

Bangladesh is one of the largest Muslim countries in the world. In spite of political turmoil, frequent natural disasters and widespread corruption it has, in less than four decades after its birth as an independent state, gained visible success in human development – especially the education of women and girls, family planning and health, and microcredit to the poor.

As a Muslim country it has strong patriarchal social norms and cultural legacies that are predominantly derived from Hinduism. In general, most of the population is religious and devoted to a life of piety. On the one hand, the lives of women are affected by the prevailing patriarchy, religious practices, social and cultural norms. On the other hand, women are also influenced by the conscious interventions of the government, NGOs and microcredit institutions. In recent decades, the status of women has changed drastically from limited movement inside the four walls of the home to a dominant presence in the labour-market, small businesses, careers in media and private sectors, participation in local as well as national politics, and a greater role in household decisionmaking.

The country has a long tradition of *Sufi* orders which hold reasonably sympathetic outlooks towards women. However, in recent years, Bangladesh has been deeply influenced by *Deobandi-cum-Wahhabi* Islam with *Salafi* ideology. This ideology has been propagated through countrywide *qaomi madrassahs* and Jamaat-e-Islami's devotional activities that are combined with economic, theological, and moral support from Middle Eastern societies. Since the beginning of 1990s, religious militancy, in the name of the Puriterian movement with the slogan "return to the origin", has increased drastically. This has resulted in countrywide terrorist activities, demonstrations against development programmes by the Grameen Bank and other NGOs, misogynous activities including attacks on women and organizers involved with NGOs, and the denial of secular laws resulting in numerous attacks on public premises and holy shrines of Muslim saints.

This study thus provides an analytical discussion on the status of rural women in Bangladesh focusing on the legal status, religious practices, and patriarchal social norms in a new era of economic freedom created by microcredit programmes and government policies. It also analyses the conflict and debate about women and development activities between NGOs and the Islamist groups.



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Rural Women in Bangladesh

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THE LEGAL STATUS OF WOMEN AND THE RELATIONSHIP
BETWEEN NGOs AND RELIGIOUS GROUPS

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To my *baba* and
to the sweetest memories
of my dearly departed *ma* who, when she was with us,
inspired me with invaluable principles
in all aspects of life.

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How many roads must a man walk down
Before you call him a man?
Yes, 'n' how many seas must a white dove sail
Before she sleeps in the sand? (...)
The answer, my friend, is blowin' in the wind,
The answer is blowin' in the wind.

— **Blowin' In The Wind**—by Bob Dylan

When I listened for the first time to the Bengali version of this famous song, I became fond of it and searched for the original version. I guess everybody is equally moved as I am by the words that have a universal expression of the struggle to reach a target. The endeavour of achieving a goal applies equally to everyone: the women in rural Bangladesh, to me and to anybody.

This work is a small effort but many of my dearest and nearest have greatly helped me and without their close cooperation and help it would not have been possible for me to complete it. First of all, I like to express my gratitude to my family for their abundant support and inspiration: my father Hazi Sultan Miaji and my dear departed mother Zohra Miaji who died on 9 December 2003 in my presence, my sisters Noor Jahan, Amirun Nessa and Hazera Ali, and my brothers Mostafa Kamal and Rafiqul Islam. My young daughter Zahra and her mother Farhana have also given me enormous support and cooperation, especially my daughter who, with her childish games of *ridhāst*, “riding horse”, for example, habitually recharged me when I became jaded.

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Abdel Baten Miaji
Lund, March 2010

ABBREVIATIONS/ACRONYMS

AL	Bangladesh Awami League
ASK	Ain O Shalish Kendra
ADB	Asian Development Bank
ADAB	Association of Development Agencies in Bangladesh
ASA	Association for Social Advancement
BCS	Bangladesh Civil Services
BIDS	Bangladesh Institute of Development Studies
BNP	Bangladesh Nationalist Party
BBS	Bangladesh Bureau of Statistics
BRAC	Bangladesh Rural Advancement Committee
CIDA	Canadian International Development Agency
CSO	Civil Society Organization
CEDAW	Convention on the Elimination of All Form of Discriminations against Women
DC	District Commissioner
FCO	Family Court Ordinance
FNB	Federation of the NGOs in Bangladesh
GB	Grameen Bank
HJ	Harkatul Jihad
HT	Hizb ut-Tahrir
IPSL	International Partnership for Service-Learning and Leadership
IOJ	Islami Oikkyo Jote
JASAD	Jatiya Samajtantrik Dol (National Socialist Party)
JMJB	Jagrata Muslim Janata Bangladesh
JI	Jamaat-e-Islami
JIB	Bangladesh Jamaat-e-Islami
JMB	Jamaat-ul-Mujahedeen
JP	Jatiya Party
LGRD	Local Government and Rural Development
ML	Muslim League
MFLO	Muslim Family Law Ordinance (1961)
NK	Nijera Kori (We do it ourselves)
NGO	Nongovernmental Organization
PCWC	Prevention of Cruelty to Women and Children Act of 2000
Proshika	an acronym of three Bengali words, <i>PROshikkhon</i> , “training”, <i>SHIKkha</i> , “education”, and <i>KAj</i> , “action”
TJ	Tablighi Jamaat
UN	United Nations
UNDP	United Nations Development Programme
UCLG	United Cities and Local Governments
WID	Women in Development

GLOSSARY

<i>Aqiqa</i>	birth sacrificing according to Islamic tradition, with a goat or a lamb or a cow for every female child and a cow or two goats or two lambs for every male child on the seventh or fourteenth, twenty-first, twenty-eighth or thirty-fifth day after the child's birth
<i>Ashura</i>	mourning for the martyrdom of Hussain ibn Ali, the grandson of Prophet Muhammad, at the Battle of Karbala on 10 th Muharram in the year 61 AH (October 10, 680 AD)
<i>Bari</i>	homestead for families related through mainly paternal lineage
<i>Baul</i>	Baul constitutes both a syncretic religious sect and a musical tradition used as a vehicle to express Baul thought
<i>Bhut</i>	ghosts
<i>Borga</i>	share cropping system
<i>Burqa</i>	an enveloping outer garment which covers the whole body, worn only by women in some Islamic traditions for the purpose of hiding a female's body when out in public
<i>Eidgah</i>	yearly prayer-ground
<i>Eid-e miladunnabi</i>	birth ceremony of the Prophet
<i>Eid-ul fitr</i>	Muslim feast after Ramadan
<i>Eid-ul Adha</i>	Muslim feast the day, concluding the pilgrimage to Mecca
<i>Fatwa</i>	legal opinion, an answer from a competent authority to a question concerning <i>shari'a</i>
<i>Grameen</i>	literally means <i>village</i> or <i>rural</i>
<i>Gushti</i>	people from same patrilineage
<i>Hadith</i>	hadith is the tradition of the Prophet, and the vast amount of opinions and acts of Muhammad and his closest followers
<i>Haram,</i>	forbidden

<i>Heba</i>	a gift, to give something to someone, but in the context of Islamic <i>fiqh</i> it means to make a will of properties
<i>Hijab</i>	headscarf for Muslim women
<i>Hilla</i>	an interim marriage, <i>hilla</i> marriage literally means an arrangement of reunification between the husband and the divorced wife if they desire. The arrangement is such that the divorced wife is married to another man and after being divorced by him she is admissible for reunification with her first husband by the system Islam prescribes
<i>Imam</i>	a prayer leader but also a generic term for a person in a position of religious authority
<i>Izzat</i>	honour (of women)
<i>Jhar-fuk</i>	the reciting of holy words from the Qur'an and blowing in the belief that it may remedy the patient
<i>Jihad</i>	the word <i>jihad</i> is a noun meaning "struggle". <i>Jihad</i> appears frequently in the Qur'an and is in common usage as the idiomatic expression "striving in the way of Allah"
<i>Jinn</i>	believed to have been created out of smokeless fire. They are sometimes identified with serpents and sometimes with <i>Satan</i>
<i>Kabuliwala</i>	people from Kabul
<i>Khancha</i>	a cage
<i>Khas land</i>	unused land, often referred to vested land left by Pakistanis
<i>Khula</i>	the literal meaning of <i>khula</i> is "to take off one's dress" relating to a metaphoric description of spouses in the Qur'anic verse, "They are raiment for you and ye are raiment for them" (Qur'an 2:187) but according to the Islamic jurisprudence, when a man seeks divorce it is called <i>talaq</i> and when a woman seeks divorce is called <i>khula</i> . When a woman seeks <i>khula</i> in accordance with certain circumstances, she loses her rights of <i>mahr</i>
<i>Kobiraj</i>	traditional medicine man

<i>Lazzabati</i> vines	literally means shy, a plant whose leaves fold when it comes in contact with other substances
<i>Madrasah</i>	an Islamic school
<i>Mahr</i>	a gift, mandatory in Islam, which is given by the groom to the bride upon marriage in Islamic cultures
<i>Mahram</i>	male relatives of a woman with whom she is not allowed to be married
<i>Maktab</i>	religious elementary school where reciting of Qur'an is taught
<i>Masjid Kendrik Samaj</i>	mosque-centred society
<i>Matabbor</i>	a decision making individual in a community
<i>Mazar</i>	holy shrine
<i>Mela</i>	fair, festival
<i>Miraz</i>	ascension to Heaven of the Prophet Muhammad on the 27 th Rajab, 7 th month of the Islamic calendar
<i>Mohajon</i>	refers to entrepreneurs or local rich, influential businessmen
<i>Mufti</i>	an Islamic scholar who is an interpreter or expounder of Islamic law (<i>Shari'a</i>)
<i>Mullah</i>	a cleric, religious leader or <i>madrasah</i> -student and teacher
<i>Murtad</i>	apostate
<i>Nari</i>	woman
<i>Ojha</i>	traditional healer
<i>Orna</i>	extra cloth covering the upper part of the body
<i>Para-moholla</i>	comprising of several homesteads, a small unit of a town
<i>Pinjor</i>	barred enclosure
<i>Pir</i>	Muslim spiritual leader
<i>Purdah</i>	seclusion, beliefs and values about the behaviour of women, the restrictions on their movements outside the household and the requirements for their

	respectful and deferential demeanour within the home
<i>Qaomi</i>	literally means national but it is used here to mean a type of <i>madrassah</i> in Bangladesh, mainly from Deobandi hierarchy
<i>Rashtra Dharma Islam</i>	Islam as the state religion
<i>Salafist</i>	a Salafist is part of a Sunni Islamic movement that views the pious ancestors (Salaf), the first three generations of Muslims, as exemplary models, same as <i>Wahhabi</i> .
<i>Shalish</i>	village court or village arbitration
<i>Shari'a</i>	'the way to source in the desert' that is, it is comprehended in a good way and, in metaphoric terms, leads its followers in the right direction towards the divine revelation
<i>Shiites</i>	a sect in Islam
<i>Sunnites</i>	a sect in Islam
<i>Sunnis</i>	a follower of Ahle Sunnat wal-Jamaat
<i>Shab-e barat</i>	the night of the 14 th Shabaan, the 8 th month of the Islamic Calendar
<i>Shab-e qadar</i>	the night of 27 th day of Ramadan when the first five verses of the Qur'an were revealed to the Prophet
<i>Tabiz</i>	Qur'anic verses written on a piece of paper and put inside an amulet
<i>Urs</i>	anniversary of the death of a Sufi saint
<i>Wahhabis</i>	followers of Abdul Wahhab, a religious reformer who gave the ideology of Ibn-Taymiyya an institutional form, labelling innovations such as the worshiping of saints as a dangerous form of sin and sought to purify Islam through returning to its original essence. They similarly consider the <i>sufism</i> as a deviant practice.
<i>Wazmahfeels</i>	religious sermons

CONTENTS

ACKNOWLEDGEMENTS	VII
ABBREVIATIONS/ACRONYMS	X
GLOSSARY	XI
LIST OF FIGURES AND TABLES	XVIII

Chapter One

INTRODUCTION	1
Politics and Power in Bangladesh.....	2
Women in Focus	7
Aims and Principal Problems.....	11
Previous Research	12
Framework of the Study	21
<i>The Role of Women in Society</i>	25
<i>Policy and Intervention</i>	30
Methodology, Fieldwork and Material.....	31
The Outline of the Thesis.....	37

Chapter Two

THE LEGAL STATUS OF WOMEN IN BANGLADESH	39
Civil Laws.....	40
<i>The Current Constitution of Bangladesh</i>	40
<i>Part II of the Constitution (Fundamental Principles of State Policy)</i> ..	41
<i>Part III of the Constitution (Fundamental Rights)</i>	42
<i>Part V of the Constitution (The Legislature)</i>	44
Codes of Criminal and Civil Procedure	47
<i>The Code of Criminal Procedure 1898 and the Code of Civil Procedure</i>	
<i>1908</i>	47
<i>Labour Laws 1936</i>	48
<i>The Penal Code (1860)</i>	50
<i>Violence Against Women and Prevention of Cruelty to Women and</i>	
<i>Children (PCWC) Act 2000</i>	50
Muslim Personal Laws	56
<i>Muslim Family Law Ordinance 1961 & Family Court Ordinance</i>	
<i>1985</i>	57

<i>Rights within Marriage</i>	59
<i>Polygamy</i>	61
<i>Divorce</i>	63
<i>Guardianship and Custody of Children</i>	68
<i>Inheritance</i>	69
Conclusion	72

Chapter Three

THE POSITION OF RURAL WOMEN IN BANGLADESH.. 75

Income, Poverty, Livelihood and Security.....	77
<i>Income, Poverty and Livelihood</i>	77
<i>Security: Violence Against Women</i>	80
<i>Security: Shalish and Fatwa Against Women</i>	83
Opportunities and Rights	89
<i>Education</i>	89
<i>Health</i>	93
<i>Faith Healing</i>	96
<i>Personal Freedom affected by Patriarchy and Social Norms</i>	97
<i>Personal Freedom affected by Religious Practices</i>	105
<i>Political Rights</i>	109
<i>Empowerment – Household Decision Making and Participation</i>	112
Conclusion	115

Chapter Four

INTERVENTIONS BY NGOs AND GOVERNMENT 119

Activities of Chosen Organizations	123
<i>Grameen Bank (GB)</i>	123
<i>Bangladesh Rural Advancement Committee (BRAC)</i>	128
<i>Proshika</i>	133
<i>Nijera Kori (NK)</i>	136
Government Policies towards Development and The Summarising of Interventions.....	140
Conclusion	147

Chapter Five

CONFLICTS & ARGUMENTS..... 151

Conflicts.....	151
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Arguments by Religious Groups against Development	
Interventions	157
<i>New Kabuliwala – “People from Kabul”</i>	158
<i>Health Services and Religious Conversion: Christ is the Saviour</i>	160
<i>Mass Education</i>	162
<i>Religious Practices and Social Services</i>	163
<i>Other Common Accusations</i>	168
NGO-arguments	173
<i>Patriarchy and Equal Share</i>	173
<i>Shalish and Purdah</i>	176
<i>Religious Atrocity and Fatwa</i>	177
Discussions: The Impact of Microcredit & NGO Policies	181
Conclusion	192

Chapter Six

SUMMARY & CONCLUDING REMARKS	195
Analysis of the Conflict between NGOs & Religious Groups	
.....	196
<i>Discrepancy between Laws and Reality</i>	203
Conclusion	205

SAMMANFATTNING PÅ SVENSKA (SUMMARY IN SWEDISH)	210
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BIBLIOGRAPHY	211
Monographs and Articles	211
Internet and other Sources February 2010	228
Personalities I had Discussions with	228

LIST OF FIGURES AND TABLES

<i>Figure 1: Map of Bangladesh</i>	<i>xix</i>
<i>Figure 2: Theoretical Framework forming the Status of Women</i>	<i>22</i>
<i>Table 1: An overall view of the representation of women in the Parliament</i>	<i>46</i>
<i>Figure 3: Post-harvest processing in rural Bangladesh.....</i>	<i>77</i>
<i>Figure 4: Planting, ploughing and drying paddies in rural Bangladesh.....</i>	<i>78</i>

Figure 1: Map of Bangladesh



Source: Nations Online Project, January 2009 (www.nationsonline.org)

Chapter One

INTRODUCTION

Ever since my childhood, I have wondered why brides weep when they leave their parents after the wedding ceremony. When my eldest sister got married, I remembered the event in every detail. We were all very excited and enthusiastically celebrated day and night, each of us adorned with all possible colours and decorations. The house was full of guests, many of whom were unknown to me; all the children were shrieking with happiness and the elders were running here and there to attend to the guests while the bridegroom sat in a corner with his handkerchief over his mouth. It was as if the whole *bari*¹, “homestead”, was dancing to the music from the loudspeakers and the shouts of people throughout the whole evening. However, the next morning, when it was time for the guests and the bridegroom to leave with the bride, all the joyful faces suddenly became grief-stricken. It was as if someone had died and everyone was in mourning. My sister was weeping uncontrollably when she said goodbye and received her blessings from the elders by touching their feet and hugging them. As I watched this scenario, I was unable to withhold my tears. One’s wedding ceremony is supposed to be the most important and happiest moment of one’s life. Was my sister crying because she was leaving her secure and known surroundings for the unknown and insecure? Or was it because she was saying goodbye to friends and family members? Or else was the weeping during the farewell – in the context of exogamous marriages in a patriarchal society like Bangladesh – from fear and doubts about the ambiguous life she was going to lead with new family members?²

As a young Bangladeshi, this unforgettable observation of my sister’s wedding shook me to the core. After finishing my Masters degree, I proposed the position of women, especially rural women in Bangladesh, to be the topic of my PhD. My first supervisor, Professor Jan Hjärpe, supported the idea wholeheartedly and gave me guidelines on how to proceed with the subject. I then chose to explore the situation of rural women and the development activities by non-governmental organizations (NGOs) with the popular concept of microcredit or small loans. It is notable that Bangladesh is unique with regards to microcredit.

¹ *Bari* is a homestead of a local group of relatives as well as the home of families related mainly through the paternal lineage (three to ten houses around an inner courtyard). See Martius-von Harder 1981:44 for details about *bari*.

² Exogamous marriages are common in the subcontinent; daughters of the household would be expected to ‘marry out’ or to move to their husband’s household after marriage. See Denault 2009:29; Zaman 1998:1. See also Chambers, *Every Good Marriage Begins with Tears*, BBC 4.

Thousands of NGOs are in existence in order to change the lives of poor and destitute women throughout Bangladesh.³

My study of rural Muslim women in Bangladesh is conducted from the perspective of primarily religious studies, but also from a social studies viewpoint. This study discusses how religious practices, social norms and institutions determine the life of rural women and it also focuses on the intervention of NGOs partly supported by the government to improve the status of women, and the negative reactions and responses from different groups, especially “Islamists”, secularists and “traditionalists” who advocate patriarchy and the old social or religious norms, traditions and culture in the country.⁴ The legal status of women in general and Muslim Personal laws in particular will also be discussed to determine the discrepancy between the country’s laws, its practice and women’s actual position. The project further deals with the position of women within family circles and what hinders them in gaining the equal rights ensured by the constitution. A central aspect of this discussion about women concerns the conflict between development activists and Islamist groups. How Islam is interpreted is also important in this context since this thesis is produced in the field of Islamology.

Politics and Power in Bangladesh

When the British left India in 1947, the country was divided into two parts: India and Pakistan (including today’s Bangladesh), based on a Two-Nation Theory⁵ – Hindu and Muslim. Muhammad Ali Jinnah (1876-1948), succeeded

³ Read more on the role of NGOs in Bangladesh in Ahmed & Potter 2006 and on microcredit in Stiles 2002a, 2002b.

⁴ “Islamist”, in the context of Bangladesh, refers to the groups who advocate an Islamic state such as Bangladesh Jamaat-e-Islami (JIB), Islami Oikkyo Jote (IOJ), Jamaat-ul-Mujahedeen (JMB), Harkatul Jihad (HJ), Jagrata Muslim Janata Bangladesh (JMJB) and other like-minded movements (see Riaz 2004; Hashmi 2000). In a global perspective, “Islamist politics”, according to Mandaville, is a worldwide movement in Muslim societies such as the Muslim Brotherhood in Egypt, Jamaat-e-Islami in Pakistan, Parti Islam Se-Malaysia (PAS) in Malaysia, the Justice and Development Party (AKP) in Turkey and many other groups around the globe (see Mandaville 2007a:333-8). “Traditionalists”, however, refers to Tablighi Jamaat and Sufi networks. Despite the ideological differences both coincide on the traditional role of women (see Mandaville 2007a:281, 2007b:304). See Barfield 1997 for the definition of patriarchy. Patriarchy, in the context of Bangladesh, is further discussed in the third chapter.

⁵ The Two-Nation Theory stated that ‘Muslims and Hindus were two separate nations by every definition, and therefore Muslims should have an autonomous homeland in the Muslim majority areas of British India for the safeguard of their political, cultural, and social rights, within or without a united India’, see (Gupta 2006:2500). For details on the Two-Nation Theory, see Mandaville 2007a:57; Cohen 2004:29; Khan 1985; Schimmel 1980.

in uniting Jamaat-e-Islami (JI),⁶ the Muslim League (ML) and others under one platform by promising them a motherland for Muslims. The two parts of Pakistan – East and West – were never well integrated and an autonomy movement was soon a part of the political landscape. Whenever the ruling cliques of West Pakistan faced rigid challenges from the autonomy movement in East Pakistan they stated that “Islam is in danger”.⁷ The more emphasis that the ruling circle of West Pakistan placed on Islam, the more adamant the East Pakistanis became and pressed for provincial autonomy. The experience of exploitation in the name of Islam and the war of liberation in 1971 led the post-liberation politics of Bangladesh towards secularism.⁸

Bangladesh, today densely populated with nearly 158.6 million people in an area of approximately 145,000 square kilometres,⁹ has respectively been run by two main political parties: the Bangladesh Nationalist Party (BNP) and the Bangladesh Awami League (AL). Bangladesh Jamaat-e-Islami (JIB),¹⁰ the Jatiya Party (JP) and other smaller political parties have sometimes obtained limited power in coalition with the larger parties.¹¹

The first government after the independence was formed under the leadership of Sheikh Mujibur Rahman¹² (1972-75), who led the Nationalist Movement against Pakistan. The Constitution of Bangladesh in 1972 was based on the principle of secularism and Bangladesh was, thus, declared a People’s Republic rather than an Islamic state. The constitution of 1972 enunciated the four basic principles of the AL: nationalism, socialism (not the socialistic ideas akin to Leninism or Marxism, but that of social justice for all), democracy and secularism and freedom of religious worship for all citizens.¹³ The first

⁶ Jamaat-e-Islami (JI), started in 1941 in Lahore by Sayyid Abul Ala Maududi (1903-1979), is a political organization that exists in the subcontinent and is striving to form a Muslim Ummah based on *shari’a* where Islamic jurisprudence will be implemented in every sphere of human life (Hjärpe 1983a:56; Roald 2004:48; Stenberg 2004:102).

⁷ Before 1971, Pakistan was a composite of diverse linguistic, ethnic, regional, and cultural identities separated by more than 1,600 kilometres of Indian Territory into West and East Pakistan. Islam was the common cultural heritage and formed the identity of many Pakistanis. See Esposito et al 1996:102-3; Siddiqi 1998:208.

⁸ Riaz 2004:5.

⁹ *The World Bank*, Bangladesh at a glance, 2007. However, according to the Bangladesh Bureau of Statistics, the population of the country in 2008 was 144.5 million.

¹⁰ Jamaat-e-Islami of Bangladesh holds the same idea as JI in other countries (Siddiqi 1998:209). It starts functioning again in Bangladesh in 1979 after Zia lifted the ban on religion-based politics in 1977, see *Banglapedia* 2004. JIB at: <http://jamaat-e-islami.org/>

¹¹ JIB was in coalition with the Bangladesh Nationalist Party (BNP)-led government during 2001-2007 and Jatiya Samajtantrik Dol (JASAD) was affiliated with the Bangladesh Awami League (AL) during 1996-2001.

¹² He is often called “Father of the Nation” or *Bongobondhu*, “friend of Bengal”, an honorary title.

¹³ Riaz 2004:20.

government of the country (1972-1975) during the AL's reign pursued a secular policy and banned religion-based parties like JI and the ML, partly because the AL advocated the separation of religion from politics and also on account of JI and the ML's alleged collaboration with the West Pakistani military and 'perpetrating mass killing, plunder and rape'¹⁴ during the liberation war. In a coup on 15 August 1975, Sheikh Mujibur Rahman and his family, with the exception of two daughters, Sheikh Hasina and Sheikh Rehana, who were outside the country at that time, were killed. The coup ushered in a new stage for the country. General Ziaur Rahman (often called Zia, 1975-80) came to power after several consequent coups and counter coups in 1975 and brought about a constitutional amendment in April 1977 whereby the religious parties, JIB, the ML and others were again permitted to function.¹⁵ Since then Bangladesh's politics has been deeply influenced by a new phenomenon: institutions based on Islam.

Zia was eager to win the support of the Muslim forces in order to maintain his power and his successor, General Ershad, equipped by Zia's appeasement policy for the Islamic forces, actively implanted his own support based on religious professionals. For the pursuit of the policy of patronage, the Ershad government highlighted two concepts, *Rashtra Dharma Islam*, "Islam as the state Religion", by the Eighth Constitutional amendment in 1988, and *Masjid Kendrik Samaj*, a "Mosque-centred society". Women's organizations, several political parties and civil society in general denounced the use of religion for political gain and protested against the amendment, marking it as an 'imminent threat to women's rights'.¹⁶ The largest Islam-based political party, JIB, also criticised the amendment. By capitalizing on the situation, the Islamist forces gained from the amendment and, as a result, they began to spread their activities throughout the country.

In 1991, after a long struggle for democracy brought about by a massive public upsurge in Bangladesh, Ershad abdicated his power to the Chief Justice.¹⁷ The country observed its first ever free and fair election under a caretaker government. Out of a total of 300 parliamentary constituencies, the pro-leftist AL gained 88 seats while the BNP won by 140 seats and the country elected its first woman Prime Minister, Begum Khaleda Zia.¹⁸ However, it was necessary

¹⁴ Siddiqi 1998:209.

¹⁵ Siddiqi 1998:210.

¹⁶ Cook 1994:481.

¹⁷ Riaz 2004:41.

¹⁸ *The Economist* 1991:vol. 318. It is important to note that blood ties have played an important role in the politics of Bangladesh as well as in other south Asian countries. Begum Zia is the widow of General Zia and Sheikh Hasina is the daughter of the late Sheikh Mujibur Rahman.

for the BNP to seek support from JIB, who won 18 seats, in order to be able to form the government.

The next general election held on 12 June 1996 was not only a defeat for the BNP but also a backlash for JIB, which had to content itself with only three seats as well as no support from the BNP. JIB had previously taken an opposing position against the BNP government, demanding that all future elections should be under the supervision of a caretaker government.¹⁹ Prior to the general election in October 2001, the BNP succeeded in uniting its like-minded people and built a four-party alliance containing the BNP, JIB, Islami Oikkyo Jote (IOJ) and Bangladesh Jatiya Party (BJP). JIB, however, gained 17 seats and recovered its losses from the earlier election in 1996.²⁰

During 2001-2006, JIB took the opportunity to expand the party, including at grassroots level, and transformed their stance from the earlier weaker position into fast strongholds with two ministerial posts. The BNP and JIB had different strategies during the five-year tenure: the BNP was engaged in sustaining their activists by way of tenders and corruption while JIB gathered all their resources and concentrated on appointing their activists in important posts in public services, by means of creating new posts where needed, especially in the Islamic Foundation, a state-run institute.²¹ As a result, JIB and other radical Islamist groups were rapidly increasing around the country 'in terms of funds, arms and manpower'.²² The expansion of the Islamist groups, which had used different names since the 1990s, was, according to many,²³ a threat to the ongoing development process, due to the fact the groups wished to propagate their rules within the framework of *shari'a*²⁴ and wished to deny equal rights of women. Organizations such as Jamaat-ul-Mujahedeen (JMB), Harkatul Jihad (HJ) and

¹⁹ Riaz 2004:42.

²⁰ Bangladesh Election Commission's official site is available at: <http://www.ecs.gov.bd/English/>

²¹ Discussion with Allama Abdul Jalil, an Islamic scholar and the president of *Bangladesh Able Sunnat wal Jamaat*, in February 2007 and according to the Transparency International, an organization that collects data on corruption, the BNP caused the country to top the list of the most corrupt nations in the world for the fifth time, ranked by the Transparency International. See more on its webpage at: <http://www.transparency.org>; Ehsan 2006:41.

²² Karlekar 2005:158.

²³ Karlekar 2005:182; Riaz 2004:1-17; Siddiqi 1998:212-217.

²⁴ Jan Hjärpe defines *shari'a* in his recent book on the subject from different perspectives. The primary meaning of the word *shari'a* is, according to Hjärpe, 'the way to source in the desert', that is, it is comprehended in a good way and, in metaphoric terms, leads its followers in the right direction towards the divine revelation. The term, thus, in an Islamic perspective, refers to God's law (See Hjärpe 2005:30-38 for more about *shari'a*). Norwegian scholar on the Middle East and Muslim Africa, Knut S. Vikør (Vikør 2005:2), argues that the term *shari'a* is used in slightly different ways; younger Muslim scholars in particular tend to use the term as a name for the divine as only known by God and as an abstract divine law only perceived by Him.

Jagrata Muslim Janata Bangladesh (JMJB) compelled men to grow beards and women to maintain *purdah*.²⁵

During both the AL (1996-2001) and the BNP (2001-2006) periods, the country observed, according to the US Institution of Peace, ‘a deepening crisis in governance with continued politicization of civil society, the deterioration of judicial independence, and diminishing rule of law and respect for human rights’.²⁶ This environment allowed JMB, HJ and some other militant groups not necessarily associated to JIB (but some of the activists had acknowledged their engagement with JIB), to organize militant activities in the country. These groups, mostly influenced by the ideology of Wahhabi-oriented *Salafist*²⁷ doctrine and movements such as the Taliban,²⁸ launched damaging attacks on writers, journalists and intellectuals whose views challenged the patriarchal social order, and even vandalised holy shrines throughout the country. Bangladesh has, according to Karlekar, always been a moderate Muslim state ‘where the large bulk of the population is tolerant and disinclined towards fundamentalist bigotry’.²⁹ Since the time of the then united Bengal to the formation of the present Bangladesh, the country’s intelligentsia, civil society and press have been, as mentioned earlier, secular in thinking.³⁰ Terrorist bomb-attacks at public gatherings, cultural functions or cinema halls, political parties’ meetings or the courtyards of holy shrines were never trends in the history of Bangladesh. But according to the ideology of the new Islamists, visiting *mazars*, “holy shrines”, is seen as *mazar-worship* and even travelling with the intention to visit them is considered as *haram*, “forbidden”. The shrines as well as pilgrims thus became legitimate targets of attacks.³¹ The “saviours of the religion”, as the new Islamists claimed themselves to be, consequently denied the rule of man-made laws and ultimately declared a revolt against the government of Bangladesh headed by its female Prime Minister, Begum Zia.

²⁵ The term *purdah* is, in a narrow usage, a specific trait of physical covering and spatial enclosure, but in a broader usage, ‘also includes the beliefs and values about the behaviour of women, the restrictions on their movements outside the household and the requirements for their respectful and deferential demeanour within the home,’ see Mandelbaum 1988:2, 20-42. See also Hjärpe 2005:122.

²⁶ The US Institute of Peace, *The Rise of Islamist Militancy in Bangladesh*, August 2006.

²⁷ *Salafism*, according to Islamologist Philip Halldén, refers to the pious forefathers – the Prophet Muhammad, his contemporary followers and other selected emulated figures in Islam. Someone who calls himself a *Salafi* is one who claims to follow and imitate the ancestors in their capacity as good Muslims. See Halldén 2007:11-15. See also Janson 2003:78-80 for more on Wahhabism.

²⁸ The term “Taliban” literally means students and emerged in 1994 in Qandahar, Afghanistan as an organized movement of a highly austere and literal interpretation of Islam (see Mandaville 2007a:222).

²⁹ Karlekar 2005:143 and see also Riaz 2004:2.

³⁰ See Hussain 2007:212; Karlekar 2005; Riaz 2004; Hashmi 2000 for more details.

³¹ Hussain 2007:214; Riaz 2004:44.

On 17 August 2005, a group organized under JMB and HJ banners, detonated more than 500 bombs simultaneously in 63 out of 64 districts across the country, including the capital Dhaka, killing two people and targeting important areas such as government premises and the High Court.³² Before these groups rose to prominence they had carried out other incidents in the country such as attacking a cultural function of *Udichi Shilpi Gosthi*, a leftist artiste group at Jessore in 1998, the Bengali New Year celebration at Ramna in 2001, the International Mother's Day ceremony in northern Bangladesh in 2003, Hazrat Shah Jalal's Mazar in Sylhet on 12 January 2004, the rally of the AL on 21 August 2004, and two separate cultural events in Sherpur and Jamalpur districts in January 2005. However, most of the attacks were not publicly revealed until the military-backed caretaker government took action in 2007 and interrogated Mufti Hannan, a prominent leader of HJ, who confessed that the incidents were perpetrated by the above mentioned radical Islamist groups.³³

The escalating Politics and Power in Bangladesh manoeuvred the country in a new direction. The particular condition under which Islamization has been sponsored in Bangladesh is confronted by an impoverished state with multiple sources of foreign aid and an increasing reliance on women's labour. The condition has further ensured that the state leaves issues regarding women's deportment, dress, and working conditions untouched.³⁴

Women in Focus

Women play a vital role in every society, yet despite this they have throughout history been ignored and discriminated against in different ways. Every day, newspapers report that women's rights, as suggested by the United Nations Declaration, are being denied.³⁵ Due to this fact, there is a worldwide movement in promoting the rights of women. It was observed by Begum Khaleda Zia, the Prime Minister of Bangladesh from 1991-96 and 2001-2006:

³² Hussain 2007:208; *The Daily Star*, 18 August 2005, *The Economist*, 27 August 2005.

³³ *The Daily Star* Internet edition, 13 November 2007.

³⁴ Siddiqi 1998:213.

³⁵ Despite the worldwide advocacies for equal rights and privileges of women such as the UN Conference on Women in Mexico in 1975, the UN declaration of Women's Decade 1975-85, the CEDAW in 1979, the Second World Conference on Women in Copenhagen in 1980, the Third World Conference on Women in Nairobi in 1985, the Fourth World Conference for Women in Beijing in 1995, progress in the achievement of women's rights has been slow and denied worldwide, and equality between women and men has not been achieved. See Svensson 2000:35; *Naripokkho* and *Bangladesh Mahila Parishad* 2002:1.

This is clearly evident from the fact that 70 percent of the poor are still women. They are disadvantaged in matters of employment, wages, access to credit and representation in administrative and political levels. Violence and discrimination against women in many societies also remain high.³⁶

The above statement by the former Prime Minister of Bangladesh has its roots in Bangladeshi society. As land primarily belongs to men, and women have limited access to credit, education, the labour market and other resources, the above quotation can thus be said to reflect reality.³⁷

Bangladesh has followed in the patriarchal footsteps of the Hindu and Buddhist reigns which lasted thousands of years, the Muslim rule for nearly seven centuries, and finally the British colonial period for almost 200 years. Through these periods, women – half of the population – led their lives in strictly male-dominated atmospheres.³⁸ In those eras, women's seclusion from social and economic life was further deepened and combined with the social norms and religious practices, all of which was accepted by the general population, resulting in a poor economic condition for women.³⁹

During and after the partition of the subcontinent into India and Pakistan in August 1947, there was a mass migration of Muslims into Pakistan and Hindus into India.⁴⁰ The split of the subcontinent and the consequent mass migration severely affected the people of both sides. However, it was the women and children who suffered the most on account of repeated riots between the Muslims and Hindus.⁴¹ Unfortunately, women in East Pakistan were again excluded from politics except for a few who were engaged in different social as well as political activities. There were other women in East Pakistan who ran voluntary organizations to help destitute women, but on the whole women were advised to follow *purdah*.

The cultural differences between West and East Pakistani Muslims segregated the people even further and the eventual effect fell on East Pakistan's Muslim women. Bengali nationalists appropriated the songs of Rabindranath Tagore (1861-1941), a Nobel-laureate Bengali poet, together with specific forms of clothing and adornment, as secular signs of self-affirmation and resistance. Conversely, the ruling West Pakistanis believed these were too closely associated

³⁶ Begum Zia, at the Fourth World Conference for Women, Beijing, 4 September 1995.

³⁷ Zaman 1998:1.

³⁸ Naz 2006:14.

³⁹ For details concerning the general economic situation for women see Falguni 1997:21.

⁴⁰ Khan 2001:42.

⁴¹ Kabeer 1989:7. It is notable that class-differences exist in Bangladesh while the caste system is solely visible among Hindus.

with the Hindu culture of West Bengal.⁴² Hence, while the majority of Bengalis admired Tagore, the ruling Pakistanis and their Bengali allies tried to present Allama Iqbal (1877-1938) as a counter force against Tagore. Although there were plenty of male practitioners of the music of Tagore, it was women's musical practice that came to symbolize subversion and resistance.⁴³

However, the position of women started to change in the newly-formed country. Since the liberation, many initiatives were taken by different governments to improve women's lives and after the assassination of Mujib in 1975 and the subsequent coups and counter coups, Zia rose to power, as previously mentioned. He stabilized the country and simultaneously concentrated on the development process of women, having been influenced by the women's movement in North America and Europe. The worldwide women's movement of emancipation gained Zia recognition in the politics of foreign aid and 'it challenged the assumptions and priorities that had so far dominated development aid and demanded that women's interests be specifically taken into account rather than left to a dubious trickle-down process.'⁴⁴ The failure of family planning programmes of earlier decades and the lower status of women made foreign donors feel it was necessary to focus single-mindedly on women. Zia took up the cause of Women in Development (WID) with great public zeal. The new trend was visible in the Second Five Year Plan (1981-85), which was the first decade of development planning in the country that gave an explicit consideration to strategies for integrating women into the development process.⁴⁵ General Ershad, the successor of Zia, not only continued the ongoing process started by his predecessor but also took some other revolutionary steps to ensure the self-reliance of women such as lifting the barriers for all foreign and domestic organizations to be able to operate smoothly in the country.

During past decades there have been many revolutionary changes in the socio-economic arena in every stratum of society that concerned women. The changes have been made visible by the establishment of women's organizations and the increase of NGO-activities that resulted in the greater participation of women in education, the labour-market, politics and every sphere of human life. Grameen Bank (GB) and the Bangladesh Rural Advancement Committee (BRAC) started their microcredit activities in the middle of the 1970s and the idea of microcredit was later followed by many other organizations throughout the

⁴² Siddiqi 1998:213.

⁴³ Siddiqi 1998:208.

⁴⁴ Kabeer 1989:15.

⁴⁵ Ibid.

country and has today become a global trend that brought the Nobel Peace Prize in 2006 to its inventor Mohammad Yunus, alongside Grameen Bank.

As in many other developing countries, the NGOs in Bangladesh engaged themselves in welfare activities to ensure human rights, especially of women, gender equality and socioeconomic development for destitute women, homeless children and the poor. The NGOs in Bangladesh have initiated what the governments in many developed countries such as Sweden, Denmark and Norway are undertaking for their citizens, and have taken responsibility with or without cooperation of the Bangladeshi government. Overall, the lifestyle of the people in Bangladesh has changed during the last few decades, partly because of development programmes and partly because of the ongoing globalization process.

According to Malaysian journalist Helen Todd in *Women at the Centre: Grameen Bank Borrowers after One Decade*, 1996, it is the NGOs who opened the doors to freedom and self-dependence for women in the countryside.⁴⁶ The development processes by the NGOs were, however, not welcomed by different religious groups, village elites and even some secularists. It is important to note that the Islamist groups were the main rivals to the NGOs and that most of the conflicts occurred between these groups and the NGOs. Traditional moneylenders, village elites and, in some cases, secular intellectuals, were the supporting elements to the conflicts. The anti-NGO groups have criticized women and NGOs for working in favour of women's rights and in addition to that they have proclaimed *fatwas*⁴⁷ against such activities. Furthermore, they have invoked people to protest against NGOs which they have labelled anti-Islamic. However, in January 2001, the High Court expounded all *fatwas* as illegal⁴⁸ and the events have led to a debate and conflict between NGOs and those who are opposing NGO activities in the country.

⁴⁶ Todd 1996:19.

⁴⁷ *Fatwa*, as stated in the Encyclopaedia of Islam (Voll II, p 866a), is an opinion on a point of law, to all civil or religious matters. *Fatwa*, in other words, is a religious decree or verdict in discourse of *shari'a* on matters of law or worship, usually issued in response to a question and declared by a *mufti* having sufficiently strong grounding in Islamic principles (Zubaida 2005:237). Gordon B. Newby (2002:62) in his *A Concise Encyclopedia of Islam* adds that *fatwa* is given by a qualified *mufti* who is generally advisory and informative, with the enquirer agreeing to abide by the response to his question based on authoritative precedents and not personal opinion alone. He further adds that in modern times the *fatwa* has sometimes been associated in popular practices with a declaration of *jihad* or with death decrees. Elora Shehabuddin (2005:173) asserts that there is no official *fatwa* issuing authority in Bangladesh comparable to the Dar al-Ifta or al-Azhar University in Egypt. It is, rather, being practised by individual religious leaders.

⁴⁸ All *fatwas* fell under this verdict but later, on account of countrywide movements by religious groups, the Supreme Court postponed the verdict. See Riaz 2004:45.

The tension, as mentioned earlier, is between the two groups: the NGOs and the Islamists mainly comprising of *imams*, *madrassah* teachers and students of the *qaomi* hierarchies. Both groups consider themselves to be the saviours of the poor, especially destitute women.⁴⁹ On one hand, the Islamists as well as the traditionalists argue that their movement protects women in rural Bangladesh from being ruined due to un-Islamic wrongdoings administered by NGOs while the NGOs, on the other hand, believe they are protecting women from becoming victims of the former.

However, it is noteworthy to mention that although Sunnites form the majority of Muslims in the country, there exist other small sects such as Shiites and Qadianis/Ahmadis, and even other different groups among Sunnites such as Wahhabis, Tablighis,⁵⁰ Jamaatis, traditionalists and Salafists. Different religious groups interpret the Qur'an and the Hadith⁵¹ in different ways and have different opinions about the same problems and the same religious practices. Whatever groups the rural people belong to, religious praxis is involved in their daily lives and is related to the above mentioned conflicts. The lives of the people, especially in rural areas, are intimately influenced by the religious practices and norms. I am not going to discuss the validity of the claims of different groups, rather my discussion will be limited to the framework of the problematic and analysis of their involvement in the conflict. My view on different groups will be according to their activities, not to their theological interpretations.

Aims and Principal Problems

This study is aimed predominately at analysing the status of rural women in Bangladesh in the perspectives of religious practices, patriarchal social norms and a new era of economic freedom through newly installed microcredit programmes as well as government policies. Another objective is to analyse the conflict and debate over women and development activities between nongovernmental organizations (NGOs) and Islamists as well as other religious groups in the country, especially in rural areas. The ongoing development processes in rural Bangladesh contribute to new issues that affect the relationships between NGOs, Islamists and even the state. Hence, a primary aim of this study is to

⁴⁹ The Islamic terminology spelling is sometimes different in Bangladesh. *Qaomi madrassahs* are discussed in the fifth chapter.

⁵⁰ Tablighi Jamaat with its Deobandi ideologies pleaded with Muslims to go back to what they regard as the fundamental teachings of the Qur'an and the Hadith (see Metcalf 2003:137).

⁵¹ Literally Hadith means "news", "tale" or "verbal communication" but according to Alfred Guillaume (2003:10), Hadith is an oral tradition which can be traced to a Companion or to Prophet Muhammad.

describe and analyse the changing status of rural women and the interaction between different participants such as NGOs, Islamists, the state and secularists. The roles of the state, media, academics and feminist activists will also be discussed in a broader context by assessing the net impact on the life of Bangladeshi women. Religion, Islam in this context, is understood as the central point of the ongoing conflict between the aforementioned groups who consider each other as a threat to their existence on the grounds of religion, women and development.

The queries raised in this thesis include what discrepancies exist between the country's laws concerning women and its practice in reality and what roles the economy and social norms play; how an interpretation of Islam as the majority of people's religion plays an active role in the conflict; how the different participants discuss the legal status of women and the relationship between NGOs and religious groups and what arguments the respective participants use and how do they legitimate their positions with various divergent interpretations of religious texts with respect to women.

Previous Research

Since the independence, several organizations as well as many individuals have conducted fundamental research on women in Bangladesh. I am going to present below the most important and relevant studies to my area of interest. Organizations such as Women for Women,⁵² Narigrantha Prabartana, "Commence of Women-writings",⁵³ Nari Pokhho, "On Women's Side",⁵⁴ started their revolutionary activities by carrying out research on women. Ain O Shalish Kendro, "Centre for Law and Advocacy",⁵⁵ Nijera Kori (NK),⁵⁶ "We do it ourselves", and other organizations such as the Bangladesh Institute of Development Studies (BIDS), have played a key role in research on Bangladeshi women by providing funds and opportunities for researchers.⁵⁷ In recent years, BRAC and Proshika also launched their own sections for research on women.

⁵² Women for Women, a research and study group located in Dhaka, was established in 1973 by a group of dedicated female professionals representing a variety of academic disciplines.

⁵³ Narigrantha Prabartana is the first and only Feminist Publishing House in Bangladesh, established in 1989. It is also a bookstore and a place where women meet other women to discuss issues that concern them.

⁵⁴ Nari Pokhho is a human rights NGO which undertakes research and produces publications as well as consciousness-raising and lobbying on women's issues, including trafficking.

⁵⁵ Ain o Shalish Kendro, formed in 1986, is a legal aid and human rights resource centre. It provides free legal aid to poor women, workers and child workers. <http://www.askbd.org/web/>

⁵⁶ The official website of Nijera Kori is <http://www.nijerakori.org/>

⁵⁷ See more at: <http://www.bids-bd.org> for the latest activities by BIDS.

There have been many studies about women, their health, family planning and NGOs in general, and concerning the empowerment of women and the impact of NGOs in particular. Studies that show interest in exploring the microcredit process targeting women in Bangladesh can be categorized in accordance with their approach: sociological, anthropological, economic and, in some cases, an approach on a gender perspective. However, there is a common platform in previous research where many of the scholars⁵⁸ more or less criticize the religious practices as being the main hindrance for women's progress in Bangladesh. Others⁵⁹ consider the position of women as a consequence of patriarchal practice or male domination which prevails in most developing societies.

The earliest researcher on women in Bangladesh is Taherunnesa Abdullah (1974), the former director of the National Board for Rehabilitation of Women and presently the chairperson of Ain O Shalish Kendra (ASK). She studied the condition of illiterate village women in the countryside where they are mostly engaged within their domestic boundaries, fulfilling the will of their husbands, taking care of children as well as looking after the domestic animals. She comments in *Village Women as I saw them*, 1974,⁶⁰ that despite their domestic conditions, women in the countryside are not even aware of their situation, rather, they seem happier than their counterparts living in the cities and urban areas. Although the *purdah* is a symbol of prestige and allows women, according to Abdullah, to move freely even in daytime, this certainly affects their economic activities.⁶¹ According to the anthropologist C. M. Pastner (1974), who was based in south Asia, the *purdah* is considered to be a highly ritualized expression of explicit values. She places emphasis on *purdah* in relation to society and argues further that the *purdah* is '(...) honour and shame, which is directly concerned with the status of women (...). Male honour is dependent on the unsullied honour of women. *Purdah* (...) is one way of preserving the honour of men and the emergence of shame in women.'⁶²

Sociologist Shelley Feldman, who lived in Bangladesh between 1977 and 1984 and continues to undertake research there, discusses the *purdah* and the social position of Bangladeshi women together with her colleague Florence E. McCarthy, Vice President of Asian Studies at the International Partnership for

⁵⁸ There are mainly two groups of researchers presented here; the first group believe the religious practice and institution of *purdah* hinders women in gaining their equal rights, for example, Abdullah (1974); Arens et al (1977); Jahan (1982); Mannan (1989); Ahmad (1994).

⁵⁹ For examples of the other group, as mentioned above, who took the opposite stance in the scholarly debate on the women in Bangladesh, see Pastner 1974; Martius-von Harder 1981; Feldman and McCarthy 1983; Mandelbaum 1988; Todd 1996; Hashmi 2000; Kabeer 2001b.

⁶⁰ See Abdullah 1974.

⁶¹ Ibid.

⁶² Pastner 1974:409.

Service-Learning and Leadership (IPSL), New York, and former advisor at the Women's Section, Ministry of Agriculture, Bangladesh. Feldman and McCarthy state, '(...) in keeping with distinctions of class, status, and position, the observance and saliency of *purdah* varies among village women'. This variability also reflects the social and economic status of the family.⁶³

The conceptualisation of the term *purdah*, however, varies from person to person and among different classes; to some women wearing a *burqa* is considered as *purdah*, while to others it is sufficient with "decent" clothing.⁶⁴ Muslim conquest of the subcontinent resulted in the diminishing of the caste-system that prevailed in the Hindu social order but it still consists as a form of social as well as class inequality, even among Muslims. In Bangladesh as well as in other parts of the subcontinent it is common to find the following class differences within the community: elites, agrarians, rulers and the working class.⁶⁵ As approximately 85 percent of the Bangladeshi population lives in the countryside and makes their living through agriculture, agrarian society is of great importance in Bangladesh. Feldman and McCarthy continue,

The combination of religious and social pre- and proscriptions guiding the deportment, activity, and mobility of women were supported and reinforced by an agrarian society of basically subsistence-oriented farmers which could sustain a rigid division of labour and the social segregation of the sexes.⁶⁶

The agrarian culture dominates most of the population in the country and there are also sub-classes among the farmers in the countryside depending on the ownership of land and property. Ellen Sattar states in *Village Women at Work*, 1975, that it is a traditional curse on women throughout the whole Indian subcontinent.⁶⁷ M. A. Mannan (1989), on the other hand in his *Status of Women in Bangladesh: Equality of Rights Theory and Practice*, accuses social antagonism for the lower position of women in Bangladesh. Jenneke Arens and Jos von Beurden (1977), Rounaq Jahan (1982), a Bangladeshi scholar living in the USA, and another Bangladeshi scholar, N. Ahmad (1994), similarly accused the prevailing superstitions and *purdah* of causing the degradation of women.⁶⁸

⁶³ Feldman and McCarthy 1983:949-959.

⁶⁴ Mandelbaum 1988:2, *purdah* is discussed further later in this thesis.

⁶⁵ Hashmi 2000:22.

⁶⁶ Feldman and McCarthy 1983:949-959. According to most of the sources, nearly 85 percent of the total population lives in the countryside; hence Elora Shehabuddin (Shehabuddin 2008a:6) mentioned in her latest article through reference to the UNDP that the rural population was approximately 76 percent (2004).

⁶⁷ See Sattar 1975.

⁶⁸ See Jahan 1982; Ahmad 1994; Arens et al 1977.

Dhaka University scholar Burhanuddin Khan Jahangir (1982) describes the local power structure in his *Rural Society, Power Structure and Class Practice* and further states that the economy and landownership are particularly related to each other and control the power.⁶⁹

‘Rural women provide an important economic contribution that can and should be used for the country’s rural development’, states Gudrun Martius-von Harder who conducted an empirical study on women in Bangladesh during 1974-75. She points out that existing values and norms limit the movement of women inside the *bari* and keep them unaware of property rights, including land. She further reiterates that the root of all evil remains the seclusion of female workers from the male world, due to the custom of *purdah*.

David G. Mandelbaum (1988), a prominent anthropologist carrying out academic fieldwork in the Indian subcontinent, has stated in his book, *Women’s Seclusion and Men’s Honour in India, Bangladesh and Pakistan*:

Muslims, in these regions, like others of the Indian cultural sphere, share the assumption that hierarchy pervades gender as well as most social relations. So among all religious groupings, in all sectors and levels, most social encounters are presumed to be between a superior and a subordinate.⁷⁰

In this statement it is assumed that patriarchy and gender differentiations are not only adapted from Muslim culture but rather they are, in many cases, also hierarchical and co-opted from the previous cults of Hinduism that once solely dominated the whole subcontinent. According to Mandelbaum, Muslims in the subcontinent have important scriptural rights and equal opportunity for salvation, as is the case in other world religions, but still gender disparity exists.⁷¹ However, when Mannan (1989) discussed the position of women in Bangladesh he accused the *purdah* as being the main cause of the seclusion of women from social, economic and religious activities.

