



Prevalence, factors and psychology of spousal violence in Bangladesh: A comparative study on rural-urban traits

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ABSTRACT:- Domestic violence is a universal crisis which not only affects women's health but also goes beyond to affect their social and economic lives. In every country where large-scale studies have taken place, domestic violence has been found to be by far the most common, wide-spread and far-reaching form of gender-based violence. In South Asia domestic violence is a daily and often deadly fact of life. Several studies have indicated that domestic violence against women, especially violence perpetrated by a women's husband is a serious problem in Bangladesh. Available information from research indicated that the most common type of violence against women in Bangladesh is domestic violence perpetrated by intimate partners or ex-partners. In Bangladesh, most of the women experience domestic violence at the hands of an intimate partner or family member in her lifetime. Societal norms and traditional values associated with gender roles and supremacy within households and society tend to trigger, dictate and provoke spousal violence against women in Bangladesh. Spousal violence impediments women's well being and overall development, i.e. it has direct consequences for women's health-physical, mental, sexual and reproductive as well as economic costs, and afterwards adverse effects on psychological development of children. Despite the enactment of plethora of laws and recognition of international laws as to women's human right in Bangladesh, it is still pervasive. In this paper, we are in the quest of a rural-urban comparison regarding the magnitude of spousal violence, factors associating it and the perpetrators' psychology behind it in the context of Bangladesh.

Keywords:- Spousal violence, Intimate partner violence, Domestic violence, rural women, urban women

I. INTRODUCTION

Materialization of a historic unequal power relation between sexes is a form of discrimination and mistreatment of women which denies women's equal opportunity, security, self-esteem and dignity in the family and in the society as a whole.¹ In many cases this discrimination reflects through several forms of violence against women (VAW). VAW is typically enmeshed in a complex web of institutionalized social relations that make women particularly vulnerable to it.² It is a very pervasive and serious social malady in both developed and developing countries. Irrespective of nation's level of development, women are susceptible to exploitation, oppression and types of demeaning violence from men in all societies where cultural norms, traditions and legal system endorse women's sub-ordination to men. Deeply embedded in cultural and socio-economic practices, VAW is sanctioned both by the society and the State, in the name of culture, tradition and religion. In South Asian region, it begins long before they are born and continues throughout their lives. In the last few decades, it has emerged as the most pressing and intractable social problem across the regional, social and cultural boundaries. The most prevalent form of VAW is domestic violence. In every country where large-scale studies have taken place, domestic violence against women (DVAW) has been found to be by far the most common, wide-spread and far-reaching form of gender-based violence. Violent behaviors such as beating, pushing, slapping, or throwing things etc. by the spouse or other family members are considered as domestic violence.

¹ Khatun M.T., Rahman K.F. (2012) Domestic Violence against women in Bangladesh: Analysis from a Socio-legal Perspective, Bangladesh e-Journal of Sociology, Vol.9. Number 2, p.19

² Schuler S, Hashemi S, Riley P, Akhter S.,(1996) Credit programs, patriarchy and men's violence against women in rural Bangladesh, Soc Sci Med; 43:1729-42

Power and control over resources are most frequently at the core of events leading to the use of violence in domestic situations. In this paper, we are aimed to deal with spousal violence against women (SVAW).

In Bangladesh, SVAW is a very common practice. Being in a patriarchal society, powerlessness and vulnerability is associated with women's lives where they are dominated and subjugated by men. The patriarchal value, norms and traditions make the scenario of Bangladesh. Societal norms and traditional values associated with gender roles and supremacy within household and society tend to trigger, dictate and provoke domestic violence against women in Bangladesh.³

Women in Bangladesh are not a homogenous group; they belong to the rich, middle and poor classes and are from different cultural and ethnic minority groups. They are also differentiated by rural and urban settings. SVAW is prevalent in both the cohort—rural and urban. It is more pronounced amongst the poorer and less-educated class. The reason behind this may be that- it is easier to get access to victims belonging to lower economic strata. However, in middle class and higher economic strata the spousal violence is also frequent. But the information about those always remains in darkness. Empirical studies found that domestic violence is often used by men to establish and to enforce their dominance and non-egalitarian gender norms, particularly in the initial years of marriage, and very young women may be particularly vulnerable and unable to resist (Azim 2001). Men, frustrated by poverty and social expectations to provide for their families, also react with violent behavior. Newspapers abound with stories about wives being killed or battered. It is said that in Bangladesh 50% of all murders are of wives by husbands (Heise 1993). Despite the enactment of plethora of laws and recognition of international laws as to women's human right in Bangladesh, domestic violence is still pervasive. In this context, our aim in this article is, at first, to define domestic violence along with its various forms. Secondly, to disclose the pervasiveness of spousal violence (SV) in rural and urban areas of Bangladesh. Thirdly, we shall try to find out the factors associating SV along with rural and urban trends. Then we shall focus on the psychology of the perpetrators behind SV and the reasons of victim's silence. Next we shall try to estimate the socio-economic costs of spousal violence. Finally, we shall point out protection against SV in Bangladesh, problems in implementation and suggest some recommendations to get over these problems.

