demand is evident in the age between 16-30 years old victims whereas family quarrel is visible irrespective of age groups and it has found as the only reason of violence in the age group of 41-45. Moreover, extra marital affairs or second marriage of both (husband and wife) is common for victims aged from 21 to 35. However; there are many cases reported in the newspaper without proper reason irrespective of age groups that why the violence has taken place (see Table 11).

Table 11: % distribution of reported DV victims by their age and causes of violence

Age Group (of victims) Reasons (in %)	16-20	21-25	26-30	31-35	36-40	41-45
Dowry demand	14.3	39.5	17.2	-	-	-
Family Quarrel*	23.8	15.8	42.8	40	-	100
Excessive Drug/Alcohol addiction of husband	5	5.3	5.7	-	-	-
Extra marital affairs of both	-	18.4	8.6	-	-	-
Second marriage of husband	-	10.5	-	33.3	-	-
Giving birth to a daughter	-	2.6	8.6	-	-	-
In-laws inspiration of beating wife	33.4	-	5.7	-	-	-
Husband's passion for gambling	-	-	5.7	6.7	-	-
No reason found	23.8	7.9	5.7	20	-	-
Total	100	100	100	100	-	100

*Family quarrel reasons are including, not cooking food well, family maintenance expenditure, suspicious to wife, disobedient to husband and arguing with husband.

Source: According to the reported cases by different newspaper from November 2011-April 2012



Nevertheless there are some misinterpretations of the data in the newspaper such as news published on 20 November 2011 mentioned 3 different ages for a single victim named Ms. Monowara Begum in three different newspapers 26, 35 and 45. Thus it becomes confusing for people and can mislead the data. Moreover some of the reported news did not mention any age of the victim or reasons of the violence.

5.2 Education and employment

Education and employment is interlinked with each other. Person who got high educational background could be involved in formal jobs whereas person with a low education may have informal jobs. However, there is no mention of the education level of the victims in newspapers. Nevertheless a view of the educational background of both the victims and the perpetrators can be revealed by the KIIs conducted for this study. Respondents in KII were asked to give their opinion regarding association between level of education and level of becoming victims of VAW by its types. It is evident from their opinion that higher level of education of both spouses is linked to lesser risk of women to be violated sexually. Moreover perpetrators with low education have high exposure to physical, sexual and economic violence. Perpetrators with high level of education are more prostrate to psychological violence and the opposite is true for persons with low education. Physical and economic abuses are high irrespective of all classes (see Table 12).

Table 12: Relations between the education level and forms of violence (both husband and wife)

Level of Education	Forms of violence			
	Physical	Sexual	Psychological	Economic
No education	High	High	Low	High
Primary education	High	High	Low	High
Post Graduate/ Graduate	High	Low	High	High

Adopted from ten key informant interviews

In most cases husbands and wives are equivalent in the level of education. However, if husbands are more or less educated than wife the rate of violence may increase. Sometimes husbands with highly educated wife suffer inferiority complex and as a result the rate of assault intensifies.

5.3 Social class

Table 7 revealed that about 78 per cent of the victims came from a lower social class whereas it is only 19 per cent and 2.85 per cent for the middle and upper class respectively. According to newspaper reports majority of the victims belong to the lower social class and their husbands are involved in informal jobs like Rickshaw puller, security Guard, construction worker, day labour, painter, carpenter, factory worker or driver. This is to be noted that lower class people are less conscious to social status and more exposed to media coverage compare to the middle and upper social class who used to avoid



media and assume any publicity can hamper their social image and prestige. As a consequence middle and upper class remained out of the focus in public sphere and people used to think there is less or no violence at the upper or middle class neighbourhood. Nevertheless, it is more challenging as they have to consider it as a very private matter and allow cases remained under reported (see Table 13). So this is a big challenge for the middle and upper class women to fight back against domestic violence to the social context of Bangladesh. (see Box 3).

Table 13: Percentage distribution of social classes of the victims of reported cases

Social Class	% of victims
Lower	78.09
Middle	19.06
Upper	2.85
Total	100

Source: Collected from the Newspaper clipping from Nov 2011-Apr 2012

Box 3: Case study -1

A newspaper report came on June 2011 about a physical assault to a university professor from her husband on false allegation of extramarital affair and it was very extreme as the Professor lost her two eyes by that attack. This attack was taken place on 5 June 2011 at the Professor's house but they were not interested to circulate the news to others (which blast to media on 12 June 2011) even it was lately come to know that the Professor was in torture for last 10 years by her husband. She did not express it to anyone by considering the social image of her family and herself.

Considering it as a drawback to this study, ten key informant interviews have been conducted with three the upper class, three middle class and four lower class victims to explore the real context (see Table 8). This particular study has clustered the social class with level of education, employment pattern and household location. Lower social class has been considered people as having no education, primary and secondary education, employments like Rickshaw puller, electrician, mason, day labour, garments worker or housemaid and household locality like slums and squatters. The middle class has been regarded as people with having graduate level of education, employments like librarian, bank officer, or service holder and household locality in some middle class residence like Mirpur, Shymoli or Mogbazar. However, the upper social class has been considered as an education up to post graduate or graduate level, having occupations like architecture, engineer, university teacher or businessmen and household locations in Boshundhora, Dhanmondi or Banani.