Todd has severely criticized the arguments of some researchers who consider the *purdah* as a principal cause of women’s degradation in Bangladesh. She used both female non-borrowers and borrowers of GB as examples in her project and described the position of both in a practical comparison. It is a common tradition among women in Bangladesh to wear *hijab*. Thus, the views of Todd, who spent a year in two villages in Bangladesh in order to observe the borrowers

⁶⁹ See Jahangir 1982.

⁷⁰ Mandelbaum 1988:12.

⁷¹ Ibid.

of GB, differ from the previous evaluations of women in Bangladesh.⁷² She added that although the traditional and religious boundaries play a relatively insignificant role in the real space of a woman's own world where she can practice her power, she opposes the previous evaluations of women in the following sentences:

The poor Bangladeshi village women who people the pages of the academic literature and the real women who live in Ratnogram and Bonopur seem to belong to two different species. The woman in the books is so oppressed that she has lost all sense of her own value; she is therefore easily exploited and deprived. She is powerless to control her own life and can take almost no part in the decisions which shape it, whether it be the economic fate of the family or how many children she should have. *Purdah* makes her "invisible," Islamic constraints make it impossible for her to move an inch in any direction. Worst of all, she perpetuates it by actively discriminating against her own daughters and terrorizing her daughters-in-law.⁷³

It is interesting that Todd has found a different scenario during her fieldwork that contrasts greatly from the description she found in other researches. She simultaneously criticizes much of the previous research on women and denies the accusations against religious practices made by other scholars. When describing the story of several women in two villages in Mymensingh whom she observed for a long period she states: 'Banu is the managing director of the family firm'⁷⁴ and rejects the above accusations.

Professor Rounaq Jahan, who is affiliated to the Southern Asian Institute at Columbia University, USA, conducts research on the situation of Bangladeshi women and is also an Adjunct Professor of International Affairs at the School of International and Public Affairs at Columbia University. Her research is concentrated on gender and development, governance, health, and the politics of Bangladesh and she expresses her views in the following quotation:

It is customary for daughters to renounce inheritance in favour of brothers unless the family is very rich or poor. Women give up inheritance in favour of brothers to be in good books, because women need their brothers' protection and shelter in case of divorce or widowhood.⁷⁵

⁷² See Todd 1996.

⁷³ Todd 1996:28.

⁷⁴ Todd 1996:31.

⁷⁵ Jahan 1982:12.

The custom of renouncement of women's rights in favour of their brothers or male relatives can be traced, according to Jahan, back to the Hindu tradition where women did not inherit anything from their parents but received a dowry when they got married. Middle Eastern scholar Haifaa A. Jawad (1998) supports the crucial changes that Islam brought about concerning women's right to inheritance. Jawad furthermore clarified the position of women in an Islamic context by citing the Qur'anic verse (4:7): 'men shall have a share in what their parents and kinsmen leave; and women shall have a share in what their parents and kinsmen leave; whether it be little or much, it is legally theirs'.⁷⁶ According to Jawad's interpretation, the Islamic law of inheritance constituted a radical departure from pre-Islamic practices which not only denied women any right to inherit, but also treated them as if they themselves were objects to be inherited.⁷⁷

Women's lives in Bangladesh are, according to Shaheen F. Dil, governed by a combination of religious, customary and secular laws, as well as social class. She states in her book *Women in Bangladesh: Changing Roles and Socio-political Realities*, 1985, that, in customary practice, the interaction of Islam and Hinduism in southern Asia has resulted in the adoption of the most restrictive aspects of each religion with respect to the status of women.⁷⁸ She says that the secular law formally recognizes equal rights for women, but undermines this recognition by special provisions which treat women as dependent legal entities. However, whereas poor rural women, according to Dil, have few opportunities for change, middle- and upper-class women are beginning to emerge, in small but significant ways, from their traditional roles.⁷⁹

Kirsten Westergaard's *State and Rural Society in Bangladesh*, 1985, explores the relationship between the state and Bangladeshi rural society.⁸⁰ These studies were conducted from a sociological perspective. Despite the ethic and ideological presumptions of neo-Marxism, she identifies an important characteristic of social relations in Bangladesh: the distinct separation between agricultural society and the social classes and institutions of the national elite. She states that the monopoly and the unwillingness of the state to assist the rural development process deprive women in rural areas while Humayun Azad (1995) studied women in general from different perspectives and asserted that women,

⁷⁶ Jawad 1998:61.

⁷⁷ Ibid.

⁷⁸ Dil 1985:45.

⁷⁹ Ibid.

⁸⁰ See Westergaard 1985.

beyond place and nationality, are victims of social and cultural norms, religious practices, and are surrounded by a patriarchal social system.⁸¹

In 1987, a group of researchers containing one anthropologist, two geographers and one agricultural economist, documented the types of work women in Bangladesh undertake in order to ensure their inclusion in Third World development programmes. They sought out and measured the way in which Bangladeshi women work, and how their labour supports their own households and contributes to the economy of rural Bangladesh. The result of the research was published in the book *The Invisible Resource: Women and Work in Rural Bangladesh*, 1987, wherein the researchers concluded that landlessness was the main cause of rural women's exploitation by landowners.⁸²

In contrast, Alia Ahmad (1991), a Bangladeshi scholar and economist at Lund University, Sweden, argues in *Women and Fertility in Bangladesh* that fertility is determined by the status of women, which in Bangladesh is, according to the author, indicated by the ability to own, inherit, or control income earning assets, the ability to participate in economic activities, and the level of control over husbands' income.⁸³

Naila Kabeer has conducted copious research on Bangladeshi women since 1989 under the auspices of the Institute of Development Studies, University of Sussex. She states that the inferior position of women relies on their dependency on men and the patriarchal system of society. She further claims that women play a very minor role in decision making within the family. In a study supported by the Swedish International Development Agency (SIDA), Naila Kabeer (2001a) explored the overall condition of women in Bangladesh, discussing inequalities between males and females in her *Discussing Women's Empowerment: Theory and Practice*. She maintains that if there are any systematic gender differences in the basic functioning of everyday life, 'they can be taken as evidence of inequalities in underlying capabilities rather than differences in preferences.'⁸⁴

⁸¹ After the first publication of his book *Nari* in 1992, Humayun Azad emerged as a popular writer in the country but this critical work attracted a negative reaction from conservatives and it was finally banned by the government of Bangladesh in 1995. Although the ban was lifted in 2000 after winning a legal battle in the High Court, Azad became a target of assault and several copies of his book were burnt. Following the publication of his latest book, *Pak Sar Jamin Sad Bad*, 2003, (Pakistan's national anthem; Blessed be the Sacred Land) which criticized what the writer calls religious fundamentalism, he was furiously attacked by some militant Islamists on 27 February 2004 on the way back from the Ekushe Book Fair.

⁸² See Wallace et al 1987.

⁸³ See Ahmad 1991.

⁸⁴ Kabeer 2001a:22.

Sarah C. White states in her book *Arguing with the Crocodile: Gender and Class in Bangladesh*, 1992, that there is a lack of awareness of gender dynamics in NGOs and the *purdah* as a part of daily custom for many women in Bangladesh.⁸⁵ She implies that the conditions imposed by the donors and backed by organizations confront the local customs and traditions and thus fail in their target to successfully reach the goals of NGOs.

Until recently, the mobility and employment opportunities of rural women in Bangladesh have been limited both spatially and functionally, according to Bimal Kanti Paul (1992), an Indian scholar of environmental hazards with an emphasis on health. He further says that in Bangladesh, women are now increasingly forced to seek employment outside the homestead in order to support their families. Paul explores the reasons why men usually exert power and authority over women and argues that the former controls property, income, and even women's labour. *Purdah* and a patriarchal family structure have, according to Paul, produced a rigid division of labour that makes women enormously dependent on their husbands and places them at extreme risk when their husbands prove unreliable or withdraw support.⁸⁶

Taj-I Hashmi is one of the researchers who have more recently conducted studies on women and Islam in Bangladesh. In his book *Women & Islam in Bangladesh: Beyond Subjection & Tyranny*, 2000, he explores the status of women according to Muslim tradition and, at the same time, the impact of *fatwas* practised by the religious clergies. He states that the contemporary treatment of women in Muslim countries is due to gender biased interpretations of the religious texts and he criticizes "militant feminism" as well as the religious leaders in the countryside who exploit the uneducated rural people in the name of religion.⁸⁷ Religious leaders in rural areas, whom the author describes as both rustic and misogynist, interpret Islamic laws in ways that ensure their own continued dominance. He states:

(...) how is Islamization at the state and grassroots levels, nourished by vested interest groups for political reasons and out of ignorance, respectively, responsible for the emergence of these megalomaniacs, mini-Khomeinis? Throughout Bangladesh we see how and why mullas are losing ground in this transitional phase of socio-economic change in politically stagnant Bangladesh.⁸⁸

⁸⁵ See White 1992.

⁸⁶ See Paul 1992.

⁸⁷ See Hashmi 2000.

⁸⁸ Hashmi 2000:97.

Political unrest in the country is, according to Hashmi, the main reason why the Islamists are burgeoning. Hashmi also views the NGOs' attempts to assist rural women as causing an underlying conflict of interest with the village elite, urban and rural, leading to widespread incidents of backlash. He regards NGOs lending money to the poor, as well as banks, as mainly benefiting and empowering the organizers rather than poor women. On the other hand, Professor Ali Riaz (2004), a Bangladeshi scholar at Illinois State University specialising in Islamic politics related to south Asia, criticizes Islamists which, according to him, pulls the country backwards on the whole and rural women in particular, by the malicious practice of *fatwas* and movements against NGOs as well as rural women.⁸⁹

Two Bangladeshi scholars engaged in the legal development of women in Bangladesh, Taslima Mansoor (1999) and Saira Rahman Khan (2001), conducted studies on the status of women in Bangladesh from a legal and social point of view. Khan describes gender equality according to the Constitution of Bangladesh but criticizes some civil as well personal laws influencing women in the country. Khan compared different past and present legal codes and came to the conclusion that there is an obvious discrepancy between laws and their practices. She considers the social, legal and economic developments to be catalysts to human development, as they are the first necessities to be realized.⁹⁰ Mansoor, in contrast, strongly claims that the main reason behind women's subordination lies not in Islam or the Muslim Personal Law but in the customary as well as patriarchal practices.⁹¹

Another scholar, Kendall W. Stiles (2002b), has conducted research on NGOs, donors and the state, and explored how different political factors and groups are related to the development activities of GB, NGOs and other human rights organizations, donors, Intermestic development circles and civil society in the country.⁹² Additionally, a few more recent studies related to women in Bangladesh in general can be mentioned here, for instance: *Intra-household Resource Allocation and Bargaining Power of the Women using Micro-credit in Bangladesh*, 2004 by S. T. Abdullah; *Women and the Law of Citizenship in Bangladesh: A Study of Rights from the Gender Perspective*, 2005 by A. B. M. Abu

⁸⁹ Riaz 2004:75.

⁹⁰ Khan 2001:293.

⁹¹ Hjärpe (1983b:12) has aptly evaluated the problems of understanding Islamic laws and regulations as emanating from the Qur'an: 'The problem is that of interpretation. What do these instructions mean? In what way are they norm-giving? How are they correctly applied? (...) to determine the literal meaning of, for example, a Qur'an text is usually not difficult, but in what sense is it normative?' See also Mansoor 1999:4.

⁹² NGOs in Bangladesh, in many cases, play the role of civil society that is discussed shortly in later chapters. For more on civil society in the context of Bangladesh see Stiles 2002b:108-113.

Noman and C. Richardson; *Pathways to Women's Empowerment in Bangladesh*, 2006 by F. Naz; *Microcredit and Poverty Alleviation*, 2007 by expatriate Bangladeshi scholar Tazul Islam; *Village Women and Grameen Bank in Bangladesh*, 2007 by B. Asma, and *Reshaping the Holy: Democracy, Development, and Muslim Women in Bangladesh*, 2008 by the Bangladeshi scholar Elora Shehabuddin.⁹³ Shehabuddin deals especially with the religious norms from an anthropological point of view.

In conclusion, related research – mostly independent articles except for a few monographic studies conducted by different scholars – has, until very recently, exclusively focused either on women, microcredit or NGOs in general or the Politics and Power in Bangladesh in particular, primarily from social, economic or political perspectives. For instance, those who have conducted research from a sociological perspective have found that the patriarchal, social and cultural norms are the main obstacles to women gaining their proper position in society, however their studies sometimes lack an analytical understanding of religious practices that have multi-layered influences on the status of women in Bangladesh. Others who have conducted their studies from an economic or anthropological perspective, have found that women's lack of access to credit as well as a very small or no share in their parents' properties to be the main reasons why women are deprived in society. Nevertheless, their studies also lack a detailed elaboration of inheritance and the legal status of women in accordance with *shari'a*. However, the works of Hashmi, 2000, and Shehabuddin, 2008, are two notable contributions to the studies on gender, NGOs and a diverse development on the ongoing discussion and debate concerning women and their counterparts in the country. Additionally, it can be said that there has been very little research on the recent improvement of women's status as a result of interventions by NGOs and the adverse reactions by anti-NGO groups in relation to Islam, women and NGOs. Hence, in this thesis, I study religious, legal, political and economic perspectives on the position of women in Bangladesh. The approach is founded on methods within the discipline of anthropology and sociology, but they are also combined with a religious studies dimension. The starting point of my study is the result and achievement of previous researchers and the conclusions they have reached.

Framework of the Study

The status of women is multidimensional and affected by different sets of factors such as social and cultural norms, religious practices, formal laws, economic

⁹³ I received information about some of the books through the British Library and unfortunately they were not available in Sweden and thus no further details were attainable till October 2009.

institutions and some other factors.⁹⁴ These factors are interrelated to each other and combine different participants that each plays an important role in the ongoing conflict concerning women in Bangladesh. The model presented below

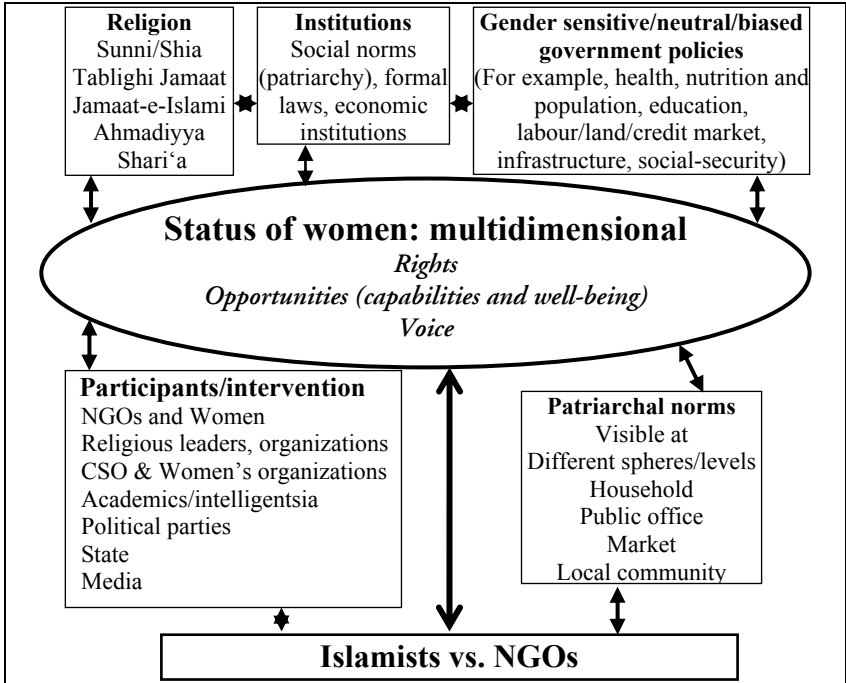


Figure 2: Theoretical Framework forming the Status of Women

is a theoretical framework that was developed from the World Bank's publication on gender development.⁹⁵ The reason behind choosing the World Bank's model to describe the theoretical framework is that it corresponds more accurately to my study than other theories even though it was subsequently further developed by the help of other academic theories. Thus, I have chosen sociological and anthropological approaches to my study. The status of women is the central theme of this model which presents how different factors, institutions and participants influence each other and how all those factors and participants – through interaction, conflict or intervention – affect the status of women. However, it is important to recognize women themselves as active

⁹⁴ Azad 1995:201.

⁹⁵ See *World Bank* 2001. I am indebted to Professor Alia Ahmad for the formation of this model through personal discussions and guidance.

participants in this debate. How this can be played out and how it can relate to the study of Islam is discussed in the following paragraphs.

The societal institutions as well as customary norms are dynamic and, as a result of interaction and conflict between different participants, they also undergo dynamic changes. According to the historian of religion, Sidsel Hansson, structural constraints and normative pressure may form certain positions of gender relations. For instance, in the Indian context, descriptions of gender relations are influenced by definitions of caste relation.⁹⁶ Religion influences gender relations but religious practice is also influenced by the larger social context.⁹⁷ Islamologist Leif Stenberg articulates that, within one's religious tradition, individuals constantly form new social constructions in order to meet changing realities.⁹⁸ Thus religion in the above model plays an important role which – through interaction with social norms, patriarchy and different institutions – forms and changes government policies and affects the lives of people, especially women in society. However, Islamologist Jonas Svensson, referring to John White's presentation of religion, asserts that religion and, more specifically, "theology" is a necessary ally to human rights.⁹⁹ The role of religion, Islam in this case, is more closely observed by another Islamologist Ann Kull;¹⁰⁰ she asserts that Islam, like all other religions, is constructed through the social interactions of human beings in their respective environment, individually as well as socially and politically. Political scientist Peter Mandaville – interested in the impact of the globalization of the Muslim world – has implied that different Islamic movements in Muslim societies influence younger generations of new migrants within the Muslim societies in Europe and North America and reshape gender relations.¹⁰¹ It is, however, important to note that religion cannot be statically understood without Islam being used as an interpretation in relation to what is happening both globally and locally.

Scholar of theology and pioneer in the study of gender and religion, Ursula King, argues that an asymmetry in the relations of power, representation, knowledge and scholarship has always existed between men and women throughout most of human history. It is further notable that the status of women, their experiences, self-understanding and debates about them are influenced by or indirectly related to religious teachings and world-views.¹⁰² Religious traditions, beliefs and practices are shaped by and perceived from the

⁹⁶ Hansson 2001:46.

⁹⁷ Rozario 2006:368.

⁹⁸ Stenberg 1996:17.

⁹⁹ Svensson 2000:62.

¹⁰⁰ Kull 2005:9.

¹⁰¹ Mandaville 2007a:262.

¹⁰² King 2000:1.

perspective of gender. Religion in societies may be seen in terms of its institutional structures and historical-cultural embodiments which require the investigation of gender-specific issues in very particular ways or it can be seen in a heuristic concept that enables one to investigate and explain particular activities of women as distinct from those of men.¹⁰³ King argues that when discussing the study of religion and gender, religion has not only been the matrix of cultures and civilizations but it also structures reality, including gender and that is why religion involves one's own subjectivity and reflexivity.¹⁰⁴ There has been much talk about the construction of gender in the social, cultural and historical perspectives that also equally applies to the concept of religion.¹⁰⁵ Sexual inequalities are a form of discrimination which was first religiously defended as God-given and natural but the rise of secularised science has argued against those defences on scientific grounds in both the biological and social sciences. King has further stated that traditional religious teachings do contain high ideals of what it means to be fully human, but those ideals have mostly been propounded by men to the detriment and exclusion of women. It is, according to King, impossible to develop thoughts on religion and gender in a global perspective, but a unity, created by the bonds of one human family in a globalization process, has deep ramifications for feminism, gender and religion.¹⁰⁶

Religion additionally plays an important role in shaping political, social, cultural, economic and legal institutions. Furthermore, the impact that Muslim groups with Islamist inclinations have on today's Muslim societies is significant and should not be ignored.¹⁰⁷ Anthropologist Saba Mahmood considers that "Islamic Revival" is a term that refers not only to the activities of state-oriented political groups but more broadly to a religious ethos or sensibility that has developed within contemporary Muslim societies.¹⁰⁸ Current events in Algeria, Iran, Pakistan and Bangladesh and, to some extent in Tunisia and Turkey, indicate that the relationships between the state, Islamists and women's organizations form important axes within the complex interplay of power and hegemony. As discussed earlier, strategies of Islamization and the rise of Islamist

¹⁰³ Rozario 2006:369.

¹⁰⁴ King 2000:4.

¹⁰⁵ Ibid.

¹⁰⁶ King 2000:30.

¹⁰⁷ Karam 1998:3.

¹⁰⁸ Mahmood, 2005:3. Mandaville (2007a:44, 58-9) has further discussions in his *Global Political Islam* (2007a) and discussed how the Muslim world is influenced by the radical ideologies of Ibn-Abdul Wahhab that simultaneously influenced many other Muslim scholars such as Abul Ala Maududi (1903-1979), creator of JI in Pakistan and Hassan al-Banna (1906-49), creator of the Muslim Brotherhood in Egypt, and not least of all among contemporary advocates of Islamic radicalism such as Usama Bin Laden and Ayman al-Zawahiri.

movements in recent decades, in the context of Bangladesh, have pursued a new form of political development. After the decline of Sufi networks in the face of Islamic revivalism in the Middle East and thereafter in the subcontinent during the nineteenth and early twentieth centuries, the version of Islam that survives in Bangladesh today is mainly conservative and influenced predominantly by Deobandi-cum Wahhabism. Jamaat-e-Islami is an organization formed by Maududi, whose ideas are simultaneously conservative in terms of the social values they espouse including a very limited role for women.¹⁰⁹ Although Tablighi Jamaat desists from any direct political activism, JIB, the ideological ally of Tablighi Jamaat is, however, active in the current political movement. Conservative Islamists – JIB in this regard – prefer a literalist application of Qur’anic strictures with respect to gender in every sphere of human life.

The Role of Women in Society

In a global perspective, women are considered to be both the recipient of well-being and active agents of empowerment. Taking into account innate biological differences between men and women, all cultures form a set of social expectations about what behaviours and ‘activities are appropriate, and what rights, resources and power they possess’.¹¹⁰ Gender equality is a core development issue, and the reason behind the lack of economic and social advancement of many nations in the world is persisting gender inequalities within social, religious and economic frameworks of those nations. Gender equality has been defined, according to the World Bank’s documentation, in a variety of ways in the context of development as well as different cultural and social affiliations with religious influences. It is easily understandable that cultural and societal differentiations are the unique essence and thus different cultures and societies follow different paths in their pursuit of gender equality. In many cultures and societies, ‘men and women are free to choose different (or similar) roles and different (or similar) outcomes in accordance with their preferences and goals’.¹¹¹ Despite recent progress in gender equality, gender discrimination and disparities are pervasive in basic rights such as access to and control of resources, in employment and earnings, political rights and opportunities (as in the above model). According to a World Bank report

¹⁰⁹ Mandaville 2007a:68.

¹¹⁰ King 2000:6, see also *the World Bank* 2001:2.

¹¹¹ *The World Bank* 2001:3.

conducted in 2001, ‘in no region of the developing world are women equal to men in legal, social, and economic rights’.¹¹²

The position of women in countries like Bangladesh can be discussed within a framework prescribed by the World Bank and presented in the model above that suggests three main aspects: rights, opportunities and voice.¹¹³ The first aspect deals with legal, social and economic rights where many existing value systems are themselves highly paternalistic, particularly towards women, rendering them systematically deprived in many societies.¹¹⁴ Socially constructed roles and socially learned behaviours and expectations associated to males and females may vary considerably among societies but they also coincide with striking similarities. For instance, ‘nearly all societies give the primary responsibility for the care of infants and young children’ to women and girls, and that of military service and national defence to men.¹¹⁵ Gender, like social categories of race, ethnicity and class, ‘establishes one’s life chances, and shapes one’s participation in society’ and in economic development. Some societies successfully overcame the racial and ‘ethnic divides but all societies experience gender asymmetries, differences and disparities’.¹¹⁶

Many societies and cultures differentiate between men and women concerning rights to marry, divorce, determine family size, inherit and manage property, allocate one’s labour to household enterprises, undertake income-earning activities outside the home, and to travel independently.¹¹⁷ Furthermore, in many nations, women are not equal in the eyes of the law – they do not have the same property rights as men, they lack equality in making any sort of contract and also lack religious liberty.¹¹⁸ In many countries, even though women enjoy equal political and legal rights under their national constitutions or civil codes, they do not fully enjoy those rights in practice. The World Conference on Women in Beijing in 1995 urged for ‘equity’ instead of ‘equality’, which differ

¹¹² *The World Bank* 2001:1. The legal status of women, in the context of Bangladesh, is discussed in the following chapter, in particular under the subtitles “Constitution Part II” and “Constitution Part III”, and, furthermore, the dynamic position of women in Bangladesh is discussed in Chapter Three.

¹¹³ See *The World Bank* 2001:2.

¹¹⁴ Nussbaum 2001:53.

¹¹⁵ *The World Bank* 2001:2.

¹¹⁶ *Ibid.*

¹¹⁷ Nussbaum 2001:53. In much of Sub-Saharan Africa, women often lack permanent ownership of land and instead obtain land rights mainly ‘through their husband as long as the marriage endures, and they often lose those rights’ if they are divorced. In many of the Middle Eastern and Arab countries, men can restrict their wives’ employment outside the home and women must have their husband’s consent to obtain a passport (UNDP 1995, mentioned in *the World Bank* 2001:37). On average, women in Europe and Central Asia have the greatest equality of rights while women in South Asia, Sub-Saharan Africa, the Middle East and North Africa have the least.

¹¹⁸ Yuval-Davis 1997:26; Nussbaum 2001:45.

principally on affirming women's access to rights which do not necessarily equal those of men, as well as women's rights to be different from those of men without being subjected to any form of hierarchy.¹¹⁹

The second aspect explores the resources and opportunities to which, as with basic rights, women and girls tend to have systematically poorer access than men and boys. This unequal access to resources has many dimensions, involving access to human resources, social capital, physical and financial capital, employment and earnings, which results in a curtailment of their opportunities and circumscribes their ability to participate in and enjoy the benefits of development.¹²⁰ Such disparities and poverty are so closely related to each other that, when combined together, they limit women's ability to participate in development as well as 'to contribute to higher living standards for their families' which ultimately results in a 'greater risk and vulnerability in the face of personal or family crises, in old age, and during economic shocks'.¹²¹

Despite the recent progress and gender parity in school enrolment and literacy rates among women and girls in some developing nations, including Bangladesh, there still remains in many other countries disparities both in enrolment rates, which encapsulate patterns of education, and in average years of schooling, which represent the stock of education in the population. As education is the central element to one's ability to respond to the opportunities as well as resources that development presents, many developing nations have shown greater interest to secure education for all. Recent data from the World Bank shows that female primary as well as secondary enrolment and schooling have generally risen over time.

Disparities, according to data collected by the World Bank, exist between men and women even in access to health-care and medicine on account of a lack of medical opportunities as well as health services for women in rural areas. Good health is crucial for each and every human being and an important resource that enables people to take part in and enjoy the benefits of development.¹²² Over the past decades, life expectancy at birth has risen dramatically for both men and women in developing countries, mostly on account of better diets, safer drinking water, and control of communicable diseases. The outcomes, where men and women have the same life expectancy or men live longer than women, reflect a range of societal factors that work against women and girls, such as gender

¹¹⁹ Karam 1998:6.

¹²⁰ Good health and the ability to free movement are considered to be the physical capital while access to credit is the financial capital, see *The World Bank* 2001:41.

¹²¹ Nussbaum 2001:46.

¹²² Ahmad 2003:2.

disparities in nutrition and health-care, frequent and complicated pregnancies, and inadequate prenatal and obstetric care.

Furthermore, gender disparities are still reflected by other factors such as access to and control of land, technology, information, and financial capital – all of which hinder women’s ability to participate in and take advantage of the opportunities afforded by progress. It is common that women face discrimination in the labour market and even if they have the same level of education and work experience as their male counterparts, they are easily discriminated against which often limits them to certain occupations, excludes them from management positions in the formal sector, and causes them to earn less than men. Women can have economic independence, in the sense that no law prevents them from doing so, but may be prevented simply because they lack assets or access to credit.

The final aspect is the voice or participation of women in decision making which is also negatively influenced by inequality and the poor socioeconomic status of women compared to men. Limited command over productive resources along with the weaker position of women to generate income constrains their power to influence resources allocation, decisions within the household and to exercise the participation of political processes as active agents both at community and national level. They often face greater obstacles including intimidation from family or spouses, sexual discrimination during job interviews, and sexual harassment in workplaces when they attempt to enter the job market.¹²³ Women further remain significantly less likely to discuss politics than men, especially among older cohorts and those with less education.¹²⁴ Women who are deprived of education, according to Martha Nussbaum, who is engaged in laws and ethics, are also deprived of a great deal of meaningful participation in politics and speech.¹²⁵

The above discussed aspects: rights, resources and voice are affected by households, economy and different institutions. In a general context, social, cultural and religious norms, customs, rights, laws and markets shape roles for men and women in many parts of the world. The above parameters and the consequence of roles similarly ‘influence what resources women and men have access to, what activities they can or cannot undertake, and in what forms they can participate in the economy and in society’.¹²⁶ Among the above norms, patriarchy is a principal factor that controls and reshapes other institutions and

¹²³ Nussbaum 2001:45. Women all over the world continue to be vastly underrepresented in elected office at all levels of government, from local councils to national assemblies and cabinets.

¹²⁴ *The World Bank* 2001:57.

¹²⁵ Nussbaum 2001:47.

¹²⁶ *The World Bank* 2001:57.

determines the role of men and women with pre-decided behaviour of social, cultural and religious norms.

Nineteenth-century social theorists, according to anthropologist Thomas J. Barfield, developed the concept of patriarchy in contrast to matriarchy in order to explain the evolution of civil society. Patriarchy is now used, as mentioned above, to describe a situation in which men have primary control of the most prestigious social, political, economic, and cultural institutions in their society. Social theorists like Barfield now believe that so-called patriarchal societies are actually cross-cut by other social identities; so, for instance, women of the dominant race, class, and religion tend to have more status and power than men of the non-dominant race, class, and religion.

Despite the rapid improvements in health and access to schooling for women and girls in many developing nations, much slower improvement in political participation and equal rights in property were recorded in many developing countries by different empirical studies with concern to gender equality. Azza M. Karam (1998), an Egyptian scholar, refers to Chandra Mohanty's (1991) argument and asserts that the 'monolithic notion of patriarchy or male dominance' supposedly oppresses all Third World women in the same way.¹²⁷ Bangladesh is in no way exceptional in this regard where female dependence and subordination are perceived. The practice of patriarchy makes women feel worthless regardless of their roles of mother, wife or daughter, and it also enhances servitude and dependence within the family.¹²⁸ Biological differences between men and women are often interpreted in accordance with the patriarchal notion that men are superior to women. Even when formal and informal institutions do not distinguish explicitly between men and women, they are, according to Bangladeshi intellectual Humayun Azad, generally informed by social norms relating to appropriate gender roles that are difficult to change.¹²⁹ The household decisions 'about having and raising children, engaging in work and leisure, and investing in the future', '[H]ow tasks and productive resources are allocated among sons and daughters, how much autonomy they are given, whether expectations differ among them', are mostly determined in the context of communities and by larger institutions and policy environment.¹³⁰

Nussbaum (2001) states that the pattern of economic growth in a region means nothing to women whose husbands deprive them of control over household income. Economic policy and development affect gender inequality because the economy, as the structural factor, determines the outcome. Lower incomes force

¹²⁷ Karam 1998:7.

¹²⁸ Khair 1998:5.

¹²⁹ Azad 1995:70.

¹³⁰ The World Bank 2001:99.

parents to choose to invest in sons instead of in daughters. However, equal participation of men and women in income generating activities also affects economic development. Many studies indicate that gender division of labour in homes, social norms and prejudices, and lack of resources prevent women from taking equal advantage of economic opportunities.¹³¹

According to Nussbaum, when universal norms are discussed women often face three objections: a cultural argument, an argument about the benefits of diversity and arguments from paternalism.¹³² Traditional cultures, Nussbaum continues, contain their own norms of what women's lives should involve: the common norms of female modesty, deference, obedience, and self-sacrifice. She argues further that similar to the world's different languages, cultural norms have their own distinctive worth and beauty; the trouble with analogy, she asserts, is that languages do not harm people, but cultural practices frequently do.¹³³

Policy and Intervention

The status of women is further affected by the policies and interventions of the government, donors, NGOs, media and civil society, and the global as well as national economy which all act as autonomous factors. Human rights organizations along with other global organizations have undertaken many programmes against gender disparities and gender inequalities in regards to social, legal and economic rights. National as well as international policymakers have a number of instruments at their disposal to influence the allocation of household resources and in doing so promote greater gender equality in workload allocation, in investments in children and in command over productive resources. Some studies conducted by the World Bank suggest that discrimination against girls in most of the developing nations may be affected not only by cultural preferences, institutional factors, and economic considerations, but also by public policy.¹³⁴ There is a great difference between a life that is chosen and a life constrained by insufficient round-the-clock protection that makes women unable to play any role in family or social activities in many parts of the world. Women in numerous nations have nominal rights of political participation and often their rights are constrained by the threat of violence.¹³⁵

¹³¹ See Arens et al 1977; Mannan 1989.

¹³² Nussbaum 2001:51-53.

¹³³ Ibid.

¹³⁴ *The World Bank* 2001:3.

¹³⁵ Viterna et al 2008:459.

Bangladesh, as mentioned above, provides a unique example of NGOs that have undertaken many initiatives that changed and affected the lives of women, not only in Bangladesh but also around the globe. In recent decades, women in Bangladesh have become the subjects of several success stories: as the members of GB and other major NGOs, as workers in the garments industries, and helping to dramatically reduce the population growth rate. All these women have been lauded for their unprecedented contribution. During recent years, the role of NGOs in rural development has increased considerably. This reliance on NGOs can be seen as part of the privatisation strategy of the World Bank and other donors. NGOs in Bangladesh, whose main task is credit based income generating, do not only see women as their target of economic empowerment but also encourage uniting poor women into groups as part of a larger struggle.¹³⁶

After the successful operation of GB, many other NGOs came forward to operate in a similar style as GB had done. For the first time in the country, the microcredit system gave the poorest an opportunity to borrow money with the free choice of small instalments where total interests varied from organization to organization. Some progressive NGOs undertook the goal of welfare, economic activities, health delivery, credit, cultivation of collectively-leased land and so on. In recent years, microcredit programmes have become increasingly popular as they have a visible impact on the lives of women, but at the same time, they have made their counterparts hostile towards them. Although there are many Muslim NGOs in operation in the countryside, most of the secular NGOs, especially those with foreign affiliations, have been the sustained target of Islamic rhetoric.¹³⁷

This study thus provides an analytical discussion on the status of rural women in Bangladesh in perspectives of legal status, religious practices, and patriarchal social norms in a new era of economic freedom through microcredit programmes and government policies. It also analyses the conflict and debate about women and development activities, between NGOs and the Islamist groups.

Methodology, Fieldwork and Material

Among the thousands of organizations working for the betterment of women in Bangladesh, I have chosen a few leading organizations for my discussion: Grameen Bank (GB), the Bangladesh Rural Advancement Committee (BRAC),

¹³⁶ *Encyclopaedia of Women in South Asia* 2004:24 vol. 3, see also Kabeer 1989:31.

¹³⁷ *Encyclopaedia of Women in South Asia* 2004:25 vol. 3, see also Siddiqi 1998:215.

Proshika and Nijera Kori (NK).¹³⁸ I have studied the backgrounds of these chosen organizations and carried out a chronological exploration of their development as well as their struggle for survival with the intention of describing the conflict and analyzing the role of Islam in the debate between NGOs and anti-NGOs groups. Furthermore, from 1999 to 2007, I have conducted six fieldworks in November 1999, May 2000, December 2001, February 2003, January 2004 and February 2007, which included interviews and visits to the selected NGOs and some government bodies such as the Department of Women Affairs at the Ministry of Women and Children Affairs. During my fieldworks in Bangladesh, I met and interviewed rural women and community leaders in Chandpur, Brahmanbaria, Narsingdi and Comilla Districts who are engaged within the selected organizations in those areas. I also met Professor Muhammad Yunus, the founder of GB and Nobel recipient, and talked to him about the study I was conducting. I similarly met with teachers at the Department of Islamic History and Culture and the Department of Journalism at Dhaka University, religious leaders and government personnel at different levels who are involved in NGO matters.

Each fieldwork lasted for between two and three months. As an insider, I have engaged in the task of examining “living fieldworks” partly because I was not in another culture but actually studying in and about my own culture and am fully proficient in the language. But at the same time, as an outsider living for many years outside the country, I discovered lots of things that I rarely cared or thought about when I resided in the country. For instance, I had not seen women suffer from the patriarchal social structure or religious and social practices in rural Bangladesh but I soon discovered it on my return to the country after being away from Bangladesh for some time. As Karam argues, there is a ‘definite challenge of being alternatively insider/outsider,’¹³⁹ and therefore I took extra care when conducting the fieldworks. I chose the “dialogical” process among the four processes recognized by James Clifford (1988) to be at work in ethnography. He refers to these processes – experiential, interpretive, dialogical and polyphonic – as “modes of authority”.¹⁴⁰ Thus, in most of the cases I had rather informal discussions with the persons related to my study. A still camera, audio cassette recorder, notebooks, video camera and laptop have been used throughout the fieldworks. During most of the discussions with the female interviewees, they opposed the use of the camera and I respected their request and instead took notes of the discussions or recorded them on audio cassettes. However the discussions with the teachers, NGO

¹³⁸ I am going to present all selected NGOs in Chapter Four under the heading “The Activities of Chosen Organizations”.

¹³⁹ Karam 1998:43.

¹⁴⁰ Clifford 1988:21-54.

activists, some religious and community leaders, related stakeholders and government personnel involved with NGOs and the empowerment of women have been well documented with video camera, still camera, audio tapes and notes. A crucial component of my material consists of the observation of both villagers and the staff of selected organizations.

When I started my first fieldwork in November 1999 it was a thriving time for the NGOs. After GB's reputation flourished both at home and abroad due to the eminent success of its microcredit system, there was a stream of many other organizations running similar programmes and making profits from it. The GB was expanding its activities from district level to the remote villages. On one hand, its revolutionary tasks were attracting poor and destitute women, but on the other hand, the groups who didn't like the Bank and its micro-loans were gathering to protest and oppose the activities. There had even occurred some unfortunate incidents countrywide where aggressive protesters attacked the NGO-centres and set them alight. In November 1999, I visited Brahmanbaria, a district that had become a battlefield in late 1998 and had drawn the attention of the whole nation.¹⁴¹

I arrived at Brahmanbaria in order to explore the incident by talking to the local people who had witnessed the conflict and also to meet the top religious leader Mawlana Sirajul Islam, well known as *Boro Huzoor*, "Elder *Mufti*",¹⁴² who issued the *fatwa* against any *mela*, "fair or festival" within the town of Brahmanbaria.¹⁴³ On my first day, I intended to visit the *madrassah* when it was time for the afternoon prayer, which *Boro Huzoor* was leading. After he finished the prayer there were a lot of people waiting to receive blessings from him so I waited for an appropriate time to meet him and express the goal of my journey. He advised me to find the book, *Amra NGO Birodhi Keno?*, "Why are we against NGOs?", written by Mawlana Mufti Mubarak Wllah, another *mufti* of the same *madrassah*, *Jameya Yunusia Brahmanbaria* that *Boro Huzoor* belonged to and said that everything concerning their movement against the NGOs would be found in that book. He then refused to talk any further on the topic. I collected the book and some additional booklets concerning the NGOs and *fatwa* from a bookshop adjacent to the *madrassah*, and unexpectedly met Mufti Wllah. Unfortunately, he also refused to discuss the matter and instead referred to his book for all the answers concerning the NGO-conflict. I stayed there for a week and collected as much data as I could find from the local people through discussions. I even visited the village where many NGO offices are located and

¹⁴¹ Riaz 2004:28-29.

¹⁴² *Mufti* was defined at page 10 in footnote 46. See more on Islamic laws in Hallaq 2001, 2005; Vogel 2000; Schacht 1986.

¹⁴³ Karim 2004:16:291.

although it was not possible to find any women who had been the victims of the conflict in 1998 I was able to talk to the NGO-personnel and other shopkeepers situated in the same neighbourhood. Though the versions of information differ from person to person, I have summarised it with the help of data I have collected during my visit as well as news articles from different media and knowledge gained from previous researches which is discussed in the fifth chapter.

Six months later, during May-July 2000, I performed my second fieldwork. On this occasion I visited some of the centres of GB and their borrowers, situated in Matlab North in my native district Chandpur. I attended several borrowers' weekly meetings and observed their methods of working in a group and interviewed the bank staff as well as women from five different groups who borrowed money from the bank. I was an insider and that made matters easier for me; I was well acquainted with the local culture, social and religious norms and, furthermore, Bengali is my mother tongue; all these facts favoured me and weakened any barriers. In comparison to Malin Arvidson (2003), who found the language to be a main obstacle and according to her own view, her fieldworks involved some cultural clashes, my fieldworks were unproblematic.¹⁴⁴ But I must acknowledge that being a male researcher interviewing female borrowers in a sex-segregated society like Bangladesh generated several complications such as overriding social barriers in order to be able to freely communicate with women and hold discussions with women in the presence of their male relatives. This matter might have affected the result of my interviews as what women discuss with other females may possibly differ from what discussed with males. I partly overcame these issues when I interviewed women from the villages surrounding my native village who all knew me by name.

During the informal discussions, I wanted to know about their lives before and after joining the bank, the loans they took and how they utilized the money. I further requested them to tell their stories of how the small loans had changed their lives and whether they had succeeded in their goals as much as they imagined. They were quite straightforward and described their stories, the struggles they had overcome and what possibilities they found in the microcredit system. One by one, they described their experiences with the bank as borrowers and how the loan influenced their lives.

The next fieldwork was conducted in Norsingdi, a district outside Dhaka during November 2001 and January 2002 and involved visiting some BRAC, Proshika and GB centres. During more than two and a half months, I discussed many issues with several women borrowers of the microcredit institutions such as their views on NGOs, the Islamists' movement against NGOs and other microcredit

¹⁴⁴ Arvidson 2003:23. She worked on the methodology of NGOs in Bangladesh.

providers, and their overall experiences with GB, BRAC and Proshika. In this district I also systematically visited the centres of the chosen organizations and participated in weekly meetings and interviewed around fifteen female groups associated to GB, BRAC and Proshika.

Between March and May 2003, I conducted my fourth fieldwork in Dhaka and met several government officials who were related to the NGO-activities and health services in partnership with some specific NGOs. I also met several religious leaders as well as teachers at the University of Dhaka. It is important to note two of the prominent religious leaders I met a number of times during my fieldworks. One of them was Allama Hafez Abdul Jalil who was the Principal of *Quaderai Tayyebiya Alia Madrassah*, which is located in the centre of Dhaka city and is probably the second biggest government-run *Alia Madrassah*¹⁴⁵ after the Dhaka Alia. He was also the former Director of the Islamic Foundation, a National Islamic Authority which decides most of the religious matters in the country. Sadly, Allama Jalil passed away recently on 22 September 2009. He was not only an Islamic scholar famous both home and abroad but also a writer of many Islamic books concerning issues of disputed conflict between Wahhabism and Sunnism in the present Muslim World. He was additionally the Secretary General of the Bangladesh Ahle Sunnat wal Jamaat. The second scholar is Mawlana Abdullah bin Said Jalalabadi who is a prominent Islamic thinker and writer of many books on Islam, and an active leader in the Tabligi Jamaat, a non-political Islamic Movement. He also served as an *imam* in the national mosque of Gono Bhabon, in the office of the then Prime Minister and is presently an *imam* at the Secretariat Mosque in Dhaka. I met several Islamists engaged in different *madrassahs* as teachers and *imams* in different mosques in local areas. I additionally met a few teachers at the University of Dhaka: Professor Muhammad Ibrahim and Professor Muhammad Ataur Rahman Miazzi at the Department of Islamic History and Culture, and Assistant Professor Mofizur Rhaman at the Department of Mass Communication and Journalism. I had discussions with the above named persons and all these discussions are well documented in audiovisual print.

In November and December of the same year, I visited GB, BRAC, Proshika and Nijera Kori (NK) head offices situated in Dhaka and had discussions with some principal individuals concerning microcredit, its process, yearly data, progress, conflicts and arguments in response to the demand of Islamists.

The final fieldwork took place in February and March 2007 and this time I again visited some NGO offices in order to collect the latest data and information concerning their organizations, and also visited some remote areas where conflicts between NGOs and religious groups had taken place.

¹⁴⁵ *Alia madrassah* is discussed in the fifth chapter.

The empirical material consists of interviews, notes on informal discussions, recorded audio, videos, still pictures and written material provided by several organizations. The official information was found in leaflets produced by NGOs and women's organizations, the annual report of the Ministry of Women's Affairs and the Ministry of Planning, the Government of Bangladesh, and information about recent initiatives taken by the government as well as NGOs. Among the legal materials, I have used the Constitution of Bangladesh, both English and Bengali versions, the Code of Criminal Procedure 1898, the Penal Code 1860, the Code of Civil Procedure 1908 and the manuals of the Upazila and Union Council. The quarterly journals of the Bangladesh Institute of Development Studies (BIDS) and yearly publications of the Government of Bangladesh from the Ministry of Women & Children's Affairs and the Bangladesh Bureau of Statistics (BBS) have also been sources of information concerning this study. In addition, daily newspapers have played a great role in the debate on NGOs and other events of the country. I have closely followed some of the leading newspapers that are available online: *The Daily Star*, *Prothom Alo*, *Janakantha* and *the Inqilab*, for instance. It is notable that on the one hand, *Janakantha* appears to be extremely leftist and on the other hand, *The Inqilab*, *Daily Sangram* and *Daily Millat* seem to be extremely pro-Islamic newspapers. *The Daily Star* and *Prothom Alo* appear to be in a more neutral position in their ideals among the above mentioned newspapers.

Last but not least, the Internet has provided a vast amount of information concerning women, NGOs and empowerment in Bangladesh. As the facts and data on the Internet are not always reliable, I avoided general information with the exception of some government and official webpages such as the UN, the US Peace Institute, the United States (US) country report, the World Bank and official information from the organizations that are related to this study. Email lists, on the other hand, have made people take a closer interest in the same topics. Thus the email groups, Feminist Theory and Gender Issues (FTGI) and the North Atlantic Bangladeshi Islamic Community (NABIC), were two important sources of information. Furthermore, the Bengal Studies Conference, held at the University of Indiana, USA from 1 – 3 May 1998, where I presented a paper concerning women in Bangladesh, introduced me to a number of scholars who are presently engaged in related fields concerning women in Bangladesh.

All Internet resources used in this study were rechecked and updated a final time before the last version of this dissertation was sent for publication. I have additionally filed the printed copy of the resources and simultaneously saved soft copies of Internet links in order to assess the availability of Internet resources at a later time.

I was born, raised and spent an important part of my life in Bangladesh until I moved to Sweden in 1995 and my close family members as well as distant relatives still live there. I consider myself to be more than an observer of the situations occurring in the country. As mentioned earlier, I am both an insider and outsider and for that reason it may appear that my own views about the conflict are evident in some of the discussions that refer to the different groups. My intention is not to be normative, but to make the reader aware of my personal background.

The Outline of the Thesis

I have tried to concentrate on the problematic of the dissertation and have outlined the entire thesis into several short chapters. In order to analyse the situation of women in Bangladesh and the conflict between the development activists and the Islamist groups, I have also further discussed the legal status of women in general and concentrated particularly on the dynamic position of rural women in the country. The study contains six chapters in total. The first chapter describes the introduction, background, objectives of the study, previous literature, theoretical perspective and women in focus and methodology. The second chapter deals with the legal status of Muslim women in Bangladesh and constitutional laws and amendments by different governments. It further deals with the statutory laws including different acts and the Muslim Family Laws in addition to constitutional laws. The chapter also describes the legal status of women with respect to civil rights, economic rights and rights within marriage and divorce as well as the difficulties of their implementation.

The third chapter illustrates how the position of rural women and the different dimensions of their lives are affected by social and cultural norms and religious practices. Those dimensions are income, poverty, livelihood and security, opportunities (education, health and basic rights), personal freedom, rights in marriage and political rights, and empowerment (decision making and participation). Chapter Four deals with the intervention of NGO and government policies, and briefly describes the activities of chosen organizations from their own perspectives. Chapter Five produces and analyses the main aspect of the central discussion on how the intervention by NGOs and government policies has confronted the religious and traditional groups in terms of economic development, education, health, and the empowerment of women. It also discusses the arguments raised by religious groups, moneylenders, village elites and a few secular intellectuals who oppose the NGOs, the counter arguments by the NGOs and their supporters, and an analytical discussion of the conflict from different perspectives. I have, in order to avoid an overlap, chosen to conclude the chapters with a short analysis of the discussions rather

than present a long discussion in the final chapter of this thesis. So, in the sixth and final chapter, I have put together concluding remarks of this study and a short discussion on the conceptual framework and how it relates with the problematic.

In conclusion, it can be said that the country has a long tradition of *Sufi* orders with a sensitive outlook towards women. However in recent years Bangladesh has been deeply influenced by the *Deobandi-cum-Wahhabi* Islam with *Salafi* ideology predominantly through the countrywide *qaomi madrassahs* and Jamaat-e-Islami's dedicated activities with Middle Eastern economic, theological and moral support. Since the beginning of the 1990s, religious militancy, in the name of the Puriterian movement with its "return to the origin" slogan, has increased drastically, resulting in the presence of countrywide terrorist activities, demonstrations against development programmes by the GB and other NGOs, misogynous activities including attacks on women and organizers involved with NGOs, the denial of manmade laws and numerous attacks on public premises and even holy shrines of Muslim saints. I have thus undertaken the aim of discussing the relationship between the groups and the effect of religious influence over the recent developments in the country. The opinions of religious groups raised against development activists, the counter-arguments of the NGOs against Islamists and, in some cases, the arguments and participation of secularists' intellectual discussions have been examined throughout the entire dissertation.

Chapter Two

THE LEGAL STATUS OF WOMEN IN BANGLADESH

According to the Islamologist Ann Kull, matters such as the legal status of women in the family have been prominent issues in political discourse in many Muslim countries throughout the twentieth century,¹⁴⁶ and Bangladesh is no exception in this regard. However, the aim of describing the legal status of women requires analyzing the position of Muslim women in general and Bangladeshi women in particular, as determined by the country's law, and in accordance with the interpretation of *shari'a*.

It is necessary to divide this chapter into several major categories in order to compare the general codes of laws with the Muslim Personal Laws. It is noteworthy to mention that the legal procedures are discussed according to legal categories instead of their chronological status.

- The first category is Civil laws, meaning the non-religious laws, which covers the Constitution of Bangladesh.¹⁴⁷
- The second category is the Codes of Criminal and Civil Procedure
- The third category is the Penal Codes and Labour Laws and,
- Finally, Personal Laws that consists of laws relating to sections of society, for instance, the Personal Laws of Muslim communities.

The Muslim Family Law Ordinance (MFLO) established in 1961 was regulated during the Pakistan period and still prevails in present day Pakistan and Bangladesh.¹⁴⁸ However, different people follow different Personal Laws in accordance with their own religious affiliations. The Muslim Personal Laws cover the areas of marriage, divorce, maintenance of women after divorce, guardianship of children and inheritance.¹⁴⁹ Above mentioned categories can be discussed under the following frameworks: civil rights, economic rights and rights within marriage. The constitution and other civil codes describe the civil rights of the citizens with special importance given to women in the country, while Muslim Personal Laws deals with the rights of Muslim women in Bangladesh within marriage as well as the role of religion in personal life. This

¹⁴⁶ Kull 2005:12.

¹⁴⁷ The Constitution of Bangladesh is available online at: <http://www.pmo.gov.bd/constitution/>. However, the other legal codes are not currently available online.

¹⁴⁸ Khan 2001:65.

¹⁴⁹ Zaman 1998:13; Khan 2001:66.

chapter, in the perspective of Bangladesh, aims to describe in more detail the background of the equal status of women.