II. DEFINITION OF DVAW

Domestic violence is defined as a pattern of behavior in a relationship by which the batterer attempts to control his victim through variety of tactics. These tactics may include fear and intimidation, economic abuse and rigid expectations of sex roles.⁴ Domestic violence is defined by the U.S. Department of Justice as a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner.⁵ The United States of America's Law on Family Violence and Prevention of Services Act⁶ defines family violence-

“any act or threatened act of violence, including any fearful detention of an individual which

- a) Results or threatens to result in physical injury and
- b) Is committed by a person against another individual to whom such person is related by blood or marriage or otherwise legally related or with whom such person is lawfully residing.

In Bangladesh, we can find a comprehensive definition of domestic violence in the Domestic Violence (Prevention and Protection) Act 2010 as:

“any physical and mental torture, sexual harassment and psychological harassment of a women or a child by any member of the family. Any action that causes or likely to cause damage to the life, health, security or any organ of the body of a women or a child”⁷ Although domestic violence includes child abuse, parent abuse and in-laws abuse committed by male aggressors on female victims, available information from research indicated that the most common type of violence against women in Bangladesh is domestic violence perpetrated by intimate partners or ex-partners.⁸ For the purpose of this study, we should be delimited only to spousal violence against women, that is husband's violence against wife.

³ Koenig, M.A., S. Ahmed, M.B. Hossain and A.B.M.K.A. Mojumder (2003) Women's Status and Domestic Violence in Rural Bangladesh: Individual and Community Level Effects, *Demography*, 40:269-288

⁴ Johnson, Margaret E. (2008); *Redefining Harm, Re-imaging Remedies and Reclaiming Domestic violence Law*, University of Baltimore

⁵ U.S. Dept. of Justice, Office on Violence against Women, <http://www.ovw.usdoj.gov/ovw-fs.html> (last visited on December 7, 2011)

⁶ see Section 309 of the Family Violence and Prevention of Services Act

⁷ See sec. 3 of the Domestic Violence (Prevention and Protection) Act, 2010

⁸ Heise, L.H. Pitanguay and A. Germain (1994) *Violence against Women: The Hidden Health Barden*, World Bank Discussion Papers No.255, Washington DC: The World Bank, 1994]

III. FORMS OF DVAW

Violence against women cuts across lines of income, class, culture and residence. But some forms appear to be more prevalent in rural areas, for instance, child-marriage, dowry and honor killings, acid-throwing, abusive language, beating, forced sex etc. ; others in urban areas, such as harassment, economical and psychological torture, violent sex, forced prostitution, refusal to sex etc. There is a causal link between SV and urban violence, attributed to changes in social controls, in particular the breakdown of social bonds. Sometimes, breaking down of traditional joint families and creation of nuclear families can be attributed as new factors associating spousal violence.

In a urban-based study “*Missing Dynamics of Spousal Violence Discourse: Measuring the economic costs*” [A paper presented by Dr. Fahmida Khatun, in a dialogue titled “*Domestic violence in Bangladesh: Cost estimates and Measures to address the attendant problems*” arranged by the Centre for Policy Dialogue (CPD) on 9 August 2008], most of the respondents mentioned that they experienced mainly four kinds of violence:

>>> Physical violence which included hitting, punching, kicking, hitting with an object, choking, burning, acid throwing, hitting with a weapon, forced abortion.

>>> Psychological violence included threat of physical violence, insult, restricting mobility, abandonment.

>>> Sexual violence included marital rape, forced prostitution, refusal to have sex.

>>> Economic violence included stopping food, stopping maintenance for victim, stopping maintenance for children, dowry/dowry demand, not permitting to earn, forcing to earn.

It was found in the study that 93% of victims reported that they had experienced physical violence, only 13% reported of having experience of sexual violence, 93% victims reported economic violence and 84% reported psychological violence committed by their husband. 30% of women in rural Bangladesh reported that their first sexual experience was forced.⁹ A multi-country WHO study found that in Bangladesh 22% female respondents in cities as against 11% of those in the provinces had experienced physical or sexual violence after the age of 15. The same study found greater prevalence of violence in urban area.¹⁰ But that does not prove lower rate of spousal violence in rural area. It higher rate of reporting by urban women can be a reason behind it, rural women do not tend to report against DV/SV as they are more likely to believe that husband has the right to chastise rebellious wife. Again, it may be another reason that urban women are more aware and conscious of their rights. Furthermore, human rights organizations are more accessible to the urban people compared to the rural people. And social acceptance of spousal violence is severe in rural area. According to BNWLA report 2005, spousal violence is slightly more in lower class and rural people. Under-reporting of middle and higher class may be caused by the fear of losing dignity and status in the society. Again lack of legal knowledge is the reason of un-reporting of DVAW in lower classes and rural people.