Table 14: Forms and reasons of domestic violence in different social class

Social class*	Forms of violence	Reasons of violence
<p>Lower</p>	<p>Physically: Battering during the period of pregnancy, hitting, punching, kicking, forced abortion, slapping, pushing, shaking, choking, burning, threatened or actual use of weapon, use of iron chain for battering, locking at room, forced abortion.</p> <p>Psychological: Rebuking both by husbands and in-laws, husband's violent behaviour, the threat of physical violence, threat of divorce by husbands.</p> <p>Sexual: Force wives physically for sexual intercourse, forced prostitution.</p> <p>Economic: Continues pressure for bringing money from paternal household, not giving cost for family maintenance.</p>	<p>Dowry demand or money demand, second marriage, extra marital affair of husbands, if wives are having connection with paternal family, asked wives to arrange prostitute, excessive drug addiction, passion for gambling, patriarchal sentiment of both the partners, not cooking well, not having economically solvent paternal house, patriarchal mind set of both the partners, having no education or very low level of education, arguing with husbands, not being obedient to husbands, giving birth to a daughter, in-laws inspiration to torture wives, lack of communication with partners, intergenerational experience of both husbands and wives.</p>
<p>Middle</p>	<p>Physically (Hitting in a hidden part of the body which cannot be shown): Hitting, punching, kicking, slapping, pushing, shaking, choking, threatened or actual use of weapon, battering during the period of pregnancy, not allowing to go for health care or to a physician during injury</p> <p>Psychological: Emotional abuse, rebuking both by husbands and in-laws, burning, husband's violent behaviour, the threat of physical violence, insulting in public place, restricting mobility, abandonment, neglecting wives, not introducing with friends and colleagues as wife, telling lie all the time to wives, not giving new dress in any festivals like Eid or New year.</p> <p>Sexual: Force wives physically for sexual intercourse or spousal rape.</p> <p>Economic: stop giving cost of family maintenance and for children, dowry demand and not allowing to earn money or force to earn, continues pressure for bringing money from paternal household, force to sell gold for money, force wives to take loan from banks or from friends and family</p>	<p>Dowry demand or money demand, extra marital affair of husbands, infidelity of husbands, excessive alcohol addiction, passion for gambling, not being obedient to husbands or arguing with husbands, giving birth to a daughter, in-laws inspiration to torture wives, lack of communication with partners, if wives are having connection with paternal family, intergenerational experience of husbands, wives consider the paternal family prestige, suspicion to wives, patriarchal sentiment of both the partners.</p>
<p>Upper</p>	<p>Physically (both by husband and in-laws): Hitting, punching, kicking, slapping, pushing, shaking, choking, slapping, burning.</p> <p>Psychological: Emotional abuse, rebuking both by husbands and in-laws, husband's violent behaviour, the threat of physical violence, insulting in public place, restricting mobility,</p>	<p>Dowry demand or money demand, extra marital affair of husbands (sometimes wives), infidelity of husbands, excessive alcohol addiction, passion for gambling, arguing with husbands or not being obedient to husbands, in-laws inspiration to torture wives, lack of</p>



	<p>abandonment, neglecting wives, not introducing with friends and colleagues as wife, telling lie all the time, threat of divorce by husbands.</p> <p>Sexual: Force wives physically for sexual intercourse or spousal rape, forced prostitution.</p> <p>Economic: Money demand and not allowing to earn money or force to earn, continues pressure for bringing money from paternal household,</p>	<p>communication with partners, wives consider the paternal family prestige, suspicion to wives, divorced wife.</p>
--	--	---

*Here social class has been clustered according to the level of education, location of the household and pattern of employment (both victims and perpetrators)

Source: Adopted from ten KIIs with domestic violence victims

More or less all the social class people experienced some very common and general types of violence starts from physical violence to economic loss. However; some are more prominent in a particular class compare to other. For example lower class women suffer more economic crisis than others where psychological torture is high irrespective of all classes. As far as the physical torture is concerned, it is quite high in the lower and higher class compare to middle class. About the sexual torture most of the people are not willing to express their feeling and do not count it as a torture as they believe themselves as a subject to devour (see Table 14).

Among different reasons the patriarchal mind set up of the male dominated society is considered as the major one for domestic violence followed by dowry demand. A daily star report has revealed that about 53 percent women are victims of domestic violence around the country, while 30 percent of them think that husbands have the "right" to inflict physical violence upon their wives (The Daily Star 2013). Economic backwardness sometimes motivate to physical or psychological torture. Also excessive drug addiction and extra marital affairs of both (husbands and wives) can ignite the fire. Sometimes lack of communication in between partners and disbelief or false blame and suspicious to wife can be the reason of domestic violence. Sometimes men misinterpret religious dogma and justify wife bettering. However; women accept everything for lack of opportunity of sharing with family or friends as it is a social prestige issue, sometimes for their children, sometimes considering it as divine or sometimes as the only choice (in case of love marriage). One of the victims interviewed (see Box 3) explained it as her fate and regard it as a social abide for her to continue this relation as she has a daughter aged 3 years.



Box 4: Case Study-2

Ms. Kushum, is a Librarian of a very renown organisation, completed both her bachelors and masters in Library Science from a very popular public university of Bangladesh. During her graduation period she got an affair marriage in 2008. After six months of her marriage, Kushum came to know about the premarital and extra material affairs and other bad habits of her husband named Sajib. Though she accepted it at the early stage as her fate but gradually became frustrated and decided to divorce as there was no change even after she got a kid. However she could not do so due to her paternal family.

Sajib repeatedly insisted her for dowry money and finally Kushum had to sell out all her ornaments. He was very irregular on bearing household expenses and had bad habits such as excessive alcohol addiction. Sajib never spends single money from his salary in any household expenses however demanded for his wife's salary. He used to humiliate Kushum and her family publicly. Subsequently Kushum got continues misbehave from her in-laws on different issues.

Ms. Kushum claimed that she and her husband shared a boss-peon relation in the family. Her husband is trying to keep her busy in household chores and always try to dominate her. Thus there is a patriarchal notion of dominance over wife as subordinate. She explained that she felt afraid to talk with her husband as her husband tortured her both physically and mentally without any reason. According to Kushum "at the very beginning I was tried to stop him at the time of battering but gradually I realise it increases the limit of his torture so later I did not protect myself". Even her in-laws were just like her husband they think wife should be battered by husband. Kushum accepted all considering the social status of her paternal family, parent's health condition, her daughter's future and self prestige in society. She could not even share anything with her family and friends by considering the social image of her family and own. Six months back in October 2012, Kushum divorced her husband and struggling with her only daughter.

Thus it is clear that there is a power relation in between man and women where the individual, family even the society accepted the domination of man over woman. Hence beating wife, reason whatever it is, has become a necessity for husband to prove him a man with the very patriarchal notion in mind. Having control over the women is the only demonstrating mechanism for them. Men believe that wives are there private property like the hegemonic masculinity theory of Connell (1982) where men's dominance over women is recognised by family or social practice.