Civil Laws

The Current Constitution of Bangladesh

The Constitution of the People's Republic of Bangladesh was written in 1972.¹⁵⁰ Bangladesh, as a member of the United Nations (UN), has adopted the ideals of international laws as well as the Geneva Convention of 1949 and the Vienna Declaration on Human Rights (1993) to its constitution to ensure human rights in the country.¹⁵¹ The compilation of the Bangladesh Constitution was based partly on the social and cultural norms and partly on international laws. Four principal concepts: Nationalism, Socialism, Democracy and Secularism, as mentioned earlier, were proclaimed in the preamble as the foundation of the Constitution.¹⁵² Since the creation of the Constitution, it has undergone several amendments, some of which were to empower women as well as minorities.¹⁵³

The Fifth Amendment of the constitution determined a new political and social framework in the country by adding *Bismillahir Rahmanir Rahim*, "In the name of Allah, the Merciful and Compassionate", before the preamble and by amending the four radical ideologies: nationalism, socialism, democracy and secularism with 'absolute trust and faith in the Almighty Allah, while nationalism, democracy and socialism meant economic and social justice'.¹⁵⁴ The ideology of the state policy after General Zia came to power in 1975 heralded, according to Riaz, a new era, from pro-socialism and pro-Indian into pro-American. The word "socialism" could have been misunderstood as a communist ideology and so was replaced with "economic and social justice".¹⁵⁵

General Ershad (1982-90), the then Chief Martial Law Administrator-turned-President, followed in the footsteps of General Zia (1975-81). Many consider that Ershad's Eighth Amendment whereby Islam was made the state religion, as mentioned earlier, was carried out in order to win the hearts of the people.¹⁵⁶ However, like the constitutions of other countries, the constitution of Bangladesh has also given protection to its citizens from discrimination and

¹⁵⁰ Khan 2001:66. The Constitution of Bangladesh is officially available both in Bengali and English and though I have studied both versions, I have used the English version.

¹⁵¹ Islam 1995:67.

¹⁵² Ibid.

¹⁵³ See Khan 2001.

¹⁵⁴ Preamble of the Constitution of Bangladesh, mentioned in Siddiqi 1998:210; Riaz 2004:6.

¹⁵⁵ Riaz 2004:6.

¹⁵⁶ Khan 2001:67.

mentioned women in particular aspects. There are eleven parts of the Constitution and among them parts II, III and V deal especially with women.¹⁵⁷ Part II focuses on the fundamental principles of the state policy while part III concerns fundamental rights guaranteed by the Constitution. Part V contains the legislature where women's participation in the National Parliament was encouraged and favoured through the reservation of parliamentary seats. In order to provide a background of the legal status of women, part II, III and V will be discussed below in greater detail.

Part II of the Constitution (Fundamental Principles of State Policy)

The second part of the Constitution concerns the principal ideology, morality and opportunities as well as responsibilities of its citizens. Bangladesh, as one of the largest Muslim countries in the world in terms of population size, has adopted what is considered to be the Islamic value of life and the Constitution has undertaken moral customs into legal practices. In Article 18, §2 it affirms that 'The state shall adopt effective measures to prevent prostitution and gambling.' Women were given the status of mothers, sisters, wives and daughters in Islam.¹⁵⁸ They are more respected when, according to Indian scholar Asghar Ali Engineer, they are in the position of motherhood. According to such an opinion, allowing prostitution would have thus degraded women's highest position to the lowest scale. Subsequently, gambling was forbidden by reference to the Qur'an,¹⁵⁹ and, therefore, the Constitution asserted the need to protect women from degradation and people from succumbing to gambling.

The equal opportunity of all citizens is a fundamental state policy of Bangladesh and is mentioned in the Constitution: 'The state shall endeavour to ensure equality of opportunity to all citizens.'¹⁶⁰ In the modern world, world-citizens believe in equality and equal opportunities for all, regardless of caste, colour, religion and gender. The backwardness of society in Bengal as a whole and women in particular was, according to Jahan, a common picture of the then East Pakistan and British India.¹⁶¹ Jahan argues that, until recent decades, women in

¹⁵⁷ Khan 2001:66.

¹⁵⁸ Barlas 2002:175.

¹⁵⁹ "They ask thee concerning wine and gambling. Say: 'In them is great sin, and some profit, for men; but the sin is greater than the profit.'" The Qur'an 2:219. See also 5:90-91. It is important to note that there are many Muslim and non-Muslim scholars who have translated and interpreted the Qur'an from different perspectives. I have chosen mainly Abdullah Yusuf Ali's translation which is well-known worldwide, but have also used other translations such as of Abul Ala Maududi, Mohammed Marmaduke Pickthal, M. H. Shakir and Farida Majid.

¹⁶⁰ Article 19:§1.

¹⁶¹ Jahan 1983:2.

Bangladesh were rarely engaged in any economic affairs: the labour market was under men's control and women were, in the name of religious norms as well as social practices, segregated from most social activities.¹⁶² There was a need for a parliamentary step towards gender parity and the freedom of women. Taking this fact into account, Article 19 was added into the Constitution as an initiative to eradicate such obstacles,

The State shall adopt effective measures to remove social and economic inequality between man and woman and to ensure the equitable distribution of wealth among citizens, and of opportunities in order to attain a uniform level of economic development throughout the Republic.¹⁶³

But even today, according to Khan, participation of women in the labour market as well as in governmental and semi-governmental institutions is still very low.¹⁶⁴ Lawlessness, lack of access to credit, religious influences, social and cultural norms, and violation of human rights are, according to the previous studies as well as my sources during the fieldworks, major hindrances to women standing equal alongside men in developing societies in general and Bangladesh in particular.¹⁶⁵ However, Constitutional guarantees and advocacy for the empowerment of women in every sphere of human life by different organizations, along with government policies in recent years, have helped women gain visible success and be recognized by institutions such as the World Bank.

Part III of the Constitution (Fundamental Rights)

This part of the Constitution describes and preserves the fundamental rights of the citizens. In order to assure the fundamental and equal rights of all citizens, the Constitution states in Article 27 § 2: 'All citizens are equal before law and entitled to equal protection of law.' The Constitution further assures that 'No citizen shall, on grounds only of religion, race, caste, sex or place of birth be subjected to any disability, liability, restriction or condition with regard to access to any place of public entertainment or resort, or admission to any educational institution.'¹⁶⁶ In this regard, it is significant that the quota-system of the state policy in almost all government jobs has contradicted this statement of the

¹⁶² Jahan 1982:12.

¹⁶³ Article 19:§1, §2.

¹⁶⁴ Khan 2001:70.

¹⁶⁵ Chowdhury 2009:558-60; Begum 2009:175-180; fieldworks in May 2000, May 2003.

¹⁶⁶ Article 27:§3.

Constitution.¹⁶⁷ As the achievements of women in all societies lag far behind those of men, they need, according to Jahan, more assistance and privileges in order to be equal to their male counterparts in all spheres of life.¹⁶⁸ Thus the Constitution guarantees: '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.'¹⁶⁹ This provision includes other sections of society besides women, such as thirteen different non-Bengali tribes living predominately in the hill-tracts.

It is noteworthy that the above provision of the Constitution in 1991 prompted the BNP government to adopt a quota system for women in various institutions, allotting sixty percent of teaching posts for women at primary level, free education for girls up to class eight, and scholarships to encourage female students to study to higher secondary level.¹⁷⁰ Article 28 § 1 states 'The State shall not discriminate against any citizen on grounds of religion, race, caste, sex or place of birth,' but until today, according Khan, there are only a few high ranking women officials in comparison to their male colleagues in the Secretariat.¹⁷¹ Shehabuddin argues that women's status will be lowest in those societies where there is a firm differentiation between domestic and public spheres of activity and where women are isolated from one another and placed under a single man's authority at home.¹⁷² Paragraph two, however, states 'Women shall have equal rights with men in all spheres of the State and of public life.' This idea of equality conflicts with the Muslim Personal Law which I shall discuss later in this chapter.

In order to ensure the equal position of women in any society, it is necessary to implement them fully into the development process. Shehabuddin asserts that the conception of gender, the social relationship between men and women arising from the particular division of roles, responsibilities, access to and control over resources and decision making authority, and the way in which these relationships are constructed in society need to be studied.¹⁷³ Assistant Professor Mofizur Rhaman of Dhaka University similarly argues that women in developing countries like Bangladesh, where a predominantly patriarchal society has firmly taken root, spend a major part of their time in the home, especially in

¹⁶⁷ Panday 2008:508.

¹⁶⁸ Jahan 1982:223.

¹⁶⁹ Article 27:§4.

¹⁷⁰ Frankl 2004:31.

¹⁷¹ Khan 2001:70. Secretariat collectively refers to the offices of the ministers and other high officials of the state that is concentrated in the centre of the capital.

¹⁷² Shehabuddin 1992:29.

¹⁷³ Ibid.

rural areas.¹⁷⁴ Begum Zia, the former Prime Minister of the country states that women in Bangladesh are the poorest throughout society and therefore need more than equal opportunities in order to move forward from the deepest level of backwardness.¹⁷⁵ Article 29 specifies the concept of equality of opportunity in public employment: ‘There shall be equality of opportunity for all citizens in respect of employment or office in the service of the Republic.’¹⁷⁶ It further clarifies that ‘No citizen shall, on grounds only of religion, race, caste, sex or place of birth, be ineligible for, or discriminated against in respect of, any employment or office in the service of the Republic.’¹⁷⁷ The Constitution guarantees the equal opportunity to its citizens who are less advanced, especially women and other minorities and makes a clear provision that:

Nothing in this article shall prevent the State from – (a) Making special provision in favour of any backward section of citizens for the purpose of securing their adequate representation in the service of the Republic; (b) Giving effect to any law which makes provision for reserving appointments relating to any religious or denominational institution to persons of that religion or denomination; (c) Reserving for members of one sex any class of employment or office on the ground that it is considered by its nature to be unsuited to members of the opposite sex.¹⁷⁸

Despite equal rights for all, women are, according to Khan, still deterred from exercising these rights on account of social norms, ignorance, political influence and fear of violence.¹⁷⁹ Begum similarly considers factors like patriarchal norms, a lack of more female leadership and political discourse on women’s issues within political parties and even the misinterpretation of religious texts all constrain women from social, political and economic activities.¹⁸⁰

Part V of the Constitution (The Legislature)

The fifth part of the Constitution deals with the most interesting and revolutionary facts about Bangladesh. It concerns the representation of women in the Parliament which was first ensured in 1973 by Article 65 § 3 of the

¹⁷⁴ Discussion with Mofizur Rhaman, an assistant professor at Dhaka University, November 2001.

¹⁷⁵ Speech of Begum Khaleda Zia, at the Fourth World Conference for Women, Beijing, 4 September 1995.

¹⁷⁶ Article 29:§1.

¹⁷⁷ Article 29:§2.

¹⁷⁸ Article 29:§3.

¹⁷⁹ Khan 2001:71.

¹⁸⁰ Begum 1994:132.

Constitution providing the reservation of fifteen seats for women for a term of ten years.¹⁸¹ Later in 1978, the Fifth Amendment increased the number of reserved seats for women to thirty, and the tenure was extended for another fifteen years.¹⁸² The Tenth Amendment of 1990 extended the tenure for a further ten years which ended in 2001. Despite the boycott of session by the opposition and protest from a few Human Rights organizations against any further amendment of the Constitution for preserving seats for women, the BNP passed the Fourteenth Amendment “Reserved Seats for Women” in Parliament in May 2004 with a majority support.¹⁸³ The Article 65 § 3 states:

Until the dissolution of Parliament occurring next after the expiration of the period of ten years beginning from the date of the first meeting of the Parliament next after the Parliament in existence at the time of the commencement of the Constitution (Fourteenth Amendment) Act, 2004, there shall be reserved forty five seats exclusively for women members and they will be elected by the aforesaid members in accordance with law on the basis of procedure of proportional representation in the Parliament through single transferable vote: Provided that nothing in this clause shall be deemed to prevent a woman from being elected to any of the seats provided for in clause (2) of this article.

As customary, no direct election would be held for these seats. Instead, it is by the approval of the elected 300 members in the Parliament, in case there are more than 45 candidates; otherwise the candidates will be elected as MPs without any contest. Until then there were only a few women who could give representation in the National Parliament through direct election. These amendments brought the opportunity for women to represent themselves in addition to being elected through direct election. The aim of having women in the Parliament is to uphold the State Policy of “equal opportunity” for women as guaranteed by Article 19 and to allow women to voice their problems and grievances.

By this provision, according to several editorials of various leading newspapers in the country, the basis of the procedure of proportional representation in the Parliament once again makes the reserved seats convenient tools for political parties who wish to acquire the majority in order to gain their political goal. For example, the BNP, had a simple majority in the Parliament in 1991, and achieved an absolute majority by using the reserved seats for women. This way,

¹⁸¹ Khan 2001:68.

¹⁸² Halder 2004:51.

¹⁸³ Several political parties and Human Rights Organizations opposed the system of the reserved seats for women in the Parliament and instead prefer direct election, see Panday 2008:491-2.

according to Hussain M Fazlul Bari, made it possible for the then president Ershad (1982-90) to pass the Seventh Amendment.¹⁸⁴ Bari further states that ‘to many, the Fourteenth Amendment is better in a way than the formers, as it restricts the party having a majority to take all’.¹⁸⁵

Table 1: An overall view of the representation of women in the Parliament

No. of Parliament	Reserved Seats for women	Women MPs from general seats	Total no. of women MPs	Total no. of MPs in Parliament	Percentage of women MPs
1st (1973)	15	0	15	315	4.76
2nd (1979)	30	0	30	330	9.09
3rd (1986)	30	2	32	330	9.69
4th (1988)	0	4	4	300	1.33
5th (1991)	30	5	35	330	10.00
6th (1996)	0	-	-	-	-
7th (1996)	30	7	37	330	11.21
8th (2001)	45	7	52	345	15.07
9th (2008)	45	22	63	345	18.26

The table was formed with the help of data from the official webpage of the Parliament of Bangladesh and the Bangladesh Election Commission. It is to be noted that the sixth Parliament lasted only a few weeks and was not acknowledged by the opposition parties. The tenure of ten years expired during the Fourth Parliament session and thus there were no reserved seats for women.

Meanwhile, the BNP candidates expressed their dissatisfaction with the very high fees that had to be paid to the party during the nomination process. Once elected as MPs they must then donate three hundred thousands *taka*¹⁸⁶ (ca over four thousand US dollars) to the party fund.¹⁸⁷ According to Bari, the provision of donations to the party-fund (the BNP in this regard) in order to be selected as

¹⁸⁴ Bari 2004: 6 June.

¹⁸⁵ Ibid.

¹⁸⁶ One US dollar is equivalent to nearly 69 taka: February 2009, see: <http://www.xe.net/>

¹⁸⁷ *The Daily Star* 2005:08:16.

an MP through reserved seats for women, will weigh down the entire goal of the Constitution towards giving the women a voice in the Parliament.

Furthermore, the Local Government and Rural Development (LGRD) are entrusted to elected bodies called “municipalities” in urban areas and “Union Councils” in the rural areas.¹⁸⁸ The Union Council consists of a Chairman and twelve other members including three women. The manual also states that ‘the 3 reserved seats for women would be filled by direct election and nothing would prevent women from being elected to the other 9 seats either’.¹⁸⁹

Codes of Criminal and Civil Procedure

The Code of Criminal Procedure 1898 and the Code of Civil Procedure 1908

[As modified up to 30 September, 1993]

The Code of Criminal Procedure, the Code of Civil Procedure, the Penal Code, the Labour Laws and several other branches of Bangladesh’s Legal System are based on the colonial legal system created by the British which still prevails in all countries in the subcontinent with some changes made where needed.¹⁹⁰ These Codes normally deal with the general public without any distinctions, but it still contains some provisions for women, underage and sick persons. During the British period, Muslim women used to live principally under strict segregation, inside the four walls of the home.¹⁹¹ Section 497 of the Criminal Procedure, for instance, makes “womanhood”, underage and sickness a few of the grounds on which bail may be granted. The Code of Criminal Procedure in section 497 clause 1 states:

When any person accused of any non-bailable offence is arrested (...) he shall not be so released if there appear reasonable grounds for believing that he has been guilty of [an offence punishable with death or transportation for life]: [Provided that the Court may direct that any person under the age of sixteen years or any woman or any sick person or infirm person accused of such an offence be released on bail.]¹⁹²

¹⁸⁸ Khan 2001:70. Details are discussed in the following chapter under the “Political Rights” section.

¹⁸⁹ *Union Council Manual* 1998: Sec 5(3).

¹⁹⁰ Khan 2001:74.

¹⁹¹ Amin 1997:56.

¹⁹² *Code of Criminal Procedure* 1898: Section 497.

The provision treats the above persons under special circumstances where sympathy was shown to the underage and sick and special respect was given to the social norms as well as religious practices of India in regards to women. If any non-bailable accusation is administered against any woman or any underage person under arrest, she or he may be granted bail despite the first part of the clause being subjected to stringent wording.

The Code of Civil Procedure of 1908, Sections 56 states: 'Notwithstanding anything in this Part the Court shall not order the arrest or detention in the civil prison of a woman in execution of a decree for the payment of money.'¹⁹³ This is an acknowledgement of the fact that many women follow the *purdah* or do not appear before men other than *mahram*.¹⁹⁴ The code states as follows:

(1) Women who, according to the customs and manners of the country, ought not to be compelled to appear in public shall be exempt from personal appearance in Court. (2) Nothing herein contained shall be deemed to exempt such women from arrest in execution of civil process in any case which the arrest of women is not prohibited by this Code.¹⁹⁵

Section 56 as well as 132 makes further distinction concerning *purdanishin* women and clarifies that women are exempted from arrest for debt and also from appearance in court.

Labour Laws 1936

There is provision in the Bengal Payment of Wages Rules whereby, 'It is laid down that no deduction should be made from the wages of a person less than fifteen years of age or of a woman for breach of contract.'¹⁹⁶ We find further examples of this protective attitude towards women and the underage if we look at the various rules and regulations regarding the employment of women as part of the labour force. Section 7 of the Factories Act states: 'in every factory where more than fifty women workers [are employed] there be provided and maintained a suitable room or rooms for the use of the children under the age of six of such women.' There are also examples of the reverse: in the Workmen's Compensation Act, it is laid down that where compensations have to be distributed, 'No payment of lump sum as compensation to women or a person

¹⁹³ *Code of Civil Procedure* 1908: Section 56.

¹⁹⁴ A woman's male relatives whom she is not permitted to marry, see Hjärpe 2005:121.

¹⁹⁵ *Code of Civil Procedure* 1908: Section 132.

¹⁹⁶ *Bengal Payment of Wages Rules* 1936: Section 16 (1).

under legal disability shall be made otherwise than by deposit with the Commissioner'.¹⁹⁷

In order to protect women from unexpected incidents during and after the work, The Shops and Establishments Act, The Tea Plantation Labour Ordinance 1962 and the Factories Act 1934, all variously decree the rule that women are not to be employed between the hours of eight in the evening to six the following morning or other than seven in the morning to eight in the evening on the same day.¹⁹⁸ According to Khan, this provision was to possibly protect women from prostitution. This legislation controverts the NGOs and garments industries where the most of the employees are women and normally they need to work during any time of day or night, even staying away from home for weeks for the purpose of training. In opposing the NGO activities, the traditionalists have raised questions about women's safety as well as the moral protection of women who work outside their homes during evenings and, in some cases, with male co-workers.

Dina M Siddiqi, a Bangladeshi scholar and a Senior Associate at the Alice Paul Center for the Study of Women and Gender at the University of Pennsylvania, USA specialises in south Asia in general and women in Bangladesh in particular and considers that the trend towards female workers has changed dramatically during recent decades as increasing landlessness, male unemployment and the mechanization of agricultural processes have significantly altered the lives of rural women. As a result, many women have been forced to migrate to urban areas in search of employment, for instance, garments manufacturing.¹⁹⁹ In many ways, the lifestyle of garment workers breaches the limits of female respectability: low wages, long hours and uncertain terms of employment. The Government of Bangladesh places special importance on the participation of women in national development efforts that patriarchal social norms used to oppose. It is visible in the "Five Year National Development Plans" that made provisions for various activities and programmes in favour of women.²⁰⁰

The Plantation Labour Ordinance is applicable to the tea gardens in Sylhet and Chittagong which provides facilities for female underage workers:

The Government may make rules providing that in every tea plantation wherein forty or more women workers are employed (...) the employer shall provide and maintain in such manner and of such standard as may be

¹⁹⁷ *Workmen's Compensation Act 1923*: Section 8 (1).

¹⁹⁸ Khan 2001:75.

¹⁹⁹ Siddiqi 1998:214.

²⁰⁰ Begum 1994:133.

prescribed, rooms for the use of children of the women workers as are below the age of six years.²⁰¹

There are some other requirements which protect women from exposure to dangerous machinery such as provisions which prevent women from being employed in any part of a cotton processing factory where a cotton opener machine is at work.²⁰² This provision, according to Khan, was sure to protect women from danger and not to undermine them. These Codes were written in the beginning of the twentieth century when the activities of women in the Indian subcontinent were supposed to be limited within the four walls of the home, unlike women in Europe, and Muslim women were especially strictly controlled by the *pardah*-system.²⁰³ Since the 1980s, there have been economic booms in the garments factories in Bangladesh where most of the employees are women and they are expected to work with sewing machines and other modern equipment. Therefore, such provisions are no longer in use in the age of information and technical development.

The Penal Code (1860)

The Penal Codes, as mentioned above, were produced under British rule, and the Penal Code from 1860 in particular contains chapters and provisions aimed at protecting women from various kinds of violence. Some of the different types of violence it lists in articles 354, 361, 366, 367, 372, 373, 374 and 375 are kidnapping, wrongful confinement, trafficking, slavery, assault, battery, causing miscarriage, rape, acid-throwing and forced labour. Most of the legislations (I shall not quote these texts here) are out of date and have been replaced by new laws that will be discussed below.

Violence Against Women and Prevention of Cruelty to Women and Children (PCWC) Act 2000

The Declaration of the Elimination of Violence Against Women by the UN Resolution 48/104, 'defines violence against women as any act of gender-based violence that results in, or is likely to result in, physical, sexual or mental harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life'.²⁰⁴ Many

²⁰¹ *Tea Plantation Labour Ordinance* 1962: section 12.

²⁰² *Factories Act* 1934: Section 24, 29.

²⁰³ See Hjärpe 2005:122.

²⁰⁴ See the WHO at <http://www.who.int/mediacentre/factsheets/fs239/en/>

articles, reports and news indicate that the numbers of crimes and violence against women have increased in the country, and similarly, raise questions regarding the effectiveness of the prevalent laws. The reports similarly accused the law enforcing agencies of failure to provide transparency and accountability.²⁰⁵

A combined report of *Naripokkho* and *Bangladesh Mahila Parishad* in November 2002 has found the religious and cultural norms, defective laws, the denial of appropriate property rights, the failure to implement international mechanisms relating to women's rights and other related factors discriminatory and responsible for creating a negative environment for women.²⁰⁶ This weaker status in society renders women to be perceived as burdensome and easily 'vulnerable to various forms of violence and exploitation'. The penal code, criminal procedure code, and Dowry Prohibition Act contain provisions to punish the perpetrators of violence against women. However, the implementation of laws has taken a severe downward trend in the country. Because of this lack of enforcement, as was discussed in the Introduction concerning the existing disparity between men and women, crimes perpetrated against women have increased.²⁰⁷

The Women and Children Repression Prevention (Special Provisions) Act of 2000²⁰⁸ is an improvement of the ordinance of 1995. The editorial commentary of the *Daily Star* on 29 December 2001 expressed little doubt on imposing the new laws. It says:

What good though will the introduction of new laws do when the whole infrastructure is weak with pockets of corruption and existing laws not implemented? No, we do not need new laws, but we must be more realistic and identify genuine violence against women, which have no remedies or punishment yet.²⁰⁹

Khan has already expressed her concern about the above mentioned fact written in the editorial. She argues that there are laws which may be lacking, but the gap between laws and its inadequate implementation is clearly visible in Bangladesh.²¹⁰ She furthermore accused the law enforcement agencies of doing little to protect women and that the court approved biased judgements against women and the laws passed for their protection are poorly executed.

²⁰⁵ Editorial note: "Reflections on Women and Violence in 2000", *the Daily Star*, 29 Dec. 2001.

²⁰⁶ *Naripokkho* and *Bangladesh Mahila Parishad* 2002:11.

²⁰⁷ *Ibid.*

²⁰⁸ The Act was further amended in 2003 with minor changes in provisions for dowry crimes and the issue of suicide committed by female victims of acts of dishonour (the US HR Report 2008).

²⁰⁹ Editorial note: "Reflections on Women and Violence in 2000", *the Daily Star*, 29 Dec. 2001.

²¹⁰ Khan 2001:290.

Laws presently covering the areas of domestic violence are weak according to Khan; 'the crime is still seen more as a social norm than a legal matter'. Provisions against domestic crimes, as stated by Khan, could be included in the penal code which is currently missing.²¹¹ In order to improve the lives of women, the *Daily Star* editorial continues, 'various state mechanisms need to tackle and amend the realities of indifferent police officers, corruption, the criminalisation of politics and the poor participation of women in policymaking and then rewrite the laws that already exist in Bangladesh'.²¹²

'Unfortunately, despite the fact that in most cases the victim knows the violator, nothing is done to bring the latter to justice. Usually money' and power are the reasons why the criminals go unpunished.²¹³ In investigations conducted by *Odhikar*, a Human Rights organization, it was found that 'the families of the victims were too poor and ignorant of the law to seek legal recourse'. In one case, *Odhikar* found that 'the lawyer was demanding payments for every appearance and asking the court for more time. The mother of the victim in this case had no more money to give the lawyer and was' then at the mercy of the *Bangladesh Mahila Parishad*, a human rights organization.²¹⁴

Countrywide research on women, the role of media and the activities of women's organizations succeeded in creating awareness among the masses and policymakers concerning violence against women in Bangladesh.²¹⁵ The government, as a result, has enacted and modified laws specifically prohibiting certain types of discriminations and violence against women, including the Anti-Dowry Prohibition Act of 1980, the Cruelty to Women Law of 1983, and the Women and Children Repression Prevention Act of 1995, which was replaced by the Prevention of Cruelty to Women and Children (PCWC) Act 2000. The PCWC Act 2000 has also modified the Family Court Ordinance (FCO) 1985 and has secured the establishment of the Family Courts in every District Headquarters. The Act of 2000 defines the courts (as named above), violence against women and children, dowry related crimes, Code of Criminal Procedure 1898, punishment of various offences and provisions for Special Courts as cases that come under the Act. The PCWC Act, in comparison to the Act of Special Enactment 1995, has included three new forms of violence to be considered as offences: sexual harassment, media coverage of the victims (in order to protect them from further social disgrace as discussed above), and the filing of false cases. It also deals with the financial maintenance for a child, born out of marriage or through rape which has to be provided by the rapist.

²¹¹ Khan 2001:114.

²¹² Editorial notes: "Reflections on Women and Violence in 2000", *The Daily Star*, 29 Dec. 2001.

²¹³ *Odhikar* Human Rights Report 2001.

²¹⁴ *Ibid.*

²¹⁵ *Naripokkho* and *Bangladesh Mahila Parishad* 2002:10.

Section 3 of the PCWC Act declares the supremacy of this Act over all other laws regarding this area: 'notwithstanding contained anything in any other law for the time being in force, the provisions of this Act shall be enforced.' This Act even declares tougher punishment for violence perpetrated against children and women that result in death. It states:

If any person causes the death of any child or woman or attempts to cause a death by combustible, erosive or poisonous substance he or she shall be convicted to death sentence or rigorous life imprisonment and in addition shall be fined up to *taka* one *lakh*.²¹⁶

There are strict provisions in order to protect women and children from combustible, erosive or poisonous substances in cases where a child or woman has lost their eyesight. There are even provisions if there is a loss of hearing or if a part of a child's or woman's body, limbs, or joints are distorted or wounded. The Act states:

(...) in case of eyesight or auditory system distortion or facial, breast and sex organs distortion or spoliation, such person shall be convicted to death sentence or rigorous life imprisonment and in addition shall be fined up to *taka* one *lakh*.²¹⁷

Section 4 (b) deals with persons other than children and women:

In case of distortion or spoliation of any organ, joint or part thereof of the body or for any wound in the body that person shall be convicted up to fourteen years but not less than seven years rigorous imprisonment and in addition shall be fined up to *taka* fifty thousand.

The previous section states:

If any person throws any combustible, erosive or poisonous substance or attempts to throw upon any child or woman and although there is no mischief of such child or woman physically or mentally or in any other way he shall be subjected up to seven years and not less than three years rigorous imprisonment and in addition shall be fined up to *taka* fifty thousand.²¹⁸

²¹⁶ PCWC Act 2000: section 1; one lakh is equivalent to 100,000.

²¹⁷ PCWC Act 2000: section 4.

²¹⁸ PCWC Act 2000: section 3.

According to the *US State Country Report of Bangladesh 2008*, violence and inhumane torture of political rivals ‘often resulting in killings is a pervasive element in the country’s politics’. Clashes between supporters of different political parties and even within the same party take place frequently.²¹⁹ Apart from such kinds of violence, there is also violence over property disputes, family matters and factions within society where aggressors use harmful elements to attack their opponents. As discussed in the section of “Politics and Power in Bangladesh”, in the Introduction, Islamist groups have been using homemade bombs to injure their targets as much as possible. Some newspapers in the country commented that this Act was the most appropriate for the era.

Trafficking in women and children is a significant problem common to the subcontinent. There is an increasing demand for children and teenage girls for the sex trade, domestic work, and other exploitative situations.²²⁰ Zaman states, mentioning a newspaper report, that out of approximately 1,000 sex workers at two brothels in Narayonganj most were under the age of sixteen. She even notes that while trafficking in women has been concentrated predominately to Pakistan, India and some Middle Eastern countries, many of the prostitutes are from Bangladesh.²²¹ Trafficking has created problems not only for the women concerned and their families, but also for the government. There were nearly 1,500 trafficked Bangladeshi women in jails in Pakistan alone in 1998.²²² According to statistics from the Central Social Welfare Board of India, at least 500,000 women in India are engaged in prostitution; of this amount, 2.7 percent, which equates to 13,500 women, come from Bangladesh.²²³ However Bangladeshi girls are concentrated mostly in Calcutta where 13.50% of the sex-workers are of Bangladeshi origin, according to Khan.²²⁴ Thus the Act of 2000 strictly imposed the new regulations for crimes such as trafficking in women and children and clarifies that the perpetrators of trafficking, ‘shall be convicted to death sentence or rigorous life punishment or up to twenty years but not less than ten years rigorous imprisonment and in addition shall be fined’.²²⁵

Incidents, documented by the *Ain O Shalish Kendra* Documentation Unit, reveal that unfulfilled dowry demands result in brides being physically tortured, divorced, abandoned and also burned with acid, kidnapped and trafficked. Article 9 of the Act of 2000 defines the term “rape” as that of any male person who, except in the bond of marriage, cohabits with a woman over the age of

²¹⁹ *US Country Report 2008*.

²²⁰ Khan ICDDR 2001:22.

²²¹ Zaman 1998:28.

²²² Ibid.

²²³ Khan 2001:134.

²²⁴ Ibid.

²²⁵ PCWC Act 2000: section 5.

fourteen without her consent or by intimidation or by deceitful means or cohabits with a woman below the age of fourteen with or without her consent. Thus the article further declares the punishment of such crimes: 'If any person rapes a woman or a child then he shall be convicted for life-term rigorous imprisonment and in addition shall be fined.' It again states that: 'If for the act of rape and for activities of the rapist after raping any woman or child dies then that person shall be convicted for death sentence or rigorous imprisonment for life term and in addition shall be fined up to *taka* one lakh.'

The Act furthermore clarifies the process of fine recovery from the convicted person even if he or she dies in any circumstances and dictates how the recovery should be paid to the victim's family in case the victim dies in relation to the crime. It says:

Under this section the fines shall be recovered according to prevailing laws from the convicted person or from his existing wealth or in case of his death from the wealth he leaves at the time of his death and on such recovery it will be paid to the heirs of the deceased who died for such offence and in case to him who has been injured physically and mentally and in case of his death, to his heirs.²²⁶

Sexual abuse of women in Bangladesh is another severe crime which required strict laws protecting women. Section 10 of the Act of 2000 defines sexual abuses against women and children and declares the punishment for sexual abuse:

(1) Any male person illegally for the satisfaction of his sexual desire if by his bodily part or organ or by any object touches the genital organ of any woman or child then it shall be sexual abuse and for that act the male person shall be convicted up to ten years and not less than three years rigorous imprisonment and shall also be fined. (2) If any male person for the satisfaction of his sexual desire outrages the modesty of any woman or exposes indecent gestures then it will be sexual harassment and for that the male person shall be convicted up to seven years but not less than two years rigorous imprisonment and shall be fined.²²⁷

Zaman comments that rape cases in Bangladesh remain largely unreported due to social stigma and loss of family honour, as was discussed earlier.²²⁸ She further states that the victims of rape are mostly teenagers but cases involving younger

²²⁶ PCWC Act 2000: section 4.

²²⁷ PCWC Act 2000: section 4.

²²⁸ Zaman 1998:27.

children are not uncommon. The US state department's report also asserts that violence against women and dowry related abuse of women resulting in deaths are common in Bangladesh. Section 11 of the Act of 2000, therefore, clarifies the punishment of dowry related deaths:

If any husband of a woman or father of the husband or his mother, guardian, relatives or any person or behalf of the husband causes the death of the woman for dowry or attempts to cause the death, wounds the woman or attempts to wound the woman then the said husband, husband's father, mother, guardian, relatives or person— (a) for causing death the conviction of death and for attempting to cause death life-term imprisonment and for both there shall be a fine. (b) For injury life-term rigorous imprisonment or for attempting to cause injury up to fourteen years but not less than five years rigorous imprisonment and for both there shall be a fine.

As mentioned above, it is not only the husband himself but also other members in his family who perpetrate violence against the wife, mostly because of dowry. Zaman refers to the source *The Weekly Holiday* which states that in 1983, 25 murders out of 48 were related to discords over dowry.²²⁹ Since the independence, legal codes to protect women have been revised and re-imposed with increasingly severe punishments such as life-long imprisonment or death penalty. The country first imposed the legislation protecting women in 1980 calling it the Anti-Dowry Prohibition Act. This Act proposed up to five years but not less than one year imprisonment. Alternatively, the Prevention of Cruelty to Women Act 2000 has made the punishment harder, that is, life-term imprisonment and a fine for the same crime. However, abuses and violence against women are still increasing on account of the lack of implementation of the prevailing laws. The government has also enacted the Prevention of Acid Throwing towards Women Act 2002 and this law reduced acid violence directed towards women.²³⁰

Muslim Personal Laws

It was mentioned earlier that citizens of Bangladesh, especially women, are intimately linked to social and cultural norms and religious practices. Besides the constitution and civil codes, the personal laws of the country also determine the rights and privileges of its citizens according to one's religious affiliation, for instance, the Muslim Personal Laws apply solely to Muslims. The institutions of

²²⁹ Zaman 1998:26-27.

²³⁰ *US Country Report* 2008.

marriage, divorce, inheritance, guardianship and custody of children are dealt with under Family Laws that function in all districts in Bangladesh, promulgating the Family Court Ordinance (FCO) 1985 as parallel to the statutory laws of Bangladesh.²³¹ As mentioned earlier, Muslims represent the majority portion of the population, almost 85%, while Hindus are the largest minority followed by Buddhists and others.²³² Among the Tribal population, there are Buddhists, Christians and followers of indigenous religions, but this discussion will only concern Muslim women in Bangladesh. It is important to note that the majority of Muslims in Bangladesh belong to the Hanafi School of Islamic legal thought.²³³

Muslim Family Law Ordinance 1961 & Family Court Ordinance 1985

The FCO 1985 was a reform of the Muslim Family Law Ordinance (MFLO) which was created in 1961 during the Pakistan era as a result of the long term struggles of Muslim women.²³⁴ Pakistan, as a Muslim state, was controlled according to its laws and regulations but Muslim women in Pakistan realised that their rights and privileges were omitted in the prevailing laws. Since the 1950s, women have begun to organize themselves in order to discuss ways and means of legal reforms that could serve their concerns. “Justice Rashid Commission” was formed in 1961 in order to study the demands of women activists concerning the MFLO.²³⁵ Women activists demanded the ban of polygamy, equality in marriage and divorce, equality in inheritance, and guardianship as well as custody of children.²³⁶ But the Martial Law administration of Ayub Khan (1958-68) of the then Pakistan accepted only a few of the demands: discouraging polygamy by placing strict conditions on husbands, controlling the practice of divorce, assuring the registration of

²³¹ Khan 2001:82.

²³² Forsslund 1995:14.

²³³ Khan 2001:82. *Madhhab*, “School of thought”, in the context of *Shari’a*, is a doctrinal entity composed of jurist-scholars, their tradition of learning and profession. The Hanafi School of thought founded by Abu Hanifa (d. 150/767) is one of the four *madhhabs*: Hanafite, Shafi’ite, Malikite and Hanbalite within Sunni Islam (see Hallaq 2001:1-23-26, 2005:152). The founder of the schools, in the case of Islamic law, is the absolute reformer whose legal knowledge is presumed to be all-encompassing and wholly creative. The school is not only named after him, but he is purported to have been its originator. The comprehensive and wide-ranging knowledge attributed to the absolute is matched only by his assumed in-depth knowledge of, among other things, legal methodology, Qur’anic exegesis, hadith criticism, the theory of abrogation, legal language, positive and substantive law, arithmetic, and the science of juristic disagreement (see Hallaq 2001:24).

²³⁴ Khan 2001:82.

²³⁵ Falguni 1997:11.

²³⁶ Khan 2001:82.

marriages, determining the minimum age of brides as sixteen, and payment of dower on demand.²³⁷ Although the MFLO 1961 was modified several times in accordance with the needs of the time, there are still some unsettled facts that remained from the original. Swedish Islamologist Jonas Svensson specifies them below:

(...) men's rights to polygamy, unequal rights as regards marriage and divorce procedures, distinctions between men and women in relation to inter-religious marriages and legislation on marital obedience for women.²³⁸

The patriarchal manner of male domination in Muslim societies in general, according to Saba Mahmood, and in Bangladesh in particular, utilizes that power in society to make women follow the patriarchal lifestyle.²³⁹ However, MFLO 1961 is still very important in Bangladesh as it is the basis for FCO 1985 and because of its dealings with most of the personal and religious fractions in society.

The FCO 1985 was proclaimed to provide the establishment of family courts throughout the country for the benefit of women in Bangladesh, composing of judges from the lowest civil tier of the judiciary. The ordinance introduced family courts with exclusive jurisdiction to consider cases relating to five specified matters: dissolution of marriage, restitution of conjugal rights, dower, maintenance, and custody and guardianship of children.²⁴⁰ It can be mentioned that various women's organizations, namely the *Bangladesh Mahila Parishad*, Women Lawyers' Association and the Committee for Resistance to Violence to Women and Social Injustices have been working seriously towards reformation as well as a prompt adjudication of the law. The FCO 1985 is one outcome of women's long struggle in Bangladesh. However, the MFLO was further amended in 1986 in order to fulfil the current demands. Although the creation of the Family Court, according to Bangladeshi legal scholar Fatema Rashid Hasan, is an innovative step towards justice for deprived women within the family, it is not enough to give an effective solution to the persons concerned.²⁴¹ Hasan further argues that additional amendments are necessary in order to correct the imbalance of legal rights of Muslim women in society. The FCO 1985, however, has been promulgated to dispose the cases within the shortest time possible. Despite the constitution firmly proclaiming for equality between the sexes, the principle of equal rights of women, according to a prominent Bangladeshi lawyer Sumaiya Khair, is often curtailed by the personal laws in

²³⁷ Falguni 1997:11.

²³⁸ Svensson 2000:40.

²³⁹ See Mahmood 2005:6, 173.

²⁴⁰ Hoque and Khan 2007:217.

²⁴¹ Hasan 1997:23.

terms of rights to marriage, divorce, maintenance, custody and guardianship of children, and inheritance.²⁴²

Rights within Marriage

According to traditional Muslim understanding, marriage is similar to a legal contract. It is sometimes also termed as a “civil contract” between a single man and single woman, who are both of sound minds and have attained puberty.²⁴³ There is a formal *ijab*, “offer”, or proposal, essentially from the bride and a formal *qabul*, “acceptance”, by the groom, and the consent of both parties: the woman and the man, is necessary.²⁴⁴ According to Engineer, a marital contract would be valid only on fulfilment of certain conditions: the parties concerned, such as a bride and a bridegroom, *mahr*,²⁴⁵ and witnesses in order that a marriage can take place in a legitimate manner. According to the rules of *Shiites*, there is a second type of marriage, *muta*,²⁴⁶ “non-permanent”, which is for a fixed term; however this study does not involve *muta* marriages. Witnesses in a marriage should also contain two males or one male and two females. Here, according to MFLO, one man is equivalent to two women.²⁴⁷

In Bangladesh, age of consent is presumed when one reaches the age of sixteen, but this was raised from sixteen to eighteen by an amendment in 1990.²⁴⁸ The MFLO 1961 states that if one of the parties is a minor, it permits a guardian to offer or accept the marriage contract on their behalf; however, this provision was dismantled by the amendment of 1990. Although both *shari’a* and MFLO allow an adult Muslim person to get married without her or his parents’ consent, most traditional parents, not only in Bangladesh but also in most Muslim societies, decide on behalf of their sons and daughters.²⁴⁹ But it is, in the context of Bangladesh, worse for a girl as she is often obligated to marry the man her

²⁴² Khair 1998:1.

²⁴³ Svensson (2000:100), however, presented Hassan’s understanding of marriage as having divine purpose connected to creation.

²⁴⁴ Ambrus et al 2008:6; Khan 2001:83.

²⁴⁵ Engineer 1992:111. *Mahr*, bride-price or guarantee-sum during a wedding (Hjärpe 2005:12) that is to be paid during or after the marriage takes place by the husband to the wife. But the dowry, on the other hand, is the money or goods that are claimed by the husband in exchange of marriage. Dower is a necessary part of the marriage contract (Newby 2002:136) but dowry is prohibited by the law in most of the countries.

²⁴⁶ Abaza 2002:209.

²⁴⁷ The Qur’an 2:282 states the requirement of witnesses as regards to the business deal that “(...) get two witnesses out of your men, and if there are not two men, then a man and two women, such as you choose for witnesses so that if one of them errs, the other can remind her.”

²⁴⁸ *Encyclopaedia of Women in South Asia: Bangladesh* 2004:33, 84.

²⁴⁹ Khan 2001:83.

parents have chosen for her, even if this is against her will and even though she is entitled, according to *shari'a*, to enjoy the equal rights to choose a partner in the same way that a boy can.²⁵⁰

By custom, *mahr* is considered to be a financial security for women in case of divorce and is negotiated by the agents who are to be married; the situation of each partner is taken into consideration in calculating the amount.²⁵¹ 'Where no details about the mode of payment of the dower are specified in the *nikahnama*, "marriage contract", the entire amount of the dower' is presumed to be payable on demand.²⁵² This generally does not happen because firstly, many women in Bangladesh are not aware of this right and secondly, insisting on *mahr* may expose a woman to social censure and risk the loss of her husband's goodwill.²⁵³

Marriage registration is compulsory in accordance with the act of 1974 in order for the marriage to be valid. The Muslim Marriage and Divorce (Registration) Act 1974 states in section 3 that 'notwithstanding anything contained in any law, custom or usage, every marriage solemnised under Muslim Laws shall be registered in accordance with the provisions of this Act.'²⁵⁴ But even today many marriages, mostly in the countryside, take place without any legal contract. In many cases, it is the groom's party who wants to escape this legal matter and instead tries to produce arguments in the manner of a threat: 'will *nikahnama* give her food, accommodation and clothes?'²⁵⁵ The parents of a bride are often in a weaker position and cannot bargain a deal concerning the *mahr*, marriage registration or other practical matters.

It should be mentioned that instead of giving *mahr* to women, it is customary for a sizeable portion of males in Bangladesh to force the bride's family to give a dowry, which is illegal according to the country's law.²⁵⁶ Despite the decreasing trend of demanding dowries in recent years, mainly from educated brides and weddings between boys and girls who are already having an affair, many women are still victims of the curse of dowry. If the dowry is demanded by the affected party, it needs to be paid, otherwise the marriage can be broken off and the family of the bride is socially disgraced. Despite the Dowry Prohibition Act of 1989 forbidding the giving or accepting of dowries and making the concerned parties liable to fines or even imprisonment, the traditional practice, according

²⁵⁰ Hjärpe 2005:79.

²⁵¹ Newby 2002:136.

²⁵² See MFLO 1961.

²⁵³ Khan 2001:90.

²⁵⁴ The Marriage and Divorce (Registration) Act 1974: Section 3, mentioned in Khan 2001:84.

²⁵⁵ Interview with village women: November 2001.

²⁵⁶ Dowry is any money or property promised to the groom in consideration of the marriage. See *Naripokkho* and *Bangladesh Mahila Parishad* 2002:11; Khan 2001:89.

to Khan, continues even after the marriage and if the wife or her parents fail to meet the demands of her husband, she is subjected to domestic violence.²⁵⁷

In a marriage, according to *Shari'a*, the husband is responsible for providing the family's food, accommodation and clothes. He is the breadwinner for the whole family while the wife is not liable to any such responsibility.²⁵⁸ However, this also means that her work outside the home may occur only with the consent of her husband,²⁵⁹ and is limited not only by *Shari'a* but also by the local customs, social norms and cultural atmosphere in the country, as discussed in the Introduction. Furthermore, the wife may not deny the husband sexual intercourse, except on those occasions when it is forbidden according to the rituals of cleanliness such as during menstruation and the cleansing period after childbirth.

Polygamy

Ali Asghar Engineer states that polygamy was common in some African and Arab societies due to the death of men on the battlefields.²⁶⁰ Khan considers polygamy in ancient Arabia was beneficial to war-widows and orphans in that it protected and provided them with shelter and acted as their guardian as well as protector.²⁶¹ On the other hand, Qur'anic verses are interpreted in such a way that they discourage polygamy and limit it with conditions of equal treatment of all wives; '(...) marry women of your choice, two or three or four; but if you fear that you shall not be able to deal justly with them, then only one'.²⁶² Islamologist Jan Hjärpe states that the above statement by the Qur'an can also be used against polygamy. He further continues that, in practice, this argument is used to ban polygamy and several Muslim countries have already forbidden the practice or imposed restrictions on it.²⁶³

As mentioned earlier in the case of polygamy, the MFLO 1961 made it obligatory for the husband who intended to take a second wife to seek permission from the first wife and obtain her approval. He was also required to convince the court as to why a second wife was needed. It is stated that 'no man,

²⁵⁷ Khan 2001:87. Dowry related violence against women is discussed in the next chapter.

²⁵⁸ Hjärpe 2005:185.

²⁵⁹ Ibid.

²⁶⁰ Engineer 1992:159. It is quite difficult, on account of a lack of sources on the matter, to comment on why polygamy was encouraged during the early period of Islam. However, several marriages of the Prophet and his companions may point to the necessities of societal need. See Watt 1994:272-289; Rippin 2001:222.

²⁶¹ Khan 2001:86.

²⁶² The Qur'an 4:3.

²⁶³ Hjärpe 2005:79.

during the subsistence of an existing marriage, shall except without the previous permission in writing of the Arbitration Council, contract another marriage, nor shall any such marriage contract without such permission be registered under this Ordinance.²⁶⁴ The first wife must give permission and subsequently the court approves the second marriage. The above conditions are no longer applicable if the first wife becomes insane, suffers from an incurable disease, becomes addicted to drugs, drinks or gambles, has been sentenced to five or more years in prison, is abandoned because she is infertile, is not able to fulfil her role as a wife and is, therefore, of no use to the husband.²⁶⁵

Section 6 details what procedures a man should follow to acquire another wife if he already has a wife. The section clarifies that if any man who contracts another marriage without the permission of the Arbitration Council, shall immediately pay the entire amount of *mahr* whether this is prompt or deferred, or else, if convicted upon a complaint, according to section 6§5, will be punished with a straightforward imprisonment which may extend to one year, or with a fine which may be as much as ten thousand *taka*, or with both.

Bangladesh does not go as far as the UN Convention on Human Rights in regulating marriage, but it does provide economic and legal protection to women by regulating divorce and restraining polygamy in the manner mentioned above. As pointed out earlier, Bangladesh later ratified the UN Convention on the Rights of Children in 1990, the Vienna Declaration on Human Rights 1993 which recognized women's rights as human rights, the Cairo Population and Development conference's Program of Action 1994, and the Platform for Action in Beijing 1995.²⁶⁶ Although the laws exist and clearly state the penalty of polygamous marriage in both MFLO 1961 and FCO 1985, it is, according to Hasan, a long process for a plaintiff wife. In reality, the defendant husband in these matters can make a mockery of the law by appealing the verdict to a higher division that may delay the hearing.²⁶⁷

Polygamy, like dowry, is disappearing from societies like Bangladesh because of the economic hardship and social changes of recent decades. However, it exists among people from the higher or lower classes and without acceptance by the Arbitration Council or permission from the existing wife.²⁶⁸ In some cases, however, unwilling or helpless wives settle for their husbands' desire to enter

²⁶⁴ MFLO 1961: section 6§1.

²⁶⁵ Carroll 1979:131.

²⁶⁶ Reichert 1998:374.

²⁶⁷ For instance, if the lower court finds him guilty he further appeals to the Higher Division, and consequently to the Supreme Court. See also Hasan 1997:24.

²⁶⁸ Hoque and Khan 2007:216.

into a second or even a third marriage in order that they may not be left destitute or have to live with the disgrace of divorce.²⁶⁹

Divorce

The contract of marriage is like any other contract and it may be broken under certain conditions and through definite procedures. The Qur'an (2:229) states: 'if you fear that the two (i.e., husband and wife) may not be able to keep the limits ordered by Allah, there is no blame on either of them if she redeems herself (from the marriage tie (...)).' The marital bond between a man and a woman, as explained by Engineer, is ideally a theological understanding of a sacred bond uniting two souls, thus the institution of marriage is only to be dissolved when cohabitation by husband and wife has become impossible and all efforts to reconcile them have failed.²⁷⁰ He refers to Pakistani Islamic scholar Dinshah Fardunji Mulla and to the famous Hadith: 'The Prophet called divorce the most disapproved action of all that is permissible.'²⁷¹

Khan, when discussing the MFLO and FCO, considers divorce in Muslims societies as an area where the most flagrant inequality exists between husband and wife.²⁷² The husband, in accordance with the Ordinances of 1961 and 1985 as well as according to *Shari'a*, has the unilateral rights to divorce without any grounds.²⁷³ The wife, on the other hand, is eligible to exercise the rights of divorce only as is stated in the contract of marriage. With regard to divorce, MFLO states in section 7 that:

Any Muslim male of sound mind who has attained puberty can divorce his wife whenever he desires without assigning any cause. However, the wife cannot divorce herself from her husband without his consent, except under a contract whether made before or after marriage, but she may, in some cases, obtain a divorce by a judicial decree.²⁷⁴

²⁶⁹ Khan 2001:88.

²⁷⁰ Engineer 1992:160.

²⁷¹ The Prophet said, "Verily, the most hateful of lawful things to God is divorce." (Hadith narrated by Ibn 'Umar in Sunan Abu Dawud, book, *Talaq*, nos. 2177 and 2178 by Ibn Majah in Sunan Ibn Majah, bk. *Talaq* (divorce), no. 2018). This Hadith is mentioned in Browning 2006:203. See also Schacht 2002:154 under *Talak* in *Encyclopaedia of Islam*.

²⁷² Khan 2001:91.

²⁷³ Hjärpe 2005:186.

²⁷⁴ MFLO 1961: section 7 mentioned in Hasan 1997:24.

Habiba Zaman considers the above mentioned regulation that favours only men as patriarchal.²⁷⁵ However, the wife, with the intervention of the court, can initiate a divorce under certain circumstances, such as the disappearance of her husband for a period of four years, negligence or failure by the husband to maintain the wife for two years or more, in cases where the husband is sentenced to prison for a period of seven years or more, his impotence or insanity or if he is suffering from virulent venereal diseases.²⁷⁶ Hjärpe uses the terms “getting married on credit” whereby the *mahr* is unpaid during the wedding and in cases of the above circumstances a woman can ‘buy herself free’ in exchange for withdrawing her rights to *mahr*.²⁷⁷ A woman seeks a *khula*²⁷⁸ which does not require any intervention of the court.