IV. MAGNITUDE OF SPOUSAL VIOLENCE IN BANGLADESH: A RURAL-URBAN STUDY:

Women of all economic strata are vulnerable to maltreatment and abuse by husbands, in-laws, and other family members. Several studies have indicated that domestic violence against women, especially violence perpetrated by a women’s husband is a serious problem in Bangladesh.¹¹ The 2010 USDOS report cites a study indicating that 50% of Bangladeshi women experience domestic violence at least once in their lives.¹² Paltiel found that severe beatings usually perpetrated by the husband accounted for 49% of household deaths in Bangladesh.¹³

Occurrence of domestic violence varies little in terms of urban-rural divide. In Bangladesh, 87% of urban men and 94% of rural men of the opinion that a woman should obey her husband.¹⁴ 65% of Bangladeshi men

⁹ WHO multi-country study on women’s health and domestic violence against women: Initial results on prevalence, health outcomes and women’s responses, 2005

¹⁰ <http://www.unfpa.or/swp/2007/youth/english/story/rehamyouth.html>

¹¹ Bhuiya, 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, J Health Popul Nutr, 21(1): 48-54, ICDDR, B: Centre for Health and Population Research

¹² [US Department of State 2010, (2009) Country Reports on Human Rights Practices 2009-Bangladesh, 11 march – Attachment 2

¹³ Paltiel, F. (1987) Women and mental health: A post Nairobi perspective. World Health Stat Q; 40: 233-66

¹⁴ Partners for Prevention, Men’s Attitude and Practices Regarding Gender and Violence against Women In Bangladesh: Preliminary Findings. November, 2011 <http://www.partners4prevention.org>

perceived wife beating as justified¹⁵ An ICDDR,B study shows that among ever-married women, 40% of those in the urban area and 42% in the rural area reported physical violence by their husband (ICDDR, B, 2006). However, sexual violence by husband is more prevalent in rural areas (50%) than urban areas (37%), according to the study. Schuler identifies in a study that 38% of women are beaten by their husbands in rural areas of Bangladesh.¹⁶ The figure seems much higher in urban areas documenting 60% of adult women battered by their husband in Dhaka city.¹⁷ Yet, on the other hand, a life history approach observes a much higher magnitude of the problem where 72% of women are severely beaten by their husbands in some point of their life¹⁸ The occurrence of physical abuse authenticates the enormity of the problem, and concurrently, substantiates the existence of verbal abuse, which is anticipated to be high at family level. Recent study in rural areas reveals the extent of verbal abuse, which is inflicted by 67% of husbands and 24% of family member.¹⁹

Though the magnitude of SV is highly alarming, till now there is no organized information on the nature, extent and context of it. According to Bangladesh Mahila Parishad (BMP), each year average of 5000 women is tortured in Bangladesh.²⁰ The number of incidences was 4,777 in 2013, 5,616 in 2012, 6,616 in 2011 and 5,570 in 2010. The report was made on the basis of the published news of 14 first-rank daily newspaper. The report showed that among other kinds of violence, cases of sexual harassment, violence and torture in 2011 were 1228, of which 1239 were child and 589 were adult women. In 2013, 439 women were tortured for dowry among which 245 were killed.²¹ The magnitude is so high that Bangladesh ranked 1st in 2000, 2nd in 2002 (The Independent, 2002) and 4th in 2003 (The Daily Star, 2003) in the world in terms of different form of violence against women. Odhikar, a human rights coalition group in Bangladesh, reported that at the first nine month of 2003, in Bangladesh 278 women were victims of dowry –related violence. Among those 184 were killed, 20 committed suicide, 67 were physically tortured, 11 sustained injuries from acid attacks and 2 were divorced. The number of DV has increased from 530 in 2001 to 1164 cases in 2004.²² According to a research by ICDDR,B (2006), an estimated 200 women are murdered each year in Bangladesh when their families cannot pay dowry. This Scenario elucidates the pervasiveness of spousal violence against wives occurring in Bangladesh.

V. Factors Associating Spousal Violence:

In South Asia domestic violence is a daily and often deadly fact of life. Violence against women is rooted in the patriarchal ideology, which to a large extent is responsible for the internalization of female inferiority through a process of socialization, customs, religious laws and rituals. The legitimization and promotion of rigid gender roles, masculinity, toughness and male honor within society perpetuates gender violence.²³ The social forces that perpetuate gender based violence can be viewed from various approaches viz: cultural values that tend to rationalize violence, legal systems that are not sensitive to the rights of women, economic systems that subordinate women and political systems that marginalize women's need.²⁴ Naved & Persson revealed that in both areas-urban and rural, the strongest factor associated with husband's violence against the spouse was the history of abuse by the husband's mother by his father.²⁵ The study reported that men witnessing physical violence in the family during childhood were 2.29 times more likely to physically abuse the wife. Past exposure to familial violence probably endorses poor emotional development in the perpetrator, or may result in adoption of physical strategies as a means of coping with conflict. Lack of spousal communication