5.4 Domestic violence Act, its execution and future²⁰

6.4.1 Background

Law makers have argued differently on the background of coming up with this new act. A survey (2011) conducted in 102 Union by the PLAN Bangladesh revealed that 53 per cent of women are subject to

²⁰ It has adopted by the KIIs with the legal experts



violence and 38 per cent considered it as a right of her husband. Also a report of Plan Bangladesh (2012) reveals several statistics on domestic violence against women which recognise one of the major challenges to women of Bangladesh. Moreover there were no effective mechanisms to end domestic violence against women at that time. As a remedy to this situation a new separate law has been adopted in December 2010. Also considering the section of the constitution below, state has come with a separate law on domestic violence. Women of our country are subject to violence at home every day and there was no such law which could consider abuses like psychological abuse or husband who does not give expenses for family maintenance (economic abuses) in Bangladesh. However this law has given women the space to fight against violence at home.

'Nothing in this article shall prevent the State from making special provision in favour of women or children or for the advancement of any backward section of citizens'- Article 28(4), the Constitution of Bangladesh

However, the realisation was not new to make a separate law for violence against women at home as the existing laws could not cover other forms of violence like the psychological or economic abuses. The present law mainly tried to control the behaviour of the perpetrators. It has also been noticed that the existing Prevention of Women and Children Repression Act of 2000 or the Family Ordinance Act of 1980 only consider the extreme cases of violence against women and not consider other behaviours as violence such psychological abuses or economic losses. As a consequence women used to register false cases to cover those offences like husbands not giving cost of family maintenance or rebuking wives all the time. Another reason of making this law was the government's commitment to the constitution and the CEDAW to ensure women's right at every sphere of life. Moreover most of the incidence took place at the private sphere (60-70%)²¹ and women could not fight back, thus this law has created space for women to end domestic violence.

6.4.2 Importance of the present Act

The most important part of this law is the recognition of family violence as a crime which has considered the physical, sexual, psychological or economic abuses as offense. Also there was no intermediate protection or protection order for victim in other existing laws. Even in Indian domestic violence law there is no immediate protection order for the victim. However; the present domestic violence act of Bangladesh has covered both immediate protection and protection order of the victim. Another good thing is that the present law acknowledges police as a supporting force to impose the order of the court. Thus the police will work as a helping agency for the enforcement officer to implement the law which

²¹ See Appendix 1



reduces the chance of manipulation of the victims by police. This law has also incorporated different voluntary organisations as service providers to the victims of domestic violence. Again it has included social work as a penalty if the perpetrator violates the court order beside jail or fine. Finally one of the significant features is that, this is the only law under which multiple cases could be filed at a time as such for family maintenance one could file a case under the civil court or cases for battering could be filed at panel code.

Filing a case against husband creates insecurity for women at home and it was possible only when the wife is ready to leave her husband's residence. However it is not always secure for women as they want to stay at husbands' house even if she filed a case against him. This act has given the residential protection order after filling a case against husbands which is a big contribution. Also this law has created the reparation of any physical or psychological harm to the victim.

6.4.3 Obstacles to execute the present Act

The present act on domestic violence is not in its full fledged execution phrase. There are some obligations to implement the present act as still no execution rule has been adopted to implement the act properly. The rule of execution is still on process so in case of executing the act there are many obligations. The present act is not clear and it is hard to execute without a rule of execution. According to the section 11(1), every application shall be submitted in a form prescribed by the rule however no form for lodge a complaint against the perpetrator has been finalised yet. So all the cases already filed under this law are faulty as they are not applied through prescription form.

Again it allows a restriction order to stay victims with the same house of the perpetrator in a partisan way. Thus in one hand it encourages the women to go to court or file a case on the other hand may trigger the anger of the perpetrator putting the victim in a more risky position. There are 40 cases filed under this law by Plan Bangladesh where 12-13 cases got protection order from court. There is no shelter service from government and as results people do not want to file any case against their husband hence take them off shelter.

In addition there is no enforcement officer recruited through government to operate the case procedures. The upazila Women Affairs officers are working as upazila enforcement office and they are not trained. Sometimes they are overburdened with work load and could not respond when necessary. The district judges also have no clear idea about the present law. They assume this act as a sensitive one and try to neglect it. Moreover there is no clear explanation in the law that how reparation will be decided. Finally the gender stereotype is perpetuated in our society even in the mind of the perpetrators or the victims and that is the main obstacle to execute this law properly.



6.4.4 Future of the present Act

The Citizen Initiative of Domestic Violence (CIDV) has already drafted a rule of execution for the domestic violence act and has sent to the Ministry of Women and Children Affairs for government approval. Only after the formation of the rule it will start executing in full fledged and may help us to identify amendments where necessary.

Filing a case against husband enhance the chance of divorce. Thus how it could be stop shall consider in future as most of the women do not want a divorce. Different organisations would organise mediation in between husbands and wives to dissolve the problem. Moreover this law only covers the women and children under violence but men should also consider as there are some men victims of domestic violence. Women protection should be more entranced. There is no option for mediation within court in this law. However, mediation in court should get emphasis. Moreover the tendency of filling a case is very low. Sometimes women are not interested to complaint again if the husband violate the court protection order. It is also noticeable that most of the cases come from lower class neighbourhood and these women think that the punishment mentioned in the law is not enough.

6.4.5 The Act overall

The execution rule for the present act is an urgent. Without the rule the present act could not able to perform properly. The domestic violence act is a critical law thus needs more awareness to build. Making noise against violence could weak men. Also not only women but men should be aware of this issue. Build awareness among men about the rights of women. Awareness should build among all the stakeholders involved in this act. They should give in depth and easy training on the present act and on their responsibility. Also social campaign should be created for enhancing social awareness as whole. The government should create media advertisement to make social awareness. There are some issues like false case, camera trial which are very significant and need to handle tactfully. The Upazila Women Affairs officers are over burdened so the enforcement officers should be appointed as soon as possible. The government and nongovernment officials should get proper training on their responsibilities to act properly.

However, in March 2013 a roundtable discussion titled “Domestic Violence (Prevention and Protection) Act 2010: Current Context of Domestic Violence and Future Actions” was jointly organised by Plan Bangladesh and the Daily Prothom Alo. This discussion has emphasised on organising training for enforcement officers, police and other stakeholders needed for its proper implementation. Also the Executive Director of BNWLA Advocate Salma Ali said violence against women primarily occurs due to the patriarchal mindset of people. She also argued that the mindset can only be changed through proper



counselling and social awareness campaigns. Manusher Jonno Foundation's Executive Director Shaheen Anam said "it is encouraging to know that victims can avail compensation and they cannot be evicted by their husbands or in-laws under the act". She also believed that more social awareness needs to build to make the law socially acceptable and to encourage victims for complaint register (The Daily Star 2013).