Both the Ordinances recognize two kinds of *talaq*:²⁷⁹ *talaq-e-ahsan*, “the most morally approved form of divorce”, and *talaq-e-hasan*, “the less morally approved form of divorce” which are based on the principle of *idda*,²⁸⁰ “waiting period of three months or three menstruations”, prior to the marriage being dissolved. *Talaq-e-ahsan* is occurs when a husband pronounces the formula of divorce when his wife is between menstrual periods. After three consecutive menstrual cycles, if he has not had sexual relations with her during these menstrual cycles, the marriage is formally dissolved.²⁸¹ *Talaq-e-hasan*, however, is a divorce ‘in which a husband utters three separate pronunciations of divorce in three consecutive periods between menstruations’. Although the divorce is settled only by the final pronouncement, the wife must wait an additional three menstrual periods to be totally free of her marital bonds and to be able to remarry. Thus, such a divorce becomes irrevocable and is not recommended by

²⁷⁵ Zaman 1998:13.

²⁷⁶ The Dissolution of the Muslim Marriage Act of 1939: section 2.

²⁷⁷ Hjärpe 2005:184, 186.

²⁷⁸ Literal meaning of *khula* is “to take off one’s dress” relating to a metaphoric description of spouses in the Qur’anic verse, “They are raiment for you and ye are raiment for them” (Qur’an 2:187) but according to Islamic jurisprudence, when a man seeks divorce it is called *talaq* whereas when a woman seeks divorce it is called *khula*. When a woman seeks *khula* in accordance with certain circumstances, she loses her rights to *mahr* (Hjärpe 2005:184; Jamal 1990:122; Dannin 2002:235; Shachar 2001:134).

²⁷⁹ Most people use the word *talaq* instead of the equivalent Bengali word and this spelling is used by most of the scholars in the *Encyclopaedia of Islam*. The husband, according to Islamic jurisprudence, has the right to pronounce the *talaq* on his wife without even giving the reason, which is regarded as *makruh*, “reprehensible”, and by the Hanafis also as *haram*, “forbidden” (Schacht 2002:155). See Tucker 2008:86-90; Khan 2001:93 for *talaq-e-ahsan* and *talaq-e-hasan*.

²⁸⁰ *Idda*, “the period of waiting” is maintained, which on the one hand is intended to leave no doubt about the real paternity of a child born by the divorced woman, and on the other to give the man an opportunity to atone for a too-hurried pronouncement of *talaq* by withdrawing it (Khan 2001:92).

²⁸¹ Tucker 2008:86.

Muslim jurists.²⁸² All Muslim jurists agree that during the *idda* a husband, in a revocable divorce, can choose to return to his wife. Hanafis consider ‘that the act of intercourse alone, or even lustful kissing and caressing’ nullify the divorce and re-establish the marriage.²⁸³ However, Shafi‘is insist ‘on a formal statement by the husband of his intention of resuming the marriage’, otherwise consorting with the wife is forbidden.²⁸⁴ *Talaq-e-tafwid*,²⁸⁵ “conditional divorce”, however, is another kind of divorce that gives a wife delegated power but requires an intervention of the court. Khan argues that such restrictions to instigate a divorce are ‘further proof of male control of women’s human rights.’²⁸⁶

The most usual form of divorce prevalent in the country, especially in rural areas, is *talaq-e-bain*, “irrevocable divorce”.²⁸⁷ The FCO 1985 adopted the rules of divorce from the earlier Act of MFLO 1961. Justice Syed J. R. Mudassir Husain, the former chief justice, summarizes that:

Muslim marriage is a contract and it may be dissolved in any of the following ways: (i) by the husband at his will, without the intervention of the court; (ii) by mutual consent of the husband and wife; without the intervention of the court; (iii) by the wife on *talaq-e-tafwid* having been permitted to do so exercising delegated power of divorce; (iv) by a judicial decree at a suit filed by the husband or wife.’²⁸⁸

According to Husain, there are, however, recommendations from the Ordinance that the husband and the wife first should try to resolve their problems, otherwise they should appoint arbitrators, one from the husband’s side and one from the wife’s. If they all fail to resolve the problem they should then file for divorce.²⁸⁹

Allama Abdul Jalil states that the traditional cultural practices of divorce still prevail in spite of changes in the legal procedures but believes that the lack of information on the legal procedures regarding divorce leads to many women ending up homeless and abandoned by their husbands.²⁹⁰ Verbal declarations of divorce, according to Allama Abdul Jalil, are not acceptable in the eyes of the

²⁸² Tucker 2008:86-7.

²⁸³ Tucker 2008:87.

²⁸⁴ Ibid.

²⁸⁵ See Lokhandwalla 1967:172b Vol:I; Ambrus et al 2008:9.

²⁸⁶ Khan 2001:93.

²⁸⁷ Verbal pronouncement of “I divorce you!” three times. The woman who has been undeniably divorced (*bain*) must always observe a period of retreat counted by menstruation, even if her husband happens to die during her retreat (see *Encyclopaedia of Islam*).

²⁸⁸ Husain 2005: May 6.

²⁸⁹ Ibid.

²⁹⁰ My discussion with Allama Abdul Jalil: February 2007.

law, yet in rural areas many women are considered divorced from their husbands, not only by the couple themselves but also by other members of their community including the religious leaders. He further clarifies that when the word “*talaq*” is mentioned thrice by the husband, it is considered that the divorce is completed and irrevocable, but this is a misunderstanding. Even if the *talaq* is pronounced three times, it counts as only one *talaq* and a *hilla*²⁹¹ marriage is appropriate after only three *talaqs*.

Whatever may be the form of *talaq*, the husband, according to the MFLO, has to give a notice to the Chairman of the Union Council and supply a copy thereof to the wife. The pronouncement of *talaq* is effective after the expiration of ninety days from the date of which the notice is served to the Chairman.²⁹² In case of a disregard for the provisions of sub-section (1) it ‘shall be punishable with simple imprisonment for a term which may extend to one year, or with a fine which may extend to five thousand *taka*, or with both’.²⁹³ *Talaq* can be revoked at any time before it becomes effective, ‘until the expiration of ninety days from the day on which notice under sub-section (1) is delivered to the Chairman’.²⁹⁴ The spouses can remarry each other again without the wife having to go through an intervening marriage with a third person unless such a termination by *talaq* occurs for the third time, which is the usual rule of *talaq*.²⁹⁵ This provision dissolves *talaq-e-bid’a*, “the divorce of innovation or the triple *talaq*”, in which a ‘husband simply pronounces three divorces at once while his wife is not menstruating and she immediately enters her waiting period.’²⁹⁶ However, Muslim jurists differ on the state when the divorce is pronounced. The Hanbalis and Shia jurists coincide that extreme anger is a form of temporary insanity, so the divorce pronounced in such a state is discounted while the Hanafis consider that even if the divorce is pronounced as a joke, a husband cannot retract it no matter what his true intention is.²⁹⁷ If the wife is pregnant at the time *talaq* is pronounced, ‘*talaq* shall not be effective until the period mentioned in Sub-section (3) or the pregnancy, whichever later, ends.’²⁹⁸

Khan quoted Sultana Kamal’s view on the MFLO when she says:

²⁹¹ *Hilla* literally means an interim marriage, an arrangement of reunification between the husband and the divorced wife, if they desire. The arrangement is such that the divorced wife is married to another man and after being divorced by him she is admissible for reunification with her previous husband by the system prescribed by Islam. See Hossain 2003:106.

²⁹² MFLO 1961: section 7§1.

²⁹³ MFLO 1961: section 7§2.

²⁹⁴ MFLO 1961: section 7§3.

²⁹⁵ MFLO 1961: section 7§6; BG 1995:144.

²⁹⁶ Tucker 2008:87.

²⁹⁷ Tucker 2008:86-7.

²⁹⁸ MFLO 1961: section 7§5.

The weakness in the MFLO 1961, is that not only is the second marriage not made void, but that the rights to unilateral divorce is not effectively curbed, so that any woman opposing her husband's remarrying, in a system where there is no alimony for a divorced woman and where she will rarely have been given an appropriate education to enable her to earn her own living, runs the risk of destitution. It is true that the social attitude contributes to this dismal state of affairs, but the situation can be considerably improved by reform law.²⁹⁹

Sultana Kamal has pointed out the social norms as the main causes as to why many women in Bangladeshi society do not want to have a divorce and instead remain in a turbulent marriage: social stigma, family values and economic factors are attached to divorced women.³⁰⁰

A Muslim husband is obliged to maintain his wife so long as the wife remains faithful to him and obeys his reasonable orders. If the wife refuses to offer herself to her husband without any lawful excuse and deserts her husband or otherwise wilfully fails to perform her marital obligations, she has no rights to claim maintenance from the husband.³⁰¹ But if the wife refuses to perform her marital obligations on the failure of the husband to pay the prompt dower, the husband, according to Mulla, will not be absolved of his liability to maintain his wife.³⁰²

In *Shari'a* sources as well as MFLO, along with the FCO, it is clarified that the husband has an obligation to maintain the wife during her *idda* after divorce, and if the wife is pregnant, until the end of the pregnancy.³⁰³ The rights of maintenance of a wife can be enforced without the intervention of the court or through the court. The MFLO clearly deals with the maintenance of divorced wives during the above mentioned circumstances and describe how they would proceed with their claims. But Hasan argues that the process of demanding the maintenance of a wife must be filed with the court, according to the MFLO and the FCO. She further considers that the process is so lengthy and frustrating for the divorced woman that it casts her as well as her children into severe hardship.³⁰⁴ Even if the divorced wife wins the verdict of the court after a long struggle, she may obtain only a small amount of money.

The High Court Division of the Supreme Court, concerning the case of Saleha Begum vs. Kamal Hussain, stated in the verdict that 'under the MFLO 1961 a

²⁹⁹ Khan 2001:93.

³⁰⁰ Ibid.

³⁰¹ Mulla 1972:255.

³⁰² Ibid.

³⁰³ Khan 2001:92; Huq 1998:62.

³⁰⁴ Hasan 1997:37.

wife might file a suit in the Family Court for maintenance not only for herself but also for the children in the same suit. It is not necessary for her child to file a separate suit for maintenance to become co-plaintiff with the mother in the suit.³⁰⁵ Another verdict clarified that ‘a person after divorcing his wife is bound to maintain her on a reasonable scale beyond the period of *iddat* for an indefinite period, that is to say, till she loses the status of a divorce by remarrying another person.’³⁰⁶ This case seems to be exceptional as it is not obligatory for the husband, according to the MFLO and FCO, to maintain the divorced wife after the *idda* is over. However, according to Khan, this decision was set aside by the Appellate Division of the Supreme Court, and thus a woman is only entitled to maintenance during her *idda*.³⁰⁷

Guardianship and Custody of Children

In accordance with a common understanding of MFLO, the father is obligated to look after his daughter until she is married. The fact that the mother has the custody of the daughter till the latter attains puberty does not relieve the father of his obligation to provide for the daughter. If the father is poor, but the mother is in comfortable circumstances, the mother has the obligation to maintain the daughter and a father is not obliged to look after a daughter who is capable of being maintained out of her own property. A Muslim mother is entitled to maintenance from her son if she is poor or if the son is financially solvent.³⁰⁸ A mother is, according to the MFLO, never entitled to the guardianship of her children, that right lies with the husband.³⁰⁹ The MFLO, Khan states, discriminates against the mother, who is responsible only for the care and custody of her children in the event of divorce.

In the matter of the guardianship of children, the position of Muslim women is without a doubt contradictory, considers Salma Sobhan.³¹⁰ Under the MFLO, the mother is entitled only to the custody of her minor child up to a certain age, depending on sex of the child. However it is the father and not she who is the natural guardian of the child, and if the father is dead, his executor is the legal guardian. Khan points out that ‘a mother may lose custody of her children,

³⁰⁵ *Dhaka Law Report* 1998:180 vol. 47, mentioned in Khan 2001:94.

³⁰⁶ *Dhaka Law Report* 1998:180 vol. 47.

³⁰⁷ Khan 2001:94.

³⁰⁸ Mulla 1972:257.

³⁰⁹ Khan 2001:95.

³¹⁰ See Sobhan 1991.

particularity her daughters, if she re-marries a stranger, that is, someone who is not barred to the children by the rule of consanguinity.³¹¹

Inheritance

In south Asian regions personal laws rather than the civil codes, as well as customary laws, apply to inheritance. Hence the MFLO 1961 similarly deals with inheritance that is, with modification in the context of Bangladesh, promulgated from *shari'a*, founded on the Qur'an and the Prophet's *Sunnah*.³¹² According to *shari'a*, through interpretation of verses 4:7-12, more precisely 4:11-12 and 176, daughters inherit one half of the son's share from whatever is left without a bequest by the deceased. Muslim heirs in the subcontinent, according to the Indian scholar Bina Agarwal, are divided into three major categories: agnatic heirs who are almost always males, Qur'anic heirs who are mostly females and distant kindred who include all blood relations but neither agnatic nor Qur'anic heirs.³¹³ In classification of the heirs, it is important to note that though the son's children have been made residuaries and sharers, the daughter's children have been allocated as distant kindred.³¹⁴ The principles of succession among the sharers and residuaries are two-fold; the nearest in blood relationship excludes the remote and whoever is related to the deceased through any person shall not inherit while the person is living.³¹⁵ The daughters (if there is no daughter, the son's daughter) and the full sister (if there is no full sister, the paternal half-sister) receive one half provided there are no male relatives of the same degree. If there are two or more daughters they, in the absence of male relatives, together equally receive two thirds; while two or more daughters and the son's daughters exclude the sister, two or more daughters exclude the son's daughter and two or more full sisters exclude the half-sisters from a share.³¹⁶ The presence of a son who is an agnate, however, converts a daughter's rights from that of a Qur'anic heir to an agnatic co-sharer that gives her half of what the son receives, as mentioned above.³¹⁷ The husband receives one half if there are no children or son's children, and one quarter in the contrary case, while the wife or wives equally together receive one quarter if there are no children or son's

³¹¹ See Khan 2001:95.

³¹² *Sunnah*, according to Leif Stenberg (2004:101), the Swedish scholar, functions as a complement to the Qur'an and as a 2nd source of interpretation.

³¹³ Agarwal 1994:234.

³¹⁴ Ahmed & Choudry 1979:295.

³¹⁵ Mulla 1972:70.

³¹⁶ Schacht 1986:171. However, according to the *Shi'a* law, no relative of the deceased male is excluded merely on grounds of his/her gender or because s/he is related to the deceased through a female link, see Agarwal 1994:234-5.

³¹⁷ Agarwal 1994:234.

children, and one eighth in the contrary case.³¹⁸ The mother acquires one sixth from the estate of her sons when there is a son's child or when her son has two or more brothers or sisters or one brother and one sister, and one third when her son has no children and not more than one brother or sister.³¹⁹

Islamists justify the man's greater share in comparison with the woman: 'since the man has to work hard to earn a living, has to look after his parents in old age and has to give his wife a dower.'³²⁰ Engineer considers that the share a woman is prescribed by *shari'a* is not unfair as, according to his view, the daughter is neither required to spend any money by way of maintenance of households nor pay any dower according to the Islamic law of marriage.³²¹ The British scholar on Middle East and Islamic Studies, Haifaa A. Jawad, has similarly observed that the share a woman receives from her parents or kinsmen is completely hers but, however, very often the culture of specific Muslim countries subjects her to pressure to renounce her rights in favour of other male family members.³²² Many scholars such as Allama Abdul Jalil and Abdullah bin Jalalabadi further argue in favour of the Qur'anic decree of inheritance. They suggest that a woman does not need a large share from her father's property as she is entitled to receive *mahr* when married or after a divorce and is entitled by law to claim maintenance from the husband even if she is wealthy enough to maintain herself, and inherits from her deceased husband.³²³ She is thus beyond any legal commitment to support either herself or her children. But Khan argues against this common statement and adds that the supporter of this "inequality" forgets that a husband too inherits from his wife and in this respect, his share is more than what a widow would receive from her deceased husband.

In contrast, a father claims one sixth from the estate of his son if his son has a child and in the absence of any children he receives the entire residue after satisfying other sharers' claims, and so on and so forth.³²⁴ It is significant that the Qur'an has provided that the daughter, mother and wife would, under all circumstances, be entitled to some share in the inheritance and are not liable to exclusion from inheritance. But, in Mulla's view, they are not treated on a par with their male counterparts, for example, the son, father and husband, and to this extent the rules of inheritance are discriminatory.³²⁵

³¹⁸ Schacht 1986:171.

³¹⁹ *Encyclopaedia of Women in South Asia* 2004:83.

³²⁰ Khan 2001:98.

³²¹ Engineer 1992:163.

³²² Jawad 1998:10.

³²³ Discussion with Allama Abdul Jalil: February 2007. See also Jawad 1998:66.

³²⁴ Mulla 1972:72.

³²⁵ Mulla 1972:72.

According to the rules concerning closer relatives and excluding distant relations, children of a pre-deceased son or daughter would not inherit if that person dies leaving another son.³²⁶ This often rendered the offspring of a pre-deceased child destitute. The inequity, however, has been removed by MFLO 1961, granting children of the pre-deceased child to inherit the share the pre-deceased child would have inherited, had he or she been alive.³²⁷ But the widow of a pre-deceased son remains as helpless as before as she does not inherit anything according to this ordinance.

It is only under the law of *hiba*,³²⁸ “gift”, that a Muslim father can give away his entire property to his daughter or even to a stranger. In fact, according to Hasan’s (1997) view, whatever property a woman obtains under the law, acquiring that property is made so difficult by the social system in Bangladesh and traditional norms that, in most cases, women fail to have the benefit of it.³²⁹ Due to poverty, ignorance or illiteracy, she cannot exercise or benefit from even those rights given to her by law. Pakistani Muslim feminist Riffat Hassan points out that there is a discrepancy between legislation and the practice of several Islamic Laws among Muslim societies.³³⁰ Jawad considers that the Divine instructions concerning women’s rights to inheritance are violated and overlooked by Muslim societies influenced by social, political, economic and cultural factors.³³¹

As discussed earlier, a woman rarely exercises her rights to property and instead she denounces her rights, in most cases, in favour of her brother. Khan considers this trend as one kind of security for a woman in case of divorce or separation or if she remains unmarried and her father or brother assumes guardianship because she has no other independent source of income.³³² Similarly, if she is widowed and remains unmarried, she has to stay under the guardianship of a male family member, such as her father or father-in-law, brother or brother-in-law or with older sons (if she has any). Under these practical circumstances, it is

³²⁶ *Encyclopaedia of Women in South Asia* 2004:83.

³²⁷ Mulla 1972:255.

³²⁸ *Hiba*, according to the *Encyclopaedia of Islam*, refers to transfers of ownership of a possession during the lifetime of the donor, and with no consideration payable by the donee. It also refers to a gift contract, in the context of Muslim societies, which is formed by offer and acceptance, though this mutual agreement does not have the same juridical value in all schools (see Bellefonds 2002:350, vol. III under *Hiba* in *Encyclopaedia of Islam*)

³²⁹ See Hasan 1997.

³³⁰ Hassan 1991:43.

³³¹ Jawad 1998:68. Tazeen M Murshid (2005:303-304) has the same opinion concerning women in the subcontinent who frequently did not claim their share of inheritance permissible under the Qur’anic laws, rather, they give their share to their brothers to protect the right to return to the family home in case of conflict, divorce, or widowhood.

³³² Khan 2001:98.

usually more advantageous for her not to claim her share. The dichotomy, as Khan argues, between the legal status of women and their socio-economic position indicates their position in society. A Muslim widow is to all intents and purposes dependent on her son because, by and large, even her share in her husband's property remains in the hands of the son and her fate depends upon the attitude of the daughter-in-law. But if the widow has no son and has to depend upon the relatives of her husband, her situation is, in most cases, wretched.

Allama Abdul Jalil, one of the prominent Muslim figures in the country, identifies the domains where Muslim women in the subcontinent become victims of discrimination and religious atrocities.³³³ He defines those domains as: their position as a witness, divorce, and punishment of adultery. He, on the other hand, considers the Islamic regulations concerning inheritance are accurate as it fairly and legally deals with property.

Conclusion

We have seen how the Constitution of Bangladesh guarantees the equal opportunities of all citizens beyond cast, gender, religion and ethnicity. The Constitution further ensures the adoption of effective measures to remove any social and economic inequality between men and women and asserts the equitable distribution of wealth among citizens in order to attain a uniform level of economic development. Chapter Four of the Constitution further emphasises that all citizens are equal before the law and entitled to equal protection of the law and no citizen shall, on grounds of religion, race, caste, gender or place of birth be subjected to any disability, liability, restriction in regard to access to any place of public entertainment or admission to any educational institution. The article similarly favours women and children through special provisions. Chapter Five of the Constitution even guarantees some outstanding opportunities for women by means of 45 reserved seats in the Parliament and one fourth of the positions in local government representation. Other codes and legal provisions in Bangladesh similarly favour women, children and minorities.

However, the above articles of the Constitution stating equal rights and opportunities for women in concern of economic, social and other matters have conflicted with the Muslim Family Laws of 1961 which was revised and amended several times in order to justify the demand of the current situation. As was discussed in the Introduction concerning the disparity between men and women, we can re-impose the model discussed in the theoretical framework that describes how legal discrimination towards women makes them victims of other

³³³ My discussion with Allama Abdul Jalil: February 2007.

factors such as economic and social disposition. MFLO of 1961 and FCO of 1985, with some amendments in later periods, deal with personal matters such as marriage, divorce, inheritance, and guardianship and custody of children. On the one hand, the Constitution guarantees equitable distribution of wealth of all citizens, and equality between men and women in social as well as other matters. On the other hand, MFLO adopts the regulations of inheritance as it is prescribed by *shari'a* where a woman receives one half of the share that her brother receives from their parents' properties. MFLO further prescribes that a man is equivalent to two women in terms of witnesses. Only one out of nine Qur'an verses concerning witnesses, however, emphasises that one man is equivalent to two women:

O you who believe, when you deal with each other in contracting a debt for a fixed time, then write it down; (...) call in to witness from among your men two witnesses; but if there are not two men, then one man and two women from among those whom you choose to be witnesses, so that if one of the two errs, the second of the two may remind the other. (The Qur'an 2:282).

It is interesting that the verse relates to witnesses when only concerning debt or for the purpose of commercial agreements, but the majority of *ulemas* interpret the verse to mean a man is equivalent to two women in any situation.³³⁴ Many of the rules formed in the tradition and covered by *shari'a* were developed in later periods and were not mentioned in the Qur'an, such as three of the four sources of *shari'a*: Prophet's *sunnah*, *ijma*, "consensus" and *qiyas*, "reasoning on the basis of analogy".³³⁵ MFLO further differentiates men and women in the case of divorce in which the man has unilateral power while the woman has the benefit of delegated power, provided it has been mentioned in the contract during the time of marriage. Although *mahr* is considered to be in favour of women, it similarly contradicts with the equal dealing of men and women determined by the Constitution. As we have seen earlier, many consider the Islamic codes of marital behaviour between men and women inappropriate and discriminatory as, in exchange of *mahr*, accommodation, food and clothes, a man buys his wife's freedom and limits her movements.³³⁶ Despite the MFLO allowing polygamy with some restrictions, the ordinance goes against the equal concept prescribed by the Constitution. MFLO and FCO similarly favour men concerning guardianship and custody of children after the parents' divorce.

³³⁴ Hashmi 2000:50.

³³⁵ Coogan 2003:110.

³³⁶ Azad 1995:86.

The military backed caretaker government (2007-8), however, tried to diminish the differentials between men and women concerning marriage, inheritance, guardianship and custody of children as prescribed by MFLO, as well as other matters that opposed the ideology of equality. However, this aim failed, bowing under the pressure of the demonstrations held by the Islamist groups in the country.

Chapter Three

THE POSITION OF RURAL WOMEN IN BANGLADESH

According to Yunus, the founder of Grameen Bank, Bangladesh is nothing more than a grouping of 68,000 villages.³³⁷ Nearly eighty-five percent of the population live in the countryside and the majority of them are engaged by some means in agricultural and poultry-related activities.³³⁸ Almost everyone in rural areas has their own poultry at home and most of the upkeep is carried out by women. As the population of the country is mostly Muslim, there are similarities with other Muslim nations with concern to family-structure. Women in rural areas have a certain role in the family and often do not leave their houses without the accompaniment of other family members or children. As was discussed and outlined in the Introduction, social institutions, not only in Bangladesh but also in other places in south Asia, profoundly constrain women's autonomy and status through customs related to marriage, family relations and patriarchy.³³⁹ But it is the women in most of the families who control the house and the family in the absence of their husbands.³⁴⁰ The roles and responsibilities of both men and women in a family are predefined by social and cultural norms; women primarily look after the household while men are principally concerned with the outside world. Kazi Nazrul Islam (1899-1976), the national poet of Bangladesh, acknowledges with great passion the contribution of both men and women to society, 'whatever great or benevolent achievements that are in this world, half of that was by woman, the other half by man' in his poem *Nari*, "women".³⁴¹ He vehemently proclaims equality between men and women as he believes in the coexistence of both sexes in harmony. The roles and the contributions of women in rural Bangladesh are undeniable although in many cases invisible.

Bangladesh is a riverine country and the countryside of Bangladesh is full of mysteries, from where many of the great Bengali writers collected themes of their famous and legendary works. Rivers and women are seen as substitutes of each other in Bengali poetry, music and dance, while the presence of women in Bengali poetry is inseparable. Tagore (1861-1941), the great Nobel laureate poet of Bengal (consisting of today's Bangladesh and state of West Bengal in India) used to visit the countryside frequently in order to refresh his inspiration, and he passionately highlighted the position of rural women in many of his writings.

³³⁷ Yunus 1978:1.

³³⁸ Mannan 1989:19.

³³⁹ Hossain et al 2006:355.

³⁴⁰ Zaman 1998:20; Martius-von Harder 1981:16.

³⁴¹ *Nazrul Rochonaboli*, "Nazrul's Works" 1996:241-242.

Beauty, loveliness and the magnificence of women are central parts of many legendary works by different poets and cannot be detached from Bengali poetry and dance. While Tagore, Islam and other prominent writers brought about revolution in Bengali poetry and music in urban lives, Lalon Shah (1774-1890), Hason Raja (1854-1922), Shah Abdul Karim (1916- 2009) and other mystic poets won the hearts of rural people with their mystical music containing heart rendering lyrics, *bauls* and folksongs, with religious, especially Islamic, undertones. Those great writers of Bengal have highlighted women and professed for equality of men and women but at the same time they have promulgated the role of religion for a peaceful co-existence. Islam was the best among all, as mentioned above, who asserted faith in the absolute equality between men and women, a view that his contemporaries considered revolutionary.³⁴²

Jenneke Arens and Jos von Beurden, two sociologists and journalists from The Netherlands, jointly describe the tasks and roles of men and women in rural Bangladesh. They have portrayed woman's work as for the most part supplementary to that of the man, in that the man produces food by cultivating the land and the woman grows vegetables. She processes the raw food materials that he provides, he earns the family income, and she must sustain his labour power by preparing food for him. Arens and Beurden combine the functions of the couple and states: 'she finishes what he begins',³⁴³ as is mentioned in *Nari*, "women", a poem of Islam. Furthermore, they find a balance in the tasks carried out by men and women within the household except in a different way.

The status of women, as I presented earlier in the model in the Introduction, is multidimensional and influenced by different sets of factors. Thus the women in rural Bangladesh can be discussed in different perspectives: income, poverty, livelihood and security, opportunities in education and health, basic rights in personal freedom and political involvement, empowerment and decision making. I have omitted the discussion of urban women and women with other religious affiliations, as my discussion in the present chapter is limited only to rural Muslim women.

³⁴² See *Banglapedia* 2004:Kazi Nazrul Islam

³⁴³ Arens & Beurden 1980:47.

Income, Poverty, Livelihood and Security

Income, Poverty and Livelihood

Women play a vital role in the traditional agricultural economy of Bangladesh. Ever since my childhood in my home village and during my fieldworks in recent years, it is assumed that women's household tasks include cooking, cleaning, washing, grinding, and in addition there is water to be fetched, cow dung slabs to be made and stables to be cleaned. As is discussed above, and also suggested by Mannan and Rahman, the work of rural women also includes looking after smaller livestock and poultry, goats, and parboiling, drying and stringing the paddy.³⁴⁴ While land ownership and other properties are almost entirely in the hands of men, livestock ownership quite often falls to women and is common in male-headed households. Women predominately own cows, goats, ducks and chickens for the extra income.³⁴⁵ Almost 77.4 percent of married women in rural areas own poultry, ducks and pigeons, 40.7 percent own a cow and more than one fourth own goats and sheep.³⁴⁶

I have seen from my personal experience that women in Bangladesh are mainly involved in post-harvest processing. Use of modern equipment for husking and post-harvest processing has, in recent years, lessened the employment opportunities for the growing mass of vulnerable and landless rural women. The non-farming sector in Bangladesh is highly stagnant; the alternative lies in actively involving women directly in crop production activities.



Figure 3: Post-harvest processing in rural Bangladesh, courtesy: Driknews.

Since time immemorial, people in rural Bangladesh have processed the harvest primarily by hand or with the help of cattle. But new technology, nowadays available even in remote areas, has replaced the hard labour and work by hand.

³⁴⁴ Mannan 1989:19; Rahman 2000:297.

³⁴⁵ My fieldwork: November 2001.

³⁴⁶ Chowdhury et al 2008:101.

Drying seeds is mainly the task of women while men participate in the harvesting process and bringing the crops home. Many of the interviewees informed me that women have more tasks to finish in a limited time during the harvest and post-processing so that the seeds and other crops hold real quality. Seeds must be separated from the vegetative and reproductive chaff which can involve threshing, peeling, or beating by either hands, feet, livestock or by the modern processing equipment mentioned above, and then cleaned and graded, manually or with several differently sized winnowers, baskets or screens. Much of this knowledge of post-harvest processing is gendered and passed down between the generations from mothers and mothers-in-law to daughters and daughters-in-law.³⁴⁷

In Bangladesh, hardly any women are seen in the fields, as mentioned previously women's activities are limited within the homestead on account of religious segregation. A few of the women I interviewed, who lacked any male family member, informed me that they work in the field only when it is high season to plant small paddy-trees and when there is a shortage of workers. They pull the small paddy-trees in order to provide enough plantations in time. From Choudhury (1976), Martius-von Harder states that women in rural Bangladesh can be utilized, with proper motivation and training, in the kitchen, in gardening, family poultry and duck farming, and not only for outdoor agricultural work.³⁴⁸



Figure 4: Planting, ploughing and drying paddies in rural Bangladesh: *the Daily Star*, 12 May 2004.

However, Bangladeshi society considers motherhood to be the most desirable role for any woman. While economic opportunities for women have grown faster than those for men in the last decades, women still occupy only a small fraction of wage-earning employment, except in the garments industry where more than eighty-five percent of all garment production jobs are occupied by women.³⁴⁹ Hashemi and Schuler suggest eight indicators of empowerment of

³⁴⁷ Oakley and Momsen 2007:92.

³⁴⁸ Martius-von Harder 1981:23.

³⁴⁹ Kabeer and Mahmud 2004:97. Approximately 2.04 million women work at garments factories throughout the country, see Bangladesh Bureau of Statistics 2008b:105.

women: mobility, economic security, ability to make small purchases, ability to make larger purchases, involvement in major household decisions, and relative freedom from domination within the family, political and legal awareness, and involvement in political campaigning and protests.³⁵⁰ According to different world organizations such as the World Bank, Asian Development Bank (ADB) and United Nations Development Programme (UNDP), half of the population of Bangladesh still live below the poverty line and Bangladesh remains one of the least developed countries in the world, even though it has made remarkable progress in economic and human development over the last twenty-five years.³⁵¹ During my visits to the country in recent years, I have also noticed the enormous achievements in rural development, as a result of intervention by both government policies and by other organizations, as discussed in the model in the Introduction. Nevertheless, the poorest of the poor are women who do not have any income potential compared to men, but on the other hand, carry a heavy domestic workload.³⁵² Empirical evidence shows that those women in rural areas who have income generating activities also maintain all household chores themselves. In contrary to that, urban women have a different scenario as they often have housemaids to help them – something that most rural women cannot even contemplate.

In an earlier period, there was a trend among women in the countryside to increasingly open up new sources of additional income by producing goods at home and selling them. But the development activities, provided by national as well as international agencies, transformed that trend into small and practical businesses and now they are more organized and concentrated on their targets. The scenario in the city and urban areas has been quite different over the last three decades since independence. Where women previously had no access to jobs other than the stereotypical household chores, they are nowadays seizing challenges in almost every sphere of the labour market.³⁵³ There was a time when teaching was considered the only ideal profession for a woman; times have changed, according to Sanzidur Rahman, as women are now surgeons in the operating theatres, conducting scientific research, managers in many private sectors and almost controlling the professions of modelling, media production and acting.³⁵⁴ In addition, the most significant changes in urban areas occurred in the professions of physical science, healthcare, teaching, and social and community services where many women have proved their competence.³⁵⁵

³⁵⁰ Hashemi and Schuler 1996:638.

³⁵¹ Shehabuddin 2008a:6; Mendola 2006:153.

³⁵² My fieldwork: March 2007.

³⁵³ Ahmed et al 2001:1962.

³⁵⁴ Rahman 2000:505.

³⁵⁵ Hossain & Tisdell 2005:448.

Patriarchal approaches in society which, for a long time, prevented women from coming forward into the public world seem to be less restrained and are acquiring change.³⁵⁶ Alternatively, some rural women take care of mulberry plantations, agro-fisheries, horticulture and dairy farms. Since different rural programmes have changed the lives of people, especially women, the activities of rural women have also taken different directions both in character, style, quality and quantity.

Conversely, *purdah* and patriarchal family structure in rural areas, according to Rahman, have produced a rigid division of labour and a system that makes women dependent on husbands.³⁵⁷ Programmes ‘run by the government and NGOs extending microcredit to rural women improved their economic’ empowerment.³⁵⁸ However, the policy undertaken by the government to include more women in government jobs has only had a limited effect. By the year 2000, about fifteen percent of all recruits into government service have been women.³⁵⁹ But it is hopeful that overall gender gaps in labour force participation, education and earnings in urban as well as rural areas have been noticeably reduced in Bangladesh during recent initiatives by the government and NGOs.

Security: Violence Against Women

Two types of violence against women are predominately common in Bangladesh: domestic violence and violence outside the home. Domestic violence may consist of physical or mental torture and verbal abuse perpetrated by husbands and other relatives because of dowry. Violence outside the home consists of maltreatment as well as sexual harassment in the street, on transport, in the workplace, in homesteads and in terms of social norms and religious practices. Women are further victims of other cruelties such as threats, battering and, in some cases, *fatwas*.³⁶⁰ Habiba Zaman (1998) identifies the violence against wives within the family, where women are vulnerable to an abusive husband or other members of the family.

Ali Riaz explores some common mindsets of certain types of males in Bangladeshi society that play a leading role in making women the victims of different kinds of violence and maltreatment. He discovers this different mindset

³⁵⁶ Ara 2006 in *Women at Work*, 6 March.

³⁵⁷ Rahman 2000:506

³⁵⁸ *US Country Report* 2006.

³⁵⁹ *US Country Report* 2000. The situation is much better since then as there are quotas for women in almost all government sectors but no later data was found from any source.

³⁶⁰ Zaman 1998:23.

when discussing the controversial Bangladeshi writer Taslima Nasreen and comments that the female body is usually subjected to the male gaze and, perhaps, subjected to assault, but it is not to be discussed in a socially sanctioned public discourse.³⁶¹ He portrays a phenomenon of hooting, pinching and making sexually provocative remarks to passing women in the street or on transport. Referring to Taslima Nasreen's poetic and dramatic narration, he quotes what she experienced when she was only eighteen. She was travelling in a rickshaw in her hometown Mymensingh and whilst in a traffic-jam, a teenager came up and stubbed a burning cigarette on her bare arm. She later expressed the incident in *Nirbachito Column*, "Selected Column", 1991, as follows:

Initially I thought of screaming, asking for help from other people, or even chasing him and catching him; but then I gave up, possibly, because my sixth sense told me to do so. Because I knew if I called for help a crowd would gather and they would try to take a look at me, at my body, the curves of my body, my pain and sorrow, my tears and wailing. (...) Actually they would enjoy me, my helplessness, and my insecurity. (...) Pretending that they were taking a look at the burning spot they would look at my arm (...) [On other occasion] I have actually seen someone pinch my friend's thigh; an unknown youth snatched a scarf from my sister. In the crowd, hundreds of hands seek an opportunity to touch breasts and buttocks.³⁶²

Perhaps, she uses an excess of imaginative terms in her description in an intention to make the columns more interesting and enjoyable for men, but the description reflects the reality. There are many examples of similar incidents in the context of Bangladeshi urban life. Rounaq Jahan classifies some factors that play important roles in the increase of gender violence in rural areas: political violence in society, increasing stress in male-female relationships in the family brought about by changing socioeconomic processes and changes to the state's reluctant policies which perpetuate male dominance over women.³⁶³

There are many women's organizations which are conducting studies in exploring various forms of violence against women. *Odhikar*, however, includes such a study of incidents as a part of the human rights agenda of their organization, such as political repression and violence against women by law

³⁶¹ Riaz 2004:116. In a verdict on 14 May, 2009, the Supreme Court has made its guidelines against sexual harassment of women and girls mandatory for all educational institutions and workplaces with the force of a law under the mandate and within the Article 111 of the Constitution in a public interest litigation writ petition filed by the Bangladesh National Women Lawyers' Association, *NTV news* 2009: 14 May.

³⁶² Nasreen 1993:9 (first published in 1991) in Riaz 2004:116.

³⁶³ Jahan 1975:203.

enforcing agents.³⁶⁴ The organization also conducted a project involving the violation of women and children's rights, and reported some incidences of acid throwing as well as rape. In 2000, *Odhikar* recorded 186 incidents of acid throwing compared to 178 incidents in 1999 and 101 in 1998. According to *Odhikar's* documentation, thirty-three of the victims in 2000 were between the ages of six and fifteen. In the majority of cases, the primary reasons for the perpetration of this crime were jealousy, the refusal of a proposal and revenge after an argument.

Naripokkho and *Bangladesh Mahila Parishad*, two independent organizations working for women in the country have, however, identified different kinds of violence against women. According to a report jointly carried out by *Naripokkho* and *Bangladesh Mahila Parishad*, family violence against women is more frequent in rural areas than in urban areas. The report further found that more than sixty percent of women who were interviewed in their project had been physically tortured by their husbands. In contrast to that, only three percent of women admitted that they have on occasion beaten up their husbands.³⁶⁵ My empirical data implies that younger women below thirty are easy victims of such kinds of violence while housewives with children, as mentioned earlier, are in a better position when it concerns domestic violence.

In contrast, according to the report, rape is the second most common violence against women. Available data from previous research shows that persecution of women by men, male relatives, neighbours, strangers, employers and even members of the law-enforcing agencies is quite common throughout the country.³⁶⁶ Earlier reports indicate that annually approximately 3,000 women are victimized in different parts of Bangladesh and only a handful of them could manage to obtain shelter and legal aid from the authority as well as nongovernmental social organizations. Sixty percent of urban and fifty-one percent of rural abused women never received any help.³⁶⁷ An empirical study by a group of researchers shows a high prevalence of lifetime physical spousal violence against forty percent of women in urban and forty-two percent of women in rural areas.³⁶⁸ The study further reveals that most of the abused women were silent about their experience. When village women were asked to illustrate common problems within their family, most of them eluded the question of whether they received any physical violence by their husbands or any

³⁶⁴ *Bangladesh Ain O Shalish Kendra Report* Dhaka 2001.

³⁶⁵ *Naripokkho and Bangladesh Mahila Parishad* 2002:12.

³⁶⁶ *Ibid.*

³⁶⁷ Bates et al 2004:190.

³⁶⁸ *Ibid.*

other male family members.³⁶⁹ The main reasons behind this silence were the immense acceptance of violence, stigma and fear of greater harm.³⁷⁰

Another study indicates that during 1991 and 1995 more than 10,000 poor rural women were victims of rape, murder, abduction, arbitrary divorce, polygamy and torture by husbands and other relatives.³⁷¹ Consequently, about 6,000 women committed suicide as a result of domestic violence in 1993 alone. Some statistics taken in recent years from both rural and urban areas by *Naripokkho* and *Bangladesh Mahila Parishad* show that dowry related violence included physical torture, death from physical torture, abandonment, suicide and acid burns and divorce over dowry. The statistical data also shows that out of a total of 404 incidents of dowry related violence thirty-two percent of women were below twenty years of age. In sixty-six percent of incidents, no case was filed against the practice of dowry despite its illegality.³⁷² It might be noted that this trend of demanding dowry originated among Hindu communities but has now spread to Muslim communities in India as well as Pakistan and Bangladesh.³⁷³

Victims of acid burns, rape and custodial violence further suffer from community violence which includes social condemnation, shame and dishonour, rejection from the family or from the whole of society and withdrawal from education.³⁷⁴ However, according to the study carried out by *Naripokkho* and *Bangladesh Mahila Parishad*, the intensity of shame and dishonour are different for different types of violence. Often young girls commit suicide due to the shame of sexual attack, as mentioned earlier.³⁷⁵

Security: Shalish and Fatwa Against Women

Furthermore, women are affected by two specific factors: religious practices and patriarchal norms that play a leading role in rural areas and result in women becoming victims of discrimination, *shalish*, “village arbitration” and *fatwas*, “religious decree”.³⁷⁶ As discussed in the Introduction, gender disparity and inequality between the sexes cause women additional suffering. Previous studies of rural societies in Bangladesh suggest that poverty leads to the formation of a

³⁶⁹ My fieldwork: November 2001.

³⁷⁰ Bates et al 2004:190.

³⁷¹ Naved et al 2006:217.

³⁷² *Naripokkho* and *Bangladesh Mahila Parishad* 2002:12.

³⁷³ Welchman 2004:258.

³⁷⁴ Koenig et al 2003:279.

³⁷⁵ *Naripokkho* and *Bangladesh Mahila Parishad* 2002:25.

³⁷⁶ Khan 2001:161.

rural elite group: landowners, moneylenders and *matabbors*, “decision making communities”.³⁷⁷ Empirical data and information gathered during my fieldworks support the assumption that the power hierarchy in rural areas is controlled by those three groups which, by utilizing the religious elites, namely *mullahs*,³⁷⁸ “clerics”, and *madrassah* teachers, maintain the social order and have control over the weaker sections of society.³⁷⁹ However, Bangladesh along with many other regions in the subcontinent has an age-old tradition of *shalish*, “rural court”, provided by the village elders, stakeholders, in most cases chairmen and members of Union Councils, and the religious groups.³⁸⁰ The village *shalish* is an institution which dates back to the traditional forms of dispute resolution through mediation and although it is not any part of the formal judicial system it persists. It has been supported by government policies as a local body seeking compromise over local disputes, for instance, property, family matters or fractions on the grounds of inheritance, marriage and divorce.³⁸¹ In many cases, the local arbitrary body succeeds in finding the quickest solution to local disputes that might otherwise take years to be solved by the state judiciary council. Disputes over property and inheritance are the most time consuming cases that are not easily solvable in the judiciary system of Bangladesh and, in some cases, even during one’s lifetime. That is why villagers, instead of taking shelter in legal procedures, resort to traditional means of dispute resolution when an offence of any kind occurs. As the government body of local administrations is corrupted in Bangladesh, people are afraid of the police and administration which, according to my informants, usually harass people instead of giving legal shelter.³⁸²

Shalish, according to Hashmi, is considered to be the custodian of *naye*, “justice” and *najjo*, “approved behaviour”, and against *annaye*, “injustice” and *anajjo*, “deviant behaviour”. It does not consider women as equal to men in any sphere of life.³⁸³ In 1998 alone, twenty-eight incidents were reported in which unofficial community councils’ *shalish* carried out judgments, usually

³⁷⁷ Khan 2001:161.

³⁷⁸ *Mullahs* are the sage interpreters of the Qur’an and *shari’a*, according to Gerami. The word refers to Islamic preachers, regardless of the level of training and education, and are used mostly to mean Islamists such as the religious authorities in Iran and the Taliban in Afghanistan, and to a lesser extent, even in other Muslim countries (see Benard 2004:xvii; Gerami 2003:257). In the context of Bangladesh, however, *mullahs* refer to a group of people who are *imams*, *madrassah* teachers and students and hold knowledge about the Qur’an and other sacred texts, see Gardner 1993:226.

³⁷⁹ My fieldworks: May 2000, December 2001.

³⁸⁰ Siddiqi 1998:217; Hashmi 2000:93.

³⁸¹ Siddiqi 1998:218.

³⁸² Interview with village women: November 2001.

³⁸³ Hashmi 2000:99

floggings.³⁸⁴ Women were accused of various moral offences such as adultery or violating the codes of *shari'a*. Over the recent years, until the Supreme Court banned the practice of *fatwa*, the local village arbitration councils or *shalish* have, without legal authority, tried, convicted and sentenced several people, mostly rural women, to public flogging or death, and some of these sentences have been carried out.³⁸⁵ As women are secluded from most social activities, in the name of maintaining *purdah*, they are also excluded from membership to the village court; this frequently translates into maintaining class and gender domination.³⁸⁶ S. Adnan argues:

Shalishkars [members of the *shalish*] lay down prescriptive codes of approved behaviour for the members of all classes belonging to their *shamaj* [community] groups, as well as censoring those, including women, who are deemed to have displayed forms of “deviant behaviour.” In other words, it is the male leadership of the dominant class which manipulates the rules of social institutions to restrict and regulate the movement and activities of all women, inclusive of those from the poorest classes. Male *shamaj* leadership is enthusiastically aided and abetted in this role by the religious functionaries at the village level. Often, the women concerned are simply placed in the role of “symbolic objects,” and contentions about their position and honour (*izzat*) mask deeper conflicts about social, political and economic issues between male leaderships of the *shamaj* groups concerned.³⁸⁷

As discussed earlier, women from poorer classes and men who do not possess the requisite social standing are always scapegoats to be marginalized by *shalish* in rural Bangladesh.

As I mentioned previously in the Introduction of this study, the rise of religious extremism in the country since the 1990s has strengthened patriarchy and caused the sudden ascent of the dissension of *fatwas* against women by religious groups in rural courts in order to subordinate the former. Many incidents of violence against women in recent years prove the above statement to be true. It has led to several deaths, suicides and murders of poor women in the countryside which further aggravated the situation.³⁸⁸ Empirical evidence from the fieldworks shows that the influence of Islamist movements caused hundreds of poor village women to be treated as victims of impunity in the name of

³⁸⁴ Khan 2001:178

³⁸⁵ Riaz 2004:9.

³⁸⁶ Siddiqi 1998:218.

³⁸⁷ Adnan 1989:6-7 and also mentioned in Siddiqi 1998:218.

³⁸⁸ Daily newspapers are the main source of those incidents and many scholars such as Riaz 2004, 2005; Hashmi 2000 have used news reports.

preserving the tenets of *shari'a*. Many women in rural areas have been tried by village elders in cooperation with *imams* and *madrassah* teachers, allegedly for violating *shari'a* as well as social norms and, in some cases, for participating in NGO-activities.³⁸⁹

In 1994, a religious leader from Sylhet issued a *fatwa* against the controversial writer Taslima Nasreen for allegedly writing against social norms and religious practices. The incident caught the attention of the international media, but it was the consequent death of Noorjahan, a young woman in a remote village in north-eastern Bangladesh which drew the attention of local media in January 1993. The woman, following the implementation of *fatwa*, issued by the local religious leaders with the help of village elites, for her allegedly adulterous involvement, was pushed into a waist-deep hole and pelted with stones. She is said to have died not as a result of the injuries sustained during the stoning but to have later committed suicide out of a sense of shame. As she said: 'they have dishonoured me in front of so many people, dishonoured my innocent mother and father. I don't want to live any more'.³⁹⁰ Some newspapers, human rights organizations and NGO-activists investigated the incident and almost everyone was convinced that the persecution of the young woman, along with her parents, in the eyes of *shalish* and local religious leaders, was due to her "un-Islamic" second marriage.³⁹¹ According to her father, she was married to an expatriate Bangladeshi who later divorced her and formally sent the divorce letter. Afterwards, she married for a second time in December 1992 which had, according to the local religious leader who presided over the *shalish*, no legal validity. It was said that the religious leader himself wanted to marry her and when she refused him and married another man from the same village, he took revenge by convincing the *shalish* to find her guilty of adultery.³⁹²

In addition, it was reported by the media that in April 1992 a young woman, along with her mother, had been sentenced to a hundred lashes each by a *shalish* in a village in Dohar Thana in Dhaka. She was only fourteen years old and was pregnant after being raped by an influential villager who had convinced the *shalish* to implement the sentence. The *mullah* in charge asserted that since there had been no one to witness the rape, the accused could not be held responsible as, according to the Hanafi school of thought, four adult eye-witnesses of good repute are needed to convict someone accused of committing adultery.³⁹³ Some empirical studies publicize that another woman from a village in Sirajganj district was raped in May 1994 by a village elder in the absence of her husband.

³⁸⁹ Hashmi 2000:97.

³⁹⁰ Shehabuddin 2008a:2; Khan 2001:178; Hashmi 2000:107.

³⁹¹ Hashmi 2000:107.

³⁹² Riaz 2004:8; Hashmi 2000:107.

³⁹³ Hallaq 2001:46.

When the husband filed a complaint to the local police station against the perpetrator, the *shalish*, in contrast, found her guilty of having an “illicit relationship” with various men and sentenced her to a hundred lashes and told her to withdraw the case.³⁹⁴ She committed suicide afterwards to escape from the shame and insult she received in front of the other villagers. Another woman aged only nineteen from a village in the Feni district, committed suicide in December 1994 after a *shalish* falsely implicated her in adultery and sentenced her to 101 lashes. Later on, an inquiry carried out by several journalists, women’s organizations, lawyers and human rights groups revealed that she was an innocent victim of a dispute over her father’s property.³⁹⁵

Collected data during my fieldwork shows that between 1993 and 2003 there have been a significant number of incidents of rural women being sentenced to public flogging or stoning to death. Many reports, documented by local press and human rights organizations, indicate that between the above mentioned period, at least 240 cases have been recorded in which rural women were subjected to *fatwa*.³⁹⁶ There are many incidents that never come to light in the media and thus remain unrecorded. In most cases, the women from weaker sections of society, as mentioned earlier, suffer from the tyranny of *fatwa*. On the other hand, law enforcing agents as well as local elites work in favour of the stronger sections of society.³⁹⁷ Thus the real incidents are rarely revealed.

My empirical data finds rationality as to why the village elites, along with the religious *mullahs*, practise and strongly maintain the patriarchal norms in rural Bangladesh. This misogyny is, according to Hashmi, a hegemonic ideology promoted by the elites with the help of religion, culture, customs, norms and values as a means to perpetuate male supremacy in rural areas.³⁹⁸ It was learnt during my fieldworks and also supported by Abecassis that the reality of a poor woman is commonly regarded as an inferior form of a human being.³⁹⁹ She is often treated with little or no respect, viewed by her husband and parents-in-law more or less as a chattel, too foolish and ignorant to have any valid opinion on affairs outside the *bari* and of too little value in comparison to that accorded to a male.⁴⁰⁰ Khan similarly argues that rural women are, in relation to their sisters in the cities and urban areas, more abused and violated either because ‘of fear of social stigma or of their total ignorance of the law’.⁴⁰¹ Khan further considers

³⁹⁴ *Bangla Bazar Patrika*, 21 June 1994 and also mentioned in Riaz 2004; Hashmi 2000:105.

³⁹⁵ *Bhorer Kagaj*, 5 January 1995 and mentioned in Hashmi 2000:106.

³⁹⁶ Riaz 2005:172. See also Hashmi 2000; Khan 2001.

³⁹⁷ See Khan 2001.

³⁹⁸ Hashmi 2000:93.

³⁹⁹ Abecassis 1990:53

⁴⁰⁰ My fieldwork: December 2001.

⁴⁰¹ Khan 2001:164.

that the lack of initiatives taken by the law enforcing agencies cause the women to become further victim of violence. Zaman, in contrary to that, accuses what she describes as Islamic values, religious codes and ideology as being used as tools to exert male control and power over women and to perpetuate women's subordination.⁴⁰² Furthermore, many scholars consider that poverty and illiteracy are related to the poor treatment of women.⁴⁰³

According to Hashmi, most of the Islamists in the countryside lack knowledge of *shari'a* and so, in many cases, they interpret the religious texts in their favour. Interestingly, Hashmi states, the least religious or even atheist Bangladeshi men, who are aware of the *mullahs'* incompetent knowledge of Islamic texts and history, condone their activities and, in some cases, insist on *shari'a* law, especially with regards to distribution of property in order to deprive female relatives of equal shares.⁴⁰⁴ Hashmi even accuses the village elders of frequently using Islamists to gratify their sexual desire by annulling or arranging marriages to their favour and convenience and when they want to divorce their wives as well as to deprive them of the *mahr*.