¹⁵ (stated in Immigration and Refugee Board of Canada, 2004)

¹⁶ Schuler, S.R., Hashemi, S.M., Badal, S.H., (1998) Men's violence against women in rural Bangladesh: Undermined or exacerbated by micro-credit programmes? *Development in practice*, 8(2)

¹⁷ [Government of Bangladesh, (1999), *Violence against Women*, Dhaka: Government of Bangladesh

¹⁸ Ain-O-Shalish Kendro, 1998

¹⁹ Supra note.11

²⁰ The Daily Purbokon, 19 December, 2014

²¹ The Daily Prothom Alo, 24 December, 2014

²² Farouk, S.A. (2005) *Violence Against Women: A Statistical Review, Challenges and Gaps in Data Collection and Methodology and Approaches for overcoming Them*, Expert Group Meeting, DAW, ECE and WTO, Geneva, 11-14 April 2005, UN Division for the Advancement of Women

²³ Counts D, Brown J, Campbell J., (1992) *Sanctions and sanctuary: cultural perspectives on the beating of wives*. Boulder Co, Westview Press

²⁴ Heise L, Raikes A, Watts CH, Zwi A., (1994) *Violence against women: A neglected public health issue in less developed countries*, *Soc Sci Med*; 39:1165-79

²⁵ Naved R, Persson L. (2005) *Factors associated with spousal physical violence against women in Bangladesh*. *Stud Family Planning*; 36:289-300

was the second most important factor associated with domestic violence. Non-payment or partial payment of dowry also, increased the likelihood of the wife's experiencing abuse.

In Bangladesh marital violence against women are linked to women individual attributes like age, education, economic autonomy, empowerment, previous victimization and history of level of economic inequality between men and women, the extent of extended family, violence in parental family. Partner's attributes includes age, education, employment, use of alcohol and drugs history of violence in parental family, level of communication with her.²⁶ Different social and behavioral traits like age, education, socio economic status, family pattern, religion etc. are also associated with DV. Research reveals that wife's age and marital duration are associated with violence's younger women are more at risk of DV than the older women²⁷ and longer the marital partnership lesser the violence. Consequently, child marriage, which is very common in rural areas, contributes to the high rate of the continuation of SV. Though general assumption is that women's increasing role to market economy increase women's autonomy and empower them in the family and society, researchers found that independence and autonomy trigger new forms of violence in response to social reaction against their violation of traditional patriarchal social norms, control of assets and earnings, their protest of unfair exploitation and discrimination²⁸ Psychopathology, substance abuse, poverty, cultural factors, anger, stress and depression often are thought to cause SV. While there are little empirical evidence that these factors are "direct" causes of SV, research suggests that they can affect its severity, frequency and the nature of the perpetrators abusive behavior. SV is a learned intentional behavior rather than the consequence of stress, individual pathology, substance use or a "dysfunctional" relationship. Perpetrators of SV frequently avoid taking responsibility for their behavior by blaming their violence on someone or something else, denying it took place at all or minimizing their behavior. Still the factors of DVAW can be separated into 4 categories.²⁹

Macro-societal factors: Organizational institutional and patriarchal structures in society maintain unequal power relationship between men and women that tacitly or directly support domestic oppression and violence against women.

Biological factors: Hormonal and neuron anatomical differences and other biological factors in men produce men's tendency to be violent against women.

Gender Role Socialization (GRS): Men's misogynistic attitudes towards women, learned through GRS, contribute to men's violent against women. Again men's violence unidentified and unexpressed emotions are expressed as anger, rage and violence against women.

Relational Factors: Differently socialized patterns of communication, separate gender role cultures, lack of understanding, communication gaps between spouses contribute to be precursor to SVAW.

There is no one single cause of SVAW. Men's violence could be a combination of some of the hypothesis, it could be caused a sole trigger, or something completely different, not listed here. It is simply impossible to pinpoint any one cause of violence.

Bhuiya reported that the most frequently mentioned reasons for abuse included wife's affairs (29.1%), failure of the wife to perform house hold work satisfactorily (17.6%) economic hardship of the family (11.5%) failure of the wife to take proper care of the children (10%), not wearing veil or conforming to expected behavior (5.5%) inability to bring money from the natal home (3%), not taking good care of in-laws and relatives (2%) as well as stealing (3.4%).³⁰

VI. RURAL TRENDS

The rate of SVAW is higher in rural area. Rural relationships tend to be closely knit. Relationships or familiarity with health care providers and/or law enforcement officials may affect the victims willingness to discuss abuse or violence. Similarly, relationship with an abuser may limit the extent to which an abuse or violence claim is investigated. Communities where men and women tend to stay in traditional roles, where people avoid asking for help and where there is less awareness of domestic violence and its impact on victims, children as well as on the society as whole, are the communities where it is harder for SV victims to seek out the resources they need. An analysis on homicides across a 20-year period found that rates of intimate partner