One special feature of the present law is to take preventive measures before any incidence happened. Also any member of a family (women or children) who are or can be subject to violence will get the protection under this law. The Rector of the Police Staff College Md. Nazmul Haque mentioned that this law has made to settle peace in a home as it helps to confiscate all distance between husband and wife. Also the director of the Women Affairs Bureau Ashraf Hossain argued that this law is a unique one as it has no tendency to lockup the criminal but uncovers a way to mitigate all problems through mutual understanding (The Prothom Alo 2013).

6. Discussion

Naturally, questions arise why women are silent and do not speak out against domestic violence? Why do many victims continue to stay with abusive spouses? Firstly, it is the whole socio-cultural context in which women reared up. Though family is still considered as the only equitable institution for the women it is yet to get out of the power relation game. In one hand it is believed as the most positive caring and safe place for women and on the other hand sometimes it becomes the reason for discrimination, exploitation and deprivation which promote violence against them. Also, Bangladeshi women, as part of a patriarchal society, are from an early age taught to be submissive, tolerant and philanthropic. Furthermore, the social belief is that a woman's place is in her husband's home and it is also deeply embedded in women's self-view and self-esteem. These social values make an extremely difficult situation for women to assert themselves and fight back against domestic violence. In cases of marital and family conflict, society generally places the blame on the wife and holds responsible for failing to build a strong institution in the family. And it is common mostly for the lower social class people. Another major reason is that women rarely assert themselves that they have few alternatives to staying with their husbands. Mostly women from low income family got an early marriage without completing their education and have to depend to their husband's income. In some cases may a woman return to her paternal home and find shelter with her parents or siblings but in most of the case women lack family or community support. Without such alternatives, women realise that they have to tolerate domestic violence.

All these views are connected with the social-psychological and the socio-cultural context of Bangladesh. Like the socio-biological notion as women are less capable to economic work, they are more likely to be



an inferior position in family and as a result are subject to oppression. In our society men perform violently due to social learning process where wife beating is a very common practice. Sometimes personal stress, excessive alcohol abuse or infidelity ignites the violence. However; our socio-cultural context is also accountable for domestic violence as we believe that violence at home is a private matter and women who share it in public place are shameless or sometimes they are humiliated. However the most unfortunate part is that the violence against women in private sphere is not even recognised as violence by the state of Bangladesh and even there are some religious superstitions named "Fatawa" given by the religious leaders called "Imam". These also contributed to the increasing rate of domestic violence against women.

Given this recognition, domestic violence has started getting bigger attention to every aspects of the society. Even the government has showed greater interest by passing an Act and as a result cases are now recorded more precisely than they were. According to the official website of Bangladesh Police only 16210 cases has been filed under the category of cruelty to women²² . However, this study has found that most of the cases, the person who committed the crime skip through negotiation or other informal ways (bribing the police man/law maker or victim) or sometimes managed bail or remained without punishment. Now the question is what is more important changing the patriarchal mind set up or strengthen state's intervention to fight against the present situation.

Along with all these debates a very general question is just popping up in my mind with the naming of "Domestic" violence which restricts itself to private. Why it is domestic? The naming of domestic violence itself is encouraging it to keep in private sphere. However, over the year it has become a major concern and need to consider overtly in public sphere to build awareness. We need to establish a stand that wife beating is not a personal matter but there is a social effect of it. Thus, it is important to create national consensus to end domestic violence.

7. Recommendation and conclusion

Domestic violence has become as a major concern in Bangladesh as most of its woman are somehow subject to abuse from their intimate partner in lifetime. Different scholars around the world have asserted patriarchy as the ultimate cause and there is significant evidence to this statement. However, considering all the prediction or evidence everyone should work together to stop this continues social stigma.

²² Available at <http://www.police.gov.bd/index5.php?category=48> Accessed in 16 November 2012



As remedies to this backdrop first of all women need to speak out. Acknowledge that the system is bad and need to look some other way forward. Also family should be supportive to the victims and should work as the main institute to stop violence against them. Specific psychological assistance is needed for the victims such as not ask the victim again and again about the case. Women should have personal commitment or personal call to end domestic violence. Though the existing law gives some space, men need to be council to change their mind set. It would help them to promote love to their partners. Hence brain wash of the perpetrators can reduce the rate of domestic violence.

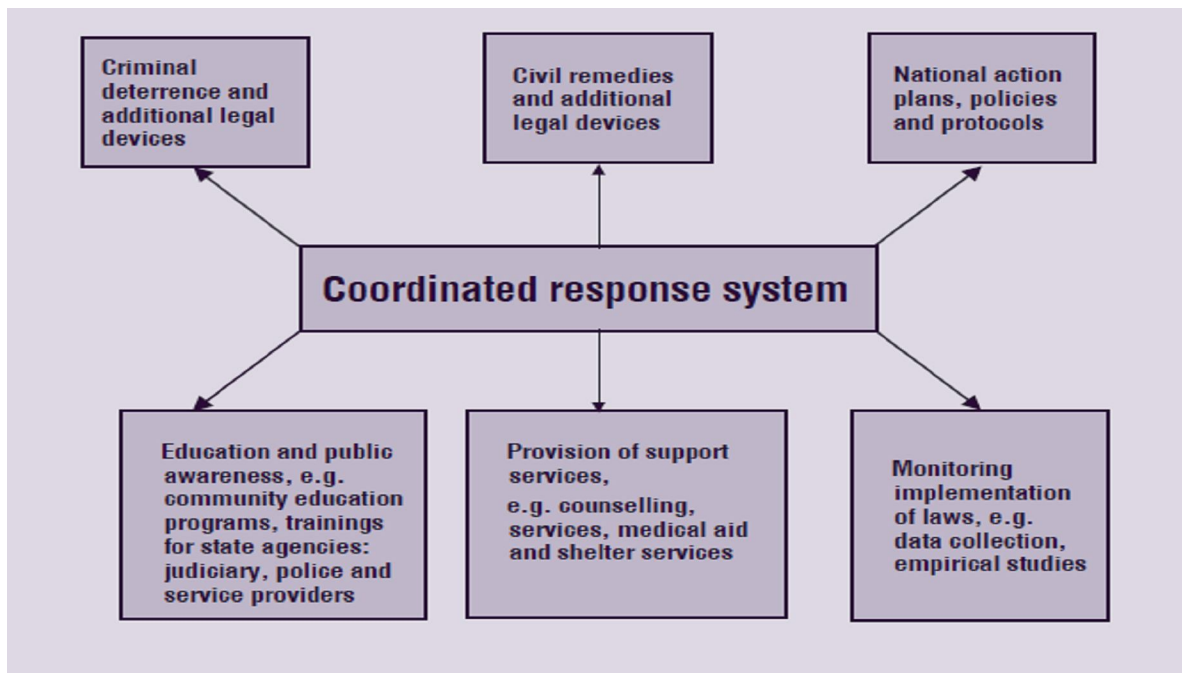
Though Bangladesh has ratified different international laws and standards to stop women violence there are still reservations on CEDAW. Government needs fully ratify and implement CEDAW with the removal of existing reservations. Also there is no magistracy power of the family courts according to the family law ordinance, 1985. Thus all these family courts required to lead by magistrate or judge. Again the dowry prohibition act Of 1980 makes both parties responsible for dowry. Even any demand from in laws has not considered as dowry which need to revise. One very recent initiative has been taken by the Supreme Court of Bangladesh in May 12 2011 which banded any punishment in the name of fatwa and it only permitted Islamic scholars to deliver non-binding fatwa or Islamic edict. Earlier on January 1, 2001, the High Court in its judgment declared fatwa 'unauthorised and illegal' by a section of 'Maulanas' through their interpretation of the 'Sharia' rules. However more than 10 years later, the Supreme Court started hearing on the appeal on March 1 2011 and finally banded it.