According to Amnesty International, the government of Bangladesh has failed to protect poor women from persecution through *shalish*.⁴⁰⁵ Amnesty International states in its report of 1993:

To try people by a village *shalish* violates the defendants' fundamental rights guaranteed by the constitution. Article 32 of the Constitution of Bangladesh says: 'No person shall be deprived of life or personal liberty in accordance with (...).' Article 33 and 35 lay down safeguards regarding arrest, detention and fair trial, all of which are violated by the illegal use of *shalish* (...). Amnesty International believes that the Government of Bangladesh has the duty to ensure that local bodies do not assume functions for which they have no legal authority (...). If the government had brought those responsible for the incident in Dohar in April 1992 to justice, (...) the later incidents, in which one woman was stoned and another burned to death, may not have occurred.⁴⁰⁶

⁴⁰² Zaman 1998:31.

⁴⁰³ For example, Field 2004:4.

⁴⁰⁴ Hashmi 2000:91.

⁴⁰⁵ Hashmi 2000:108.

⁴⁰⁶ *Amnesty International*, October 1993:5. Amnesty International recorded further violation of human rights in the country. The representatives met the major political parties in 2006 to place pressure on them to undertake protection of human rights in their political agenda. The organization have recorded similar crimes in their later country reports as mentioned in their 1993 country report, see *Amnesty International*, October 2006.

Convictions of rural, destitute women by the local *shalish* are a trend that violates human rights which, in the absence of decisive government action, cannot be stopped. One incident gives rise to similar incidents when the perpetrators responsible are not placed before the law and punished.

Although there are strict laws and rigorous punishments for the violence committed against women, cruelty to women remains rather widespread in the country. Women are still in a vulnerable position in society, where incidents of rape, dowry, acid throwing, domestic violence, *fatwa* and trafficking in women occur at an unrelenting pace. Khan comments, at a discussion meeting organized to commemorate International Women's Day 2007:

We have many impressive laws on paper to protect the women, but in reality lack of implementation of laws, corruption and the lack of political will have kept women's rights issues at the bottom of the agenda list. Violence against women will not decrease significantly unless all these other factors are addressed.⁴⁰⁷

Khan's statement reflects the reality and clarifies that discrepancy between law and reality worsens the position of women. According to the *US State Department Report on Human Rights, 2008* there were 300 to 500 dowry-related killings during 2008, while some of the 622 domestic incidents were following disputes over dowries. The number of killings and tortures of women during 2008 were greater than the year before.⁴⁰⁸ The Report of the US Department of State accused the weak enforcement of these laws. It is notable that this statistic concerns only those cases recorded by the police or other authorities while there are many unrecorded cases of torture and killing of women throughout the country.

Opportunities and Rights

Education

In many developing nations, women share less opportunities and resources, which include access to credit, health and education. It is universally proclaimed that education is the backbone of a nation.⁴⁰⁹ In a Muslim context in relation to both the Qur'an and the *Sunna* of Prophet Muhammad, equal importance was placed on the education of men and women. From the historical perspective,

⁴⁰⁷ *Odhikar's* Press Release on violence against women 2007.

⁴⁰⁸ *US Country Report* 2008.

⁴⁰⁹ Speech of Sheikh Hasina, the Prime Minister of Bangladesh 2009: 23 Dec., *The New Nation*.

women in the subcontinent, among both Muslims and Hindus, have lagged far behind in terms of education, with the exception of upper class Muslims and Hindus.⁴¹⁰ In 1875, the first published autobiography by a Bengali woman, *Amar Jiban*, “My Life”, was written by Rashundari Debi, a housewife who had taught herself to read.⁴¹¹ Muslim girls were expected to learn how to read the Qur’an, the holy book for Muslims and learn some accounting skills. There were a few social reformers in the subcontinent during the nineteenth century who struggled to establish a system of female education; Sir Sayyid Ahmed Khan (1817-1898) was one such reformer.⁴¹² Many Bengali Muslims, on the other hand, inspired by Urdu literature from north India, instructed their daughters to read those books which described ideal female behaviour. Until the middle of the twentieth century, Bengali Muslim women were allowed to read only religious books, mostly in Arabic, Persian and Urdu; and did not have access to any other formal education, not even Bengali, one’s own mother tongue. *Beheshti Zewar*, for instance, written by Ashraf Ali Thanawi (1864-1943), an Islamic reformer, first published in Urdu in 1905 and in Bengali in 1925, was the most popular book ever that was recommended for women to read.⁴¹³ The first school for girls was established in Comilla in 1873 by Nawab Faizunnessa Choudhurani, the daughter of a prosperous landowner, but it was not until the twentieth century that Muslim girls studied at such schools.⁴¹⁴ It was Begum Rokeya Sakhawat Hossain (well-known as Begum Rokeya 1880-1932) who began the movement, in the then Bengal and later Bangladesh, for the education of Muslim girls in the very beginning of the twentieth century.

Bangladesh Television, a National Broadcasting Corporation, broadcasts a dramatized public announcement about a female school child who, after finishing her fifth grade, says goodbye to her classmates assuming that she will never be back to the school again. Her mother died recently and she has to stay home to cook and bring lunch to her father in the field where he works. At home, her grandmother, who is very old and blind, chides her son for withdrawing his daughter from school. ‘I will cook,’ she says. ‘But how can you? You are blind,’ he tells his mother with surprise. ‘What I can see being blind, you cannot see with your eyes open,’ the old woman replies. The message of this dramatized public service announcement is clear. People in Bangladesh, like many other developing countries, are now opening their eyes to education and this has resulted in increased student enrolment in recent years.

⁴¹⁰ *Banglapedia* 2004: Women.

⁴¹¹ See Sarkar 1999:232.

⁴¹² See Malik 1980.

⁴¹³ Amin 1996:xi; *Banglapedia* 2004: Women.

⁴¹⁴ Srivastava 1999:51.

However, the high dropout rate and low attendance of girls in rural areas are common due to some practical factors. Patriarchal norms along with the religious practices make some parents withdraw their girls from school at puberty. Those factors such as poverty, prevailing cultural values and norms, religious practices, early-marriage and lack of facilities for poor girls, according to data collected by previous researchers and through my fieldworks, have affected women's opportunities to education.⁴¹⁵ Most of the girls lapse from school after primary level.

Statistical data from UNESCO shows that the difference between literacy rates of males and females – males 43.6 percent, females 32 percent – was high in 2002, and then reduced over time – males 48.6 percent, females 49.1 percent with the female adult literacy rate becoming slightly higher than that of males in 2008.⁴¹⁶ However, the net enrolment rates in all educational levels in Bangladesh in 2005 were 82.5% for boys and 85.7% for girls.⁴¹⁷ While the official statistic from the Ministry of Education shows that the enrolment of boys and girls in secondary schools in 1980 was 74 and 26 percent respectively, in the year of 2002 the ratio transformed respectively to 47 and 53 percent.⁴¹⁸ Similarly, female teachers in secondary schools increased from 42.27 percent in 1997 to 59.5 percent in 2002.⁴¹⁹ Additionally, the dropout rate among girls lowered from 60 percent in 1990 to 33 percent in 2002.⁴²⁰

Although, according to the statistics above, the enrolment average of girls in the secondary level increased, many girls are still withdrawn from education after primary school and even during secondary school. Most poor parents prefer their daughters to stay at home with the purpose of helping the family with household chores. As the economy of Bangladesh is based on agriculture, the major portion of agricultural activities, such as harvesting, is done at home. Parents in rural areas, according to data collected during my fieldworks, lack interest or are hostile towards the formal education of their daughters mainly because of prevailing social, cultural and religious norms as well as practices.⁴²¹ As mentioned before, early marriage and the importance of preserving a girl's good reputation lead to widespread withdrawal of girls from school at puberty. Anxiety prevails among rural people concerning girls; they believe that education spoils their character and undermines them socially.⁴²²

⁴¹⁵ *Banglapedia* 2004: Women; Amin 1996:150; interview with village women: November 2001.

⁴¹⁶ Bangladesh Bureau of Statistic: November 2008a:50.

⁴¹⁷ Shafiq 2009:138. No further data was available at this time.

⁴¹⁸ The Ministry of Education, Bangladesh, available: January 2008.

⁴¹⁹ *Ibid.*

⁴²⁰ The Ministry of Primary and Mass education, Bangladesh, July 2003; no recent data is available.

⁴²¹ My fieldwork: November 2001.

⁴²² Discussion with village women during my fieldwork: November 2001.

However, the government has further worked on fulfilling the recommendations proposed by the International Conference of Population Development (ICPD) held in Cairo during September 1994. The declaration states: ‘everyone has rights to education, which shall be directed to the full development of human resources, human dignity and potential, with particular attention to women and the female child.’⁴²³ NGOs such as the BRAC, Proshika, Underprivileged Children’s Education Programme (UCEP) and many other organizations, along with the government of Bangladesh, have launched successful programmes of setting up schools in rural areas in order to educate poverty-stricken girls, which resulted in very low rates of dropout.⁴²⁴ There is a growing consensus, even in rural areas that education, irrespective of who receives it, contributes to development. Furthermore, it is understood that when women are the beneficiaries, the whole family benefits.

Similarly, the government of Bangladesh has adopted many revolutionary policies to encourage girls to attend school. In 1993, it abolished and then subsidised the school-fee for girls up to the eighth grade, both in government and private schools.⁴²⁵ Furthermore, every female student up to class eight was given a scholarship from the government. In order to reach the target of “education for all” by the year 2000, the government initiated the “Food for Education Programme” that facilitated boys and girls of poor families with fifteen kilograms of wheat per family so that the poor can survive without withdrawing their children from schools.⁴²⁶ The programme has become a success in bringing children back to school and was named in the report of the World Bank publication of 2008. In addition, secondary education for female students up to the tenth grade outside municipality areas has been made free and not only that, a single female child will be given the opportunity to study up to degree level at no financial cost to her parents.⁴²⁷ Furthermore, in a recent initiative, the government has declared stipends for all female students up to the intermediate level. This programme has been successfully implemented in all schools and colleges in rural areas and achieved the goal of ensuring an increase in girls’ enrolment at school, reduction of dropout rates, increased attendance in classes, the elimination of early marriage and the empowerment of adolescents.

Bangladesh’s commitment to the goal of universal primary education requires an active participation of both the government and the NGO sector in fulfilling its vast educational needs. The government of Bangladesh administers its formal

⁴²³ Barkat and Howlader 1997:54.

⁴²⁴ Shafiq 2009:139.

⁴²⁵ See *World Bank* 2008.

⁴²⁶ Barkat and Howlader 1997:62. The government has undertaken further “Education for All” by the year 2020, see later discussion in this chapter.

⁴²⁷ Shafiq 2009:151.

primary education system and owns 37,000 primary schools that cater for twelve million students.⁴²⁸ In addition to that, there are many private schools in both primary and secondary levels set up by different NGOs and individuals, and there are, as well, *madrassahs* run by both government and individual organizations.⁴²⁹ In just two decades, enrolment of girls in secondary school has increased ‘by an astonishing rate of more than 600 percent, from 600,000 in 1980 to four million in 2000’.⁴³⁰ Yet despite the unfavourable circumstances, in comparison to previous decades, Bangladesh has succeeded in expanding access to basic education in the last two decades, particularly among girls.⁴³¹

During recent years, girls have proved their overall competence in schools, colleges, universities and in the most competitive job markets such as the Bangladesh Civil Services (BCS), with better results compared to their male counterparts.⁴³² The enrolment and success of girls in the schools have taken a reverse stance during recent years. A recent study found that boys in rural areas are between 7.7 and 23.4 percent less likely to be enrolled, are likely to have between 0.4 and 1.0 fewer years of schooling and between 9.7 and 30.8 percent are less likely to be fully literate.⁴³³ Previous studies and empirical data find that economic growth, trade, improvements in the labour market conditions, information campaigns, compulsory schooling laws, the child-labour ban, educational cost-reduction interventions, favourable marriage markets, access to birth control, government policies and microfinance are just some of the factors that may have eliminated or reversed the pro-male educational gender gap.⁴³⁴

Health

It is unanimously accepted that good health brings happiness and, according to Alia Ahmad, investment in health and education contribute to an improved performance of the national economy and poverty alleviation.⁴³⁵ Women’s health generally, and reproductive and sexual health especially, is one of the most neglected areas. During my fieldworks between 1999 and 2007 I have observed that women in rural areas lack adequate access to reproductive health.

⁴²⁸ Boyle 2002:128.

⁴²⁹ See the following chapter for further discussions on private and NGO-run schools and *madrassahs*.

⁴³⁰ Hossain 2006:304.

⁴³¹ Ibid.

⁴³² See *US Country Report* 2002, 2003, 2004, 2005, 2006.

⁴³³ Shafiq 2009:151.

⁴³⁴ See for example, Shafiq 2009; the World Bank 2008; Hossain 2006; Boyle 2002; my fieldworks 2000, 2001, 2003, 2007.

⁴³⁵ Ahmad 2003:2.

This observation was also supported by the World Bank's country report of 2008.⁴³⁶ While gender inequalities in children's health have been diminished, female mortality still remains high.⁴³⁷ Martius-von Harder argues that when children are ill in Bangladeshi rural families, many mothers attend to their sons with greater care than their daughters.⁴³⁸ This is one of the many reasons why there is higher mortality among girls.

Abul Barkat, Sushil Ranjan Howlader and Martius-von Harder similarly explore that it is customary for women to eat last and least, most often women give their husbands or sons larger quantities of food in the belief that a full stomach suffices for a healthy life and maintains men's capacity to work harder in the field.⁴³⁹ This practice, according to Zaman, causes malnutrition at a double rate among girls in rural Bangladesh than boys.⁴⁴⁰ Barkat and Howlader, in relation to that, find the death rate among female children between ages one and four to be as high as twenty-four percent whereas the death rate among boys in the same age group is fourteen percent.⁴⁴¹ Although there is slight gain in health notwithstanding, maternal mortality rates stop Bangladesh achieving its Millennium Development Goals. According to data collected by the World Bank, almost ninety percent of the women in rural Bangladesh still give birth at home and over eighty-six percent do not have a skilled birth attendant to assist them.⁴⁴² According to a survey conducted by the Bangladesh Demographic and Health Survey (BDHS), distance from a medical facility accounted for only a small fraction of the low use of antenatal services.⁴⁴³ The picture of gender inequality in infant mortality was far worse in the 1970s and 1980s which indicated a significant gender gap, disadvantaging girls in the children and infant mortality rates. This was largely due to the more aggressive efforts by families to seek health care if a boy fell ill, compared to a girl.⁴⁴⁴ One study of 12,000 births from the Matlab area, conducted jointly by Michael Koenig and S. D'Souza in 1986, shows that the mortality risk for girls surpasses that for boys at approximately eight months of age, which is precisely the age at which an infant requires greater care and is susceptible to early childhood diseases.⁴⁴⁵ The World Bank data shows that malnutrition in Bangladesh is slightly higher than the regional average for south Asia. The BDHS survey reveals that thirty-four

⁴³⁶ *World Bank* 2008:6, 29-42.

⁴³⁷ Ambrus et al 2008:881.

⁴³⁸ Martius-von Harder 1981:77.

⁴³⁹ Barkat and Howlader 1997:56; Martius-von Harder 1981:20.

⁴⁴⁰ Zaman 1998:18.

⁴⁴¹ Barkat and Howlader 1997:56

⁴⁴² See *World Bank* 2008:7, 29-42.

⁴⁴³ BDHS data mentioned in *The World Bank* 2008:7.

⁴⁴⁴ *World Bank* 2008:30.

⁴⁴⁵ See Koenig and D'Souza 1986.

percent of women suffer chronic energy deficiency, as measured by a BMI below 18.5. Until recent decades, mothers depended upon local midwives whose medical inexperience caused ten to fifteen percent of mothers' deaths at the time of delivery.⁴⁴⁶

But today, Bangladesh is ahead in life expectancy and has less infant mortality in comparison to other south Asian nations such as India and Pakistan but is not yet equal to ratios found in Nepal and Sri Lanka.⁴⁴⁷ During recent years, the number of births per woman fell and maternal and child health outcome improvements were achieved primarily by the positive impact of family planning programmes.⁴⁴⁸ Other interventions such as successful immunization programmes in the 1980s and 1990s also generated substantial gains. According to BDHS data, by the early 1990s, the immunization programme had reached sixty-six percent of all women giving birth, and coverage rose further to eighty-five percent by 2004, almost closing the gap with urban areas.⁴⁴⁹ By using modern equipment, having skilled attendants and maternal care at the time of delivery, maternal death is now under control. Furthermore, the policies implemented by the government of Bangladesh have improved the access to health services for rural women. In the early 1990s, two thirds of women reportedly received a tetanus vaccination; a decade later it had increased to eighty-five percent.⁴⁵⁰ The government has taken further action to set up several village health services that also resulted in successful progress. The Bangladesh Service Provision Assessment (BSPA) 1999-2000 shows that only thirty-six percent of all facilities provided a comprehensive menu of maternal health services and that the majority of those services were located at the Upazila level and only sixteen percent at Union level. Many women, according to my sources during fieldworks in May-July 2000 and November 2001-February 2002, have reported that they did not seek the health services because the facility was too far away.

Women's education, participation of NGO programmes and exposure to mass media have, according to both external and my own sources during fieldworks at different government bodies and NGO-offices, played a great role in improving maternal health. Both an increase in education and an increase in marriage age may have secondary effects on female outcomes.⁴⁵¹ The data collected by the World Bank shows that slightly more than one third of women with no education received antenatal care, as compared to almost sixty percent of women

⁴⁴⁶ Ray et al 2004:5.

⁴⁴⁷ See *World Bank* 2008:6.

⁴⁴⁸ *World Bank* 2008:31.

⁴⁴⁹ BDHS survey used in *World Bank* 2008:31.

⁴⁵⁰ *World Bank* 2008:34.

⁴⁵¹ Ambrus et al 2008:908.

educated to primary level. In contrast, ninety-four percent of women who had completed secondary education received antenatal care.⁴⁵²

Faith Healing

It is important to note that besides modern medical treatments, Bangladesh has a rich cultural heritage of a traditional health system comprising of *Unani* and *Ayurvedic* usage,⁴⁵³ *Kobiraji*, “traditional medical practice”⁴⁵⁴ and Faith Healing. Faith Healing is used in order to cure several specific diseases such as evil spirit possession, black magic, witchcraft and evil-eye. According to my interviewees during fieldworks in 1999, 2000 and 2003, loss of appetite, headache, fever, and general weakness with pain all over the body are said to be characteristic symptoms of a person affected by the evil eye. Faith healers comprise of *pirs*, *imams* and *madrasah* teachers who are usually engaged in leading prayers and various social functions, such as marriage and funeral services. This group also consists of *Kobiraj*, “traditional medicine man” and *ojha*, “traditional healer”. The *pirs* are believed to exert great influence over supernatural beings such as *jinn*,⁴⁵⁵ *bhut*, “ghosts”, and demons by virtue of a certain magical-religious power. People, mostly women, go to the *pirs*, *imams* or other religious men as well as to the holy shrines not only for mystical guidance but also for treatment of different kinds of diseases including spirit illness and spirit possession as well as believing that the shrines of *pirs* and Muslim saints may bring blessings to their daily life and the hereafter. The faith-healers usually do not live by healing. They typically heal patients by *jhar-fuk*, “reciting holy words from the Qur’an and blow”, water or *tabiz*, “Qur’anic verses written on a piece of paper and put inside an amulet”.⁴⁵⁶ Many of my interviewees, both in rural areas and in some cases even in urban areas, believe that holy water from a religiously spiritual man may remedy diseases in a way that modern medical science cannot. The vast majority of rural people, irrespective of their religion, consciously or unconsciously believe in unseen powers and nature, spirits, *jinn*, *bhut*, “ghosts”, and demons.⁴⁵⁷

⁴⁵² See *World Bank* 2008:38.

⁴⁵³ See Islam 1994:121-128 for more on Unani and Ayurvedic systems.

⁴⁵⁴ Unani is usually used by Muslims and Ayurvedic or Kobiraji is used by Hindus but both are traditional medicines prevailing in the subcontinent, see Islam 1994:74.

⁴⁵⁵ The *jinn* are believed to have been created out of smokeless fire. They are sometimes identified with serpents and sometimes with *Satan*. The Qur’an mentions both *jinn* and evil spirits, for example, see the Qur’an:113-114.

⁴⁵⁶ Rowe 2001:39.

⁴⁵⁷ Karim 1998:281. Similar motions exists in many Muslim contexts, see for example, Raudvere 2002.

In Bangladesh, particularly among rural people, there is a common belief that disease, sickness, and death are not merely the result of natural causes but are also the works of supernatural beings or evil spirits. M. Rezaul Karim, Fakhruzzaman Shaheed and Siddhartha Paul found similar evidence that a large number of psychiatric patients they visited or observed had received treatment from traditional and faith healers, local religious leaders and practitioners of indigenous medicine.⁴⁵⁸ When women were asked during my fieldworks about where they seek help when anybody gets sick with a headache or other kinds of simple physical and psychic problems, almost everyone said that they used to go to the *hujur*, “religious men or *imam*”, for holy water or *tabiz*.⁴⁵⁹ But many of my informants during the fieldworks have advised me that they changed their views about evil spirits and now seek help from the nearest health centres instead. It is important to note that the *Boro Hujur*, religious leader in Brahmanbaria who led the biggest conflict ever in 1998-2000 between NGOs and anti-NGO stances, was also a famous religious healer and for a long time regularly received many visitors who were suffering from different kinds of diseases. Many empirical studies, mentioned above, found further evidence that women facing difficult childbirth, for instance, believed in the effectiveness of above named *jhar-fuk* or mantra and so did the society to which they belonged.

Personal Freedom affected by Patriarchy and Social Norms

According to Humayun Azad, patriarchy, along with religious institutions, is not only in existence in Bangladesh but also in many other countries, and has manipulated social institutions and prescribed specific social as well as cultural norms, most of which are used to deliberately control women.⁴⁶⁰ The leading norms that encircle women in rural Bangladesh are the codes of behaviour and personal laws in the contexts of marriage, inheritance, decision making and other family related matters. However, Hinduism is not only a religious belief but also an age-long social custom that has had partial influence even in Muslim societies in the subcontinent, and is still dominant in social and cultural norms. From those norms, Azad asserts, it is firmly believed that women are considered as possessions and thus they do not have the qualities to own assets and are therefore deprived from inheritance. Despite *shari'a* granting them some share in a father's properties, they usually, as discussed earlier, relinquish it in favour of their brothers or other male relatives. Furthermore, it is commonly assumed that, in accordance with Hindu superstitious beliefs supported by Azad and

⁴⁵⁸ Karim et al 2006:18.

⁴⁵⁹ My fieldwork: February 2001.

⁴⁶⁰ See Azad 1995:70-88.

other scholars,⁴⁶¹ the share brings disaster to their lives, so it is better to give up their inheritance altogether. Although Hinduism, Judaism, Christianity, Islam and other religions, according to Azad, have promoted the essence of patriarchy, most of them have corrected their laws concerning women except Islam, whose laws are considered to be unchangeable, everlasting and against any reforms. Thus misogynistic norms still prevail in Muslim Bangladeshi society.⁴⁶² However, many scholars have taken verse 33:35⁴⁶³ of the Qur'an into account as a positive example of an attempt to strive against the patriarchal social control as it proclaims total equality between men and women. Unfortunately, the pragmatic aspect of male-domination and its economic interests became a normative religious model since the time of Companions of the Prophet.⁴⁶⁴

Every child, regardless of sex, according to the Universal Declaration of Human Rights (UDHR), is supposed to enjoy the rights of equality with dignity from the moment they are born. Girls in Bangladesh, according to Professor Badiul Alam Majumdar, suffer as soon as they are born; furthermore, they are subjected to discriminations, violence, exclusions and exploitations.⁴⁶⁵ Hence, in a society like Bangladesh where patriarchal norms and religious practices are usually strong, the personal freedom of a child is determined at birth by their gender. Previous studies indicate that a woman's place is largely pre-determined, not only in Bangladesh but also in other regions of Asia.⁴⁶⁶

As discussed earlier, Martius-von Harder argues that to the families in rural Bangladesh, sons are a guarantee for the genealogy and honour of the family, and for security in old age. Parents consider daughters a burden and have to provide for them until they get married, thus, sons are desired.⁴⁶⁷ As it is generally believed that a son contributes to the maintenance of the family, a large number of male, not female, descendents are desired; the birth of a female child is rarely considered as joyful news for many families. The mother who consistently delivers female children receives all the blame for failing to give birth to a boy even though it is scientifically proven through the study of X and

⁴⁶¹ See, for instances, Martius-von Harder 1981; Amin 1997; Begum 1990; Jahan 1983.

⁴⁶² Azad 1995:80-81.

⁴⁶³ The Qur'anic verse 33:35 states: For Muslim men and women, for believing men and women, for devout men and women, for true men and women, for men and women who are patient and constant, for men and women who humble themselves, for men and women who give in Charity, for men and women who fast (and deny themselves), for men and women who guard their chastity, and for men and women who engage much in Allah's praise – for them has Allah prepared forgiveness and great reward.

⁴⁶⁴ See Svensson 2000:152-160 for a detailed discussion on the debate of equality between men and women from an Islamic feminist perspective.

⁴⁶⁵ Majumdar 2002, *Protect the Girl Child for a Prosperous Bangladesh*, Hunger Project.

⁴⁶⁶ Martius-von Harder 1981:77; Zaman 1998:17.

⁴⁶⁷ Martius-von Harder 1981:77.

Y chromosomes that it is the husband who is responsible for determining whether the embryo will develop into a male or female.⁴⁶⁸ Sometimes, according to Farah Deeba Chowdhory, husbands remarry in the hope to have a son; while a girl is only desired when there are only boys.⁴⁶⁹ According to many village women interviewed during my fieldworks, boys can help their fathers in the field, take care of the poultry and earn money for the family, while the girls cannot go to the grazing land to help their fathers because it would be disgrace for the family.⁴⁷⁰

One of my interviewees told me, pointing to her daughters, 'they will leave us when they reach the age of marriage and get married. Who will then hold the control of my family?'⁴⁷¹ I detected a concealed pain in her voice when she was narrating the stories of her family. She further mentioned that it would be nice if they had a son; 'at least a support for us when we get older', she added. Martius-von Harder also found similar statements of desiring a male child which she asserts with a quotation from E. Blunt's *Social Service in India*, 'sons are cared for by the parents, daughters by God.'⁴⁷² The statement reflects the reality that still exists in today's Bangladesh, especially in rural areas.

Similarly, many people think that boys can hold the control of their family in times of need. My visit to several villages in a remote area was an exceptional experience in my life that gave me unprecedented comprehension of the preference of sons before daughters. In May 2000, I visited some GB centres in a remote village in Matlab Upazila in the Chandpur district. The area is only approximately thirty-five kilometres from Dhaka, the capital city of Bangladesh, but it took nearly four hours to get there, first by bus, then by a small ferry-launch and finally by *tom-tom*, a motor-run tricycle. Once there, one of the interviewees narrated her story of economic hardship:

My first-born was a boy who died when he was only three. Since that day my fate was broken and I got two daughters afterwards. My economic burden was deepening and it was really tough for me to take care of my daughters with clothes, food and other expenses. I was then lucky enough in having a fourth child that was a boy. I never lost the hope and finally survived by doing hard-work in the day and night according to my capacity. Now the daughters are married and the only son is the wage earner when the father of the children is in old-age. Had the first child

⁴⁶⁸ Cummings 2008:82; Azad 1995:178-79.

⁴⁶⁹ Chowdhory 1996:17.

⁴⁷⁰ My fieldwork: November 2001.

⁴⁷¹ Interview: Naima Begum, a village woman in Matlab Upazila, May 2000.

⁴⁷² Martius-von Harder 1981:15.

lived, perhaps I would not have faced the economic hardship that I suffered from.⁴⁷³

It was not only one single woman in that village who preferred a son before a daughter; rather, many of them have similar sufferings due to the absence of a male child in the family. They all have one thought in common: when a girl is educated and married, her husband or other members of his family would not be accommodating if she took care of her own parents or siblings. In the context of patriarchal Bangladesh, according to sources both in previous studies and my fieldworks, the tradition of allowing the wife to decide about her own income with a will of her own is not in practice and not well accepted either.⁴⁷⁴ So, investing in a daughter is not encouraged by people who suffer from an economic hardship.

Furthermore, Arens and Beurden argue that the more children a woman gives birth to, preferably if they are sons, the more value she bears.⁴⁷⁵ Submission to patrilineal hierarchy, as seen, is a strong social norm in rural Bangladesh; the young wife is thus subordinate to and must obey her husband, her mother-in-law, her father-in-law, and in some cases, her sisters-in-laws and brothers-in-law. Interestingly, Jahan and Martius-von Harder agree about the fact that as a woman grows older her power within the family improves; she exercises greater influence and she has an important say in family matters as an older mother.⁴⁷⁶

Patriarchal social systems, as it is observed by Azad, act as a police force against a girl; her family, the streets, educational institutions and religious institutions all police her movements. Every institution expects her to be a proper model of a girl dictated by society's demands. Mothers appear to be the best role models for a girl to follow. She struggles and survives against all hostilities and antagonisms and alters herself in order to absorb prevalent social and cultural norms that are, on the whole, against her.⁴⁷⁷ Since her early childhood, a girl is discriminated against, as mentioned earlier; she receives less food, possibly of poor quality. In most rural families, according to the sources during my fieldworks, the best food is served to the males, the better piece of fish, the cream from the milk and the fruits from the trees are reserved for the males. A girl also receives less respect from her family members, and she gradually realises that patriarchy favours her brother who may go on to sustain the hierarchy of the family. A girl learns

⁴⁷³ Interview: Najma Akter, A village woman in Matlab, Chandpur, May 2000.

⁴⁷⁴ My fieldwork: December 2001; Martius-von Harder 1981:16.

⁴⁷⁵ Arens and Beurden 1980:47.

⁴⁷⁶ See Jahan 1992:12; Martius-von Harder 1981:16.

⁴⁷⁷ S. Begum 1997:2.

progressively that she is not welcome in this world and will never obtain the equal treatment that her brother receives.⁴⁷⁸

During the biological and psychological changes of adolescence, a girl in rural Bangladesh passes through a difficult time. A girl, as it was observed by Mead Cain, Syeda Rokeya Khanam and Shamsun Nahar (1979), is always reminded by her mother, aunts and other elderly women in the family and neighbourhood that she is no longer a child and thus needs to hide herself and cover the specific parts of her body that are taking dynamic change and shape.⁴⁷⁹ As it was discussed in the Introduction, she does not feel proud of her body and instead undergoes certain kinds of mixed apprehension, fear, nervousness and ambiguity concerning the changes, both emotionally and physically. Society in general and her family in particular are not mindful to provide her with any support to accept the changes easily, changes which result in limited movement outside the home. All of a sudden the girl conceals herself from the outer world.⁴⁸⁰ In many cases, she might suffer from an inferiority complex that harms her future emotional development. Whilst a boy grows into a complete entity, a girl grows into a doll, according to Azad.⁴⁸¹ A girl, as discussed above in the context of Bangladeshi society, bears less importance in comparison to a boy in the same family. Social behaviour and sudden changes of other family members' attitude, as it was observed by several Bengali Muslim female auto-biographers,⁴⁸² make her further aware of her situation and she gradually realises that her ultimate destiny is marriage and a new family. Society further expects a girl to be tearful but not protest when she is a victim.

It is important to note that beauty, in the cultural atmosphere of Bangladesh, is considered to be the most determining factor in gaining a good husband for a bride, while on the other hand, a good career and permanent or temporary properties are considered to be the best qualities of a bridegroom.⁴⁸³ She is thus advised to take care of her beauty, to be feminine in attitude and gestures as it is the only capital she has in order to acquire a good husband. The interviewees informed me that when a male child is given toys to play with, he is presented with, for example, pistols, cars and trains while the female child is given dolls.⁴⁸⁴

⁴⁷⁸ S. Begum 1997:4.

⁴⁷⁹ Taslima Nasreen demanded equal rights for a girl to be able to take off her dress during a hot summer as a boy easily does. As a result, she faced social boycott and *fatwa* that is discussed later, see Riaz 2004:117.

⁴⁸⁰ Amin 1997:10.

⁴⁸¹ Azad 1995:193.

⁴⁸² Well-known Bengali Muslim female autobiographies are by Begum Sofia Kamal (1988), Zobeda Khanam (1991), Akhter Imam (1993), Zubaida Mirza (1984), Hamida Banu (1991), Shamsun Nahar Khan (1985), Mahzuba Haque and many others, see H. Begum 1997:1-8.

⁴⁸³ See H. Begum 1997:1-8

⁴⁸⁴ My fieldwork: May-July 2000.

Boys and girls are provided with different dresses in order to adjust to the prevailing social customs. Different roles and responsibilities are predefined for both boys and girls; the boys are allocated the responsibilities of the outside world and the girls' responsibilities reside inside the four walls of the home.⁴⁸⁵ Besides the biological differences, boys and girls in rural Bangladesh become socially engendered in much the same way as in other societies.⁴⁸⁶ Azad further argues that society expects a girl to be afraid when she sees a cockroach or a gecko, to be shy when she speaks, to be weak when she carries something, and to be incapable in all matters. Other women in the family, especially mothers, aunts or grandmothers encourage a boy to be a winner in the world while a girl is given instructions in cooking, cleaning, taking care of poultry, ducks, chickens and other household tasks, and how to be a good housewife in her future life, which would be her final purpose, as mentioned above.⁴⁸⁷

Girls, according to my fieldworks, are expected to abide by non-written, prevailing patriarchal social values from the very early years of their childhood; certain things are believed to be inappropriate for them, for instance: outdoor games, walking with long steps, running and so on, while this behaviour is favoured for boys.⁴⁸⁸ In many families, according to Deborah Balk, a girl must learn how to be good in order to be a perfect housewife in the future. However, Martius-von Harder explores some positive aspects in this connection. She considers that the household is mainly maintained by several women and that means that young unmarried girls in the family also participate in household work.⁴⁸⁹ They are furthermore given cookery lessons by their mothers or other elderly women so that they can be proficient in their own household chores and cooking.

Society not only limits the movement of a girl but also imposes restrictions on what she may or may not do. Her attire, hair-style, walk, voice and everything else needs to be in accordance with the social demands, otherwise she is severely reprimanded by her female counterparts, her mother, aunts and other female relatives.⁴⁹⁰ She hears from time to time that her chastity is the most valuable possession in her entire life and thus she should guard it by any means.⁴⁹¹ Marriage is considered an appropriate solution to maintain her chastity and thus she is married as early as possible. It is commonly believed in rural Bangladesh that education, especially coeducation, spoils the character of a girl. If she is to

⁴⁸⁵ Martius-von Harder 1981:77.

⁴⁸⁶ Azad 1995:193; Martius-von Harder 1981:77.

⁴⁸⁷ It was observed since my childhood and during my fieldworks between 1999 and 2007.

⁴⁸⁸ My fieldworks: June 2000, November 2001, April 2003, March 2007.

⁴⁸⁹ Martius-von Harder 1981:18.

⁴⁹⁰ Amin 1997:10.

⁴⁹¹ Amin 1997:17.

be educated, some parents prefer *madrassah* education as the appropriate way for her to further grow her morality and reputation and so improve her appeal as a good bride.⁴⁹²

It is further evident from my fieldworks and previous studies that prevailing scholarly literature on religious practices and social behaviours, along with the countrywide *wazmahfeels*, remind a girl that she will become *Bibi Rahima*, the wife of Prophet Job who sacrificed her whole life for the sake of her sick husband. *Bauls* songs and folk-music, as mentioned earlier, similarly promote religious practices, social norms and cultural heritage that are to be adhered to by a girl. Through marriage she gains social status; in exchange for that status she readily accepts “the exile” as mentioned in the beginning of this chapter. As she has learnt, since her childhood, to be inactive in any contest, according to Azad, she thus submits herself to a man who is committed to be the winner and has the power to win. A man is seen as the provider and responsible for the family; a woman is only the caretaker of that household. Religious practices along with patriarchy, have determined that her role is well-accepted by society. She simply replaces her protector – from father to husband, who literally owns her body, her wishes and everything.⁴⁹³ She, according to Azad, has no other option except to bow to a marital life; she cannot remain unmarried all her life – something society considers an abhorrence and a revolt against social customs.

Disturbances and sexual harassment are common in urban areas but also exist in the countryside.⁴⁹⁴ Parents of young girls often experience sleepless nights and worry when their daughters are outside the home. As law and order in Bangladesh is often out of control, miscreants and criminals usually take up positions in some parts of the neighbourhood in order to win the love of desired girls. In cases of disapproval of their one-sided ardour or harsh rejection from the girls, the miscreants and criminals often take revenge.⁴⁹⁵ Not only do they throw sulphuric-acid at girls, but they also kidnap them, sometimes forcibly marry them without even the consent of the girls and their parents, or they fulfil their desire through rape and torture.⁴⁹⁶

The importance of preserving a girl’s good reputation, as mentioned earlier, leads not only to early marriage but also widespread withdrawal of girls from school at puberty.⁴⁹⁷ Furthermore, the prevailing social attitude towards a girl’s family is that the earlier the daughter’s marriage takes place, the more blessings

⁴⁹² Collected data during my fieldworks: June 2000, April 2003, March 2007.

⁴⁹³ Azad 1995:236.

⁴⁹⁴ Chowdhory 1996:22.

⁴⁹⁵ Interview with village women: February 2003.

⁴⁹⁶ See *US country report Bangladesh* 2001, 2002, 2006, 2007, 2008.

⁴⁹⁷ *Encyclopaedia of Women in South Asia* 2004:61.

parents will receive.⁴⁹⁸ The Child Marriage Restraint Act 1929 (amended in 1984) fixed the minimum age of marriage for both women and men and put a limit at eighteen years and twenty-one years respectively.⁴⁹⁹ According to village women I interviewed, marriage is the best protection for a girl and she is safe as soon as she is married. This is one of the many reasons why parents in rural Bangladesh arrange child-marriages for their daughters. Once, there was a time, when grandfathers or elderly family members used to make plans for marriages between their beloved underage grandchildren, hoping that they would get married when they were adults and thus fulfil the elders' final wish. Almost half of the girls in some developing countries, according to UNICEF's yearly country report, are married by the age of 18, because of poverty, tradition and family pressure, and Bangladesh is one of those countries.⁵⁰⁰

Interestingly, according to Erica Field, younger brides can typically attain husbands with higher status and lower dowries and in addition they can lower the family's economic burden.⁵⁰¹ But then again, early-marriage may hinder girls in acquiring higher education, a good career, a better future and perhaps a good husband. Nowadays child-marriage is almost displaced, and in rural areas it is exercised in limitation on account of poverty, religious practices and social and cultural norms. Early marriage, according to statements from people I interviewed during fieldwork and previous studies, not only limits a girl's personal freedom but also restrains her from acquiring higher education, participating in decision making and movement outside the home.⁵⁰² However, the average age at which girls marry has increased slightly from eighteen years in 1990 to twenty-one years in 2003 which is partly because of girls' greater involvement in education and the labour market.⁵⁰³

As land primarily belongs to males in many societies, women are thus obliged to be loyal to men. Newly married women in rural Bangladesh are manoeuvred by religious practices, patriarchal social norms and cultural atmosphere concerning health care services, access to market opportunities, employment and credit, rights to vote independently, and moving freely outside their homes. Begum Rokeya stated in her *Sultana's Dream*, 'We have no hand or voice in the management of our social affairs', which is still accurate in the context of

⁴⁹⁸ Zaman 1998:18.

⁴⁹⁹ Chowdhury 1996:17.

⁵⁰⁰ UNICEF Yearly Country Report 2003: Bangladesh. 78 percent of rural girls between ages 20-49 were married before they turned 18 compared to 64 percent in urban areas, see *the Gender Statistics of Bangladesh*, Bangladesh Bureau of Statistics 2008.

⁵⁰¹ Field 2004:23.

⁵⁰² My fieldwork, May 2000; Field 2004:23.

⁵⁰³ *Encyclopaedia of Women in South Asia* 2004:61. Unfortunately, no later data was available.

Bangladesh.⁵⁰⁴ The situation of women in the country is almost similar beyond any religious affiliations. For example, Manu Samhita, the origin of the Hindu laws, considers a woman as weak and incapable of protecting herself and that is why 'her father protects (her) in childhood, her husband protects (her) in youth, and her sons protect (her) in old age; a woman is never fit for independence'.⁵⁰⁵ This dogma still remains in society and was also observed by Chowdhury and mentioned above.

Personal Freedom affected by Religious Practices

In a Muslim dominant society like Bangladesh, religious practices control the life of a girl from her birth. As discussed earlier, more than eighty-five percent of the population in Bangladesh live in the countryside, which is divided into small societies containing one or more villages, depending upon its size. Every village comprises of several homesteads connected to each other and every village has its own mosques, *maktabs*, primary schools and *Eidgah*, "yearly prayer-ground" where people perform most of the religious activities such as the two yearly *Eids*, *Eid-ul Fitr* and *Eid-ul Adha*, and other social activities.⁵⁰⁶ The homestead is often called *gushti*, "people from same patrilineage".⁵⁰⁷ The structure of the whole community ranges from homestead to *para-moholla*, "neighbourhood", village to Union Council, which is the lowest local government authority in rural Bangladesh. People collectively follow their religious practices in a congregation in the mosque, especially Friday-prayers. Not only do they have Friday-prayers together in the mosques, but also other daily prayers, and through the mosque and other institutions like *maktabs*, primary schools and *Eidgah*, they run their small society. Besides the two large *Eids*, people in rural Bangladesh used to celebrate other religious feasts like *Ashura*,⁵⁰⁸ "tenth of Muharram", *Eid-e Miladunnabi*, "birthday of the Prophet", *Miradj*,⁵⁰⁹ "the Prophet's ascension to Heaven", *Shab-e Barat*, *Shab-e Qadar*, *Tarawih* during the Ramadan and the sacrifice on the second day after the pilgrimage to Mecca.⁵¹⁰ Almost everybody, in the context of Bangladeshi Muslim society, favours "good Muslims" and anyone, through at least three of the five pillars of

⁵⁰⁴ See Rokeya 2003.

⁵⁰⁵ Bühler 1886:9:3 (Manu Samhita).

⁵⁰⁶ Miaji 2001:119.

⁵⁰⁷ Hossain 2006:235.

⁵⁰⁸ A festival commemorating the martyrdom of al-Hussain, the grandson of the Prophet, but also, according to the *Encyclopaedia of Islam*, is in fact derived from the Jewish tradition of *Yom Kippur* and is, moreover, virtually supplanted by Ramadan, see *Encyclopaedia of Islam*, vol. I, p 265a.

⁵⁰⁹ Originally *isra*, a ladder, meaning 'ascent'; in particular, the Prophet's ascension to Heaven, see *Encyclopaedia of Islam*, Vol. VII p.97b.

⁵¹⁰ For details about the above mentioned Islamic festivals see Miaji 2001:119-122.

Islam, may be considered as a good Muslim. The three pillars contain the acknowledgement of faith that is 'there is no god but God and Muhammad is His messenger', daily prayers five times a day, and fasting during the month of Ramadan. The other two pillars, pilgrimage to Mecca and giving alms to the needy, are commonly understood to be entitled to only those who can afford it.

It is, however, important to note that *Beheshti Zewar*, as discussed earlier, has vehemently influenced Urdu speaking women in Pakistan since the mid-twentieth century. The Bengali edition (the latest was published in 1997) has similarly influenced Bengali Muslims, especially women.⁵¹¹ The book, concerning the social and cultural context of India, prescribed the Islamic codes of behaviour for both men and women. Once, the book was so popular that it used to be considered as a main source of religious study, personal and social behaviour, *shari'a* and other necessary matters. Along with the *Beheshti Zewar*, a few other religious books such as *Maksudul Mumineen*,⁵¹² "Targets of the Believers" by Maulana Gholam Rehman (1935) have greatly dictated the lives of rural people in Bangladesh and in the same way propagated misogynous ideologies.⁵¹³ On the other hand, *pirs*, especially the Chormonai and Jounpuri hierarchy, not only in Bangladesh but also in many parts of the Indian subcontinent, have established control of the religious praxis. Manipulation by the *pirs*, rural elites and village elders established a rein of religious authority that, although in a decreasing phase, still remains in rural Bangladesh.

In many of the villages, the rural elites or village elders are so powerful that they control everyone whether or not the people perform their religious and other social duties in a perfect manner. Sometimes, rural religious leaders, mainly *imams* of village mosques or *madrassah* teachers and students from the surrounding neighbourhoods, along with the village elders and rural elites, exercise their delegated power to maintain the religious as well as social order in society. People are expected to act within the framework of that society, otherwise he or she is considered an outsider and, in the worst case, she or he might be outcast and face a social boycott, which is viewed as a severe punishment. Men are controlled by the societal boundaries and women are controlled by the heads of households. Definition of a society, according to the Bangladeshi school textbooks,⁵¹⁴ often portrays everything that is surrounding one's household, and the leader of a household means, according to the same source, the father, or in absence of a father, it is the eldest brother of a family. Often, ordinary people do not approve if a woman acts as the head of the

⁵¹¹ Amin 1996:257.

⁵¹² The 45th edition was published in 1994.

⁵¹³ Hashmi 2000:80.

⁵¹⁴ See school textbooks at primary levels published by Ministry of Primary and Mass Education.

family; in that case it is assumed that the man in that family does not meet the proper masculine qualities. Patriarchy and the socio-cultural norms demand a man to act manly.

People in rural Bangladesh collectively celebrate the birth of a child with several rituals. A male child is welcomed into the world, in accordance with the Muslim tradition, with the *azan*, “prayer call”, *Allahu Akbar*, “God is Greater”; while a female child receives only a whisper of that.⁵¹⁵ Zaman presents another ritual among the village people where the role and position of a female child is indicated clearly. A new born male child receives a greeting with a touch with sticks, and as opposed to that, a female child receives a touch with the grasses from bangle and *lazzabati* vines, “a plant whose leaves fold when it comes in contact with other substances”.⁵¹⁶ She explains it metaphorically that it indicates the strength and rigid quality of a male as opposed to the fragile, shy and submissive quality of a female, but this ritual could not be proved with other sources except the source she provided.

It is important to note that Muslim people in Bangladesh follow the religious code of conduct according to their Islamic rituals; parents are to give *aqiqa* for a newborn child. *Aqiqa* is a birth sacrifice with a goat or a lamb or a cow for every female child and a cow or two goats or two lambs for every male child on the seventh, fourteenth, twenty-first, twenty-eighth or thirty-fifth day after the baby’s birth.⁵¹⁷ Here too, according to my sources during the fieldworks, a smaller sacrifice for a female child than a male child might be interpreted as a male child bearing more importance to his family than a female child.⁵¹⁸ According to Zaman, a boy in the family benefits more than a girl, whereas a girl is taught that she is a female and needs to learn to sacrifice herself for the sake of males in the family.⁵¹⁹

It similarly falls upon a woman or girl to observe *purdah* as a religious practice when she is outside the home in order that her family is considered to be religious and respected. However, *purdah* does not mean covering the whole body – it is enough to have decent clothing, perhaps a headscarf, an *orna*, “extra cloth covering the upper part of the body” or for some women, a *burqa* that covers the whole body.⁵²⁰ Muslim women in rural Bangladesh, according to sources during my fieldworks, usually observe *purdah*, behave in accordance

⁵¹⁵ *Banglapedia* 2004 and Interview of village women: November 2001.

⁵¹⁶ Zaman 1998:17, *Lazzabati* literally means shy.

⁵¹⁷ Sharif et al 1999:38 and see also *Encyclopaedia of Islam. Vol. I p. 337a*).

⁵¹⁸ For instances, village women during the fieldworks in May 2000, May 2003 and discussion with Allama Abdul Jalil: March 2007.

⁵¹⁹ Zaman 1998:18; *Banglapedia* 2004.

⁵²⁰ Discussion with Allama Abdul Jalil: March 2007.

with customs and strictly perform fasting during the month of Ramadan, although they do not place as much emphasis on performing daily prayers.⁵²¹ By the time a girl reaches puberty, as previously discussed, her parents are seriously concerned about protecting her pre-marital chastity, as the social customs demand the purity of a female and thus her religious practices limit her mobility.⁵²²

Many rural people, mostly males and, in a few cases, women, accept the discipleship of *pirs* that makes them, their families and their neighbours follow the duties of *shari'a* as directed by the *pirs*.⁵²³ Furthermore, families of *imams*, *madrasah* teachers and students as well as disciples of *pirs*, as observed during my fieldworks, especially in March 2003, strictly maintain the codes of *shari'a* as an example to others of being a “good Muslim”. In addition, *ulemas*, in cooperation with rural elites and village elders, through *wazmahfeels*, “religious sermons”, yearly *Urs*,⁵²⁴ “death anniversary of a *Sufi* saint”, and other religious programmes from where they promote the Islamic codes of behaviour principally for women, have established religious hegemony throughout the country.⁵²⁵

There are separate arrangements for women in the above mentioned programmes that give them appropriate instructions on how to absorb *shari'a* in every sphere of their lives, from dressing with the utmost decency and walking in small spaces emitting no sound, talking softly and at a low volume so that no stranger hears them, to behaving tenderly, being a perfect housewife and emulating respected women in Islam such as Fatema, daughter of the Prophet, as well as the wives of the Prophet.⁵²⁶ It is well-established, through the sermons of *ulemas* and other religious persons quoting from the Hadith of the Prophet that the heavens lay underneath the feet of mothers, just as it is also well-established that the heavens lay, for married women, underneath the feet of their husbands. So, everyone should respect his or her mother and every woman should obey her husband in every aspect in order to receive blessings. *Ulemas*, in their *wazmahfeels*, describe significant stories from the history of Islam and lessons from the Qur'an that, for instance, instruct the wives of the Prophet and the mothers of the believers to guide their chastity:

⁵²¹ My fieldworks in May 2000, May 2003 and discussion with Allama Abdul Jalil: March 2007.

⁵²² Discussion with village women in Matlab: May 2000.

⁵²³ Hashmi 2000:64.

⁵²⁴ *Urs* literally means “the marriage” but is used for the death anniversaries of Sufi saints, see Kozlowski 1985:75.

⁵²⁵ Riaz 2004:210.

⁵²⁶ My fieldwork: January 2002.

O wives of the Prophet! you are not like any other of the women; If you will be on your guard, then be not soft in (your) speech, lest he in whose heart is a disease yearn; and speak a good word. And stay in your houses and do not display your finery like the displaying of the ignorance of yore; and keep up prayer, and pay the poor-rate, and obey Allah and His Messenger. (The Qur'an 33:32-33).

They similarly give examples of how the Prophet has emphasised complete submission of women to their husbands: 'If I were to command anyone to prostrate before anyone, I would have commanded the wife to prostrate before her husband, because of the enormity of his right upon her.'⁵²⁷ *Ulemas*, through *wazmahfeels*, preach that when a woman goes out, Satan keeps his eyes on her, and so she should cover her hair, otherwise Satan will take refuge in her hair and whisper in her ear.⁵²⁸ Husbands are also commonly advised to admonish their wives because the latter are believed to be made from the crooked bones of men: 'The woman is like a rib; if you try to straighten her, she will break. So if you want to get benefit from her, do so while she still has some crookedness'.⁵²⁹ Religious practices in combination with the social norms influence the life of people, especially rural women in Bangladesh, which was also discussed in the Introduction.

Political Rights

Although both main political parties are under the leadership of women, and the country has been ruled by women since 1991, it has not yet resulted in the massive participation of women in politics and government. In many south Asian nations, gender ideology rests on a set of norms which are at the crux of women's low status and in Bangladesh this is not exceptional.⁵³⁰ Many studies, including those by the World Bank, indicate that norms are related to women's place in the household and in the community as a whole. Women's participation in politics, according to the World Bank's data, is often controlled by religious practices and social norms. Election systems, party-politics, level of development, gendered norms and cultural patterns are also some of the other factors that could be mentioned, as stated by the sources of both previous studies

⁵²⁷ *Musnad* vol. 4, p. 381. Svensson however suggested that Riffat Hassan (1991) singled out the above mentioned hadith for criticism. He further stated that to attribute this utterance to Muhammad is 'utterly shocking', because it seemingly expresses a wish on His behalf to commit *shirk*, "polytheism", see Svensson 2000:97.