²⁶ *ibid.*

²⁷ 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*, 8(2)148-157

²⁸ *Ibid.*

²⁹ http://wort201h_domviol.tripod.com/groupactionproject/id9.html, last accessed on 24.11.2014]

³⁰ *Supra* note 11

murder were higher in rural areas than in non-rural areas.³¹ Several differences exist in rural and urban areas that can explain why the family and intimate partner murder might be higher in rural areas. These factors include : the geography of rural areas facilitates the kind of isolation that supports rural family violence as well as in rural communities people are more likely to know each other. The literature on rural women and children point to the following factors that influence SV are:

- Social and physical isolation
- Lack of education
- Less political and social autonomy for women than for men, along with a more traditionalist, conservative view of women and children
- Poverty and economic distress
- Population loss and particularly the outmigration of young people

The inaccessibility of services to enhance the health and wellbeing of women and children The issue of dowry is probably the most common source of DVAW in rural Bangladesh. A major reason is the rising unemployment among young males. Among other causes there are religious misinterpretation, social stigma, lack of education, adultery, poverty, early marriage, lack of beauty, dark complexion of the wife or of the children, over-producing of children, infertility, non-producing male child, superstitious beliefs, frustration, addiction, family-feud, women's membership in the micro-credit program etc. Though the general assumption that women's increasing roles to market economy increase women's autonomy and empower them in the family and society, researchers found that women's economic independence and autonomy trigger new form of violence in response to general social reaction against their violation of traditional patriarchal social norms, control of assets and earnings, their protest of unfair exploitation and discrimination³²

V. URBAN TRENDS

Violence against women has been accelerated to such heights in the urban areas that these incidents have ceased to shock us. Men from low socio-economic levels have greater probability of perpetrating violence against wife. Slum dwellers, alcohol and drug users, STDs infected men are more violent to their wives. Normally, factors contributing to SVAW are almost the same irrespective of rural-urban divide. But sometimes few peculiar things like late marriage, emotional mismatch, wife's self-dependence, higher social or official rank of wife, also contribute to SVAW in urban areas. Break-down of social bond is a crucial fact of increasing SV in urban Bangladesh. Few years ago we witnessed one of the crudest forms of domestic violence to realize how gruesome and grotesque these incidents can be. On 5 June 2011, Rumana Manzur, a University of British Columbia Canada graduate student and Dhaka University assistant professor of International Relations was mercilessly assaulted by her husband who was an engineer. In the scuffle that followed she lost an eye and flesh from her face. The whole country were puzzled by the fact that urban woman, who are educated and financially independent, can also be subjected to domestic violence.

VI. PSYCHOLOGY BEHIND DVAW

A WHO survey of 2400 Bangladeshi men found that 89% of rural men believe a husband has the right to mildly beat his wife to rectify her, while 83% of the urban males surveyed held the same view. Moreover, 93% of urban men and 98% of rural men believed that one needs to be tough to become a real man and 50% of urban men and 65% of rural men thought women need to tolerate repression to save their families (annual report, World Health Organization, 2009).

An article published in the Independent Weekend Magazine on June 24, 2011 tried to find out the psychology behind violence against women through discussion about the topic with several specialists in the field of psychiatry and psychotherapy from both home and abroad. Mohammad Samir Hossain, a faculty of Psychiatry (MBBS, PhD), Medical College for Women and Hospital Uttara and an external faculty of psychotherapy, Bircham International University, Spain, opined: "People who are disorganized in their actions and emotions and who have a confused philosophy whether to tolerate or torture, resort to violence. One factor that makes a man a torturer is the projection of his teachers, parents' or other guardians 'ill attitude'. Practically, in our current life style there is no such figure that can stop our ill behavior and acts. Not parents, not teachers, not police not even the government can do anything about it. This lack of true guardianship on one's mind can encourage wrongdoings according to one's own will. Specific psychopathology like psychosis, morbid jealousy,

³¹ Rural and Urban trends in Family and Intimate partner Homicide: 1980-1999 (<http://www.ncjrs.gov/pdffiles1/nij/grants/208344.pdf>)

³² Supra note.27

depression can also cause violent acts. One very common thing also encourage a male to act irrationally and violently and that is- the family and social teaching that male are dominant and powerful. In this case men fail to understand that their capacity is needed to fulfill their responsibility, not for acting irresponsibly and violently. Quite often, men think their mothers as the most important service provider, but not the most valuable or honorable person from the core of their hearts. As the mother represents the rest of the women for men, our attitude towards women remains devoid of respect no matter how much we love them.” Hossain mentioned other aggravating factors such response to sexual stimulation like watching obscene films, music videos, pornography, videogames, one obviously will look for satisfaction from the practical surroundings. Men are not strong enough to dictate their chemicals inside the body and brain, act bizarre in these situations.