Not only making laws but the proper enforcement of laws is essential. The law enforcement agencies should play active role. It has been observed that the police force penetrate negative and disrespectful attitudes toward women. Different training and short courses should be offered to develop their understanding on the cases related to domestic violence. Also government could arrange monitoring cell to keep police stations under observation. Moreover engaging citizens, NGOS or organisations working with women issues in monitoring can strengthen the whole system. Like the police force other law enforcement agencies personnel like judiciary's magistrates, judges, advocates and prosecutors should get some training and orientation on domestic violence, human rights and gender issues.

Coordination among different stakeholder is an essential to bring a good outcome. Without social awareness building or coordinated response it is not possible to fight against domestic violence. The UN Women proposed a framework for a coordinated response system to end domestic violence as given below (see figure 2). Every party government to nongovernment should work together to build social awareness and strengthen the social safety net for protecting women.



Figure 2: A coordinated response system towards domestic violence



Source

e: UN Women 2011

Media can contribute by news, talk shows, open discussions and documentaries on domestic violence. This study found some news with wrong information about the victim. Media should try to produce fair news to avoid misconception among mass people. An international lawyer argued that in Bangladesh media expose violence news without caring any privacy of the victims' identity which can be humiliating for them. Thus media should keep privacy of the victims' identity in publishing news.

Furthermore educating the nation as a whole can reduce the intensity of domestic violence. Education help to enhance the morality which may gradually change the patriarchal mind set perpetuate in the socio-cultural context of Bangladesh. National text books can highlight this issues related to domestic violence. In addition to that NGOs could run education programmes and trainings to lift social awareness against domestic violence. Give intensive training to generate a gender approach in every sphere of the state to ignore gender stereotyped sentiment. Thus promote human solidarity through educating the nation must be a solution to end domestic violence and should promote empowerment of women.

Though some initiatives have been already taken by government and nongovernmental wings to protect and support the victims of domestic violence, they are not adequate. Round the country only 60 OCC cells works for protecting victims which are very minimal. The number of OCCs should be expanded to 64 upazilas which is now in 20. Sometimes health care providers are not efficient who need to trained



up well to deal victims with sympathy and respect. Also the counselling cells need to be strengthened and available to the victims.

Another major concern on domestic violence is not having sophisticated national database. Sometimes there are mismatches or overlapping of data by different organisations. Without a proper national database even the false cases of domestic violence could not be counted. One of the main reasons to this backdrop is the lack of coordination among organisations working on women issues. Each organisation maintains their own database and publishes yearly which are not similar and may lead repetition of the same data. Thus these institutions need to work in a coordinated way to maintain a fair and correct national database.

Along with the above recommendations some initiatives need to take into account on domestic violence act to make it more accessible and understandable like;

- The rapid formation of the rule of domestic violence act which is still under process.
- Adopt an application form for starting the case in proper way.
- Ensure protection of the case witnesses.
- Recruit Enforcement Officer in each upazila to make the law enact.
- All the stakeholders in this law should get proper and easy training about this law to implement it properly.
- There should be coordination among the stakeholders of the act
- More allocation of resources is needed to implement the present act correctly.
- The legislation technique needs to improve.
- The recent Act on domestic violence lacks fully enforced in the implementation phase and nonetheless it needs better resource mobilisation.
- Adopt initiatives on prevention phase and required long term planning.

Domestic violence is a serious social crime and need to consider seriously. Though different government and nongovernment agencies are working together to end domestic violence ultimately it is the women who need to speak out and make a personal call to stop domestic violence in this gender stereotyped society.