⁵²⁸ Azad 1995:83.

⁵²⁹ *Sahih Bukhari*, Volume 7, Book 62, Number 113.

⁵³⁰ Chowdhury 2009:558.

and my fieldworks.⁵³¹ But recent trends in successful education and microcredit programmes, according to the same sources, prove that Bangladesh is undergoing changes in gender norms where younger women have more liberal attitudes than older women regarding participating in local as well as national politics, and even on preferences towards divorce, marriage and equality between spouses.

In 1993, the Local Government Amendment Act was passed in Parliament to secure the minimum representation of women in local government.⁵³² The Act provides three seats reserved for women who are elected by the votes of the nominated chairman and members of the Union Council. In 1997, as a result of another Act, the government reserved three seats for women in the Union Council whereby women members are elected from each of the three respective wards.⁵³³ The government enacted a law for direct elections to reserve seats for women in local level elections instead of by the votes of the nominated chairmen and members of the Union Council. Previously, the process of the selection of women representatives was on the basis of nominations and indirect election. Apart from the reserved seats, women can also contest for any of the general seats. The Union Council Election of 1997 was thus a milestone in the history of political empowerment of women in Bangladesh. The empirical data collected during my fieldworks shows that women have succeeded in acquiring positions in local government during recent years that was not possible in the 1970s.⁵³⁴ In the election after the new quota was enacted, over 12,000 women were brought into the local government through direct election.⁵³⁵ In 1997/98, for the first time in the history of Bangladesh, 44,134 women contested for 12,828 posts in the Union Council, and 592 women were elected to membership and twenty women to chairmanship.⁵³⁶ Furthermore, 110 women were directly elected as general members.⁵³⁷ In the election of 2003, 39,419 women contested in 12,669 quota seats in 4,223 Union Councils.⁵³⁸ There is, thus, a recent decline in the number of women contesting quota seats. Previous studies indicate those factors such as religious practices, social as well as cultural norms, educational

⁵³¹ My fieldwork: June 2003; Chowdhury 2009:558-60; Begum 2009:175-180.

⁵³² Panday 2008:494.

⁵³³ Frankl 2004:6; Panday 2008:494.

⁵³⁴ My fieldworks in May 2000, May 2003, and personal discussion with Swapon Pathan, an elected chairman, 2003.

⁵³⁵ Frankl 2004:7; the *World Bank* 2008:82.

⁵³⁶ Khan 2001:73; *Ain O Shalish Kendra* 1998:140.

⁵³⁷ *Ibid.*

⁵³⁸ Panday 2008:497.

backgrounds, patriarchal control, lack of mobility and structural deficiencies have played a role in the above decline.⁵³⁹

In addition to the quarter of seats being occupied by women due to the Union Council Act, which seems to be a large step up the ladder of political representation for women in the country's history, women have even won general seats. However, the number of women elected as members or serving as chairs in the Union Council remains low in comparison to men. It is interesting to note that every political party has a women's wing to encourage women to join politics either at national or local level. Women's participation in politics, in recent years, has no doubt increased.⁵⁴⁰ Most of the NGOs, women's organizations and civil society organizations are active in this regard, which was noticed during the national election in 1996 and local government election afterwards. Government policies, interventions by the NGOs and social changes made it possible for women to participate not only in local government but also in national politics.

Furthermore, the caretaker government (2007-2008) has passed the Upazila Ordinance 2008 where one vice chairman post is reserved for a woman in every Upazila.⁵⁴¹ Besides this reserved post, women are able to contest in other posts such as Upazila Chairman and vice chairmen. This ordinance, along with other ordinances, was a further milestone for women's empowerment in local as well national politics. It is, however, important to observe that there is a difference between "quotas as reserved seats" with direct election and "quotas as reserved seats with indirect election".⁵⁴² Reserved seats with direct election is a system that guarantees women a certain number of seats in the local government independent of the electoral result, while on the other hand, reserved seats with indirect election is a system that guarantees women are elected with indirect election in the national Parliament.

In Bangladesh, it has been realized that without the active participation and incorporation of women at all levels of decision making, especially in local government, the goals of equality, development and the empowerment of women cannot be achieved.⁵⁴³ Local government, in recent years, has initiated different programmes to encourage women's participation in governance. Women members of the Union Council and ward commissioners in the urban municipalities deal mainly, according to a report by the United Cities and Local Governments (UCLG), with women's issues. Microcredit programmes,

⁵³⁹ Panday 2008:502.

⁵⁴⁰ Begum 2009:180.

⁵⁴¹ See the *Upazila Ordinance* 2008.

⁵⁴² Frankl 2004:20.

⁵⁴³ Women's participation in national parliament was discussed in the previous chapter.

handicrafts and professional training programmes attract women to join such activities.⁵⁴⁴

It is noteworthy that the posts of Prime Minister, Foreign Minister, Home Minister, Agriculture Minister and State-Minister for Labour, as well as the Leader of the government, Opposition Leader and the Deputy Leader of the House of Parliament in Bangladesh are presently represented by women.⁵⁴⁵ Despite the enormous success of women in top level politics, political participation in the state policymaking progress is still considered as solely masculine prerogatives. Rural Bangladesh is far behind in terms of political participation, which is viewed as an inappropriate realm for women.

Empowerment – Household Decision Making and Participation

The lives of Bangladeshi women in general, as discussed above, are mostly controlled by the religious practices, social, and cultural norms and economic conditions while women in rural areas can be seen as more easily vulnerable to such institutional hegemony. Poverty and lack of access to land, credit and other practical matters lessen their decision making power within households. Previous literature, country papers from the World Bank (2008) and discussions with rural women during my fieldworks in several rural districts portray the role of women within households and their capability in decision making.⁵⁴⁶ Available data explores, like in any other south Asian country, the fact that women in rural Bangladesh have less say in family matters and have even less authority to decide over their children's education and future. Many women informed me when they were asked about the ownership of land during my fieldworks that they were unaware about the location and size of their lands and only a few of them have ever visited them.⁵⁴⁷ As a woman's role is limited to household tasks, and social as well as religious practices do not allow her to work in the field unless forced to by destitution, she only visits and takes care of the land properties situated close to her home.

Social and cultural norms, as available data proves, favour sons and this preference is still intense in south Asia, though younger women display greater resistance to it. However, the basis for this preference, according to some empirical studies conducted by the World Bank, is that daughters only belong to their natural family until they are married and parents should not live with their

⁵⁴⁴ See *UCLG Bangladesh Report* 2002.

⁵⁴⁵ Speech of the Prime Minister Sheikh Hasina at Lund University, Sweden and personal discussion with the Foreign Minister of Bangladesh Dr. Dipu Moni on 19 December 2009.

⁵⁴⁶ My fieldworks: June 2000, December 2001, April 2003; *the World Bank* 2008:130.

⁵⁴⁷ My fieldwork: July 2000.

married daughters or accept financial help from them.⁵⁴⁸ Although there is some progress and change in gender norms in Bangladesh, serious constraints to women's decision making still remain. The World Bank data found that nearly half of women are regularly consulted in matters relating to their children's welfare, while women's domains revolve most effectively around the care of children. Their influence shrinks even more in areas outside the environment of the home. Less than ten percent of all women and less than three percent of younger women have their names listed on property documents though fewer younger women voluntarily give up their parental inheritance.⁵⁴⁹ Although there have been some positive changes in the functioning of the informal system of decision making in the community, the role of women, as well as youths, has remained small and poorer women are largely excluded.

Education and experience, even in rural areas, are key factors in women's voices in decision making, both in the household and in the community. Sources from both previous studies and my fieldworks suggest that through the conscious intervention of many national and international agencies, along with policies taken by the government, it has been possible to positively change the gender norms. During my fieldworks, I found many younger women exercising more control than older women within the household.⁵⁵⁰ This was also supported by Todd and the data that the World Bank has used in their country paper for Bangladesh (2008). The combination of age and education gives the younger women many advantages that the older women lack. The data shows that education is positively correlated with younger women's decision making power in the household.⁵⁵¹

The policies, however, have great impact on the lives of rural women. Although women bring credit, from NGOs and other creditors, to the households, it is the husbands who execute the credit in activities such as fishing, petty trading and vending, as cultural inhibitions limit women from undertaking activities outside the home.⁵⁵² Empirical evidence shows that even where women are directly involved in credit-financed activities such as cow and goat fattening, poultry-raising and rice husking, they often have to depend on their husbands for marketing the products.⁵⁵³ This limitation also proves the control of patriarchy and religious practices as well as social norms in rural Bangladesh.

⁵⁴⁸ *World Bank* 2008:73.

⁵⁴⁹ *World Bank* 2008:76.

⁵⁵⁰ My fieldworks: July 2000, January 2002.

⁵⁵¹ Parveen 2007:262.

⁵⁵² Further discussion on the empowerment of rural women in all spheres of Bangladesh will be discussed in the following chapters in terms of microcredit, NGO and government policies.

⁵⁵³ Osmani 2007:714.

Another study argues against social stigmas, such as early marriage, dowry and limited property inheritance rights that cause misery for many women in Bangladesh, especially in rural areas.⁵⁵⁴ Early marriage, as previously discussed, is one of the common factors that restrains girls from access to education, limits their participation in economic activities, and limits their ability to decision making within the household due to the fact their physical mobility becomes restricted after marriage. Along with the increase in the number of landless people and because of migration to search for jobs, there has been an enormous rise in the number of nuclear and sub-nuclear families in recent decades. It has some positive as well as negative effects on the lives of young housewives. Consequently, they are, on one hand, free in those nuclear households from the hierarchical authority of mothers-in-law, but on the other hand, have also been exposed to greater risks of destitution in the event of divorce or widowhood.

Although a woman is frequently visible in big cities and is able to enjoy freedom, she is, in contrast, in rural areas, easily vulnerable to domestic violence and controlled by different social as well as cultural norms.⁵⁵⁵ Martius-von Harder, during her studies in Bangladesh, found three main different roles that a woman plays within the family: daughter, wife without children, and mother or wife with children. These roles determine the mobility of a woman, her access to land or credit, position and tasks within the family. Martius-von Harder further mentions that girls have the “status of visitors” in their parents’ house and wait until they have their own families. However, as was discussed in the Introduction, religion and patriarchy have been, according to some studies, dominant factors in determining the decision making power of rural Muslim women with regard to fertility, work and voting in elections. Hindu females, in comparison to Muslim women in general, are said to have significantly more decision making power.⁵⁵⁶ Some scholars also argue that religion seems to have a negative impact on Muslim women in retaining power and self-reliance, as their close proximity to non-relative males is regarded as sinful. But conversely, a wife’s income, though small, gives her some control in power relations, even though patriarchy is more powerful in extended families than in nuclear families.⁵⁵⁷ The government of Bangladesh, however, felt that the mother’s name should be entered along with the father’s in all official documents and in voter registration forms.

⁵⁵⁴ Parveen 2007:254.

⁵⁵⁵ Zaman 1998:17.

⁵⁵⁶ See Mizan 1994:128-129.

⁵⁵⁷ Hashmi 2000:162.

Conclusion

The model used in describing the theoretical framework in the Introduction clearly proves through this discussion that religious practices, patriarchy, social and cultural norms not only influence the lives of women concerning personal freedom, but also concerning their income, livelihood, access to credit, personal security, opportunities to education and health, and basic rights in decision making and political participation. Islam, as the religion of the majority of people in Bangladesh, works as a driving force in prevailing religious and social institutions that restrain women from gaining proper rights ensured by the Constitution. As the society of Bangladesh is dynamic, like any other society, the status of women is also dynamic and has been changing in terms of time and different interventions. Social as well as religious institutions are also changing, which influence women. It is equally prevalent in society that nobody is born a woman; society transforms her into womanhood.

Fertility, in the context of rural Bangladesh, partly affects the position of a woman within the household; giving birth to children, preferably males, is significant for her. When a woman becomes pregnant, everybody dreams of a boy and rejects the probability of a girl. A male child brings happiness to all family members, especially to the mother. Upon the birth of a female child, not only the woman herself but also the whole family feels embarrassed; a son, according to many of my interviewees, is considered as the saviour of the *gushiti*. As a girl is not as welcomed as a boy into this world, her movements are limited within the four walls of the home and she is not expected to contribute anything worthwhile. Her basic rights and personal freedom are automatically reduced.

Furthermore, Islamists including JIB and other groups, through countrywide *wazmahfeels*, advocate *pardah* in the role of women in society. There are some other Islamists such as Islami Oikkyo Jote (IOJ), the Islamic Constitution Movement and others, who support the ideals of Jamaat in accordance with their agenda and similar issues that they agree on. While ordinary people in the country lack the deep literal knowledge of *shari'a*, they follow the *ulemas* who are considered to be the representatives of the Prophet. The more a woman is submissive to her husband and family, observes *pardah* and behaves agreeably to others, the more she is considered as good and religious. It is said, in the *wazmahfeels*, that women will go to paradise more easily than men if they maintain their chastity, retain *pardah*, follow their husbands, uphold a decent life and do not hurt others. It is similarly said that a woman is not responsible for maintaining the family; it is rather the husband who is the bread winner. If he earns his livelihood in a sinful way it is he, not she or anyone else in the family, who is responsible for committing that sin.

Beheshti Zewar promoted the theological ideologies of Deobandi hierarchy that are largely supported by *ulemas* of *Qaumi madrassahs*,⁵⁵⁸ and even by JIB and Tabligi Jamaat. As it was discussed above, the book has affected the people of Bangladesh in every aspect of religious practice. It has even influenced their views towards women and their behaviour, religious duties, duties within marriage, duties to the society and their role as a mother, daughter and wife. The book criticizes the art of dance that many Muslim families practise and allow their wives and daughters to perform. The book has similarly influenced the people of rural Bangladesh who consider the proclamations of Thanawi to be the proper interpretation of Islam concerning marriage, conjugal life, codes of behaviours – especially women’s – and social and religious duties. On the other hand, the complete submission of women to their husbands are deeply rooted social norms in society; whatever worship a woman carries out, it is not acceptable until she fulfils the desire of her husband, and if a woman stays outside the home without the prior permission of her husband, the angels continue cursing her.⁵⁵⁹

Even women who are not strictly religious observe *purdah* when they are among strangers and outside of the home. Women from the higher classes maintain *purdah* and consider their home to be the safest place and thus they earnestly avoid the most public places like the *bazaar*, public meetings and public gatherings. Those women who observe *purdah* try to seclude themselves from men other than their family members and relatives; seclusion includes praying in the mosque and social activities like wedding ceremonies, funerals and other ceremonies that appear to be prescribed only for males. However, there is a new trend of wearing *burqa* among students in the country mostly engaged in either Islami Chhatri Sangstha, JIB’s female student organization or non-political TJ⁵⁶⁰ that has a worldwide link and is also discussed by Egyptian scholar Mona Abaza (2001), in the separate context of Malaysia and Egypt.⁵⁶¹

Although there are no biological differences between a girl from the developed world and rural Bangladesh, the girl in rural Bangladesh grows up with emotional and psychological differences in a strictly patriarchal atmosphere. Bengali women, in their autobiographies, repeatedly mentioned *khancha*, “cage” and *pinjor*, “barred enclosure”, as if they were socially controlled birds; they have seen themselves in the position of caged birds but they were not reared as birds,

⁵⁵⁸ *Qaumi Madrassahs* are discussed in the fifth chapter.

⁵⁵⁹ Thanawi 1997:330-331

⁵⁶⁰ Rozario 2006:371. More information on Islami Chhatri Sangstha can be found from their official website at: <http://www.islamichhatrishangstha.org/> February 2010.

⁵⁶¹ Mona Abaza (2002:201), in an Egyptian context, calls it a novel form of “Islamic Feminism”. Women wearing the Islamic attire are perceived as actively participating in public life and the workforce.

they were instead reared as human beings. A girl is allowed to go out with some restrictions but she has barriers everywhere; she must be ready to receive maltreatment, endure sexual harassment or the male-gaze in the street. However, the Constitution of Bangladesh assures that no citizen shall on grounds of religion, race, caste, sex or place of birth be subjected to any disability, restriction or condition with regard to access to any place of public entertainment or resort, or admission to any educational institution. In recent years, women in Bangladesh have acquired parity in regards to education, in access to credit, in the labour market, especially in the garments industry and private sectors, in media and in decision making within households. They are further on the way to gaining proper health services and family planning and successfully controlling their fertility with the help of policies undertaken by the government as well as NGOs.

Chapter Four

INTERVENTIONS BY NGOs AND GOVERNMENT

As discussed in earlier chapters, especially when presenting the model to elaborate the theoretical framework in the Introduction, women in Bangladesh are affected by different factors prevailing in Bangladesh, particularly in rural areas. Religious practices and social as well as cultural norms, along with patriarchal domination, all serve to curb the movement of women. Gender disparity, limited access to land ownership and credit, their economic weakness and regression on account of a lack of education have fully played a negative role in determining the lower status of women in society. However, in recent decades, initiatives taken by the government and other organizations have affected women's lives considerably. Despite many conflicts, which have emerged as a result of those policies, women in Bangladesh, according to the collected data and previous studies, are regularly the beneficiaries of different policies undertaken by the government and different NGOs.⁵⁶² Data collected during my fieldworks in May-July 2000, November 2001-January 2002 and March-May 2003 in particular suggests that microcredit institutions and several NGOs alone and, in some specific cases in partnership with the government, have undertaken numerous revolutionary initiatives.

As mentioned earlier, the participation of female labour in urban areas has been driven mainly by the expansion of the low-skilled textiles and readymade garments industries, while the proliferation of microfinancing by various NGOs, including GB and BRAC, facilitated the empowerment of women in rural areas. The social welfare system in Bangladesh, which is completely and solely the responsibility of governments to its own citizens in many other countries, is instead implemented by NGOs. As an important component of civil society, according to many social scientists, NGOs serve to fill in societal gaps and failures with respect to disparate issues ranging from environmental and sustainable development, to women's human rights, health and nutrition, and even civil and political rights.⁵⁶³ According to British sociologist Anthony Giddens, civil society is the realm of activity which lies between the state and the market, including the family unit, schools, community associations and non-economic institutions. He further asserts that civil society or civic culture is

⁵⁶² See Arvidson 2003 for NGOs in Bangladesh; Islam 2007 for microcredit; Stiles 2002b for NGOs, civil society and donors; Brinkerhoff 2007 for NGOs; Millennium development goals; Unerman 2006 for NGOs.

⁵⁶³ See Karim 2004, 2008; Chowdhury 2007; Jahan 2004; Kabeer 2003, 2002; Stiles 2002b; Haque 2002; Zafarullah and Rahman 2002; Feldman 1997.

essential to vibrant, democratic societies.⁵⁶⁴ Furthermore, NGOs have specific target groups, such as the landless as well as marginal farmers, and the vulnerable poor, the majority of whom are rural women. The dominant presence of NGOs, by representing a significant proportion of available resources, appears as a prominent feature in the economy of the country, especially in rural regions. They have, however, largely based their assumption on the mainstream interpretation of women's roles as "inactive" and consequently initiated projects to make women active partners. Hashmi, when discussing the impact of NGOs in general, has elaborated the term "empowerment" as follows,

'Empowerment' is a loaded concept, suggesting a process as well as an accomplished stage in human civilization where people are entitled to certain rights, having the licence and freedom to do things in accordance with their desire or free will to improve, change or modify the prevalent socio-political and economic order.⁵⁶⁵

People have become more vocal in their demands for civil rights and change and are keen to improve their situation. Since NGOs started taking interest in the promotion of women's rights soon after the country became independent, they have become a powerful symbol of change in the domain of gender relations, especially concerning religious practices and social norms. The intensive activities, initiated by NGOs, opened up new opportunities for mobilizing women and offering possible alternatives to circumscribe existing structures of domination.

Today, it is estimated that more than 50,000⁵⁶⁶ officially registered NGOs operate in Bangladesh and eighty percent of the villages and thirty-five percent of the entire population directly or indirectly benefits from NGO-activities.⁵⁶⁷ However, only 2,340 NGOs are registered with the "NGO Affairs Bureau",⁵⁶⁸ a government body placed under the Prime Minister's Office which is officially responsible for the regulation of all NGOs in Bangladesh. Other NGOs are registered under different governmental welfare agencies monitored by the Ministry of Social Affairs.⁵⁶⁹ Ziaur Rahman (1975-81) passed an ordinance under the title "The Foreign Donations (Voluntary Activities) Regulation Ordinance, 1978" in order to regulate the receipts and expenditures of foreign donations for voluntary purposes, which resulted in the formation of the NGO Affairs Bureau in 1990, thirteen years after the ordinance was passed.

⁵⁶⁴ Giddens 2006:1009.

⁵⁶⁵ Hashmi 2000:134.

⁵⁶⁶ Comments of Social Welfare Minister, *ATN Bangla News*, 2 April 2009.

⁵⁶⁷ Lam 2006:104; Devine 2006:79-80.

⁵⁶⁸ *NGO Affairs Bureau official site* available April 2009 at: <http://www.ngoab.gov.bd/>

⁵⁶⁹ Ullah et al 2007:240.

There are assorted kinds of NGOs with specific targets, such as NGOs dealing with social and economic change, legal and human rights support, and charity and social business.⁵⁷⁰ NGOs which principally run microcredit programmes also provide training and technical advice to their borrowers in an effort to increase their incomes and to make the development sustainable. They clearly form, as Naila Kabeer claims, a prominent strand of civil society organizations in Bangladesh and are certainly dominant in relation to development activities.⁵⁷¹ However, NGOs in Bangladesh are, in fact, a highly diverse set of organizations with very different strategies. They are usually engaged in financial institutions in group-based lending to the poor⁵⁷² and Westergaard points out that most of the NGOs in the country pursue a dual strategy: one involving credit provision and service delivery programmes, while the other involves empowerment.⁵⁷³ There are some other NGOs, according to Westergaard, which oppose credit provisions and service delivery programmes, as they believe such programmes increase the dependence of the poor. Instead, they emphasize empowerment through the social and political mobilization of organized groups of poverty-stricken people. GB, BRAC and ASA all form a part the first group which follows a strategy of credit provision and service delivery as well as empowerment, while Nijera Kori and Proshika come under the second group which emphasizes mobilizing the poor in order to fight for their rights in society. According to Westergaard, NGOs emerged on a large scale in Bangladesh during and after the liberation. In the early period of their existence they were engaged in relief and rehabilitation activities, however, during the late 1970s a number of NGOs initiated new programmes focusing on the rural poor with the ultimate objective of poverty-alleviation.⁵⁷⁴ Most NGOs, targeting destitute women and the rural poor, have undertaken programmes such as empowerment, elimination of poverty, awareness, self-reliance and sustainability. Strong grassroots links, field-based development, ability to innovate and adopt, promoting gender issues, flexibility and cost-effectiveness are a few among many other commonalities of NGOs.

However, formal banks and other financial institutions, in contrary to NGOs, 'generally require significant collateral, have a preference for high-income and high-loan clients, and have lengthy and bureaucratic application procedures' in disbursing their loans.⁵⁷⁵ Traditional moneylenders, on the other hand, usually charge excessive interest as high as up to ten percent per week, and tend to

⁵⁷⁰ See Yunus 2008:93-118.

⁵⁷¹ Kabeer 2002:5.

⁵⁷² Ibid.

⁵⁷³ Westergaard 1994:5.

⁵⁷⁴ Ibid.

⁵⁷⁵ Quaraishi 2007:6.

undervalue collateral as well as display offensive attitudes and behaviour towards borrowers.⁵⁷⁶ Alexandra Bernasek considers that the failure of formal as well as informal financial sectors to provide credit to the poor is one of the main factors that ultimately causes poverty. The growth of the microcredit system over the past decades is considered on account of this failure – a failure that also reinforces the vicious cycle of socioeconomic and demographic structures.⁵⁷⁷ Microcredit is essentially the dispersion of small collateral-free loans by NGOs or other similar financial institutions to groups of jointly liable borrowers ‘in order to foster income generation and poverty reduction through enhancing self-employment’.⁵⁷⁸ GB is the pioneer among microcredit institutions but other NGOs have gradually adopted and built on the experience of GB and, from further research, developed their own microcredit delivery systems. One estimate suggests that over ten million households worldwide are covered by the service of microcredit programmes that play a key role in the reduction of poverty.⁵⁷⁹ In the Microcredit Summit held in 1997, it was enthusiastically optimised that NGOs, charitable foundations and practitioners would reach 100 million households by the year 2005.⁵⁸⁰ Some studies have found that access to credit by the poor has a largely positive effect on living standards, while on the other hand, other studies have indicated that poverty is not reduced through microcredit and, instead, poor households simply became poorer on account of the additional burden of debt.⁵⁸¹ Furthermore, as was discussed in the Introduction, microcredit confronted the religious groups who vehemently use the dynamic power of religion in order to fight the activities of microcredit.

Most of the NGOs, as well as microcredit institutions, follow the flat rate method of calculating total interest and very few of them follow the declining method, thus the interest rates charged by different NGOs, according to Chowdhury et al (2005), fall between ten and thirty percent.⁵⁸² Among the major players, which have dominated the intervention along with GB, are BRAC, the Association for Social Advancement (ASA), Proshika, and NK. However, I have used only a few leading microcredit institutions such as GB, BRAC, Proshika and NK as examples in my discussion.

⁵⁷⁶ Bernasek 2003:372; Chowdhury et al 2005:298. Traditional money lenders usually charge yearly interest rates of 120 percent, which was observed during my fieldworks between 1999 and 2005 and through my personal experiences.

⁵⁷⁷ Chowdhury et al 2005:298.

⁵⁷⁸ Chowdhury 2009:1.

⁵⁷⁹ Chowdhury et al 2005:299.

⁵⁸⁰ See *Microcredit Summit Report* 1997.

⁵⁸¹ Chowdhury et al 2005:299.

⁵⁸² Ibid.

Activities of Chosen Organizations

Grameen Bank (GB)

GB and BRAC, as discussed previously, are the two largest microcredit providers in Bangladesh. As of December 2009, GB provides services to more than ninety-six percent of the total villages in Bangladesh, of which ninety-seven percent are women.⁵⁸³ Alternatively, BRAC currently provides their services to seventy-eight percent of villages and women comprise ninety-nine percent of the total membership while nearly sixty-one percent of BRAC employees are women.⁵⁸⁴

The word *Grameen* in Bengali literally means *village* or *rural*.⁵⁸⁵ GB is not only the biggest microcredit institution ever but is also the inventor of the system that has been an international model for microcredit programmes and influenced millions of lives all over the world.⁵⁸⁶ In 1983, through a government statute, it became an official financial institution and is regulated by the Central Bank of Bangladesh.⁵⁸⁷ According to the organization itself, it has 2,562 branches throughout the land with 7.97 million borrowers. GB claims to be owned ninety-five percent by its borrowers and the remaining five percent by the government. Though the bank has previously received huge foreign funds from donors, it decided in 1995 to no longer receive donor funds and would instead be financed one hundred percent by its outstanding loan from its deposits, of which over fifty-four percent came from the bank's own borrowers.⁵⁸⁸ As I mentioned earlier, the goals of GB are to eliminate poverty, to empower women through access to credit facilities and income generating activities, to ensure education for the elderly and to create awareness of the cultural context which conditions women's willingness and ability to respond to economic opportunities. Furthermore, the bank has taken on different projects under the Grameen Family which include the Grameen network, education, software, telephony, housing for the poor, micro-enterprise loans, scholarships and many more.⁵⁸⁹

The GB Project began in the village of Jobra in Chittagong, Bangladesh in 1976 when Professor Muhammad Yunus and his colleagues began distributing very small loans to forty-two borrowers for a total sum of 856 *taka* (equivalent to

⁵⁸³ Official website of GB: December 2009.

⁵⁸⁴ Official website of BRAC: September 2009.

⁵⁸⁵ Yunus 2008:65.

⁵⁸⁶ Bernasek 2003:369.

⁵⁸⁷ Counts 2008:77.

⁵⁸⁸ *GB at a Glance* December 2009.

⁵⁸⁹ Karim 2008:15.

twenty-seven US Dollars at the time) under a system which later became known as Grameen Bank.⁵⁹⁰ They never imagined that in the future they would reach hundreds of thousands of borrowers and their ideology would be awarded the Nobel Peace Prize, the most prestigious prize in the world.⁵⁹¹ But the capabilities and commitment of their staff and borrowers gave them, as they claim, the courage to expand. Professor Yunus soon realised that poor women in Bangladesh do not have access to credit from formal financial institutions because they lack collateral, which is one of the most important provisions to be fulfilled in order to be creditworthy to the formal moneylenders.⁵⁹²

When Professor Yunus worked in a village called Jobra during a project, he met Sufiya, a village woman who worked all day every day but was still blighted by poverty. After some personal discussions with the woman Yunus realised why she remained desperately poor even though she and her husband worked day and night. Professor Yunus described how the woman used to work in a garden making bamboo-stools in order to support her family while her husband used to work as a daily labourer.⁵⁹³ Like many other women in the village, Sufiya borrowed money from a moneylender in order to buy bamboo to make the stools and was granted the loan on the condition that she could only sell her bamboo-stools to the moneylender and at a price that he decided. On account of these reasons, according to Professor Yunus, Sufiya's daily income was never more than two cents. He then made a list of forty-two women in Jobra village who were the victims of professional moneylenders and decided, as mentioned above, to lend them a total of 856 *taka* from his own pocket in order to free them from the trap of the professional moneylenders.⁵⁹⁴ It was the beginning of a great idea that did not, however, gain appreciation from traditional banks who did not consider the poor to be creditworthy. However, after some initiatives, Professor Yunus convinced an individual director of a bank who subsequently offered him solid support concerning the idea that as a result became GB, a new type of bank for the poor based on microcredit.

In the late 1980s, GB stated, 'we started to think of ways in which we could build on the network that our borrowers represented, in order to accelerate their progress towards a poverty-free world and also improve Bangladesh's overall economic performance'. Therefore, in the beginning, GB became involved in leasing unutilized and underutilized fishing ponds and irrigation pumps to poor farmers as a part of its operation. When the fisheries and irrigation projects brought successes, GB similarly expanded its work by becoming involved in

⁵⁹⁰ Yunus 2008:64.

⁵⁹¹ *GB at a Glance* December 2008.

⁵⁹² Karim 2008:14; Bernasek 2003:371.

⁵⁹³ See Yunus 2008:63.

⁵⁹⁴ Yunus 2008:64.

other entrepreneurship in various sectors. The organization states, 'the fisheries project became the Grameen Fisheries Foundation, the irrigation project became the Grameen Krishi Foundation and the international replication and health program were put under the Grameen Trust'. When the Grameen model became accepted and well-established, it extended its 'training and other support to people from other third world countries that wanted to adopt the Grameen methodology'.⁵⁹⁵

The bank gradually developed an innovative lending scheme in order to provide incentives for repayment.⁵⁹⁶ GB pioneered and continues to employ the "group-lending model" which is formed of five people of similar socioeconomic status, usually from the same village or area. Some studies indicate that each member presents himself or herself as a guarantor of other members' loans, called "joint-liability" or "peer monitoring",⁵⁹⁷ and replaces the more traditional collateral system used in formal financial sectors. If a member fails to repay any instalment the whole group becomes ineligible to receive further loans from the bank. In this sense, the study suggests, each member of the group is responsible and liable for other members' repayments of loans. In most cases, loans are repaid in weekly instalments, although some are fortnightly.⁵⁹⁸ Approximately ten to twelve groups of borrowers are collectively organized into a unit, also known as a "Centre", for weekly meetings whereby one of the branches of the bank typically oversees sixty centres.⁵⁹⁹ Bernasek points out that the payments are made at those meetings in order to facilitate transparency in the lending process. Branch offices are monitored by the area offices which supervise the operations of about ten branches, while the head office controls all the area offices throughout the country.⁶⁰⁰ Loans are given in accordance with the need and capability of every single borrower, approximately five to ten thousand *taka*,⁶⁰¹ which is required to be paid back in one year in twelve, twenty-four or fifty-two instalments depending on whether the repayments are monthly, fortnightly or weekly.⁶⁰² Together, the group members and the centre members play the role of decision makers in order to consider each individual's existing skills as well as current market conditions and the profitability of proposed activities.

Data that was available during the fieldworks proves that, in addition to providing credit GB has, in order to promote social development goals,

⁵⁹⁵ *GB at a Glance* December 2009.

⁵⁹⁶ Bernasek 2003:372.

⁵⁹⁷ Chowdhury et al 2005:300.

⁵⁹⁸ Chowdhury et al 2005:300; Bernasek 2003:372.

⁵⁹⁹ Yunus 2008:74. I have also observed the structure of the bank during my fieldworks.

⁶⁰⁰ Bernasek 2003:372.

⁶⁰¹ One US dollar is equivalent to nearly 69.2 taka: February 2010, see at: <http://www.xe.net/>

⁶⁰² Bernasek 2003:372.

formulated “Sixteen Decisions” which include respect of the four principles of GB: discipline, unity, courage and work. The decisions further include: commitment to better sanitation, health care, education, family planning practices, housing, nutrition and the anti-dowry campaign.⁶⁰³ Every new member of the bank needs to learn the “Sixteen Decisions” and must promise to follow them. Thanks to the “Sixteen Decisions” target, the borrowers, according to Professor Yunus, have been very mindful to send their children to schools and have subsequently played a crucial role in historically improving the total enrolment rates throughout the country.⁶⁰⁴ Besides the distribution of nearly 92,554 stipends to the children of its borrowers, GB has recently undertaken a project to give study loans to approximately 40,804 Grameen students which will increase by 8,000 every year.⁶⁰⁵ Women are thus seen as the key to success in alleviating poverty as well as increasing empowerment. Over time, GB has expanded its loan portfolio to allow borrowers to take loans for housing, building sanitary latrines, setting up tube-wells, irrigating small cultivable plots of land and loans for seasonal cultivation.⁶⁰⁶

In addition to that, GB has undertaken initiatives with the goal of increasing productivity of borrowers’ loans such as obtaining licences for cellular phones that enable borrowers to purchase a Grameen Phone mobile subscription with better conditions than formal subscribers.⁶⁰⁷ As GB progressed, they gained confidence and became involved in different projects such as venture capital, the textile industry, Internet Service Provision and much more. Every new initiative was incorporated into an expanding organization and became a part of what GB call the Grameen Family of Organizations.⁶⁰⁸

Many studies are conducted about GB’s positive impact on its poor and formerly poor borrowers by independent researchers as well as external agencies such as the World Bank, the International Food Research Policy Institute (IFPRI) and the Bangladesh Institute of Development Studies (BIDS). Most studies suggest that the loans received by the borrowers, especially women, are designated for traditionally female activities such as raising poultry, raising cattle, weaving, and food processing.⁶⁰⁹ Though these activities are generally less productive than men’s income-earning activities, women often commence home-based processing work with their husbands, taking advantage of the higher profitability whereby the men buy the raw materials and sell the final

⁶⁰³ Yunus 2008:76-77; GB pamphlet 1995; Hashmi 2000:161.

⁶⁰⁴ *World Bank* 2008:46.

⁶⁰⁵ Yunus 2008:77. The data was updated according to *GB at a Glance*, December 2009.

⁶⁰⁶ Yunus 2008:74.

⁶⁰⁷ Bernasek 2003:374.

⁶⁰⁸ Yunus 2008:78.

⁶⁰⁹ Bernasek 2003:373.

products. The bank has successfully exemplified some revolutionary steps towards its goals such as poverty alleviation that provides the poor with direct access to resources with nearly ninety-nine percent repayment rate, the empowerment of women, and building self-reliance among the poor.⁶¹⁰

Todd, as discussed in the Introduction, compared a group of GB's borrowers who had ten years of membership with a control group of non-borrowers in the same district and found that the poverty rate was significantly lower among the GB borrowers than among the non-borrowers.⁶¹¹ Hashemi, Schuler and Riley, through an empirical study based on interviews and observations from six villages in Bangladesh over a period of 1991-94, found evidence that women maintain significant control over their loan activities.⁶¹² Professor Yunus himself argues that women have been able to retain control over the credit they receive. When men earn money they spend it on their own needs, whereas women earn money to help the whole family, especially the children.⁶¹³ Seventy percent of female GB borrowers used all the loans they received to fund enterprises that they carried out alone or with their husbands, while only nine percent relinquished their entire loan to husbands or other male relatives.⁶¹⁴ This study, during the fieldworks, also found another significant change concerning the empowerment of women, in that women have increasingly used GB loans to purchase or alternatively lease land in their own names which provides further evidence that the improvement of women's status can be sustained through farming activities.⁶¹⁵ Many believe that GB, by adopting many innovative measures to empower women, is believed to have substantially changed the lives of many poor women in Bangladesh, and by asserting that when a housing loan for building, repairing or upgrading a property is taken by a married woman, the homestead must be registered in her own name, so that, in case of a divorce, she is not evicted from the house.⁶¹⁶

Its success and 'its no-frills, no-charity, poor-people-are-entitled-to-a-fair-deal approach,'⁶¹⁷ through a rural development experiment in a poverty-stricken country like Bangladesh, has drawn worldwide attention. The model and the success not only brought the world's most prestigious prize, the Nobel Peace Prize in 2006, but have also been replicated both inside and outside Bangladesh. Professor Yunus announced the further extension of the bank into a "social

⁶¹⁰ See also *GB at a Glance* December 2008.

⁶¹¹ See Todd 1996:222-224.

⁶¹² See Hashemi et al 1996.

⁶¹³ Yunus 2008:72.

⁶¹⁴ Bernasek 2003:375 see also Hashemi et al 1996.

⁶¹⁵ My fieldworks: June 2000, November 2001, April 2003, March 2007.

⁶¹⁶ My fieldwork: February 2007.

⁶¹⁷ Islam 2007:84.

business” in his speech when he received the Nobel Peace Prize on 10 December 2006 in Oslo. He further illustrated his new idea of “social business” in his recent book, *Creating a World without Poverty: Social Business and the Future of Capitalism* (2008).

Bangladesh Rural Advancement Committee (BRAC)

Whereas GB is the largest microcredit institution in the world, BRAC is the largest NGO and private sector development endeavour on the planet.⁶¹⁸ It was established in 1972, started almost entirely with donor-funded rehabilitation relief after Bangladesh’s War of Liberation.⁶¹⁹ Today, BRAC is an independent and self-financed sustainable human development organization with the twin objectives of poverty alleviation and empowerment of the poor, especially women. The approach taken by BRAC is often contrasted to the minimalist credit approach as a part of a broader package of services, typically including skills training, technical assistance, and marketing services.⁶²⁰ BRAC emphasises that it ‘firmly believes in and is actively involved in promoting human rights, dignity and gender equity through poor people’s social, economic, political and human’ capability building.⁶²¹ Although the emphasis of BRAC’s work, according to their own description, is ‘at the individual level, sustaining the work of the organization depends on an environment that permits the poor to break out of the cycle of poverty and hopelessness’. BRAC believes as GB does in bringing change to national as well as global policy on poverty reduction and social progress. BRAC describes their organization on its online web pages as being ‘committed to making its programmes socially, financially and environmentally sustainable, using new methods and improved technologies. As a part of its support to the programme, participants and its financial sustainability, BRAC is also involved in various income generating enterprises.’ Moreover, I was informed during my final visit to the BRAC office in March 2007 that the organization works with extremely poor, illiterate people and those whose lives are severely affected by diseases and other disadvantages.⁶²² Most beneficiaries of BRAC’s programmes are said to have been landless, poor women in rural areas.

BRAC is multidimensional and has gradually evolved into a large development organization with multipurpose programmes: Rural Development Programme,

⁶¹⁸ Ahmed and French 2007:54; my fieldwork: March 2007.

⁶¹⁹ Westergaard 1994:7.

⁶²⁰ Islam 2007:78.

⁶²¹ *BRAC: Evolution*, official site available at: <http://www.brac.net/index.php?nid=9> January 2010.

⁶²² My fieldwork: March 2007; *BRAC: Evolution*, official site available at: <http://www.brac.net/index.php?nid=9> January 2010.

Rural Credit Project, Women's Health and Development Programme, Non-Formal Education, Handicrafts Production and Marketing and Income Generating Commercial Enterprises.⁶²³ In addition, it has a Support Service which includes training, research, and monitoring and management development. In 1975, a Research and Evaluation Division was set up by BRAC in order to analyze and evaluate its activities and provide direction for the organization to expand further and evolve.⁶²⁴ Westergaard argues that BRAC was one of the pioneering NGOs working with the rural poor, functioning as a community-wide rural development agency until 1977, after which time they changed their strategies and moved 'towards a more targeted approach by organizing village groups' into what was called the Village Organization (VO) that targeted poor landless small farmers, artisans, and vulnerable women.⁶²⁵ The organization defines the target groups and considers daily labourers eligible for BRAC's loans if they own less than half an acre of land. In the following year it established a handicraft retail chain called *Aarong* in order to provide a marketing outlet for rural artisans and revive the handicraft heritage of the country.⁶²⁶ The characteristic of BRAC, according to Westergaard, is that it has constantly expanded and grown through experiential learning, and constantly evaluated its approach. New strategies for reaching and benefiting the poor are continually being tested, thus in the early 1980s it experimented with two methodologies, the Rural Credit and Training Programme (RCTP) and the Outreach Programme, the latter of which did not involve economic assistance to groups.⁶²⁷

In 1986, two BRAC programmes were merged into the Rural Development Programme which included an institution building component modelled on the Outreach Programme, a credit component modelled on RCTP, and a number of related programmes.⁶²⁸ In 1989, BRAC introduced a new Rural Credit Project and the BRAC Bank, which was based on a two-stage programme in which the RDP would work with the village organizations for four years. After the termination of the four-year period, the mature groups graduated to the Rural Credit Project and would receive banking services from the bank without any supervision from the RDP.⁶²⁹ The RDP strategy deals with group formation and institution building, income and employment generation and credit delivery. At the village level, the poor are organized into separate VOs,

⁶²³ Stiles 2002b:43; Westergaard 1994:7.

⁶²⁴ Stiles 2002b:43

⁶²⁵ *Evolution*, Official website of BRAC: January 2010.

⁶²⁶ Hashmi 2000:152.

⁶²⁷ Westergaard 1994:7.

⁶²⁸ *BRAC at a Glance* September 2009.

⁶²⁹ Westergaard 1994:7.

containing approximately fifty members, and are then subdivided into smaller groups of five to ten members that elect a managing committee which usually consists of five persons, including a chairperson, a secretary and a cashier.⁶³⁰

BRAC considers the development as 'a complex process requiring a strong dedication to learning, sharing knowledge and being responsive to the needs of the poor', and the organization strongly emphasises 'their organizational development, simultaneously engaging itself in the process of capability building on a national scale to accelerating societal emancipation'.⁶³¹ BRAC strictly believes that the fulfilment of its mission requires competent and skilled manpower, and thus it promotes the development of the human potential of its members and appoints professionals committed to the goals and values of BRAC. 'In order to achieve its goal, wherever necessary, BRAC welcomes partnerships with the community, like-minded organizations, governmental institutions, the private sector and development partners both at home and abroad.' In addition, the Women's Health Development Programme was commenced in 1991 and the following year, BRAC established a Centre for Development Management (CDM) in Rajendrapur. In 1996, the Social Development, Human Rights and Legal Service Programme was launched in collaboration with the Ain O Shalish Kendra (ASK) in order to empower women with legal rights and to assist them in becoming involved with community and ward level organizations.⁶³² The social activities targeted the elimination of social discrimination against women, exploitation of dowry, rape, acid throwing, polygamy, domestic violence and verbal divorce, all of which prevail in rural Bangladesh.⁶³³ BRAC launched an Information Technology Institute in 1999 and two years later it established the BRAC University and the BRAC Bank catering primarily to small and medium entrepreneurs.⁶³⁴

According to Westergaard, BRAC has been successful in establishing programmes where the activities of the individual women are conscientiously integrated. BRAC emphasises the individual regarding savings made from the loans taken from the bank; for instance, five percent of the first loan requested, ten percent of the second loan and fifteen percent of further loans.⁶³⁵ Any loan from BRAC has to be repaid in weekly instalments, starting from the first week the loan is obtained, and it is said that interest is charged at twenty percent.⁶³⁶

⁶³⁰ Westergaard 1994:8.

⁶³¹ *Knowledge & Capacity Building*, BRAC's official site at <http://www.brac.net> January 2010.

⁶³² *BRAC: Evolution*, official site available at <http://www.brac.net> January 2010.

⁶³³ Stiles 2002b:44.

⁶³⁴ Stiles 2002b:43.

⁶³⁵ Westergaard 1994:8.

⁶³⁶ Westergaard 1994:8; History of BRAC, official site: March 2008.

BRAC has nearly 120,337 employees worldwide, sixty-one percent of whom are women. The organization has covered all sixty-four districts and almost seventy-eight percent of villages in the country, by providing livelihoods for 110 million of the 150 million people of Bangladesh.⁶³⁷ By early 2008, BRAC claimed to have employed in the region of 117,067 regular and part-time workers to work in more than 50,000 villages in the country.⁶³⁸ Furthermore, it has expanded its activities, mostly through education, microfinance, training and technical support, in order to assist a number of countries in Asia and Africa – Afghanistan, Pakistan, Sri Lanka, Southern Sudan, Tanzania, and Uganda – in reaching the Millennium Development Goals. The organization also provides technical assistance to a microfinance institution in Aceh, Indonesia and offers support to pilot projects, based on BRAC’s innovative programme, for the ultra poor in Haiti and India.⁶³⁹ Likewise, Asia Society and the Open Society Institute of Middle East & North Africa Initiative hosted the forum “Thinking Big and Scaling Up — BRAC’s Model for Poverty Alleviation”.⁶⁴⁰ In remote, benighted regions of rural Bangladesh, as Westergaard has pointed out, poor, vulnerable, illiterate, rural women, divorced or widowed with children, have become micro-entrepreneurs, educators, health workers, social workers and leaders in their respective communities. The projects initiated by BRAC have created awareness among people about laws, their rights, and exploitive customs and has helped them to be socially, environmentally and economically conscious. They have sent their children to school and benefited from their education⁶⁴¹ and BRAC itself claims that it ‘has come to stand as a unique example of how a development organization in south Asia can be sustainable without being largely dependant on donor assistance.’⁶⁴²

Furthermore, BRAC established over sixty-four thousand schools by 2009, nearly thirty-eight thousand of which are pre-primary schools, and has educated almost 4.11 million children.⁶⁴³ However, it ‘enrols and retains a higher proportion of hard-to-reach children, such as girls, who make up sixty-five percent of the student body’.⁶⁴⁴ Similarly, BRAC set up 2,195 rural community-based libraries and 8,811 *Kishori Kendras*, “centres for teenage girls” that help the increase in literacy even outside the school and enable people to have access

⁶³⁷ *BRAC Annual report*, 2008:1; *BRAC: Evolution*, official site available at <http://www.brac.net/index.php?nid=9> of BRAC: January 2010.

⁶³⁸ *BRAC Annual report*, 2008:1.

⁶³⁹ *BRAC Annual report*, 2007:56.

⁶⁴⁰ Hulme and Moore 2007:2.

⁶⁴¹ Reza & Ahmmed 2009:178.

⁶⁴² *BRAC: Evolution*, official site available at <http://www.brac.net/index.php?nid=9> of BRAC: January 2010.

⁶⁴³ Tahiya 2008:33.

⁶⁴⁴ *BRAC: Evolution*, official site available at <http://www.brac.net> January 2010.

to a variety of materials.⁶⁴⁵ BRAC established the Adolescent Development Programme (ADP) in order to train school graduates 'in vocational skills, health awareness including reproductive health, and leadership'.⁶⁴⁶ Besides undertaking primary level education for unprivileged boys and girls, BRAC has also been striving to educate rural adults at the grassroots level, including women, especially with regard to the social norms, culture and beliefs.

BRAC, through its adult education programmes, has tried to give a comprehensive idea about the society of rural Bangladesh, its culture, people and their lives, socioeconomic and political problems by creating awareness among the masses.⁶⁴⁷ Moreover, BRAC has their own curriculum books for rural adult education that elaborate the problems of the exploitation of the poor by government officials and other superordinates.

Although it is not an organization of women, BRAC has succeeded in empowering women in rural Bangladesh by dismantling the barriers of a predominantly conservative, traditional Muslim outlook. One example of this is training female workers to ride motorbikes in order to perform their duties. As discussed earlier, nearly sixty-five percent of the students attending in BRAC-run schools are girls, and furthermore BRAC has sixty-four percent of the 400,000 female landless poor covered by its education, training, credit and income-generating activities.⁶⁴⁸ It was similarly discovered that sixty percent of the village organizations formed by BRAC are groups consisting mainly of women and seventy-four percent of those who graduated from the BRAC's functional education programmes, as well as borrowed small loans, were women.⁶⁴⁹ Additionally, BRAC women are carrying out tasks that traditionally fall under the male domain, such as running rural restaurants and vaccination clinics, treating patients, doing carpentry as well as teaching in schools. *The Economist*, a world-famous magazine, has commented in their 15 March 2003 issue that the two organizations, namely BRAC and Proshika, have made contrasting progress since the coalition government led by Khaleda Zia's BNP came to power in 2001.⁶⁵⁰ BRAC, the largest micro-finance lender in the world, according to *The Economist*, has already expanded into Afghanistan and also has plans to operate in India.⁶⁵¹

⁶⁴⁵ *BRAC: Evolution*, official site available at <http://www.brac.net> January 2010.

⁶⁴⁶ *Ibid.*

⁶⁴⁷ My fieldwork: March 2007.

⁶⁴⁸ *BRAC: Evolution*, official site available at: <http://www.brac.net> January 2010.

⁶⁴⁹ My fieldwork: March 2007.

⁶⁵⁰ *The Economist*, London, March 15, 2003.

⁶⁵¹ *Ibid.*

Proshika

Proshika and BRAC, in some cases, follow almost the same strategy and thus differ from GB and ASA's credit-based development approach.⁶⁵² Proshika, according to Róisín Boyle, is almost certainly the second largest NGO in Bangladesh.⁶⁵³ The organization encourages rural people, most of whom are landless, marginal and small farmers and other working people such as fishermen, weavers and artisans, to build primary groups and group federations at village, Union, and Upazila levels.⁶⁵⁴ These groups are known respectively as Village Coordination Committee (VCC), Union Coordination Committee (UCC) and Upazila Coordination Committee (UCC).⁶⁵⁵ Once the groups are formed and have achieved a certain degree of experience and longevity, members work together not only for their economic emancipation but also for their social, political and cultural improvement.⁶⁵⁶ Available evidence during my fieldworks in December 2003 and March 2007, and from the official sources about the organization available on the webpages suggests that Proshika has been able to develop democratic leadership, group solidarity and strong networking through facilitating organization building at multiple levels. The democratic leadership and network-management has increased their access to public resources and institutions.

The word “Proshika” is an acronym of three Bengali words: “training”, “education”, and “action”.⁶⁵⁷ It has been more than three decades since Proshika began its development process in 1975 in a few villages in the Dhaka and Comilla districts, a process which formally emerged in October 1976.⁶⁵⁸ By June 2009, Proshika had spread to 24,211 villages and 2,110 urban slums in fifty-nine districts, and works with nearly 2,811,857 men and women to form 150,200 primary groups of which 98,366 are women's groups comprising altogether of more than 2.15 million poor households.⁶⁵⁹ The top management structure of Proshika includes a general body consisting of thirty members, drawn from a cross-section of people. This general body appoints auditors, approves the annual report and budget, fixes audit fees and elects a nine-member governing body for the organization. Proshika conducts its activities primarily in two areas under the People's Organization Building (POB) Programme: a)

⁶⁵² Islam 2007:78.

⁶⁵³ Boyle 2002:130.

⁶⁵⁴ Mondal 2000:463.

⁶⁵⁵ My fieldwork: November 2003; Proshika: June 2009.

⁶⁵⁶ Mondal 2000:463.

⁶⁵⁷ Proshika Official site available at: <http://www.proshika.org> June 2009.

⁶⁵⁸ Stiles 2002b:44.

⁶⁵⁹ *Proshika annual report: 2006-2007*.