Yasmin F Khan, MD, staff psychiatrist at Kaiser Permanente, California,, USA said, “Throughout the world, power and control are the main issues that drive the abuser to commit the crime. A lot of the abusers are drug and alcohol addicts and grow up watching violence in the family. This also is another big reason. Many people have low frustration tolerance, and they just act violently without thinking about the consequences. Many of these violators have been diagnosed with antisocial personality disorders and one of their characteristic pathology that they do not have remorse.”

VII. REASONS FOR SILENCE (CULTURE OF ACCEPTANCE):

The WHO multi-country study on women’s health and Domestic Violence against women (2005) showed that less than 1% of physically abused women reported the matter. In September 2013, another WHO study found that less than 2% seek help from formal institutions like police and hospitals .In conventional family system women are not encouraged to report violence incidents due to the social stigma, norms and taboos. Although such incidents are under-reported or un-reported, spousal violence is a reality which exists more or less in all parts and all sub-cultures of the country. A women when experiences spousal violence from the person whom she loves most, trusts more, and thinks to be her protector; it shakes her very existence. She then loses confidence in herself to fight back.

Ms Simeen Mahmud, Research Director, BIDS identified the prevailing culture of acceptance as the root cause of this occurrence in Bangladesh. She stated, “ it seems normal when parents beat their children, teachers beat their students, police become violent on the accused person in custody and our culture is to accept all these behaviors.” As this acceptance is being institutionalized thus leaving an alarming impact on the overall societal development. Advocate Sultana Kamal ,Executive Director, Ain O Shalish Kendro (ASK) also acknowledged the significance of this culture of tolerance(stated in The Daily Independent Weekend Magazine on June 24,2011).The WHO multi-country study reported that 53.3 percent in the urban and 79.3 percent of women in the rural area believed that a man had a right to beat his wife under certain circumstances, e.g. not completing housework adequately, refusing sex, disobeying the husband or for being unfaithful.³³

A review³⁴ by Wahed and Bhuiya revealed that the under-reporting of violence is of serious concern and the major reasons for silence in abusive relationships are:

- 1) The universal acceptance of gender inequality reinforced by social and religious beliefs in favour of male dominance;
- 2) The deep-seated reverence for family as an institution for continuing the existing social order and values related to regulating sexual behavior, particularly female sexuality within the bounds of marriage;
- 3) The prevalent bias amongst the middle class, who form the bulk of law-makers, law-enforcers, social norm-setters and opinion makers, in regarding DV as inconsequential; and
- 4) The fear of social censure and loss of face.

From the population based cross-sectional survey data of ICDDR,B -Naripokkho, Naved et. al reported that most of the abused women(66%) were silent about their experience. 75% of the moderately abused women in the urban area and 86% of them in the rural area never talked about their experience to anybody. A high percentage of women (30% urban and 40% rural) reported that they had remained silent because of the shame they had felt, the fear they had of not being believed or being blamed for the violence. Moreover, 26% of urban and 34% of rural women felt that such disclosure would detract from family honour. Fear of repercussion was present particularly in cases where the violence experienced was severe.³⁵

³³ WHO, Multi-country Study on Women’s Health and Domestic Violence against Women: Initial results on prevalence, health outcomes and women’s responses. 2005, Geneva, Switzerland: World Health Organization

³⁴ Wahed T, Bhuiya A; (2007) Battered bodies and Shattered Minds: Violence against Women in Bangladesh; Indian J Med Res 126. Pp341-354; ICDDR,B

³⁵ Naved R, Azim S , Bhuiya A, Persson L, Physical Violence by Husbands : Magnitude, disclosure and help-seeking behavior of women in Bangladesh, Soc Sci Med 2006; 62:2917-29

Bhuiya found that the most frequently mentioned reasons for tolerating violence included consideration of the suffering of children if they chose to leave (32.1%), followed by having no place to go (12.7%), and the social stigma associated with a broken marriage (12.2%).³⁶

Yasmin F Khan, MD, staff psychiatrist at Kaiser Permanente, California, USA, said: Other reasons why the victims stay in the relationships for years are financial dependence, having children and not knowing how to support the children alone. Not leaving the abuser fearing that he may inflict more abuse is another responsible factor. Even victims, who are highly educated, with financial solvency, continue staying in the relationship, with the hope that things will change for the better. This happens especially because the abuser after inflicting the violence promises that this is not going to happen again and the victim believes this against their better judgment. After every incident of abuse, the victim convinces herself that this will never happen again, but this most often is not the case. This may be showed as follows:
(insert figure 1 here)

VIII. SOCIO-ECONOMIC IMPACT OF SVAW

Men's violence against women compromises women's health and well-being in a wide variety of social settings. Deeply rooted subordinate positions of women allow men to dominate and control not only their families and resources, but also lives of women.³⁷ It is a universal crisis which goes beyond to affect their social and economic lives.³⁸ Violence against women impoverishes individuals, families, communities and governments and reduces the economic development of each nation.