Bibliography

- Ain o Salish Kendro (ASK), 1999. *Human Rights in Bangladesh 1998*. Dhaka: The University Press Limited, pp. 141-155.
- Akanda, L. and Shamim, I., 1985. *Women and Violence: A comparative study of rural and urban violence against women in Bangladesh*. Dhaka: Women for Women, pp. 1-20.
- Akhtaruzzaman, M, Khan., M. N. I., and Islam S.N., 2013. Nutrition, health and demographic survey of Available from: <http://www.thedailystar.net/beta2/news/53pc-women-victim-of-domestic-violence/> [Accessed 4 April 2013].
- Banas, M., 2012. The Massachusetts Body of Liberties, 1641 (online). Available from: <http://history.hanover.edu/texts/masslib.html> [Accessed in 16 December 2012].
- Bangladesh Bureau of Statistics (BBS), 1974. *Statistical year book of Bangladesh*. Dhaka: BBS.
- Bangladesh Bureau of Statistics (BBS), 1981. *Statistical year book of Bangladesh*. Dhaka: BBS.
- Bangladesh Bureau of Statistics (BBS), 1991. *Statistical year book of Bangladesh*. Dhaka: BBS.
- Bangladesh Bureau of Statistics (BBS), 2001. *Statistical year book of Bangladesh*. Dhaka: BBS.
- Bangladesh Bureau of Statistics (BBS), 2011. *Statistical year book of Bangladesh*. Dhaka: BBS.
- Bangladesh Police, 2013. *Crime Statistics* (online). Available from: <http://www.police.gov.bd/index5.php?category=48> [Accessed in 16 November 2012].
- Bangladesh-2011. *Dhaka: Institute of Nutrition and Food Science University of Dhaka*, pp.31-33.
- Bates, L. M., Schuler, S. R., Islam, F. and Islam M. K., 2004. Socioeconomic Factors and Processes Associated with Domestic Violence in Rural Bangladesh. *International Family Planning Perspectives*, Vol. 30/4, pp. 190-199.
- BBC News, 2006. *India tackles domestic violence*. Available from: <http://www.BBC%20NEWS%20%20South%20Asia%20%20India%20tackles%20domestic%20violence.htm> [Accessed 10 January 2013].
- Bhuyia, A., T. Sharmin and S.M.A. Hanifi, 2003. Nature of Domestic Violence against Women in a Rural Area of Bangladesh: Implication for Preventive Interventions. *Journal of Health Population Nutrition*, Vol. 21/1, pp. 48-54.
- Burgess, R. L. and Draper, P., 1989. "The Explanation of Family Violence: The role of biological behavioral, and cultural selection," in L. Ohlin and M. Tonry, eds., *Family Violence* (University of
- CARE Bangladesh, 2009. *Political Culture, Shalish, and Gender Relations in Dinajpur, Sunamganj and Tangail*. Dhaka: Care Bangladesh.



- Centre for Policy Dialogue (CPD), 2009. Domestic Violence in Bangladesh Cost Estimates and Measures to Address the Attendant Problems. Report No. 97, Dhaka: CPD.
- Chicago Press, Chicago).
- Connell, R. W., 1982. Class, Patriarchy and Sartre's theory of practice. *Theory and Society*, Vol. 11/3, pp. 305-320.
- Coser, L. A., 1967. *Continuities in the Study of Social Conflict*. New York :New York Free Press.
- Demetriou, D. Z., 2001. Connell's concept of hegemonic masculinity: A critique. *Theory and Society*, Vol. 30, pp. 337-361.
- Enabling Change Rebuilding Lives (EACH), 2009. *Asian women, domestic violence and mental health*. London: London Council, pp. 14-43.
- Farouk, S. A., 2005. Violence against women: A statistical overview, challenges and gaps in data collection and methodology and approaches for overcoming them. Dhaka: Bangladesh National Women Lawyers Association (BNWLA).
- Fried, I. 1997. Syndrome E. *The Lancet*, Vol. 350, pp. 1845-1847.
- Garbarino, J., 1977. The human ecology of child maltreatment: A conceptual model for research. *Journal of Marriage and Family*, Vol. 39, pp. 721-735.
- García-Moreno, C., Jansen, H. A.F.M., Ellsberg, M., Heise, L. and Watts C., 2005. *WHO Multi-country Study on Women's Health and Domestic Violence against Women*. Geneva: WHO, pp. 1-19.
- Gelles, R. J., 1987. *Family Violence*, 2nd ed. Newbury Park, California: Sage Publishers, p. 17.
- German, L., 1981. *Theories of Patriarchy*. Available from:
<http://www.marxists.org/history/etol/writers/german/1981/xx/patriarchy.htm> [Accessed Accessed 12 November 2012].
- GoB, ca2012. Available from: http://www.mof.gov.bd/en/budget/11_12/mtbf/en/30_Women.pdf [Accessed 12 April 2013].
- GoB, n.d. Available from:
http://www.mspvaw.org.bd/index.php?option=com_content&view=article&id=192&cmp=1&adfile=0. [Accessed 20 March 2013].
- Government of Bangladesh (GoB), 2010. *The Domestic Violence Bill-2010, Bangladesh*. Dhaka:MoWCA.
- Groth, A.N. 1983. Treatment of the Sexual Offender in a Correctional Institution. In J.G. Greer and I.R. Stuart (eds.), *The Sexual Aggressor: Current Perspectives in Treatment*, New York: Van Nostrand Reinhold, pp. 160-176.
- Hadi, A., 2005. Women's Productive Role and Marital Violence in Bangladesh. *Journal of Family Violence*, Vol. 20/ 3, pp. 181-188.



- Hadi, S. T., 2010. The Face of Intimate Partner Violence in Bangladesh: Revealing Patterns from the Existing Literature. *Bangladesh e-Journal of Sociology*. Volume 7/1, pp. 12-20.
- Hadi, S.T., 2009. It's OK to beat my wife? Patriarchal Perceptions of Bangladeshi Respondents and Factors Associated, *Bangladesh e-Journal of Sociology*, Vol. 6/2, pp.4-14.
- Hamilton, R., 1978. *The Liberation of Women*. London: London, p. 1.
- Hartmann, H., 1979. The Unhappy Marriage of Marxism and Feminism. *Capital and Class*, Vol. 8, pp. 1-25.
- Hossain, K.T., 2007. Violence against Women in Bangladesh, in the Proceedings of the 8th Annual Conference of Hong Kong Sociological Association, Keung, C.S., Traver, H. and Xiuguo, L. (eds.) *Narratives and Perspectives in Sociology: Understanding the Past, Envisaging the Future*, pp. 257-264.
<http://news.bbc.co.uk/2/hi/6086334.stm> [Accessed 17 April 2013]
- ICDDR,B,2006. *Domestic Violence against Women in Bangladesh* (online). Available from:
<https://centre.icddr.org/pub/publication.jsp?classificationID=56&pubID=7197> [Accessed 12 December 2012].
- Immigration and Refugee Board of Canada,2004. *Bangladesh: Violence against Women, Especially Domestic Violence; State Protection and Resources* (online). Available from:
<http://www.unhcr.org/refworld/docid/403dd1e40.html> [Accessed 2 December 2012].
- Kaufman, J. and Zigler, E. 1987. Do Abused Children Become Abusive Parents. *American Journal of Orthopsychiatry*, Vol. 57, pp.316-331.
- Khatun, T. and Rahman, K. F., 2012. Domestic Violence against Women in Bangladesh: Analysis from a Socio-legal Perspective. *Bangladesh e-Journal of Sociology*. Volume 9/ 2, pp. 19-30.
- Knickmeyer, N., Heidi, M., Levitt, S. G. H., et al., 2003. Responding to Mixed Messages and Double Binds: Religious Oriented Coping Strategies of Christian Battered Women. *Journal of Religion and Abuse*, Vol. 5, p. 30.
- Koenig, M. A., Ahmed, S., Hossain, M. B. and Hagaa, J., 2002. *Individual and community level determinants of domestic violence in rural Bangladesh*. Hopkins Population Centre Working Paper 99-04, pp. 1-28.
- Koenig, M. A., Ahmed, S., Hossain, M. B. and Mozumder, K. A., 2003. Women's Status and Domestic Violence in Rural Bangladesh: Individual- and Community-Level Effects. *Demography*, Vol. 40/ 2, pp. 269-288.
- Mazumder, S. H., 2010. Law is "Essential" but not "Sufficient". *The Daily Star*, October 16. Available from: Law and Our Rights.htm [Accessed 8 November 2012].
- Mollah, A. H., ca2005. *Combating Violence against Women in South Asia: An Overview of Bangladesh*. Available from: <http://unpan1.un.org/intradoc/groups/public/documents/apcity/unpan020004.pdf> [Accessed 10 December 2012].