Microcredit and Savings Services (MCSS), and b) Social and Natural Resources Development (SNRD).⁶⁶⁰ MCSS comprises of different programmes such as employment and income generating, practical skill development training, small enterprise development, livestock development, policies for risk and vulnerability management, fisheries development, apiculture development, sericulture development, organic agriculture, irrigation and farm power technology services, and research, demonstration and collaborative projects.⁶⁶¹

SNRD's area, on the other hand, covers different programmes such as human development training, extended social and human development, an external training division, universal education, good governance and advocacy, social forestry, health programmes, housing, an impact evaluation and research department, development support communication, people's cultural programmes, a programme about the war of liberation, Proshika's legal aid services, integrated multisectoral women's development, an information and documentation resource cell, computers in development, disaster management and awareness, and a human resource department.⁶⁶²

Amid SNRD's area, Proshika, under the Human Development Training Programme, conducted a total of 14,017 Grassroots Training Centre (GTC), village and group-based human development training courses during the period of 2006-2007 for 81,404 participants of whom 58,916 were women. Among the above mentioned programmes, under the practical skill development training programme alone, a total of 121 GTC-based and 437 village-based Practical Skill Development Training (PSDT) courses were held during the period of 2006-2007 for 15,307 participants, of which thirty-six percent were women. Moreover, according to the Proshika's Activity Report of 2006-2007, thirty-eight workshops were held for 1,872 group members during the same period and, furthermore, 201 farmers' field days have also been organized for 8,947 farmers, of which 3,818 were women.

In addition, Proshika run seven different trusts: a Proshika computer system, a human resource development centre, an integrated agricultural farm, a small economic enterprise development, a development support communication centre, Proshika fabrics, and a plant tissue culture trust.⁶⁶³ In the beginning of the 1990s, Proshika had provided technical and credit support to its target groups to implement the components of social forestry activities, which incorporated homestead plantations, strip plantations including road,

⁶⁶⁰ Discussion with Proshika-staff during my fieldwork in November 2003; Karim 2004:292.

⁶⁶¹ *Proshika annual report: 2006-2007*.

⁶⁶² *Proshika Activity Report: 2006-2007:5*.

⁶⁶³ Stiles 2002b:45.

embankment and dykes, nurseries, agro-forestry and woodlot forestry and forest protection.⁶⁶⁴

Available evidence from Proshika itself suggests that the organization has programmes for human development and the empowerment of the poor, who have been able to gradually improve their own circumstances and achieve freedom from poverty. Like other large NGOs mentioned earlier, Proshika has built itself up as an institution that empowers the poor, especially women. It has undertaken many projects such as uniting and organizing people so they would 'become aware of the real causes of their impoverishment, develop leadership among themselves, mobilize their material resources, increase income and employment, develop capacities to cope with natural disasters and become functionally literate'.⁶⁶⁵

Since its foundation, Proshika has proved itself, as the organization claims, as both a pioneer and practitioner of empowerment and has made a significant contribution to the modest reduction of poverty in Bangladesh.⁶⁶⁶ As a stopgap measure to the shortcomings of the government in providing basic education for all, Proshika created a comprehensive education plan called Universal Education Programme (UEP). It comprises of the following four components: adult literacy, post-literacy, and enrolment into both formal and non-formal primary education, which is the core of UEP. Under the UEP programme, Proshika has so far established 21,324 non-formal primary schools enrolling 651,958 children. Furthermore, 1.15 million people graduated with functional literacy skills from 53,743 adult literacy centres set up by Proshika.⁶⁶⁷

Along with other popular NGOs, Proshika has undertaken some innovative and effective motivational activities at rural level. One such activity is the formation of cultural programmes that are used as a means to raising rural people's awareness of collective enterprises in order to gain access to resources and to combat social ills.⁶⁶⁸ Proshika emphasises upholding the history, heritage and culture of eternal Bangladesh in the perspective of its people. The organization arranges folk music, patriotic songs, and dances are performed by the members of Proshika Gonosanskritic troupes on the occasion of the annual Bangla New Year celebration.⁶⁶⁹ Proshika similarly organizes different cultural groups such as theatre, cultural and musical troupes in order to bring into the open aspirations,

⁶⁶⁴ *FAO Annual Report 1993/4*: January 2009.

⁶⁶⁵ *Proshika Booklets*: August 2007.

⁶⁶⁶ Proshika Official site available at: <http://www.proshika.org> June 2009.

⁶⁶⁷ *Proshika Activity Report 2006-2007*:38.

⁶⁶⁸ Mondal 2000:465.

⁶⁶⁹ Proshika Official site available at: <http://www.proshika.org> June 2009.

joys and sorrows of the rural poor.⁶⁷⁰ In most cases, cultural programmes, songs, ballads and dramas are improvised by the villagers. These programmes not only give pure entertainment to the audiences but also help rural people to become more self-aware concerning social injustice, dowry, gender discrimination, illiteracy and unjust possession of public resources by the powerful elite.⁶⁷¹ These programmes make people equally conscious about superstitions in health practices,⁶⁷² degradation of the natural environment and its adverse consequences.

Similarly to the Government of Bangladesh in the 1980s, Proshika, in a partnership-basis with the cooperation of BRAC, implemented a rural development policy focusing on economic assistance for the villagers.⁶⁷³ The programme highlighted the importance of village culture, rural collective action and autonomous decision making. This realization made them shift their policy towards setting up organizations run by the villagers themselves through the application of community resources and the villagers' own knowledge.⁶⁷⁴

Nijera Kori (NK)

NK is a unique organization within the throng of NGOs in Bangladesh and struggles for participation in consciousness-raising through action, as mentioned earlier. While other NGOs engage themselves in empowerment and poverty alleviation through credit provision, NK stresses instead, along with a few other NGOs in the country, empowerment and awareness among poor rural women through social, and to some extent, political mobilization as well as training the target groups to be self-reliant.⁶⁷⁵

Following the famine of 1974, which claimed more than one million lives in Bangladesh and forced many destitute rural men and women to move to the cities in search for food and work, a relief-oriented initiative was set up by a group of urban women to train migrating women in food processing in order to enable the latter to generate an income. In the initial phase, the main function of the organization was to distribute food, supplied by the World Food Programme, among poor people who lived in slums and on the streets.⁶⁷⁶ The process gradually resulted in the development of the organization Nijera Kori

⁶⁷⁰ Mondal 2000:465.

⁶⁷¹ My fieldwork: November 2003.

⁶⁷² Faith healing and superstitious belief were discussed in previous chapter starting on page 90.

⁶⁷³ Mondal 2000:464.

⁶⁷⁴ Ibid.

⁶⁷⁵ Schurmann et al 2009:539; Westergaard 1994:19; Hashmi 2000:160.

⁶⁷⁶ Begum 1981:45.

which means “we do it ourselves” and aims primarily to raise the consciousness of landless men and women, and to enable them to find their own solutions to their problems.⁶⁷⁷ NK writes about its background that:

This motto, has guided us in all spheres of our activities since our inception – which, too, was a collective people’s decision. “We” stands for the people collective – the people and NK – who work together and support each other in attaining a common goal. Hence: “We do it ourselves”.⁶⁷⁸

NK was reformed in its current form and focus in 1980 when a large number of field organisers left BRAC to join NK. The organization firmly believes that the approach of many NGOs to credit and other service delivery would simply increase dependency among the target groups and that is why it started working on social mobilization at the very grassroots level.⁶⁷⁹ The dissatisfaction of the organizers was mainly related to programmatic concerns, in this case with BRAC’s gradual move away from the primary focus of raising awareness and building an organization of the poor to an increasing emphasis on service delivery functions.⁶⁸⁰ NK is strictly critical of other NGOs that try, according to NK, to improve the situation of target groups at a surface level. However, NK, unlike other NGOs, collects assessments of the impact of other NGOs, and as a result, ‘concentrates on addressing the situations which cause the poverty and destitution of rural people’. As per the annual report of 2007-2008, the organization has a total of 13,355 landless groups comprising of 275,782 group members representing children, men and women. It operates in over seventeen districts covering 1,364 villages in forty Upazilas throughout Bangladesh. Of the total coverage more than half are women and currently 126 female and 222 male staff members are working in the organization.⁶⁸¹

Available data shows that NK targets landless organizations through the following activities: landless group building processes, group-meetings and workshops, networking and solidarity building processes, group savings and collective economic activities, and classification of the groups as per their levels of consciousness.⁶⁸² NK arranges training and cultural activities, consciousness raising and leadership development training for group members, staff development training and processes, training management and follow up, and cultural activities planned and implemented by groups. Major employment

⁶⁷⁷ NK Official site at: <http://www.nijerakori.org/> February 2010. See details about famine in Yunus 2007:3; *Banglapedia*: 2004.

⁶⁷⁸ NK Official website at: <http://www.nijerakori.org> February 2010.

⁶⁷⁹ Personal discussion with Nasima Islam, NK-executive: March 2007.

⁶⁸⁰ Schurmann et al 2009:539; Kabeer 2002:6.

⁶⁸¹ Schurmann et al 2009:539; *Annual Report of NK for the fiscal year 2007-2008:4*.

⁶⁸² *Annual Report of NK for the fiscal year 2007-2008:5*.

support activities comprise of legal aid, education, livestock vaccination and the establishment of people's community watch committees. NK additionally stresses building networking and action for advocacy at different levels.

There are also collective economic programmes, including joint cultivation supported by the group fund and collective action and mobilization on social issues, including female suppression, misappropriation of resources and taking lease of *khas land*, "unused land".⁶⁸³ Along with advocacy and local, national and international alliances, the NK has undertaken some collective actions for rights, the right to be heard and accountability such as economic, social, political and legal action.⁶⁸⁴ Their programmes are directed particularly at the landless and marginal farmers living on wage labour and other occupational groups, i.e., fishermen, weavers, blacksmiths, barbers, cobblers, potters, small traders, and artisans.⁶⁸⁵ The organization is very critical of other microcredit NGOs which, according to NK, generate money in the name of helping the poor yet take more than thirty-two percent interest in the form of effective interest and other charges.⁶⁸⁶ NK, along with some other similar organizations, usually trade expertise and send its staff and landless groups to other organizations in order to obtain training and in exchange, other organizations do the same.⁶⁸⁷

During my fieldwork, I was advised by NK that the creation of awareness among people meant giving them the tools of social analysis, mobilizing them politically and launching them in their struggle for social justice. However, NK is also an NGO working within the governmental framework, even though it aims at creating a forum for the landless population to articulate their protests against injustices.⁶⁸⁸

I was informed about its missions during my fieldwork in May 2000 and March 2007 that its actions included development activities directed towards the establishment of the rights of oppressed people, initiatives to change the biased male perception towards women and to encourage women to recognize and assert their own position in society. The organization further believed that an important and integral part of all production processes is a democratic

⁶⁸³ Agarwal 2003:189; my fieldwork in May 2000. *Khas land* refers to unused land left by enemies or former landlords due to war or other circumstances and is now legally owned by the government, see *Banglapedia 2004* for more on *khas land* and vested properties of enemies.

⁶⁸⁴ Kabeer 2002:3.

⁶⁸⁵ Westergaard 1994:19.

⁶⁸⁶ My Discussion with NK officials: May 2000.

⁶⁸⁷ Begum 1981:47.

⁶⁸⁸ Personal discussion with Nasima Islam, NK-executive: March 2007.

environment that is also absolutely essential for any development.⁶⁸⁹ In addition to that, its objectives included uniting people, both men and women, who have long been victims of exploitation, social marginalization, oppression and poverty; enabling people to become aware of their rights and the causes of their problems and their responsibilities and empower them 'to take up challenges within their own spheres to create a better and more meaningful life for themselves and their immediate community'.⁶⁹⁰

Instead of giving credit to the needy and rural poor, which, according to NK, is ineffective in alleviating poverty, it prefers to give moral and social support, e.g., sending lawyers to fight on the behalf of the targeted groups and to distribute the *khas* lands.⁶⁹¹ The organization uses its contacts to assist target group activities and to counteract established institutions in village society. NK wants the target groups to act for their own sakes, give them flexible needs-based training and let them explore the reasons of their poverty through organising people's theatre, puppet shows and other cultural activities.⁶⁹² NK firmly believes that women can break the taboo about being heard in the public domain by appearing in group dramas alongside men and then use their self-confidence in the public domain to begin participating in the village *shalish*.⁶⁹³

Westergaard details how groups of landless women in NK had obtained employment in the maintenance of an embankment, whereby the organization arranged for them to work in shifts of two to three months each, so that all the needy women could benefit from the employment.⁶⁹⁴ The landless male groups, on the other hand, obtained *khas* land from the Bangladesh Water Development Board through NK's advocacy. It had not been an easy process, expressed the officials of NK during my visit to their office, to recover the lands from rich people in the areas as well as outsiders who used to own the lease and had tried to prevent the landless from cultivating the land.⁶⁹⁵ With the help of a Dutch project and NK, the landless groups finally obtained the lease and are jointly cultivating the land. According to their testimonies, they do not find any difficulties in joint cultivation and they set aside twenty percent of the earnings

⁶⁸⁹ See details on official website of NK at: <http://www.nijerakori.org> February 2010.

⁶⁹⁰ Ibid.

⁶⁹¹ My discussion with NK officials in May 2000.

⁶⁹² Personal discussion with NK-executive Nasima Islam March 2007, see even Westergaard 1994:20.

⁶⁹³ Kabeer 2002:72.

⁶⁹⁴ Westergaard 1994:20; personal discussion with NK-executive Nasima Islam in March 2007.

⁶⁹⁵ My discussion with NK officials in May 2000.

to a fund administered by the society, and the rest is distributed among the members.⁶⁹⁶

NK believes, according to Saleha Begum, that most of the rural women are being doubly exploited, firstly as women by men and secondly as poor by the rich. Thus the organization's programmes contribute effectively to growing self-confidence and self-esteem among its female participants through discussions at the training centres, in weekly as well as monthly meetings.⁶⁹⁷ The programmes, produced by forming village-based groups for both men and women, are instrumental in creating awareness of broader social considerations among rural women concerning their common interests with men in the overall struggle for social justice.⁶⁹⁸ The groups, as Harry Blair has suggested, feel that they have definitely improved their social status due to the programmes run by NK. In order to achieve the goal, the strategy that NK 'developed was to make people conscious of their rights and to assist them to develop the collective strength necessary to establish those rights'.⁶⁹⁹ The women also believe that now they are organized into groups they are less exploited than before by men and by the social system.⁷⁰⁰

Government Policies towards Development and The Summarising of Interventions

The Government of Bangladesh is considered to be an active partner with NGOs, with concern to building links between the government and the NGOs, in specific development activities such as microcredit programmes, mass education, health services and rural development.⁷⁰¹ Government agencies engaged in development sought cooperation from NGOs in delivering inputs and services in order to use their valuable experiences, such as in group formation, human resource development, income generating activities, and awareness creation.⁷⁰² This partnership has expanded since the 1980s when a new policy to improve the status of women and to alleviate poverty was adopted which encouraged the government to transfer its socioeconomic role to the private sector and non-state entities under the influence of or pressure from

⁶⁹⁶ Westergaard 1994:20.

⁶⁹⁷ Begum 1981:52.

⁶⁹⁸ Blair 2005:928.

⁶⁹⁹ NK Official website available at: <http://www.nijerakori.org> February 2010.

⁷⁰⁰ Kabeer 2002:74.

⁷⁰¹ Lewis 1997:38.

⁷⁰² Haque 2004:275.

international aid agencies.⁷⁰³ Despite diversity in the ideological inclinations and policies between different ruling parties, the expansion and role of NGOs has continued. However, the greatest partnership between the government and the NGOs took a dynamic turn during the transition at the beginning of 1990s to democratically elected governments.⁷⁰⁴ NGO intervention, along with the policies of the government, has thus played a great role in implementing the development policies that have affected the religious, social, cultural and economic institutions in the country.

The process of the empowerment of women in the country started in 1972 through the reservation of fifteen seats for women in the national Parliament, but it was the government of Zia who adopted some important steps towards eliminating discrimination against women as was recommended by the World Plan of Action from the UN's Decade for Women (1976-85).⁷⁰⁵ Zia, as discussed earlier, moreover, carried out the Women in Development (WID) programme which was continued during the regime of Ershad (1982-1990).⁷⁰⁶ More specifically, during Mujib (1972-75), most NGOs played the role of social workers, family planning advisors and assisted in rehabilitation work after the country had attained independence.⁷⁰⁷ NGOs have grown rapidly, especially during the two national development plans: the Second Five Year Plan (1980-85) and the Third Five Year Plan (1985-90). Several leading NGOs such as BRAC, Proshika and others were increasingly considered as collaborative partners of the government in implementing programmes undertaken in both the Fourth Five Year Plan (1990-95) and the Fifth Five Year Plan (1995-2000).⁷⁰⁸ However, the Government of Bangladesh, according to M. Shamsul Haque, has exerted in many dimensions and in different places, various formal means of power and control over NGOs. How the power of such NGOs has recently expanded in relation to the government, and what local and global political factors have contributed to such a reconfiguration of power relations remains to be seen.

However, there have been some progressive measures taken by the Government of Bangladesh at different times in order to eliminate all forms of discrimination against women. The government established several One Stop Crisis Centres in the national medical hospitals to address the legal, social and medical problems of female survivors of violence. In addition to that, the government of Bangladesh, in its Fifth Five Year Plan (1995-2000), has established fifty WID

⁷⁰³ *World Bank* 2008:19.

⁷⁰⁴ Haque 2004:274.

⁷⁰⁵ Kabeer 1989:22.

⁷⁰⁶ Kabeer 1989:23.

⁷⁰⁷ Haque 2002:418.

⁷⁰⁸ *Ibid.*

Focal Points in ministries and departments to benefit women, while fifty-four projects focused solely on the development of women.⁷⁰⁹

The most ambitious initiative taken by the government under the Rural Empowerment Assistant Foundation is the Bangladesh Rural Development Board (BRDB) which was set up in 1982 and had enrolled 5.3 million people.⁷¹⁰ In contrary to that, Swedish scholar Malin Arvidson has criticised the initiatives taken by the Government of Bangladesh, learning that the government officials, according to a female NGO director in Rajshahi district, tend to be domineering and prone to corruption.⁷¹¹ She highlights the different attitudes of NGO people compared to those of the government officials with concern to the projects run by the government to empower women in rural Bangladesh. Arvidson quotes the reaction of the female director of a NGO, as she writes:

We can mix with the locals easily, but the government people cannot do this. They have a bossy attitude. (...) a bossy tendency and NGOs don't have that, they are corrupted and NGO people are not, NGO people are working hard, government people are not, NGO people have a human side but the government people have not, they are not that type.⁷¹²

The government, according to Arvidson, has continued to be a disappointment and has failed to contribute to improving the conditions of women, which indicates both a weak performance and bureaucratic system.⁷¹³ Many studies suggest that programmes operated by the government are a waste of money because the government officials, in most cases, lack a proper idea of how to implement the programmes in order to be able to create a sustainable change and lift poor women out of poverty.⁷¹⁴ However, it is expected that through cooperation and exchange of experiences and knowledge between the government and the NGOs there will be, according to Haque, positive impacts on the field-level government employees, especially in improving their local knowledge, commitment, and responsiveness.⁷¹⁵ The state of Bangladesh, on the other hand, can be characterised as both strong and weak depending on whether this is assessed according to its formal presence and power or according to the quality of the services it provides to its citizens. David Lewis argues that Bangladesh remains a source of considerable bureaucratic power, underpinned

⁷⁰⁹ *UN shadow report* 2004:15.

⁷¹⁰ Official site of BRDB available at: http://www.brdb.gov.bd/general_Info.htm February 2010.

⁷¹¹ Arvidson 2003:118.

⁷¹² A female director of a NGO cited in Arvidson 2003:118.

⁷¹³ Arvidson 2003:118.

⁷¹⁴ Arvidson 2003:119.

⁷¹⁵ Haque 2004:275.

by a latent military threat, though extensively penetrated by wider social relationships of patron clientism, rent-seeking and corruption, and patriarchal ideology.⁷¹⁶

However, the Ministry of Women and Children's Affairs, along with a number of NGOs and academic institutions, has recently carried out gender budget studies that are a part of many other important steps taken by the Government of Bangladesh.⁷¹⁷ The UN shadow report of the government, prepared by several human rights and social organizations, suggests that rural women are the most vulnerable group in Bangladeshi society. Despite the steps taken by the government and other NGOs to improve the status of women in rural areas, the report considers the gender gap to still be very wide.⁷¹⁸ The report indicates that women in rural areas are especially deprived of access to justice in cases of domestic violence, rape, desertion, divorce and the imposition of *fatwas*. The report made some recommendations to the government to solve the ongoing lack of the laws and their practices and, as a result, the government has undertaken an overall planning process in order to eliminate the gender gap and to empower women in the country, particularly in rural areas. The New Development Perspective (NDP) of the Bangladeshi Government emphasises the generation of productive employment as the single most important strategy that creates employment opportunities for women in the short and medium term.⁷¹⁹

Government, as well as some nongovernmental joint efforts to respond to the early 1970s Malthusian hype about overpopulation, led to an aggressive and supply-driven family planning programme that provided a door-step delivery of contraceptives to women who had traditionally been in *purdah*.⁷²⁰ This facility enabled women to control their fertility resulting in improved health and freedom from recurrent childbearing. The partnership further included the formation of Water and Sanitation Committees by the government for facilitating sanitation at the local level with active involvement of NGOs.⁷²¹ Empirical evidence taken from the Bangladesh Arsenic Mitigation Water Supply Project, based on a partnership between the government and NGOs, identified alternative sources of water supply and simultaneously monitored the maintenance of such water supplies which aimed to resolve the problem of arsenic poisoning in the drinking water throughout the country.

⁷¹⁶ Lewis 2004a:308.

⁷¹⁷ *UN shadow report* 2004:16.

⁷¹⁸ *UN shadow report* 2004:42.

⁷¹⁹ *World Bank* 2008:19.

⁷²⁰ *World Bank* 2008:20.

⁷²¹ Haque 2004:279.

In many cases, the government and several NGOs have joint-venture projects that benefit its citizens, particularly women. Government policies towards NGOs, however, are open and generous unless there is anything that goes against government policies. In May 2004, the government issued a new National Policy for Women's Advancement, which was initially installed in March 1997.⁷²² The new policy has generated widespread criticism and protest from activists in the women's movement and other members of civil society, and questions the intention behind changing the policy and furthermore suspects that the changes reflect increasingly conservative attitudes within the government. In the new policy, as according to many newspaper reports, gender inequality has been reversed and most NGOs' concerns have been addressed.⁷²³ The women's movement and NGO activity have contributed to create pressure on the government of Bangladesh to undertake some institutional changes and produce policies that benefited women and pushed the agenda of gender equality within the country forwards. The financing of activities related to gender equality, mainly for NGOs but also for the government of Bangladesh, has been supplemented by the international agencies.

As discussed earlier, the government, in partnership with several NGOs, has undertaken the programme "Education for All" (EFA) which is said to reach its target by the year 2015.⁷²⁴ However, the unprecedented success in achieving gender parity in both primary and secondary education is acknowledged worldwide and well documented. For instance, in 2005 approximately half of the students enrolled in the government primary education institutions, the NGO-run primary schools and even in the *madrasahs* were female, whereas in the early 1980s the total was around thirty-five percent.⁷²⁵ BRAC and other NGOs have gained enormous success in their target to educate the masses and children deprived of education.

In addition, beyond non-formal education, some NGOs are involved in running the formal primary education system in collaboration with the government. The Primary Education Development Programme (1997–2002), supported by foreign donors, emphasized greater collaboration between the government and NGOs, especially to improve classroom and teaching in government schools based on the experiences of NGO schools.⁷²⁶ In partnership with NGOs, the government increased investment in education as well as health, with a special focus on girls.⁷²⁷ The Fifth Five Year Plan (1995–2000), as discussed earlier, also

⁷²² World Bank 2008:25.

⁷²³ See World Bank 2008:25.

⁷²⁴ See *Education for All*, World Bank 2008.

⁷²⁵ *Education for All*, World Bank 2008:9.

⁷²⁶ Ahmed 2000:251.

⁷²⁷ Panday 2008:498.

stipulated the expansion of the adult literacy rate through active participation of major NGOs such as BRAC and Proshika, which followed the formal primary school education structure but also tried its own methods to improve the classroom environment and the quality of teaching in many schools in order to enhance children's learning achievements. In order to facilitate the women in the country, the government initiated the Female Secondary Education Assistance Programme, which provides free education up to Class Ten and subsidy programmes for female students through scholarships and food for education programmes.⁷²⁸

Since the independence, there have been government as well as private schools and a few *madrassahs*, but after Zia promoted the *madrassah* education alongside the secular state education in 1977, *madrassah* education spread throughout the country to a greater extent than ever before.⁷²⁹ It is important to note that in Bangladesh there are two types of *madrassahs*: one is government affiliated *madrassahs* known as *Alia Madrassah*⁷³⁰ that follow the secular curriculum alongside religious teachings and the other is the completely privately funded *Qaomi madrassahs*⁷³¹ which are predominantly of Deobandi persuasion.⁷³² At the time of Zia's rise to power in 1975, according to data collected by Karim, there were 1,976 government *madrassahs* with an enrolment of 375,000 students, while by the year 1992, according to Cynthia J. Prather, the number had arisen to 15,748 and enrolment had increased sharply to 2,824,672.⁷³³ The numbers of *Qaomi madrassahs* alone are more than 6,500 with around 1,462,500 enrolments, according to Ahmad,⁷³⁴ whereas the evidence from Prather

⁷²⁸ UN shadow report 2004:7.

⁷²⁹ Karim 2004:297.

⁷³⁰ *Alia madrassahs* refer to a unique system of Islamic religious education with few parallels in the Muslim world; though mainly privately owned but they are under the government's authority and, on the whole, receive financial support. *Alia madrassahs*, like secular educational institutions in the country, are divided into five distinct levels: *Ebtadaee*, "elementary", *Dakhil*, "secondary", *Alim*, "higher secondary", *Fazil* "Bachelor", and *Kamil* "Masters", and teach all the required modern subjects such as English, Bangla, natural science, social studies, mathematics, geography, history, along with a revised version of *Dars-i-Nizami* (see Ahmad 2004:105).

⁷³¹ *Qaomi madrassahs* in Bangladesh are predominantly of Deobandi persuasion; they teach the standard *Dars-i-Nizami* prevalent in almost all south Asian *madrassahs*. Furthermore, unlike *Alia Madrassahs*, they are completely privately funded through religious endowments or by alms, *sadaqa*, "voluntarily donation", from the faithful, and receive no financial support from the government. The financial autonomy system of the *madrassahs* has been a major source of the independent religio-political power-base of the *ulemas* in Bangladesh (see Ahmad 2004:104). Dauri-Uloom Deoband in India sets the curriculum for these *madrassahs* which are influenced by the ideologies of *Wahhabism* as well as *salafism* and are, in curriculum and pedagogy, closely linked to other *madrassahs* in south Asia (see Anzar 2003:13).

⁷³² Ahmad 2004:104.

⁷³³ Karim 2004:297; Prather 1993:31.

⁷³⁴ Ahmad 2004:104.

discovered that the numbers of non-formal schools run by NGOs were 10,691 in 1992. On the other hand, according to data collected by Chowdhury, Nath and Chowdhury, non-formal NGO-run schools enrolled nearly 8.5 percent and *Ebtedaee madrassahs* enrolled approximately only 1.3 percent of all primary level students by the year 2002, which proves an enormous increase of NGO-run schools in this period.

The World Bank and the Ministry of Education's data similarly proves that there were around 8,000,000 enrolments at primary level in the government schools in 1980 and this increased to eighteen million in 2000, but slightly decreased to 16,225,658 by the year 2005.⁷³⁵ The decline, according to the sources, is partly a result of the decline in the primary school age population between 2000 and 2005, whereby the number of children aged six to twelve dropped by about 600,000.⁷³⁶ And according to data collected during my fieldworks, the decline was partly a result of increasing numbers of *madrassahs* and non-formal education provided by different NGOs including BRAC and Proshika.⁷³⁷ As mentioned earlier, BRAC alone by the year 2004 had educated approximately 2.8 million children up to primary level. In 2005, according to a survey conducted by the World Bank, a large portion of primary education – approximately forty-seven percent – is still provided by the government including registered nongovernment schools which are privately operated but receive public subsidies for teachers' salaries. Other nongovernmental institutions, including NGO-run schools, according the survey, witnessed an unprecedented growth in the mid 1990s, expanding from about 9,500 in 1990 to almost 25,000 in 1995, which corresponds to a 160 percent growth rate. From 1995 to 2005, this rapid expansion was sustained to bring the total number of nongovernment schools close to 42,725.⁷³⁸ As mentioned above, the expansion of nongovernment schools mainly run by NGOs not only caused the decline of enrolment in government schools but they also claimed students previously enrolled in different *madrassahs*.⁷³⁹

As discussed earlier, women in Bangladesh are not only victims of discrimination and gender disparity but are also affected by social stigmas prevailing in Bangladesh, especially in rural areas. BRAC, Proshika and NK have made public some sensitive issues and demanded proper solutions. For instance, feminist issues argue for equal rights and the respectful status of women and the organizations are critical of the Hindu and Muslim scriptures concerning laws, which, according to the publication of BRAC, advocate the subjugation of

⁷³⁵ *Education for All*, World Bank 2008:8; the Ministry of Education 2005.

⁷³⁶ Ahmad 2004:104; Karim 2004:297; Prather 1993:31

⁷³⁷ My fieldworks: June 2000, November 2001, April 2003, March 2007.

⁷³⁸ *Education for All*, World Bank 2008:8.

⁷³⁹ See Riaz 2004; Hashmi 2000.

women as accepted and normal.⁷⁴⁰ It was learnt during my visit to the BRAC central office that the organization has further condemned those who they believe misinterpret *shari'a* and texts of the Qur'an as well as Hadith, in this case for undermining the position of women.⁷⁴¹ NGOs are similarly critical of child-marriage, polygamy, dowry, arbitrary divorce by husbands as prescribed by the Muslim Family Law Ordinance, and domestic violence that causes women to suffer further from vicious elements in society. BRAC urges rural people to establish "solid village institutions" that will serve the vulnerable masses and protect them from injustice.⁷⁴² BRAC has further advocated for their own *shalish* in opposition to the *shalish* arranged by the village elite in collaboration with the rural religious groups in order to settle their disputes.

NGOs, as discussed earlier, thus became viewed as the country's alternative service providers in health, education and agriculture in which twenty to thirty-five percent of the country's population is now believed to receive these services, mostly credit provision.⁷⁴³ According to the World Bank, NGOAB maintains control over NGOs through the assessment of their performance, approval of their projects and expatriate appointments, monitoring of their programmes, and inspection of their incomes and expenditures.⁷⁴⁴ However, the exercise of such financial control over NGOs by the government has diminished due to the fact that large NGOs like Proshika, GB, and BRAC are now using previously discussed alternative sources of finance. These examples demonstrate that the partnership of government and NGOs in Bangladesh has expanded into major sectors or domains such as income generating programmes, primary health care, basic education, and water supply and sanitation.

Conclusion

The Minister for Social Welfare, in an interview with the ATN Bangla on 3 April 2009, advised that there are nearly fifty thousand NGOs registered under the ministry that are working throughout the country in order to deal with humane resource development, poverty alleviation, welfare-development and empowerment of neglected and disadvantaged people, most of which are destitute women and children. There might be, according to the same source, in total of more than 100,000 registered and unregistered NGOs active in Bangladesh. Once, there was a rumour spread throughout the country that if

⁷⁴⁰ See BRAC publication 1990.

⁷⁴¹ My fieldwork: March 2007.

⁷⁴² Hashmi 2000:154.

⁷⁴³ Lewis 2004a:305. This ratio might have increased by this time but the latest data was not available in 2009.

⁷⁴⁴ *World Bank*, 1996a:30–31.

someone did not succeed in getting a job, he or she started an NGO. However, there are only 2,340 NGOs registered with the NGO Affairs Bureau (NGOAB) which has the main responsibility to monitor the NGOs in operation in the country. The massive visibility of NGOs is a result of the changing policy of the government to transfer the socioeconomic role to the private sector and non-state entities under the pressure of the foreign donors. Therefore, Bangladesh in all probability has the most NGOs in the whole world.

Besides providing microcredit to the rural poor, many NGOs have successfully played an active role in poverty-alleviation, awareness-creation, better health services, mass education, rural development and career opportunities for women that have altogether helped to build a civil society in the country. In order to limit the discussion, I have taken only four leading NGOs into consideration but there are many other NGOs that have, alone or in partnership with the government, actively played important tasks. As the Government of Bangladesh, including all its bodies, is corrupt, foreign donors are eager to disperse their resources through the comparatively less corrupt NGOs. The government initially commenced the task of Women in Development (WID) in the middle of the 1970s and the NGOs and other organizations have successfully driven the mission forward. NGOs are thus considered as pioneers in the domain of gender relations and social mobilization in Bangladesh. On the one hand, there are many successful stories of microcredit providers and NGOs; on the other hand, there are plenty of accusations against some NGOs of corruption, mismanagement as well as misconduct of funds, lack of accountability, and political involvement. In terms of power, NGOs are considered as semi-governments as they, under the persuasion of the Association of Development Agencies in Bangladesh (ADAB) during the election in 1996, have exercised immense influence over the voters and especially their clients, but the organization split into two entities with different ideologies. NGOs, as a civil society element, play an active role in creating pressure on the government in relation to human rights factors and criticise the state for its corrupt and anti-democratic steps. Although NGOs are criticised for both successes and failures, they are, however, well-known for change that is visible everywhere in the country.

In summary, access to credit may help poor people to be rid of hardship for certain periods of time but there is the risk of recurring poverty once the money is spent. Microcredit may have a long-term impact to permanently reduce poverty and aims at leading to a sustainable increase in a household's income. Kabeer again concludes that women's empowerment, through microcredit and NGO-policies, has facilitated important improvements in the field of family planning, decision making, demographic transition, children's welfare, infant mortality, economic growth and poverty alleviation, all of which was also

emphasised by the World Bank and other major UN agencies.⁷⁴⁵ However, those NGOs I have mentioned above, have argued against some specific facts related to religious practices and norms which, according to the organizers of the NGO-activities, marginalized the development processes of the poor, especially women. The anti-NGO movement has, since its beginning, focused on some specific issues related to Islam, such as NGOs' handling of Islam in their textbooks. NGOs consider both the good and bad effects of religious norms and are critical of what they believe are the negative results of certain religious customs.

⁷⁴⁵ Kabeer 2003:17.

Chapter Five

CONFLICTS & ARGUMENTS

Conflicts

The interventions by NGOs and the government have not only affected rural women, but also confronted certain groups such as Islamists, moneylenders, village elites and specific secular intellectuals in the country in relation to access to credit, health service, mass-education, social services and other issues. It was discussed earlier that the interventions by NGOs in terms of modernization and empowerment, with the support of government policies, were not well received by religious and other groups such as moneylenders, village elites and, in some cases, secular intellectuals. Although there are many different sectors where NGOs and government policies have been implemented in order to improve the socioeconomic position of rural people, especially women, it is mainly the three sectors of income generation, mass-education and health service provision that are opposed to and targeted with verbal or physical attacks by the above mentioned groups.

On one hand, the involvement of women in income generating processes has increased throughout the country, and yet on the other hand, Islamists insist the traditional role of women within the households should be determined by religious codes and social and cultural norms.⁷⁴⁶ It was previously discussed that many persecutions and convictions of the poorer sections of society, as well as violence against rural women in Bangladesh, was mobilized predominately during the 1990s by village arbitration councils or *shalish* who, along with the Islamists, took a firm position against NGOs in the name of religion. The *fatwas* and public trials against rural women by elders and village elites, in cooperation with the Islamists, led to numerous deaths, many victims and countrywide violence.⁷⁴⁷

As a result of the confrontation, many NGOs came under numerous attacks that resulted in several deaths; a number of NGO offices were rampaged, looted and burnt and NGO workers were threatened and insulted in public, both verbally and physically.⁷⁴⁸ Some newspapers and NGO-activists have implicated specific religious groups for the heinous acts given that the latter have simultaneously criticized the NGOs' activities from the very beginning and labelled some of the NGOs as "anti-Islamic" and harmful to the nation. Those very specific religious

⁷⁴⁶ The traditional role of women is discussed in Chapter Three.

⁷⁴⁷ Riaz 2004:124; Hashmi 2000:116-130; Siddiqi 1998:216.

⁷⁴⁸ Riaz 2004:81; Hashmi 2000:116-124; Siddiqi 1998:217.

groups further argue that the activities of some NGOs alienate women from their religious practices and “proper roles” in society and are, thus, ‘anti-Islamic, anti-people, and anti-state’ and should be banned.⁷⁴⁹ *The Daily Star* states in an editorial:

NGOs are under attack in Bangladesh. Militant Islamic fundamentalist forces have launched these attacks, which have gone beyond a campaign of propaganda and vilification to physical assault on NGO workers. Women NGO staffs are the special target. Schools set up by NGOs as well as their offices are being burned down (...).⁷⁵⁰

Those NGOs, which, as mentioned earlier, are engaged in providing credit to rural women, have installed mass education and health services, and those people who are employed by or receive services from or are otherwise associated with NGOs came under such kinds of threats and attacks. The Coordinating Council of Human Rights in Bangladesh (CCHRB), which in 1994 organized the work of human rights groups comprising of thirty-nine members, indicated that there are three main groups of people opposing the NGO-activities due to the impact on their economic interests: clerics, moneylenders and the local village elites.⁷⁵¹ However, this study found that even some liberal intellectuals express negative attitudes towards NGOs.⁷⁵²

A report produced by the CCHRB in November 1993 stated that several attacks on NGOs in the Bogra district were perpetrated following the publication of a leaflet written by Mawlana Ibrahim, an *imam*.⁷⁵³ The leaflet was reprinted in *the Daily Inqilab* on 14 November 1993 and stated that ‘the NGOs seek to destroy the Islamic way of life, to convert people to Christianity and to compel women to act in an un-Islamic way’. It was in much the same way that the *fatwa* influenced some religious groups to cut down mulberry plantations that had been set up under a BRAC scheme to provide a source of income for women in Barisal, Chandpur and Kishoregonj districts.⁷⁵⁴ Following the distribution of the leaflet and public statements produced by the above mentioned *imam* in February 1994, twenty-five BRAC schools in the Bogra district alone were set on fire and families who sent women and children to BRAC establishments ‘were declared social outcasts and told that their dead would be denied an Islamic funeral’.⁷⁵⁵ As a consequence, Naziban Bibi, a young village woman from

⁷⁴⁹ Hashmi 2000:120; Riaz 2004:81; *Dhaka Courier*, 17 June 1994.

⁷⁵⁰ *The Daily Star*, July 10, 1994.

⁷⁵¹ See CCHRB report, May 1994.

⁷⁵² My fieldwork: February 2003.

⁷⁵³ CCHRB report, May 1994:1.

⁷⁵⁴ Riaz 2004:81; *Bhorer Kagoj*, a daily Bengali newspaper: 25 April 1994.

⁷⁵⁵ Hashmi 2000:119.

Kahalu *Upazila* in the Bogra district, who had for the last one and half years tended mulberry plantations transplanted by an NGO, became a victim of a *fatwa* declared by a local clergyman. The *fatwa* imposed a social boycott on her along with other women employed by NGOs, which subsequently prompted her husband to divorce her and to marry another woman.⁷⁵⁶

In addition, the local *imams*, in the district of Bogra, instructed the villagers through *khutbas*, “Friday sermons” given in mosques, ‘to divorce their wives if they worked with NGOs’.⁷⁵⁷ *Mufti Ibrahim*, as he was called by media and local people, categorically attacked GB, BRAC and other NGOs for allegedly promoting promiscuity and inciting women against men through the provision of credit and advice while men were denied these privileges.⁷⁵⁸ The *mufti* further organized a large gathering of Islamists and village elites in February 1994 under a so-called organization, Bangladesh Anti-Christian Organization (BACO), in order to prevent NGO-activities in the country. As most of the NGOs are operated by external funds from foreign donors and some Christian missionaries are active in preaching Christianity and health services in the three hilly districts of Khagrachori, Bandarban and Rangamati in south-eastern Bangladesh, it is easily effective to use the rhetoric of anti-Christian slogans.⁷⁵⁹ The media, namely *Daily Inqilab* and *Daily Sangram*, have long since propagated that some of the NGOs in the country were engaged in conversion.⁷⁶⁰

Several religious groups in a remote village in Bogra prevented approximately twenty-six tuberculosis patients from receiving treatment in a medical centre set up by BRAC, in accordance with *fatwas*, claiming ‘that the NGO was allegedly seeking to convert them to Christianity’.⁷⁶¹ This prohibition caused the loss of several lives and as a result, the District Commissioner (DC), the highest-ranking local civil administrative authority at district level, called a public meeting in which Islamists ‘reportedly admitted they had been wrong’. Furthermore, in February and March 1994, around one hundred pregnant women were prevented from continuing their treatment in a BRAC medical centre, due to the same reason as mentioned above.⁷⁶² On 30 June 1994, the offices and health clinics of Friends in Village Development Bangladesh (FIVDB) at Agram village, Nabiganj *Upazila* in the Habiganj district and

⁷⁵⁶ The weekly *Dhaka Courier*, April 8, 1994; Hashmi 2000:119.

⁷⁵⁷ Hashmi 2000:119.

⁷⁵⁸ *Ibid.*

⁷⁵⁹ NGOs, ongoing conflict and its affects were discussed with Professor Muhammad Ibrahim, Islamic History and Culture, Dhaka University: November 2001.

⁷⁶⁰ Public arguments on the conflict are discussed later in this chapter.

⁷⁶¹ Hashmi 2000:120-121.

⁷⁶² *Janakantha*, 20 March 1994.

Zakiganj in the Sylhet district, came under similar attacks and were then set on fire by a number of religious groups.⁷⁶³

During January 1994, parents of children who attend BRAC-run schools throughout the country, which have nearly 700,000 students of whom seventy percent are girls, were asked by some mosque-based *imams* and *madrassah* teachers to withdraw their children from the NGO schools or face a *fatwa* entailing social boycott.⁷⁶⁴ In several cases, *fatwas* issued by Islamists against women associated with NGOs have led to them being deserted by their husbands, being socially ostracized or physically punished. Often, it is mentioned in the text or words of *fatwas* pronounced by the clerics that some NGO-activities and even involvement in some specific NGOs are anti-Islamic and thus those who disobey this verdict will face their wrath. Consequently, in the beginning of 1994, many families came under the attack of *fatwas* declared by several *imams* in Bogra district. The men of those families were directed to divorce their wives because of their contacts with the BRAC or otherwise be threatened with social ostracism. At the Friday sermons, *imams* announced that 'women who did not observe full *purdah* would have their heads forcibly shaved and people attending NGO schools and medical centres would be beaten'.⁷⁶⁵ In March 1994 in the same district, an *imam* issued a *fatwa* against Farida Begum and her husband Helaluddin. The verdict of the *fatwa* was 101 lashes because of the former's involvement with the BRAC. Another woman from the same village, Rasheda Begum, faced an identical punishment imposed by the same *imam* because she had taken a loan from the GB.⁷⁶⁶ In another incident in Mehdiganj in Rangpur district, a young man who protested against such *fatwas* was beaten due to the decree of a *fatwa*. As a consequence, he was forced 'to leave his village and his wife was warned not to take' any legal action.⁷⁶⁷

But the most violent incident that ever came to the public's attention took place in 1998 in Brahmanbaria, around 100 kilometres east of Dhaka, where conflict between NGO workers and the local religious groups persisted for a long period and the anti-NGO movements took on a new dimension.⁷⁶⁸ The latter attacked a women's rally, ransacked some of the NGOs offices, set the stalls on fire at a victory-day fair and declared by a *fatwa* that NGO activities were anti-Islamic and anti-state. Interestingly, the Islamic community of Brahmanbaria, comprising of teachers and students of the largest *madrassah* called *Jameya*

⁷⁶³ *Human Rights Watch/Asia*, 29 July 1994.

⁷⁶⁴ Hashmi 2000:118-119.

⁷⁶⁵ *Sangbad*, 20 March 1994.

⁷⁶⁶ *Janakantha*, 28 March 1994.

⁷⁶⁷ *Sangbad*, 1 June 1994.

⁷⁶⁸ My fieldwork: November 1999.

Yunusia Brahmanbaria, a *Qaumi madrassah*, and the *imams* of different mosques in surrounding Upazilas, is the authority in that area.

Some grassroots organizations, with the support of Proshika and under the banner of ADAB, decided to celebrate the victory-day in December, the month of independence, by organizing a gathering of nearly twenty thousand female grassroots members associated with the organizations for a week-long victory fair in Niaz Muhammad stadium in the district town of Brahmanbaria.⁷⁶⁹ However, prior to the proposed event, the *imam* and the head of the *Jameya Yunusia Brahmanbaria*, known locally as *Boro Hujur* who is respected by the *madrassah* teachers, students and the local community as a religiously spiritual leader, intervened and asked the *mela*, “fair”, to stop on the grounds that it would bring about the mixing of men and women in public, which is un-Islamic according to their interpretation of *shari'a*. The *mela* organizers stood firm in their decision to celebrate the *mela* by ignoring the request of the religious leader and, in response, the *imam* declared a week long alternative Islamic programme in the same location. Due to the sensitivity of the issue, the DC imposed a temporary ban on both the *mela* and the Islamic programme.

Consequently, the *mela*-organizers considered it a moral defeat of both the NGOs and the local government to the “religious fundamentalists” and “the enemy of national independence”,⁷⁷⁰ deeming the opponents of the *mela* to be anti-liberation forces. As a result, the organizers of the *mela* rejected the ban and decided to confront the Islamic community by mobilizing their women grassroots members into a large-scale protest and public meeting.⁷⁷¹

The Islamic community, on the other hand, was also determined to resist any procession, gathering, or showdown by the women. On 7 December, the meeting organizers, under the leadership of Qazi Faruque Ahmed of Proshika, chose a different venue to the one originally planned.⁷⁷² The only way to reach the venue meant passing by the largest *madrassah* and taking the main road through the centre of Islamic opposition group. The women in the procession

⁷⁶⁹ My fieldwork: November 1999.

⁷⁷⁰ Here, it is noteworthy that the independence of Bangladesh came through a nine-month long bloody war against the Pakistani military regime, which was opposed by Islamic political parties such as JIB and ML, for both political and ideological reasons. All common people in the eastern wing of the then East Pakistan and today's Bangladesh, except above mentioned Islamic parties, favoured and fought the war beyond any political ideologies, either secularist or religious convictions. However, the Islamists in the country are often labelled as the enemy of the war of liberation. See Shehabuddin 2008a:589; Ganguly 2006:3; Karim 2004:294-296.

⁷⁷¹ Islamic community here refers foremost to the organized group of *madrassah* teachers at different *qaumi madrassahs* in Brahmanbaria, *imams* of surrounding mosques and their supporters who opposed the *mela* and NGO-activities.

⁷⁷² My fieldwork: November 1999, see also Riaz 2004:128-129.

started chanting slogans against the Islamic community, which infuriated the latter and incited them to attack the procession.⁷⁷³ This situation escalated into a violent confrontation between the groups and resulted in many women being beaten and harassed in public. The following day, the Islamic community attacked, set on fire and looted different NGO offices in a village called Chhoibaria, consisting of twenty-six homes and many BRAC, Proshika and GB offices.⁷⁷⁴ Although large NGOs such BRAC, ASA as well as GB did not take part in the programme, they were equally implicated. According to some narrators during my interviews, several opportunists made use of the situation for personal gains by looting NGO offices under disguise of the “Islamic” label.⁷⁷⁵ Proshika, however, reasoned that the meeting was necessary because it believed the Islamic opposition was a threat to the spirit of the liberation of 1971. Therefore, submission to the Islamic opposition would amount to a moral defeat of the freedom-fight.⁷⁷⁶ However, attacks on NGOs, rallies and demonstrations against NGO-activities and counter demonstrations continued until 2002.

Hashmi calls the attackers of NGOs ‘*member-matabbor-mullah* triumvirate’.⁷⁷⁷ According to Hashmi and Professor Ataur Rahman Miazi of Dhaka University, members and chairmen, the lowest elected units of the Union Council who are responsible for the disbursement of public goods and relief among poor villagers and also responsible for overall rural development, are supposed to exercise delegated power.⁷⁷⁸ Moreover, my empirical data and statements by Hashmi show that the members-chairmen have often had a connection with the political parties of other influential power-brokers in the neighbouring towns or groups of villages.⁷⁷⁹ The clerics, on the other hand, comprising throughout the country of religious leaders, *madrassah* teachers and *imams* have common platforms upon which to exercise their power and are also in alliance with the other two groups (members and the matabbors) in order to fight their opponents. The clerics also appear to be quite powerful as they endorse the activities of village elders, albeit in the name of *shari‘a*, and often sit on the *shalish* and issue *fatwas* in support of

⁷⁷³ *The Daily Ittefaq*, Dec 11, 1998.

⁷⁷⁴ Riaz 2004:129.

⁷⁷⁵ Interviews during my fieldwork in November 1999.

⁷⁷⁶ Karim 2004:307.

⁷⁷⁷ Members of the Union Council, the elected representatives of the local government in rural areas, who often belong to the village arbitration *matabbor* groups, build groups of village elders and dominate rural society. The religious groups, however, play a significant role, especially when the disputes concern religious matters.

⁷⁷⁸ My fieldwork: February 2003.

⁷⁷⁹ My fieldwork February 2003 and see also Hashmi 2000:137.

their patrons, the village elders. Moneylenders are exclusively the influential village elders, *mohajons*⁷⁸⁰ and the rich peasantry in rural Bangladesh.⁷⁸¹

Islamist groups and local village elites, according to my data collected during fieldworks and discussions with the intellectuals, seek to protect the religious norms and social order which concerns power over women in terms of *shari'a*, hierarchical gender dominance, and clash overtly with the ideologies of the NGOs.⁷⁸² Despite the blame being aimed at NGOs for converting poor villagers to Christianity in exchange for providing credit, and the complaints against health services arranged by NGOs, surprisingly, no missionary schools and medical centres have been attacked, according to Siddiqi.⁷⁸³ The reason might be that those particular missionary schools and medical centres were prevailing long before the NGOs started their activities, and it was only NGOs, according to Rhaman, who created controversy among the people in recent decades. However, the proliferation of *fatwas* against destitute women has been the main instrument of Islamist groups in generating support for a platform of pro-Islamic and anti-Western sentiment, and at the same time, drawing in the interest of the local elites.⁷⁸⁴

Arguments by Religious Groups against Development Interventions

As I mentioned earlier, the attacks on NGO-offices and staff began in the beginning of the 1990s, but the movement against the government and NGO development interventions took deeper and more organized stances during the Brahmanbaria incident between 1998 and 2001, and today it seems to be in its decreasing phase. Immediately after the incident in Brahmanbaria, Mawlana Mufti Mubarak Wllah, one of the prominent figures who was in the frontline of the anti-NGO movement, published a book *Amra NGO Birodhi Keno?*, “Why are we against NGOs?”, which is informative and focuses on certain issues and explains the clear reasons for their stand against the NGO and government policies. The writer has concentrated on five different points that the NGOs in Bangladesh are allegedly engaged in: a) conversion, b) creation of hatred and reluctance against *shari'a* and religious practices, c) creation of hatred, insult, abhorrence and disinclination against *ulemas* by labelling them “anti-liberation forces”, d) change of the prevailing traditional social system and transforming it

⁷⁸⁰ The word *mohajon* refers to entrepreneurs or local rich, influential businessmen, see Shamsuddoha 2007:8.

⁷⁸¹ Discussion with Mofizur Rhaman, Assistant Professor, Dhaka University: January 2004.

⁷⁸² My fieldwork: January 2004.

⁷⁸³ Siddiqi 1998:217.

⁷⁸⁴ Ibid.

into a club- and hotel-oriented society and e) conspiracy against the sovereignty and independence of Bangladesh.⁷⁸⁵ Similar accusations against NGOs were made by the *imam* who started the movement in northern Bangladesh in 1993.⁷⁸⁶ Since its inception, the movement focused on several specific matters and fought issues such as the empowerment of women through microcredit and its impact on religious practices, social and cultural norms, mass conversion as a result of the health service and development activities.

New Kabuliwala – “People from Kabul”

In his book, Mufti Wllah used arguments made by Hashmi, who had spoken at a seminar arranged by the North-South University on 2 May 1999 where American Professor Shelly Feldman from Cornell University presented the main essay on microcredit policy. Hashmi commented at the seminar that the NGOs are purportedly running a good and profitable business, creating their wealth from the helplessness of poor.⁷⁸⁷ During past decades, according to Wllah, NGOs have established a money-lending business in the name of development with an interest rate as high as nearly thirty-two percent.⁷⁸⁸

Wllah compared the NGOs with the East India Company which resulted in the subcontinent being ruled by the British for nearly two hundred years. He argued that the NGOs, through their money-lending projects in the name of poverty alleviation, charge much higher interests than any other commercial banks in the country. Wllah added that the British also initially came to do business and then captured the power by overthrowing the local rulers by means of conspiracy and by applying a “Divide and Rule”⁷⁸⁹ policy. According to Wllah, another money-lending group comes in mind when people think about NGOs and their activities. The group was called *Kabuliwala*, “people from Kabul” who carried out money-lending with legal support of the then British authority in India and used to torture anyone incapable of repaying the loans on time.⁷⁹⁰ According to Wllah, the NGOs are the new *Kabuliwala* in disguise as human rights workers and are also supported by the press, by civil society and even by the politicians.