Abused women are more likely than others to suffer from depression, anxiety, psychosomatic, symptoms, eating problems, sexual dysfunction and many reproductive health problems including miscarriage and stillbirth, premature delivery, HIV and other sexually transmitted infections, unwanted pregnancies and unsafe abortions. The World Bank estimates that rape and domestic violence together account for 5% of the healthy years of life lost to a women of reproductive age in developing countries.³⁹ Bhuiya et al. found that nearly half (47.9%) of the women who were physically abused by the husbands suffered injuries from the assault.⁴⁰ In 78.3% of the cases it was necessary to consult a health care provider.⁴¹ In Bangladesh, 13.8% of maternal deaths in pregnancy were reported as resulting from injury/violence.⁴² In addition, children who witnessed violence were at a higher risk for a whole range of emotional and behavioral problems including anxiety, depression, poor school performance, low self-esteem, disobedience, nightmares and physical health complaints.

In Bangladesh, there is still a gap in estimating the economic costs of SV.⁴³ Considering the increased prevalence of domestic violence and its long term impact on the economy, it is important to estimate both physical and psychological costs of it. Though there are several studies on the prevalence of DV/SV, very few attended to measure the economic costs associated with such violence. There are economic cost associated with violence which includes direct cost and some indirect or hidden cost which cannot be quantified in monetary terms. Direct cost embodies costs in the form of health care, displacement, social service, legal service, criminal justice etc. Loss of productivity due to violence can be estimated as indirect cost. When the victims experience different types of violence, they have to seek medical support for mainly two types of treatment physical and psychological. Though the SV has a significant impact on the victims' mental condition, only a few can seek the assistance of psychological therapists. There are two possible reasons behind the victims' reluctance to go for psychological treatment therapy is apparently expensive and there is also lack of awareness regarding psychological health care. Spousal violence causes displacement from the husband's house to parents, other relatives during the time when the domestic disputes go on. It is also a cause of expenditure incurred due to arranging a *shalish* (arbitration). Though there is a common belief that *shalish* is free of cost, the victims have to

³⁶ Supra note.11

³⁷ 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, 8(2)148-157

³⁸ Fishback R and Herbert B.,(1997). Domestic violence and mental health: correlated and conundrums within and across cultures. Social science and medicine, vol.8, pp: 1161-1176

³⁹ Jejeebhoy S.(1998) Associations between wife-beating and fatal and infant death: Impression from a survey in rural India. Stud family planning, 29: 300-8

⁴⁰ Supra note.11

⁴¹ Supra note.11

⁴² Naved R., (2003) A situational analysis of violence against women in South Asia. Paper commissioned by UNFPA

⁴³ The Daily star, May 29, 2013

spend money to resolve their disputes through *shalish*. Few victims go to family court whereas most of the other go to an organization for solution. Study reveals that victims have to spend quite a large amount of money in order to get justice from the court. They have to bribe the police and bear the cost of court and lawyer's fee. In most cases, the victims are reluctant in seeking justice from the criminal justice service due to lengthy and costly process. Cost of DV has severe implication both for the household and national level. A CARE study, conducted on 483 such women victims from January to June, 2010 in 24 villages of Dinajpur, Tangail and Sunamganj, shows that domestic violence costs 2.05% loss of Bangladesh's Gross Domestic product (GDP) worth around Tk 15 crore annually.⁴⁴ The amount is equal to the sum spent by the government in the health and nutrition sector. An innovative project implemented by CARE with funding from USAID found that the cost of DV represents about 12.5% of Bangladesh's national annual expenditure, or about 2.1% of gross domestic product.⁴⁵ Costs would be even higher if intangible cost like costs of pain, sufferings and morbidity were taken into consideration.

11. Laws against SVAW in Bangladesh:

Though domestic violence is not specifically mentioned in the 1979 CEDAW, General Recommendation 19 states that violence against women is a form of discrimination that inhibits a woman's ability to enjoy rights and freedoms on a basis of equality with men. It asks that governments take this into consideration when reviewing their laws and policies (CEDAW Committee, 1992). As a state party of CEDAW, thus, Bangladesh has the legal obligation to comply with the provisions contained in the convention. Subsequently In October, 2010 parliament passed the Domestic Violence (Protection and Prevention) Bill, that came into force in December of the same year which criminalized domestic violence.

11.1. Salient features of the law

The Act in the beginning defines "domestic violence" in article 3 as "abuse in physical, psychological, economical and sexual nature against one person by any other person with whom that person is, or has been, in family relationship, irrespective of the physical location where that act takes place". The key features of the Act are summarized below:

11.1.1. Who can seek protection under the Act

- a. Any woman or children who is or has been at risk of being subjected to domestic violence.
- b. Any victim who is or has been a family relationship with the respondent.
- c. Any handicapped adult who is or has been subjected to domestic violence. Any person can file a complaint on their behalf.