- Naripokkho and Bangladesh Mahila Parishad, ca2002. Baseline report: Violence against women in Bangladesh. Available from: <http://www.iwraw-ap.org/aboutus/pdf/FPvaw.pdf> [Accessed 2 January 2013].
- National Institute of Population Research and Training (NIPORT), 2007. *Bangladesh Demographic and Health Survey*. Dhaka: NIPORT.
- National Institute of Population Research and Training (NIPORT), 2011. *Bangladesh Demographic and Health Survey*. Dhaka: NIPORT.
- Naved, R. T. and Persson, L. A., 2005. Factors Associated with Spousal Physical Violence against Women in Bangladesh. *Studies in Family Planning*, Vol. 36/4, pp. 289-300.
- Naved, R., 1994. Empowerment of women: Listening to the voices of women. *Bangladesh Development Studies*, Vol.22, pp. 155–177.
- O’Leary, D.K., 1988. Physical aggression between spouses: A social learning theory perspective.” In V.B. Van Hasselt (ed.), *Handbook of Family Violence* New York: Plenum, pp. 31-55.
- Pagelow, M.D. 1981. *Women-Battering: Victims and Their Experiences*. Beverly Hills, California: Sage Publishers.
- [Patriarchy and Marxism, Engles, The Origin of the Family](#). Available from: <http://www.blacksacademy.net/content/2978.html> [Accessed 4 February 2013].
- Prothom Alo, 2011. Shimabodhotai atke ache paribarik shohingshota ain. Avaibale from: <http://www.prothom-alo.com/home/date/2011-12-25> [Accessed 2 February 2013].
- Ray, S., ca2005. *Understanding Patriarchy*. Available from: http://www.du.ac.in/fileadmin/DU/Academics/course_material/hrge_06.pdf [Accessed 23 February 2013].
- Ruether, R. R., 1989. The Western Religious Tradition and Violence against Women in the Home. in *Christianity, Patriarchy, and Abuse*, ed. Joanne Carlson Brown and Carole R. Bohn, Cleveland, Ohio: Pilgrim, p. 31.
- SCCADVASA, 2011. *Overview of Domestic Violence* (online). Available from: <http://www.sccadvasa.org/domestic-violence-facts-and-stats/overview-of-domestic-violence.html> [Accessed in 16 December 2012].
- Schuler, S.R., S.M. Hashemi and S.H. Badal, 1998. Man’s Violence against Women in Bangladesh: Undermined or Exacerbated by Microcredit Programmes? *Development in Practice*, Vol. 8/2, pp. 148-157.
- Smuts, B., 1992. Male Aggression against Women: An Evolutionary Perspective. *Human Nature*, Vol. 3, pp. 1–44.
- Straus, M.A., Gelles, R.J., and Steimetz, S.K. 1980. *Behind Closed Doors: Violence in the American Family*. New York: Anchor Publications.
- The Daily Star, 2013. *53pc women victim of domestic violence*.



- The Financial Express 2010. *50pc women still facing domestic violence, social discrimination*. Available from: http://www.thefinancialexpress-bd.com/more.php?news_id=92532&date=2010-02-15 [Accessed 16 February 2013].
- The Telegraph, 2012. *Indian dowry deaths on the rise*. Available from: <http://www.telegraph.co.uk/news/worldnews/asia/india/9108642/Indian-dowry-deaths-on-the-rise.html> [Accessed 17 April 2013].
- Tracy, S. R., 2007. Patriarchy and domestic violence: challenging common misconceptions. *Journal of the Evangelical Theological Society*, Vol. 50/3, pp. 573-593.
- Umberson, D., Anderson, K., Glick, J. and Shapiro, A., 1998. Domestic Violence, Personal Control, and Gender. *Journal of Marriage and Family*, Vol. 60/2, pp. 442-452.
- UN, 1993. *Declaration on the Elimination of Violence against Women* (online). Available from <http://www.un.org/documents/ga/res/48/a48r104.htm> [Accessed in 16 April 2013].
- UN, 2000-2009. *Convention on the Elimination of All Discrimination against Women* (online). Available from <http://www.un.org/womenwatch/daw/cedaw/recommendations/recomm.htm> [Accessed in 17 April 2013].
- UN, 2004. *Elimination of Domestic Violence against Women* (online). Available from: <http://www.undemocracy.com/A-RES-58-147.pdf> [Accessed in 16 April 2013].
- UN, 2006. *Violence against Women* (online). Available from: <http://www.un.org/womenwatch/daw/vaw/SGstudyvaw.htm> [Accessed in 2 December 2012]
- UNDP 2013. *Summary Human Development Report 2013*. New York: UNDP. Available From: http://hdr.undp.org/en/media/HDR2013_EN_Summary.pdf [Accessed 2 February 2013].
- UNICEF, 2000. *Domestic violence against women and girls*. Innocenti Digest no. 6, Italy: UNICEF, pp. 2-19.
- UNICEF, n.d. Early marriage. Available from: http://www.unicef.org/bangladesh/children_4866.htm [Accessed 12 April 2013].
- UNIFEM, 2011. *Facts and figures on VAW*. Available from: http://www.unifem.org/gender_issues/violence_against_women/facts_figures.html [Accessed 9 February 2013].
- United Nations Development Fund for Women (UNIFEM), 2003. *Not a minute more: Ending violence against women*. United Kingdom: Department for International Development (DFID), pp. 22-35.
- United Nations Development Fund for Women (UNIFEM), 2007. *Violence against women: Facts and Figures*. Available from:



http://www.unifem.org/attachments/gender_issues/violence_against_women/facts_figures_violence_against_women_2007.pdf [Accessed 2 December 2012].