11.1.2. Against whom can a complaint be filed?

- a. Any adult person who has been in a family relationship with the victim
- b. Relatives of the husband or intimate male partner including his male and female relatives.

11.1.3. Forum of relief (Article 4, 5 & 6):

- a. For the purpose of this Act after receiving a complaint a Police Officer, Enforcement Officer or Service Providers shall inform the victim about the availability of the services including medical and legal aid services.
- b. Upon receiving complaint the first class Magistrate shall grant an interim Protection Order or any other order under this Act.
- c. Multiplicity of forum reliefs can be sought in other legal proceedings such as petition for divorce, maintenance.

11.1.4. Court's power to pass protection order:

The Court may pass a decree of compensation ascertainment of victim's injury or damage or loss as a result of domestic violence. The court may also pass at any stage of proceedings for a protection order or for any other relief under this Act, a temporary custody of children of the victim will grant to the victim or the applicant.

11.1.5. Consequences of breach of Protection Order (Articles 30 & 31):

- A) Breach of protection order deemed is a punishable offence though cognizable and bail able.
- b) First contravenes: imprisonment six months or fine up to taka ten thousand or both or engaging in a service benefiting to the community for a period.

⁴⁴ The Daily star, May 29, 2013

⁴⁵ Dr. Siddique K.,2011, Domestic violence against women: Cost to a nation, CARE Bangladesh and USAID

c) Subsequent contravention: Imprisonment up to twenty four months and fine up to taka one lac or both or engaging in a service benefiting to the community for a period.

IX. RECOMMENDATIONS FOR REDUCING SPOUSAL VIOLENCE:

- ❖ The Domestic Violence (Protection and Prevention) Act, 2010 in compliance with the rules mentioned in the Domestic Violence (Protection and Prevention) Rules, 2013 need to be implemented properly.
- ❖ Despite the deployment of strong laws to deal with the problem, Spousal violence is increasing. Increased research on DV can contribute in addressing the problem identifying crucial factors of interventions.
- ❖ To eradicate violence against women and help women to achieve lives of equality and dignity, it is necessary to provide them adequate redress and support from the stakeholders.
- ❖ A coordinated effort for practical and efficient interventions needs to be made to eliminate this problem where men's supremacy over women needs to be challenged.
- ❖ Social awareness raising efforts need to be introduced. Educational programs should focus on patriarchal social norms that perpetuate SV.
- ❖ Media has a prominent role to play in preventing the violence. Electronic and print media both need to cover both extreme and general cases and present it in an objective manner.
- ❖ Higher educational efforts and priority to empowerment of the women, along with the proper implementation of the women sensitive legislation are required to minimize and gradually eradicate domestic violence against women in Bangladesh.
- ❖ There is also need reforms in the police department and judicial process. Women police should be trained to deal with the victims of SV.
- ❖ Computerized database regarding the incidents of SV should be maintained by governmental (e.g. police, courts, local government or OCC) and non-governmental organizations and open access to the data must be allowed. Accurate data regarding the extent of this problem will contribute enormously to lobbying for budgetary allocation. In addition, data can be used to provide an ongoing baseline, which will enable governmental and non-governmental organizations to set realistic targets. This would help government make informed decisions about the efficacy of policies and interventions and subsequent revisions to policy.
- ❖ The government should adopt the policy of zero tolerance in bringing the perpetrators of spousal violence to justice. Switzerland is a glaring example of zero tolerance towards spousal violence.

X. CONCLUSION

Spousal violence in Bangladesh is a major concern of development interventions as well as in human rights perspectives. Due to SV the home of a woman which ought to have been a happy and heavenly home with full of love and affection, turns into hell. This is not good for the healthy progress of a nation.⁴⁶ Spousal violence impediments women's well being and over all development, i.e. it has direct consequences for women's health-physical, mental, sexual and reproductive as well as economic costs, and afterwards adverse effects on psychological development of children. In this regard, this socio-legal rural-urban comparative analysis suggests a comprehensive intervention where protective and preventive measures would be devised to address the problem which will help in changing the patriarchal mindset and behavior against wife or women. A congenial gender neutral development initiative is almost impossible within the traditional social framework. That's why *Rehman Sobhan* opined that,

*"To reduce the costs of domestic violence and in fact to eliminate it from our society, both the civil society and the government have to play their due roles. The civil society organizations have to identify and put forward the best possible agenda to eliminate the ``mastans'' from the bedrooms. And it is possible with the commitment and cooperation from the government and civil society that can make people aware of the adverse effects of domestic violence upon the family and society."*⁴⁷

⁴⁶ Kiswar M., Law relating to domestic violence, M/S Asia Law House, 2004, p.5

⁴⁷ Centre for Policy Dialogue, 2009