United Nations Entity for Gender Equality and the Empowerment of Women (UN Women), 2011. *Domestic violence legislation and its implementation*. Bangkok: UN Women.

United Nations Population Fund (UNFPA), 2003. *Violence against women in South Asia: A regional analysis*. Kathmandu: UNFPA, pp. 1-28.

Viano, E. (ed.), 1992. *Intimate Violence: Interdisciplinary Perspectives*. Washington, D.C.: Hemisphere Publishing.

Walby, S., 1990. *Theorizing Patriarchy*. Cambridge: Basil Blackwell Inc., pp. 3-24.

WHO, 2005. *WHO Multi-country Study on Women's Health and Domestic Violence against Women*. Geneva: WHO.

World Economic Forum, 2012. *The Global Gender Gap Report 2012*. Geneva: World Economic Forum, p.9.

World Health Organisation (WHO), 2010. *Preventing intimate partner and sexual violence against women: Taking action and generating evidence*. Geneva: WHO.

Zajicek, A. M. and Toni Calasanti, M., 1998. Patriarchal Struggles and State Practices: A Feminist, Political-Economic. *Gender and Society*, Vol. 12/5, pp. 505-527.

Zaman, H., 1999. Violence against Women in Bangladesh: Issues and Responses, *Women's Studies International Forum*, Vol. 22/1, pp. 37-48.



Appendix 1

Domestic Violence Scenario in Bangladesh

Domestic violence is the most prominent violence in Bangladesh and around the world-

- Domestic violence is the everyday phenomenon for the lives of women and girls in Bangladesh
- The children of a DV victim woman got psychological obstacles like their mother
- About 60% women have experienced domestic violence once in their life.
- About 66% of the DV incidents are under reported and those victims do not get any institutional assistance.
- According to a study in 1999 by UNHCR, 47-60% married women are tortured in Bangladesh where men justified it as their rights
- According to a survey by the UNICEF, one in every two women faced violence.
- A study by the ICDDR, B (June 2006) claimed that 50-60% women experienced domestic violence in their life.
- According to UN Population Council (2002) most of the husbands believe that they have the right to punish their wives
- One Stop Crisis Centre named a non-governmental organisation revealed that 79% women faced violence at her home.
- According to a survey of WHO, 68% women never talked about their husbands' battering.

Source: Collected from PLAN Bangladesh Documentation Unit



Appendix 2

Physical and sexual violence against women from an intimate partner

Site	Physical violence		Sexual violence		Physical or sexual violence or both	
	Ever (%)	Current (%)	Ever (%)	Current (%)	Ever (%)	Current (%)
Bangladesh City	37.7	19.0	37.4	20.2	53.4	30.2
Bangladesh Province	41.7	15.8	49.7	24.2	61.7	31.9
Brazil City	27.2	8.3	10.1	2.8	28.9	9.3
Brazil Province	33.8	12.9	14.3	5.6	36.9	14.8
Ethiopia Province	48.7	29.0	58.6	44.4	70.9	53.7
Japan City	12.9	3.1	6.2	1.3	15.4	3.8
Namibia City	30.6	15.9	16.5	9.1	35.9	19.5
Peru City	48.6	16.9	22.5	7.1	51.2	19.2
Peru Province	61.0	24.8	46.7	22.9	69.0	34.2
Samoa	40.5	17.9	19.5	11.5	46.1	22.4
Serbia & Montenegro City	22.8	3.2	6.3	1.1	23.7	3.7
Thailand City	22.9	7.9	29.9	17.1	41.1	21.3
Thailand Province	33.8	13.4	28.9	15.6	47.4	22.9
Tanzania City	32.9	14.8	23.0	12.8	41.3	21.5
Tanzania Province	46.7	18.7	30.7	18.3	55.9	29.1

Source: Garcia-Moreno *et al.* 2005 quoted in WHO 2010



Appendix 3

Attitude towards wife beating:% distribution of all women who agree that a husband is justified in hitting or beating his wife for specific reasons, by residence

	Urban	Rural	Total
Reasons			
Goes out without telling her husband	13.7	16.1	15.4
Neglects the children	13.4	15.2	14.7
Argues with husband	13.7	16.3	15.5
Refuse to have sex with husband	10.2	11.7	11.2
Does not obey elders in the family	11.2	13.8	13.0

Source: Akhtaruzzaman *at el.* 2013

Different types of spousal violence (physical)

	Urban	Rural	Total
Push, shake or throw something	15.4	17.3	16.7
Slap	29.8	36.3	34.3
Twist arm/pulling hair	13.5	17.0	15.9
Punch with fist or with something that could hurt	11.3	13.3	12.7
Kick/ drag/ beat	8.6	10.0	9.6
Try to choke/burn on purpose	3.9	3.8	3.8
Threat/ attack with a knife or any other weapon	3.6	3.3	3.4

Source: Akhtaruzzaman *at el.* 2013

Reasons for spousal violence

Reasons	Urban	Rural	Total
Without any reason	23.4	30.38	28.36
Due to financial problem	23.4	19.10	20.35
Due to food crisis	0.43	2.95	2.22
Due to jealousy	28.51	24.31	25.52
Due to refuse of having sex	1.70	1.39	1.48
Due to not obeying the elders in the family	2.55	0.87	1.36
Due to ignoring the servant	0.85	2.43	1.97
Going out without asking husband	2.98	1.74	2.10
Mistrusted by husband	0.85	1.22	1.11
Due to mistrusted by wife	0.85	0.87	0.86
For Dowry	1.28	1.91	1.73
For not bringing money from wife's family	1.28	1.91	1.73
Not taking care of the children	8.94	8.85	8.88
As the husband is drunker or takes medicine	2.98	2.08	2.34
Total	100	100	100

Source: Akhtaruzzaman *at el.* 2013