⁷⁸⁵ See Wllah 1999:15; Riaz 2004:123.

⁷⁸⁶ Rashiduzzaman 1997:240.

⁷⁸⁷ *Weekly Purnima* 5 May, 1999 mentioned in Wllah 1999:11.

⁷⁸⁸ Wllah 1999:38. Interest rates are nearly thirty-six percent, according to NK: February 2000.

⁷⁸⁹ See Islam 2007:259-286; Lewis 1962:81.82; Majumdar & Munshi 1970:320; Aggarwala 1956:3 for details about the British “Divide and Rule” policy.

⁷⁹⁰ Wllah 1999:11.

In April 2003, when I was discussing the conflict between Islamists and microcredit providers with Allama Abdul Jalil, he recited some verses from the Qur'an:

Those who devour usury will not stand except as stands one whom the devil by his touch has driven to madness. That is because they say: trade is like usury: but Allah has permitted trade and forbidden usury (...) Allah will deprive usury of all blessing, but will give increase for deeds of charity, for He loves not any ungrateful sinner (...) O you who believe, fear Allah and give up what remains of your demand for usury, if you are indeed believers. If you do it not, take notice of war from Allah and His messenger, but if you repent you shall have your capital sums; deal not unjustly, and you shall not be dealt with unjustly. And if the debtor is in difficulty, grant him time till it is easy for him to repay. But if you remit it by way of charity, that is best for you if you only knew. (2:275-280)

Allama Abdul Jalil has commented that the Qur'an has forbidden usury, permitted trade, and preferred charity as the best way to help the needy. In his opinion these directives simplify why some religious groups are against the activities of NGOs. He simultaneously added that the reason behind the Islamists' anger is the high interest rates of microcredit provided by the NGOs and other microcredit financiers in the name of voluntary activities aiming at eliminating the poverty in the country. He further commented that the formal commercial banks are also charging interest but there is no movement against their activities and they are not offering the service in the name of charity as the NGOs and other microcredit providers do. NK officials also commented that the formal banks follow instructions from the Bangladesh Bank, the central bank of Bangladesh, and maintain transparency, while the microcredit providers lack this transparency and take much higher interest than the formal banks.⁷⁹¹ The *Imam* at the secretariat mosque and leader of Tablighi Jamaat in Bangladesh Mawlana Jalalabadi, on the other hand, agrees exactly with the statement made by Willah, that the NGOs are the new *Kabuliwala* in disguise as saviours. He mentioned the evidence from different daily newspapers in the country where NGOs were severely criticised for their alleged involvement in money-lending and the torture of destitute women when the latter failed to repay the instalments to the creditors.⁷⁹²

⁷⁹¹ Discussion with NK with officials: February 2000.

⁷⁹² Discussion with Jalalabadi: November 2001.

Health Services and Religious Conversion: Christ is the Saviour

During its establishment in 1962, the Christian Memorial Hospital in the Tea Garden area in Chokoria *Upazila*, within Cox's Bazaar district, made a commitment to the then government of Pakistan that in no way would the hospital engage itself in missionary activities preaching Christianity.⁷⁹³ However, according to the collected materials during my fieldwork in 1999, the hospital has, since the outset, been engaged in preaching religion and until now they have succeeded in converting at least ten thousand patients who received treatment at the hospital. The hospital is situated in a very remote area where there was a severe shortage of modern and sophisticated medical equipment. Most of the people from the surrounding areas went there in order to receive better medical care. There were, according to Wllah, Jalalabadi and certain press in the country, some recorded cases where the patients were allegedly given outdated or inferior quality drugs and were told to take the medicine in the name of Muhammad or Krishna depending on the patients' religious affiliations. When the patients returned, not cured by the medication, they were then given the correct medicine and were advised to take that in the name of Jesus Christ. When the patients were cured they were told, 'See, there are blessings in the name of Christ'.⁷⁹⁴ The innocent patients, according to sources, had been enlightened about the worldly life and the life hereafter where Christ can be the only saviour.⁷⁹⁵

Western donors, through NGOs, as the Islamists claim and mentioned above, are the successors of the East India Company, which once captured the Muslim empire of India, and now wished to ruin the Muslim sovereignty and Islamic culture of Bangladesh through mass conversion of the rural poor to Christianity.⁷⁹⁶ In three hill districts in the Chittagong Hill Tracts area which covers almost one tenth of the whole of Bangladesh, the Islamists argue that there are nearly fourteen different tribes, representing about 0.45 percent of the total population of Bangladesh, who were previously affiliated with their ancestors' hierarchical beliefs in either naturalism or animism.⁷⁹⁷ Now, however, most of them have converted to Christianity as a result of NGO-missionary activities.⁷⁹⁸ As was discussed above, *mufti* Ibrahim, the first person

⁷⁹³ Wllah 1999:40; discussion with Jalalabadi: November 2001; *Jago Mujahid*, October 1993; *Monthly Dawat al-Haq*, August 1993.

⁷⁹⁴ Wllah 1999:40; discussion with Jalalabadi: November 2001.

⁷⁹⁵ Wllah 1999:40; my discussion with Jalalabadi in November 2001; *Jago Mujahid*, October 1993; *Monthly Dawat al-Haq*, August 1993.

⁷⁹⁶ Riaz 2004:123.

⁷⁹⁷ The Hill Tracts Treaty of 1997; my discussions with tribal people in Bandarban: January 2000.

⁷⁹⁸ Discussions with Professor Mohammed Ibrahim, Dhaka University; tribal people in Bandarban: May 2001.

to commence the anti-NGO movement, repeatedly blamed the NGOs and other microcredit providers for their alleged engagement in mass conversion in the name of different social services with the help of donors' economic contributions.

The Islamists argue that during the liberation war in 1971, the population of the country was nearly seventy-five million, of which only two hundred and fifty thousand were Christians; in 1994, thirty-two years later, the population grew to 120 million, while the number of Christians increased to three million.⁷⁹⁹ The growth rate of the total population in three decades is less than double while the growth rate of the Christian population has increased more than ten-fold, which is, according to Islamists, due to the missionary and NGO-activities carried out mostly in remote areas. Furthermore, the religious groups in the country allegedly held GB and NGOs responsible for the defilement of women and society.⁸⁰⁰ Islamist groups, in general, conceive a negative perception about NGOs as being too rich, anti-Islamic, and too "western".⁸⁰¹ Right-wing groups, consisting of Islamist, traditionalists and conservatives, accuse a few leading NGOs of being the agents of the Christian world engaged in religious conversion, especially in remote rural areas including three hilly districts: Bandarban, Khagrachori and Rangamati where most tribal people belonged to their ancestors' religion and now, as mentioned before, have allegedly been converted to Christianity.⁸⁰²

The list of organizations purportedly engaged in the conversion of Muslims and others to Christianity that are presented in the book by Mufti Wllah, is quite long: the Salvation Army, the Bangladesh Foreign Mission, the Church of God Mission, the Community Health-Care Project, Friends of Bangladesh, Rainbow House International, CARITAS Bangladesh, the Swedish Free Mission and

⁷⁹⁹ Hashmi 2000:120; Wllah 1999:13.

⁸⁰⁰ My fieldwork: January 2004; see also Rashiduzzaman 1997:240. I found another story in Wllah's book that does not seem to be authentic because of a lack of any other sources. The story concerns the Australian Baptist Mission in Bangladesh which, immediately after the liberation war in 1971, received a strictly confidential letter from their umbrella organization in Australia whereby the authority there gave directions to their mission in Bangladesh that 'a new nation was born, that is Bangladesh so, there came a good opportunity to spread the message of the Christ to the Muslim population.' The letter, according to Wllah, disclosed an untold and long term plan by some missionaries of how they have been Christianizing the Muslims with socioeconomic, medical and other help in the name of building up the war-torn country (see Wllah 1999:18-19 for the complete letter).

⁸⁰¹ "Western" is a common term to mean mainly European and North American as well as other rich Christian countries such as Australia and New Zealand possessing secular ideologies. It is generally assumed by the Islamists that those "western" nations are behind the propaganda against Muslims and thus they are disliked.

⁸⁰² Discussion with Jalalabadi: November 2001; *The Daily Star: Point-Counterpoint*, July 17, 2004.

Rangpur-Dinajpur Rural Service (RDRS) are among a few of the fifty-two organizations traced by the NGO Affairs Bureau.⁸⁰³

Mass Education

Some NGOs, according to Wllah and other Islamists, are even allegedly engaged in non-Islamic activities as well as spreading atheism among the impressionable and the small children in their education programmes.⁸⁰⁴ In some schools established by BRAC in Chokoria and Kutubdia Upazilas in the Cox's Bazaar district, Wllah describes how one female teacher asked the children to close their eyes and pray to God for chocolates. The children did so but they never received any chocolate and when the teacher asked them if they received any chocolate from the God and they all replied together: "No!" The teacher then asked the students to close their eyes again and this time she placed one chocolate in each child's hand. She asked the children to open their eyes and when they did so they saw the chocolates. The teacher asked the children again, "Who can give you chocolates, god or *apa*, "the lady teacher"? They all shouted, "*apa*!"⁸⁰⁵

When the anti-NGO movement had gathered momentum and instigated the Brahmanbaria incident in 2001, I met Mawlana Jalalabadi who had likewise accused several NGOs of forming conspiracies against Islamic culture and inciting religious clashes in the country. Mawlana Jalalabadi suggests that believing in "fate" is one of the seven phenomena that every Muslim must have faith in. He further adds that acknowledgement of faith is one of the five pillars in Islam that all Muslims are to follow; the acknowledgement is defined as: 'I believe in the God, His angels, all His holy books, all his prophets, the Doomsday, all good or bad from God the Highest and the life hereafter.'⁸⁰⁶ Mawlana Jalalabadi and Wllah similarly accused the ASA-run schools of spreading atheism by teaching the students that 'there is nothing called fortune'.

The NGO, as mentioned in Wllah, printed those slogans in their non-formal education programme called *Jibon Gorar Notun Paath*, "The New Way to Build a Life".⁸⁰⁷ Wllah further continues that CARITAS, another NGO, published in their curriculum that 'We all are children of God and we all want our share', which is, according to Islamists, offensive to the Islamic sensibility.⁸⁰⁸ Wllah, in

⁸⁰³ Wllah 1999:18-19.

⁸⁰⁴ Rashiduzzaman 1997:241.

⁸⁰⁵ A similar story was also narrated by Mawlana Jalalabadi: November 2001; Wllah 1999:37-38.

⁸⁰⁶ *Iman-E-Mujmal*, "the summary declaration of faiths", according to Islamic codes; see Nigosian 2004:93.

⁸⁰⁷ ASA August 1991:37 mentioned in Wllah 1999:15.

⁸⁰⁸ *CARITAS Development Education*, 1992; Wllah 1999:15.

conclusion, referred to the statement from *Morle Nahi Bhoy*, “No Fear after Death”, a publication by the Christian Memorial Hospital that was mentioned earlier, where Islam, its Prophet and followers were allegedly criticised. For instance, according to the accusations made by Wllah, the organization has concentrated on some sensitive issues in the above mentioned book stating that:

The Qur’an is much worse than the Bible, there is nothing to learn from the life of Muhammad, thus his offspring are thieves, and Muhammad himself composed the Qur’an; the disciples of Muhammad accepted his message because they were illiterate.⁸⁰⁹

Religious leaders in the country have felt threatened by the fact that schools organised by BRAC provide equal education to girls and boys, and since BRAC funds come overwhelmingly from abroad, it is understood as a covert Christian operation, whose ulterior motive is to steal souls.⁸¹⁰

The humorous stories above, however, could not be justified by sources other than those mentioned earlier. Those stories, despite their lack of validity, led to the criticism of some NGOs concerning gender and religious practices in the country and influenced the groups to demonstrate against NGOs and different organizations that they found engaged in conversion as well as misuse of the interpretation of the religious texts. The stability of gender relations is seen as a foundation in society that should not be provoked.

Religious Practices and Social Services

During the 1990s, a pro-*fatwa* movement shook the country. It targeted the NGOs, government and its state policy, secular intellectuals and women in general, and Taslima Nasreen in particular. It is important to point out the facts concerning *fatwa* and Nasreen, who has regularly made her presence felt since the mid-1980s, by initiating debates on patriarchy, social and cultural norms, religious practices, male dominance and violence against women. She created controversy, often by raising issues considered explosive by Bangladeshi society, and at times her style of writing has been provocative.⁸¹¹ She became a victim of *fatwa* by intentionally angering conservatives and religious groups through her controversial writings which were classified as blasphemous by the latter. Many intellectuals, both left-wing and right-wing, found her poems, articles, columns

⁸⁰⁹ Wllah 1999:20; *Monthly Dawat al-Haq*, August 1993; Riaz 2004:123. During my fieldworks in 2001, 2003, 2007, I could not manage to buy the book as it appears to be withdrawn and no longer available.

⁸¹⁰ Clark 1997:50.

⁸¹¹ Zafar 2005:411.

and essays to be full of erotic exhibitionism, vivid descriptions of how women and young girls are molested, sensual descriptions of the female body as well as the sexual desire of an unsatisfied woman.⁸¹² She was in favour of the elimination of patriarchy and male dominance and instead advocated for female domination in such a way that it aroused dissent even among her female counterparts throughout Bangladesh. She argued for equality between the sexes and the same behaviour for both men and women, and asks, ‘If on a hot summer day my brother can take off his shirt, why can’t I?’⁸¹³ She called for a change of the so-called patriarchal society and conveyed her demands to all her female comrades to come out of their homes and take the same action against males that she criticizes them for, for instance, by capturing brothels and making use of “males as prostitutes” or by “raping men in revenge”.⁸¹⁴ She propagated against religion, particularly Islam, as well as “fundamentalism” and wrote earlier in the weekly *Khoborer Kagoj*, on 18 May 1993:

Those who want to get rid off the “fundamentalism” should thrust the “religion” first. Albeit you feed the snake (meaning the religion) and take a good care of it, it will in return surely bite you today or tomorrow. If you finish with the snake, you won’t have any more fear of being bitten by it.⁸¹⁵

She is rigorously critical in her book *Nimontron*, “Invitation”: ‘I very often express my doubt to my mother; God, the angels, the heaven, the hell, the doomsday and the life hereafter are nothing, at least I don’t have any faith in these. What is Allah? Allah, *Israfil*, *Jibril*, *Munkar Nakir*, *Mizan*. All these are innovations of human beings.’ She then follows with a rhythmical, satirical poem:

Israfil has got fever and *Jibril* has got cough.
Munkar and *Nakir* have gone to *hoors*, “supernatural beautiful goddesses”.
 The God has been calling but the angels are not there;
 They all are roaming in the heavens on their own wish.
Israfil has got fever, who will blow the goblet?
 The last Judge [meaning the God] has been crying
 Sitting alone on the *Pulserat*,
 “The narrow and sharp bridge that everyone must go over”.

⁸¹² Zafar 2005:411; Riaz 2004:115-120.

⁸¹³ Riaz 2004:117. She has made similar arguments in many of her writings which received criticism even from her female counterparts. The special issue of *Weekly Purnima* on 3 November 1994 deals exclusively with Taslima Nasreen.

⁸¹⁴ *Weekly Purnima*, 3 November 1993:24.

⁸¹⁵ *Khoborer Kagoj*, 18 May 1993.

And the *Mizan*, “the justice” of the doomsday is falling apart!⁸¹⁶

Riaz describes Taslima Nasreen’s style of writing as “pushing people’s buttocks” by using direct attacks in her columns against famous, or easily recognizable, individuals, especially men, whose acts she viewed as chauvinistic or misogynistic.⁸¹⁷ This style has set her apart in the struggle for equal rights for women. Many secular intellectuals were annoyed by her writings and kept quiet when she was sentenced to death by a small religious group in Sylhet on 23 September 1993.⁸¹⁸ Different press in the country called her ‘a publicity-junkie, an indifferent writer, a plagiarist, a champion of women’s rights, and even an Indian under-cover agent at different times’.⁸¹⁹ The situation, according to Riaz, attained further momentum in June 1994 when the Bangladeshi authority attempted to try her on charges of blasphemy based on her quoted – misquoted, she insisted – comment in an interview with the *Statesman*, an Indian newspaper, stating that the Qur’an was written by human beings and thus needed a total revision.⁸²⁰

However, some Bangladeshi feminist leaders feel that Nasreen has done immense harm to the movement of women’s liberation, ‘as many people have been misled into equating women’s liberation with the demand for free sex and promiscuity’.⁸²¹ Many argue that she had never been a favourite topic of Bangladeshi feminists and instead snubbed other women and denigrated the efforts of her fellow women writers and activists.⁸²² JIB on the other hand, initially denied any hand in the *fatwa* against Nasreen, but gradually it became

⁸¹⁶ Wllah 1999:28-29 mentioned it from the book *Nimontron*. The poem was reprinted in *Weekly Purnima* on 17 November 1993.

⁸¹⁷ Riaz 2004:107.

⁸¹⁸ See Riaz 2004:106.

⁸¹⁹ Riaz 2004:107. Hindu nationalists in India, especially the *Bharatiya Janata Party* (BJP) and *Shangha Parivar*, used her *Lajja*, “Shame” to further their cause by reprinting and distributing hundreds of copies of the book for free among the people in India. See *Weekly Purnima*, 3 November for more information on this fact.

⁸²⁰ See Riaz 2004:107, 109. Both the interview and the rejoinder remained unknown to Bangladeshi readers until the government-owned English daily in Dhaka reprinted the interview in early June without Nasreen’s response. The government lodged a case against her under Section 295A of the Penal Code, which stipulates that a person must serve two years in jail for offending religious sentiments. The court issued a warrant for Nasreen’s arrest on 4 June 1994 (see Nasreen. *The Past is not another Country*. The article is available online at <http://www.taslimanasrin.com/past.pdf> April 2009).

⁸²¹ Hashmi 2000:197.

⁸²² Riaz 2004:115.

clear that the organization that had declared a *fatwa* against her was nothing but a subsidiary of the JIB.⁸²³

Mawlana Delwar Hossain Saidi, a member of the *Majlis-i-Shura*, “Central Committee”, of JIB and a very popular *bakta*, “orator”, criticizes the participation of women in different occupations as well as the empowerment process by the NGOs in the country.⁸²⁴ He compares the ‘*be-purdah*’ women with stinking goats and *purdanishin* women with beautiful spotted deer from the *Sundarbans*, the largest forests in Bangladesh.⁸²⁵

Mawlana Ibrahim has similarly accused NGOs as well as other microcredit providers of creating an “aggressively feminist” and “impure” society akin to that of Europe and America, in the name of poverty alleviation and raising awareness.⁸²⁶ Mufti Wllah, conversely, has pointed the finger at several NGOs and micro financiers in the country, accusing them of waving anti-Islamic propaganda, referring to newspaper articles and press releases by Proshika and ADAB. They proclaimed, as Mawlana Ibrahim and Wllah determined, that the “Islamist groups” are “anti-liberation” and “anti-women” forces, and the “*madrasahs* in Brahmanbaria are centres for producing the terrorist Taliban force”.⁸²⁷ Purportedly the reason Islamists and village elders disliked the NGOs was due to activities that, in their eyes, hamper the Islamic way of life, including bringing women into close proximity with men and outside family control, and for their alleged promotion of Christian missionaries.⁸²⁸

The Islamists, for their part, blamed the NGOs for perpetrating obscenity and activities opposed to Islamic culture. Mawlana Matiur Rahman Nizami, the *Ameer* of JIB, said that the NGO activities act against the traditional family and religious values and generated hatred.⁸²⁹ However, the Islamist groups have accused the NGOs of targeting women for their microcredit programmes and convincing them that ‘*purdah* is a superstition’⁸³⁰ and ‘*purdah* is responsible for

⁸²³ An organization called *Shahaba* declared a *fatwa* against Nasreen, see Riaz 2004:109; Zafar 2005:412 for details.

⁸²⁴ Hashmi 2000:88.

⁸²⁵ *Be-purdah* women, who lead a life without *purdah* are the opposite of *purdanishin*, see Khan 2001:74.

⁸²⁶ Riaz 2004:123; Rashiduzzaman 1997:241.

⁸²⁷ Rashiduzzaman 1997:241 and local people in Brahmanbaria also justified the accusation during my visit in November 1999.

⁸²⁸ Rashiduzzaman 1997:241; Hashmi 2000:120.

⁸²⁹ Stiles 2002b:120 originally quoted from *The Independent* December 9, 1998. *Ameer*, in the context of JIB, refers to the chief or president of the party (see Hashmi 2000:232). However, in a context of political science, the word refers to an independent ruler, chieftain (especially in Africa or Arabia), ruler and prince. The Arabic word *ameer* can also be pronounced as *emir*, *amir* or *aamir*, see online Wikipedia at <http://en.wikipedia.org/wiki/Emir>

⁸³⁰ ASA August 1991:34; Wllah 1999:20.

drawing women backwards' and thus forcing them to parade before strange men.⁸³¹ NGOs, according to the Islamists, consider *purdah* as the main obstacle behind women's regression and thus argue to eliminate the institution of *purdah* by mobilizing women throughout the country and by declaring *purdah* as an old fashioned, superstitious system.⁸³²

A few pro-Islamist newspapers such as the *Daily Sangram*,⁸³³ *Daily Millat* and *Daily Inqilab* circulated the ideals of the Islamists and anti-NGO sentiments in their articles, essays and columns. They have similarly advocated for the practice of *fatwa*, and made accusations against women who protested against it and argued for an unrestrained "Western lifestyle". Al Amin, a columnist in the *Daily Inqilab*, accused the NGOs in his column of unleashing a string of attacks on Islamic ideology and denigrating Islamic scholars as *fatwabaz*.⁸³⁴ The columnist further contends that 'Lies, innuendos, fabricated stories have become their weapons against the learned persons of Islam' in Bangladesh. A. K. M. Fazlur Rahman Munshi, another popular columnist in the *Daily Inqilab*, promoted the need of *shari'a* law in the country, hence implying that the incidence of *fatwa* proved that the gap between the colonial laws and Muslims was growing.⁸³⁵ Articles and columns published in the *Daily Sangram* similarly criticised NGOs and their activities, labelling them anti-Islamic and whose aim was to obliterate Islamic practice and culture from Bangladesh. They likewise insisted that the measures of *alim shamaj*, "Islamic scholars", in rural areas in opposition to the NGOs were spontaneous reactions against the "un-Islamic" acts of NGOs.⁸³⁶

In addition, the religious groups accused the NGOs of creating a club-oriented "western" styled social order by destroying the age long patriarchal social system. The NGOs' projects, Wllah argues, give preference to unmarried, young girls and boys who would work side by side, live in the same dormitory and ride on motorcycles together, clutching one another.⁸³⁷ In many of the NGO offices, the traditionalists further assert that both men and women stay overnight, which creates an opportunity for them to mix freely and to have sex without any marital bonds.⁸³⁸ The female borrowers of GB and other NGOs are alleged to

⁸³¹ Riaz 2004:123; a slogan by *Shoptogram Nari Shwanirbhor Porishod*, an NGO mentioned in Wllah 1999:20.

⁸³² ASA, *the new way to build the life (jibon gorar notun paath)*, August 1991:34.

⁸³³ The *Daily Sangram* is the mouthpiece of the Jamaat-e-Islami.

⁸³⁴ *Daily Inqilab* 29 April 1994 and mentioned in Riaz 2004:84. *Fatwabaz* is a word that insultingly means the persons who give *fatwa*.

⁸³⁵ *Daily Inqilab* 9 June 1994 and mentioned in Riaz 2004:84.

⁸³⁶ *Daily Sangram* 6 July and 10 August 1994 respectively and mentioned in Riaz 2004:85.

⁸³⁷ See even Riaz 2004:123.

⁸³⁸ Rashiduzzaman 1997:241; Riaz 2004:123.

have an anti-husband and anti-family mentality, and are said to be taught to chant the slogans: *Swamir kotha manbona, Purdah kore cholbona*, “We will not obey husbands, we shall not follow the *pardah*,” *Kisher ghor kisher bor*, “what is husband and what is home”, and *amar shorir amar mon, kothay keno arekjon?* “My body, my soul, why should there be another to dictate me?”⁸³⁹

As has been stated in the earlier chapters, the NGOs not only give small loans to their borrowers, most of whom are women, but they also arrange weekly and fortnightly meetings, workshops, training and special courses to give borrowers a broader knowledge of how to implement the loans they have received in a better way. Some NGOs even provide different social services for their clients. Thus, women have to be away from their families and stay overnight outside the home which, the religious leaders consider, gives rise to controversy.⁸⁴⁰

Other Common Accusations

Religious groups and village elites similarly accuse NGOs, through the media, of receiving customs-free export-import facilities as a voluntary organization. All organizations engaged in voluntary activities are supposed to receive such facilities, according to the Voluntary Regulatory Act and the NGO Affairs Bureau, yet according to the religious groups and village elites, the NGOs have turned their organizations into businesses.⁸⁴¹ It is important to note that the NGOs I talked to have denied all the allegations of corruption and they identified those allegations as propaganda by the media.⁸⁴²

Mawlana Jalalabadi and Professor Ibrahim similarly commented that Proshika was registered under the Ordinance of 1961 during the Pakistan period, and has been running activities since 1976 as a non-profitable voluntary social welfare organization.⁸⁴³ According to this Ordinance, the organization is prescribed to run only non-profitable activities.⁸⁴⁴ Despite the forbiddance by the Ordinance, Wllah argues that Proshika has been operating money-making enterprises alongside human rights and social works. It has started a commercial transport service called “*Druti*” comprising of twenty-eight modern, expensive and luxurious buses amounting to thirty million *taka*, a highly modernized printing press costing fifteen million *taka*, several garments factories and a video library

⁸³⁹ Riaz 2004:123; Rashiduzzaman 1997:241; Wllah 1999:27.

⁸⁴⁰ My fieldwork: January 2004.

⁸⁴¹ *Weekly Purnima*, 5 May, 1999; Rashiduzzaman 1997:241.

⁸⁴² My discussion with several NGO activists: November 2001, January 2004.

⁸⁴³ Discussion with Mawlana Jalalabadi and Professor Mohammad Ibrahim: November 2001

⁸⁴⁴ See the Voluntary Ordinance of 1961.

that cost nearly five million *taka*.⁸⁴⁵ The Islamists have accused BRAC and Proshika of starting a countrywide business in leather and leather-oriented goods, jute, garments, small and cottage industries, cold storages and a six-storied printing press in Mohakhali area – all in the name of social welfare projects.⁸⁴⁶ Moreover, Wllah continues the allegations that BRAC owns the *Aarong*, a sophisticated, expensive and elegant clothing shopping mall in Assad Gate, in the heart of the Dhaka City, whose producers are mainly village women. Recently, they have even started a paper distribution agencies business. It seems more likely, according to my sources during the fieldworks and similar arguments by the anti-NGO sections, that many NGOs today are engaged in profit oriented businesses though they have promised to run non-profitable social activities.

Hashmi states that in the common parlance of the villagers, some powerful local and foreign NGOs are described as follows: *CAREer gari*, *BRACer Bari*, *Grameener nari*, *aar Proshikar barabari*, “CARE is known for its vehicles, BRAC for its buildings, Grameen Bank for its women and Proshika for its excesses”.⁸⁴⁷ Religious leaders further accuse the NGOs of having polarized the polity of the country between pro- and anti-NGO groups.⁸⁴⁸ For instance, in the 16 August 2002 issue of *Holiday*, there is a debate about the NGOs and their opponents: ‘broadly, the former represents the so-called secular-liberal-democrat people (often the beneficiaries of the NGOs) and the latter mainly Islam-oriented and anti-West or anti-globalization groups and individuals’. NGOs themselves, according to Islamists, have become divided on ideologies and strategies, and ADAB has split into two different entities: Federation of NGOs of Bangladesh (FNB) and Association of Development Agencies in Bangladesh (ADAB). Besides the economic assistance to their beneficiaries, both the groups have taken the path of partisan political activities supporting one or the other of the mainstream political parties.⁸⁴⁹

The *Daily Inqilab*, a voice of the Islamist movement in the country which also plays a prominent role in inciting an anti-NGO sentiment among people, published numerous articles supporting and rationalizing the allegations of religious groups in which they argue that the “Jews and Christian conspirators” were wrecking Islamic cultural values, in the name of development, medical treatment, empowerment of women and training.⁸⁵⁰ Some other pro-Islamist

⁸⁴⁵Wllah 1999:39. Since then the amount of the buses is likely to have increased.

⁸⁴⁶ My fieldwork: January 2004; *The Daily Inqilab*, 18 November 1993 mentioned in Wllah 1999:37.

⁸⁴⁷ Hashmi 2003:117, first printed in *Weekly Holiday* August 16, 2002.

⁸⁴⁸ See Hashmi 2000:141-152; *Holiday* August 16, 2002.

⁸⁴⁹ *The Daily Star: Point-Counterpoint*, July 17, 2004.

⁸⁵⁰ Rashiduzzaman 1997:240; Riaz 2004:123 quoted the articles published in the *Daily Inqilab*.

newspapers like the *Daily Sangram* and *Daily Millat* report that when a ten-year-old BRAC-student died in Chandpur, some seventy kilometres south of Dhaka, her father was offered ten thousand *taka* in exchange for burying the dead body in a non-Muslim manner.⁸⁵¹ The father refused and buried his daughter in the Islamic way as the family were practising Muslims. The NGO, the report continues, offered another bereaved family in the same area a similar, non-Muslim burial, but this time twenty thousand *taka* was offered if the deceased was buried in a non-Islamic way. The relatives agreed and buried their family member in the style prescribed by the NGO, and in return, received the amount they had been offered. The NGO officials then allegedly took photographs and filmed the grave which was signed with a “Cross” and sent the pictures abroad to their parent organization for the purpose of gaining rewards.⁸⁵²

Wllah asserted that another report advises that nearly five hundred grassroots level BRAC workers in the district of Zinaidah demonstrated against torture and unfair treatment by their officials.⁸⁵³ In a remote area of Bhola, which is situated in a district of southern Bangladesh, a woman borrowed money from BRAC but soon became incapable of repaying the monthly instalment. The woman asked her husband to pay on her behalf as the organization’s grassroots workers were pressuring her for payment. After the husband had failed to pay back the borrowed money, the woman tried to obtain dispensation by appealing to the officials at the upper level of the organization. Consequently, the woman was made pregnant by one of the men among the organization’s upper level officials. Many other women have also allegedly become victims of sexual harassment by the officials who use quiet, private rooms in which to conduct their meetings.⁸⁵⁴ The pregnant woman committed suicide by hanging herself in order to escape the harassment by BRAC officials for repayment and because of loss of respect from her family and society.⁸⁵⁵ In Debigonj *Upazila* in the extreme northern district of Panchagar, Wllah states that nine female grassroots workers of the NGO *Mobila Kollyan Sheba*, were raped throughout the whole night by their upper level officials on the premise of training.⁸⁵⁶ Another young woman, Ayesha Begum, who was a member of Friends of Bangladesh Village

⁸⁵¹ Wllah 1999:40.

⁸⁵² Wllah 1999:40; *Monthly Jago Mujahid*, November 1993; the women and NGOs I interviewed said they had also heard of the incidents, but nobody could confirm if it really happened or was simply a rumour.

⁸⁵³ Wllah 1999:26.

⁸⁵⁴ *Monthly Jago Mujahid*, December 1993 mentioned in Wllah 1999:26.

⁸⁵⁵ Wllah 1999:26; *Monthly Jago Mujahid*, December 1993.

⁸⁵⁶ *The Daily Janakantha*, August 1998 mentioned in Wllah 1999:27.

Development, another NGO engaged in development activities, was, in the name of training, held captive and raped for three days by an official.⁸⁵⁷

Borrowers in Monirampur Upazila in the Jessore district set up fisheries with small loans from BRAC but lost everything after failing to repay the instalments. They demonstrated on 4 April 1994 against the BRAC area manager claiming he had pressured and oppressed them.⁸⁵⁸ The fishermen called for an end to the suppression by BRAC because of loans they had lost and were incapable of repaying. Another case reported by the *Daily Inqilab*, described how a mother in a remote village in the countryside sold her baby for only 150 *taka* in order to pay the instalment of the loan taken from GB. A further report published in the same newspaper on 11 December 1998 states that in the Mymensingh district, hundreds of landless women who borrowed money from an NGO were going into hiding in order to escape the loan. Two weeks later, another report stated that approximately five hundred BRAC grassroots workers in Zinaidah called a sine die strike in protest to oppression by the NGO.⁸⁵⁹

Many similar stories of supposed oppression by GB and other NGO-borrowers that have been recorded by different dailies, weeklies, Islamist and other organizations' leaflets and some books published by the religious leaders have been used as proof against their claim. The incidents were likewise quoted by different scholars such as Feldman (1997), Hashmi (2000), Ahmad (2001), Stiles (2002b), Lewis (2004b), Riaz (2004 and 2005). The stories that follow next are merely a few among many.

A landless farmer in Mymensingh borrowed three thousand *taka* in accordance with the rules of GB which he spent on his business. He had been paying the instalments regularly, but unexpectedly the business took a downturn and it became impossible for him to continue the instalments that he was supposed to pay according to the regulations of the bank. After a struggle he decided to pay the instalments from the capital of his tiny business, which he did, yet he still had more to pay back to the bank even after using his whole capital. Bank officials and the others in the group began pressuring him to pay the remaining instalments. He then started to hide in fear of the pressure and harassment by the bank officials and group members. Money-lending officials in the area seized the only cow that the farmer possessed but he did not dare to go to the GB office to reclaim his cow for fear of further trouble. Next, the bank officials decided to slaughter the cow in the village in order to get some money. They carried this out as planned and were able to recover sixteen hundred *taka*, with four hundred *taka* remaining to be paid. The NGO worker who gave the farmer

⁸⁵⁷ *The Daily Inqilab*, April 14, 1994 mentioned in Wllah 1999:27.

⁸⁵⁸ My fieldwork: November 1999.

⁸⁵⁹ *The Daily Inqilab*, December 26, 1998.

the loan paid the rest from his own pocket in order to save his job.⁸⁶⁰ Similar incidents were approved by some empirical studies, while Mokbul Morshed Ahmad found that the fieldworkers of Proshika and other NGOs are always under tremendous pressure to maintain high repayment levels in order to secure their jobs.⁸⁶¹ One Proshika-worker was known for abusing members to obtain repayments so as to save his job. Ahmad states, 'Grameen Bank, BRAC and ASA, have stricter policies for loan recovery'.⁸⁶² Ahmad refers to a statement made by a Proshika worker: 'When I lend money, I always keep pressure on my clients that they have to repay it by whatever means. I tell them that if you die without repaying my loan, I will kick on your grave four times because you have not repaid the money'.⁸⁶³ As some of the NGOs have to keep two months' salary in the bank in order to pay its staff regularly, repayment is, according to Ahmad, vital and the pressure on staff is immense.⁸⁶⁴ Bank officers, according to Mark Schreiner, use social pressure at the central level in order to enforce repayment without strict joint liability at the group level. They usually scold or detain women in the centre for longer than is acceptable in the context of Bangladesh society, which shames the women and may subject them to the wrath of their husbands when they are finally released.⁸⁶⁵

There are also reports that reveal some examples of Islamists and their followers being harassed and persecuted by pro-NGO villagers and even government officials while the former was trying to organize a gathering to protest against NGO-activities. A newspaper report discloses that Mawlana Ibrahim of Bogra was brutally beaten up by some villagers in the presence of police, while one of the pro-NGO-activists is reported to have pulled his beard telling him: 'shave off your beard; it is not suitable for the modern age'.⁸⁶⁶

As discussed above, Islamists, along with moneylenders and village elites, gathered together to protest against the NGO and other microcredit activities that they believed to be anti-Islamic and anti-state. They purportedly led the movement against those organizations engaged in providing credit to the poor, especially women, health services, social services and human rights activities to save vulnerable village women from domestic violence as well as violence in public places. They similarly produced arguments for their movements by accusing the organizations of being the brokers of their foreign donors. The Islamists use the country's bitter history, whereby the British and their allies

⁸⁶⁰ Wllah 1999:33.

⁸⁶¹ Ahmad 2001:97.

⁸⁶² Ahmad 2001:98.

⁸⁶³ Statement of a worker mentioned in Ahmad 2001:101.

⁸⁶⁴ Ahmad 2001:102.

⁸⁶⁵ Schreiner 2003:360.

⁸⁶⁶ *Daily Inqilab* 4 April 1994 and mentioned in Hashmi 2000:121-122.

overruled the Muslims and captured power, as a strong argument. The truthfulness of the above incidents is not the central part of the debate; rather, the discussion here centres on the arguments by the religious groups against the NGO-activities. The arguments and counter-arguments undoubtedly influence the life of people of Bangladesh. *Imams* have called upon villagers to block NGOs, accusing them of Christianizing the country, teaching their women to become promiscuous and uncooperative, destroying traditional family values, and overthrowing the social status.⁸⁶⁷

NGO-arguments

Patriarchy and Equal Share

Social and cultural institutions are dynamic and thus many NGOs felt that there was a need for institutional change in terms of social, cultural and religious matters. The patriarchal social order, according to many NGO-spokesmen, along with the prevalent social norms as well as monopole religious practices regarding personal matters such as inheritance, marriage and divorce, imprisoned Muslim Bangladeshi women within the four walls of the home.⁸⁶⁸ Likewise, the Hindu traditional laws, according to Khan, permitted that only the male agnates could inherit property and the tribal laws of the pre-Islamic era in the Arab world behaved in the same way towards their women, depriving them of most of their rights in practical life.⁸⁶⁹ Though Muslim laws, in contrast, made women as well as men competent to inherit, human rights activists demanded an equal share between men and women in every strata of human life. According to Asaf Fyzee, the Qur'an is to be likened to an amending act rather than an exhaustive code, as women were not given parity in the matter of shared inheritance and only inherit one half of the share of a male.⁸⁷⁰ Islamists justify this unequal division of inheritance by arguing that the daughter will inherit a share from her deceased husband; since all responsibilities befall on the son concerning taking care of the parents, she does not therefore need a large share from her parents' properties.⁸⁷¹ What such avid supporters forget, argue the NGO-activists, is that the husband too inherits from his wife and here too his share is more than what a widow would receive from the estate of her

⁸⁶⁷ Stiles 2002b:118.

⁸⁶⁸ Khan 2001:97.

⁸⁶⁹ Ibid.

⁸⁷⁰ Fyzee 1974:381.

⁸⁷¹ Discussion with Allama Abdul Jalil: February 2007.

deceased husband.⁸⁷² NGOs, as well some human rights groups in the country, however, have been struggling for the equal rights of women to their parents' property as they consider the present division prescribed by Islamic jurisprudence to be discriminatory. ASA added in their curriculum a slogan in order to awaken consciousness among women concerning their rights: 'We want equal shares of men and women in the properties'.⁸⁷³

NGO-activists as well as intellectuals have been leading arguments for ensuring equal rights between both sexes, elimination of *hilla* marriage, equality in regards of witnesses, equality for women in both family and social life, participation in household decision making, and empowerment of women in society.⁸⁷⁴ The issue, as discussed earlier, that NGOs as well as some secular intellectuals in the country argue about, is the demand of equal rights for women concerning witnesses whereby the Qur'an instructs believers dealing in financial transactions to acquire two male witnesses or one male and two females.⁸⁷⁵ Professor Muhammad Yunus, the inventor of microcredit and the Nobel Laureate in Peace in 2006, argues that women are proven to deal with financial matters in a better way than the men and thus the return of all given microcredit loans are nearly ninety-nine percent.⁸⁷⁶ Islam has given women equal rights in all other matters except in their position as a witness. According to a representative of Proshika, "Conservative traditionalists" interpret those religious texts and make use of them in such a way that they can subordinate women.⁸⁷⁷ In this context, the activists of NGOs exemplify the statements made by JIB leaders prior to the national election in 1991 where they clarified that female leadership is not acceptable according to their interpretation of *shari'a*. However, it was those particular JIB leaders, NGO-activists emphasized, who joined the government in a coalition with the BNP-led four party alliance under the leadership of Begum Zia, the widow of Zia.

My sources during fieldworks further indicate that religious groups in the country use the interpretation of the Qur'an to favour their justification of patriarchal dominance and the inferior position of women in comparison to men.⁸⁷⁸ They referred to verses 2:223 where women were named as "tilth" which their husbands have the right to approach at any time, and verse 4:34 is allegedly used by the Islamists in the context of patriarchal social dominance in

⁸⁷² Discussion with a representative of the Proshika Research Centre: February 2000.

⁸⁷³ *ASA report* August 1991:2.

⁸⁷⁴ Riaz 2004:80-87.

⁸⁷⁵ See The Qur'an 2:282.

⁸⁷⁶ Yunus 2008:72; Chowdhury et al 2005:300.

⁸⁷⁷ Discussion with representative of Proshika Research Centre: February 2000.

⁸⁷⁸ For Example, discussion with Mofizur Rhaman, Dhaka University: February 2003.

Bangladesh and elsewhere in the Muslim world to mean that men's supremacy over women was prescribed by God.

Svensson, referring to the Pakistani-American theologian and leading Muslim feminist scholar, Riffat Hassan, argues that both Yusuf Ali and Maududi misunderstood the concept of men as women's protectors or maintainers in verse 4:34 and that the original Arabic word *qawwamun* means "breadwinners" or "those who provide a means of living". The meaning of the next line: 'because Allah has given the one more (strength) than the other' is similarly rejected by Hassan. In correct understanding, asserts Svensson, God here presents the empirical fact that "some in relation to some" are superior to others in their ability to serve as "breadwinners", without specification regarding gender.⁸⁷⁹ In the last line of that verse, Abdullah Yusuf Ali translated: 'As to those women on whose part ye fear disloyalty and ill-conduct, admonish them (first), (Next), refuse to share their beds, (And last) beat them (lightly)', whereas Mohammed M. Pickthal translated, 'As for those from whom ye fear rebellion, admonish them and banish them to beds apart, and scourge them' and Farida Majid, a Bangladeshi feminist writer living in the USA, translated: '(as to) those on whose part you fear neglect (in intercourse), talk to them persuasively (first), and (if they do not agree) leave them alone in bed (without molesting them) and (finally) constrain the desire of intercourse'.⁸⁸⁰ The word *adhrib*, which comes from the root *dharaba*, is translated into several terms by different translators; Ali, for instance, has used 'beat', Pickthal used 'scourge' and Majid used 'constrain'. Svensson suggested the interpretation of Hassan stating that 'the last step to be taken is that of holding rebellious women in confinement for a longer period of time'.⁸⁸¹ Majid argues that the word is translated and misinterpreted by almost all male translators when the Qur'an is converted into different languages, especially into Bengali.⁸⁸² She further argues that while, in the previous step, it was advised to separate the bed, meaning "to separate body from body", the next step "to beat" is not rational and cannot be instructed by God when Islam is meant to promote the consciousness of liberal human rights. In all Bengali translated Qur'ans, Majid asserts, the word was used in such a way that clearly implies the atrocity of patriarchal religious extremism in the country.

⁸⁷⁹ Svensson 2000:95. Scandinavian scholar on European Muslims Ann-Sofie Roald (2001:145) has also discussed previous interpretations of the above verse and asserts that there is a need for contemporary interpretation of the verse whereby men's responsibility for women applies only to their economic support of the family instead of becoming breadwinners.

⁸⁸⁰ Majid 1996:8.

⁸⁸¹ Svensson 2000:105.

⁸⁸² Majid 1996:8. For a detailed discussion and debate on this verse see also Spencer 2004:75.

Shalish and Purdah

It is discussed in the earlier chapter how women in rural Bangladesh are affected by the atrocities of *shalish* and *fatwa* and controlled by the religious practices, and what stance NGOs and other human rights organizations have taken against such cruelties towards women. They have similarly accused the Islamists and local village elites of perpetrating such violence against women and the rural poor.

NGO-activists produced evidence of allegations against Islamists from a report by Amnesty International; the report stated how NGO-activities are being disrupted by the Islamists:

Imams in mosques and teachers in Islamic schools, acting either alone or as part of village arbitration councils or *shalish*, have issued sentences of public flogging and death to women for having violated what the clerics understand as norms of Islamic law. NGOs which set up income generating programs, education and health care for the rural poor, particularly women, have been targeted by Islamists as such organizations are seen by them to make women deviate from their Islamic life-style. Several of the NGOs' health centres and schools have been damaged or destroyed and people associated with them have been attacked.⁸⁸³

As previously discussed, according to sources, Islamists have mainly targeted NGOs involved in income generating programmes, human rights activities and other social services.⁸⁸⁴ NGO-activists further accused the Islamist groups of spreading propaganda against NGOs stating that the former, through their activities, have 'alienate women from their "proper" social roles and Islamic life-style'.⁸⁸⁵

NGO-activists similarly identify the institution of *purdah* to be the main obstacle for the development of women in Bangladesh, which was discussed previously.⁸⁸⁶ Religious doctrines and structures also have power over and limit the movement of women in particular and reinforce social attitudes towards the latter which make them incapable of participating in activities outside the home. Studies conducted by NGOs consider the *purdah* to be the objective that plays a great role in secluding women and reduces their freedom of movement and

⁸⁸³ *Amnesty International Country Report* 1994.

⁸⁸⁴ For example, *CCHRB report*, May 1994.

⁸⁸⁵ *Amnesty International Country Report* 1994, referring *Dhaka Courier*, 17 June 1994.

⁸⁸⁶ Press releases and leaflets of Proshika; ADAB: December 2002.

opportunities for economic independence by means of paid work.⁸⁸⁷ The NGOs, however, came to the conclusion that the social status of women maintaining *purdah* is lower than that of her unveiled counterparts.⁸⁸⁸ In the *Daily Star Magazine* editorial it stated that religious attitudes, regardless of creed, pervade every sphere of life and tend to engender rigid traditionalism and conservatism.⁸⁸⁹

However, human rights groups and women activists in the country 'have pointed out that women who do not fully conform to socially accepted behaviour patterns are most likely to be tried and sentenced by' *shalish*. Thus the defendants tried before *shalish* have almost always been female.⁸⁹⁰ As discussed earlier, several young women have been sentenced to public lashings and other cruel, inhumane and degrading forms of punishment. Two women have died as a consequence of the treatment they received. In a *shalish*, it was observed by different human rights organizations and NGOs that local religious leaders, *imams* and *madrasah* teachers play a leading role; their participation also explains why *shalish* applies a form of *shari'a*, in contravention of the Bangladesh Penal Code. There are, however, some cases where women, organized by BRAC workers, have emphasized that they would not allow their husbands to marry for a second time. Furthermore, in cases of *shalish* as discussed earlier, the women affirmed with confidence that a woman's *shalish* will be convened only by women.⁸⁹¹

Religious Atrocity and Fatwa

In the 1990s, the local media, NGOs and donors concentrated on preventing the persecutions of rural women perpetrated in the name of *Shari'a*. Islamists, along with influential villagers, commonly declare the women guilty in cases where, for instance, the latter fails to produce four eyewitnesses, as prescribed by *shari'a* law, when they are raped by the powerful village leaders. Thus, women are normally sentenced to rigorous punishment by the village elders with the help of village *imams* and the religious community. Shahida Begum, a village woman in the Naogaon district in northern Bangladesh, is one among many who fell victim to a *shalish* verdict and was consequently severely punished and humiliated in front of the villagers, an ordeal which subsequently forced her to commit suicide.⁸⁹² Wide publicity of the above mentioned incident led to a

⁸⁸⁷ Khan et al 1998:28.

⁸⁸⁸ Shehabuddin 1992:53.

⁸⁸⁹ Editorial commentary, *Weekend Independent Magazine*: 26 April 1996.

⁸⁹⁰ *Country Report of the Amnesty International* 1999.

⁸⁹¹ Hashmi 2000:138-139.

⁸⁹² *Weekly Holiday*, internet edition: August 16, 2002.

High Court verdict declaring the dispensation of *fatwas* illegal from 1 January 2001, as mentioned in earlier chapters. The influential JIB, several Islamist groups and hundreds of *ulemas* condemned the judgment as un-Islamic and declared the judges *murtaads*, “apostates”.⁸⁹³ Mawlana Fazlul Karim, an influential *pir* of Charmonai, who is alleged to avidly oppose JIB and female leadership, also criticized the verdict. Mufti Fazlul Haq Amini, the chief of the *Islami Gothontantrik Andolon*, “Islamic Constitutional Movement”, condemned the judgment and threatened to launch a Taliban-style revolution in Bangladesh to counterpoise the enemies of Islam.⁸⁹⁴ Islamic zealots, as the sources mentioned, were on the rampage in Brahmanbaria, Chittagong and other places, chanting anti-Government and pro-Taliban slogans: *Amra shobai Taliban, Bangla hobe Afghan*, “We are all Taliban and will turn Bangladesh into another Afghanistan”.⁸⁹⁵ Soon after *fatwa* was declared illegal by the verdict of the High Court, the polarised polity witnessed a showdown between pro-*fatwa* religious leaders and anti-*fatwa* forces, the latter of which are called *Nagorik Andolon*, “Citizen’s Movement” and are pro-NGO. The former, Mawlana Fazlul Karim, Mufti Amini and Mufti Azizul Haq of IOJ, organised a grand pro-*fatwa* rally in Dhaka on 2 February 2001 and declared NGOs as the number one enemy of Islam and the country.⁸⁹⁶ Consequently, the Supreme Court adjourned the verdict for an indefinite period and thus the victory belonged to the religious groups.

As Stiles has observed, Islamists have been viewed with suspicion since the independence of the country. It was also discussed earlier that many of the Islamists were at best ambivalent about the breakup of Pakistan in 1971 and collaborated with the Pakistani forces under the leadership of JI and ML.⁸⁹⁷ Since its creation, Bangladesh has gradually been Islamized and even today the question of the role of Islamist groups and politics cannot be divorced from the historical background. NGOs and the elites similarly found a common cause with radical and liberal elements which the Islamists have opposed. Rahat Khan, executive editor of the *Daily Ittefaq*, has expressed as follows:

Fundamentalists are against any kind of development in every country. They are infested by ignorance, illiteracy and prejudice. Fundamentalists in Bangladesh are now propagating against NGOs— this is not very unusual or unnatural. Organizations who are working to bring changes must learn to or be capable of overcoming these kinds of obstacles. A few

⁸⁹³ Riaz 2004:87.

⁸⁹⁴ Ibid.

⁸⁹⁵ See *The Daily Star*, January 2, 3, 4 and 5, 2001.

⁸⁹⁶ Lewis 2004b:301; Riaz 2004:87.

⁸⁹⁷ See Stiles 2002b:119.

days ago, the fundamentalists burned out NGO operated schools and uprooted mulberry trees, they have also threatened that female workers of NGOs will be divorced and males will be segregated. The NGOs have been bravely resisting them and the NGO approach has been appreciated by the groups of the civil society.⁸⁹⁸

This statement by Rahat Khan was made as a consequence of the mass movement by religious leaders against NGOs in the beginning of the 1990s that spread gradually throughout the country and caused severe damage to the microcredit institutions and their staff, both verbally and physically. Media and intellectuals, along with the donors, have always felt the need for a strong civil society representation in the country ever since it passed through political crisis. Conversely, according to Haque, the rise of NGO-power is considered favourably in terms of the expansion of civil society and democratization and, furthermore, a reduction in the authoritarian tendencies of government.⁸⁹⁹

Some newspapers, mostly left-wing influenced, have taken a leading role in criticising and blaming the *ulemas* as well as anti-NGO sections; on 8 April 1994 the Daily *Janakantha*, a leading extreme left-wing newspaper, published a special issue against *fatwas* where many of the well known leftist figures wrote articles, such as “*Fatwa*” by Muntasir Mamun, *Jaiya Tomar Bishaichhe Bayu*, “Poisoning the Air”, by Kabir Chowdhury, *Fatwabaz ebong NGO Proshongo*, “*fatwa*-declarer and NGO related”, by Bodruddin Omar, *Fushe Uthe Fatwa*, “Upsurge of *fatwas*”, by poet Shamsur Rahman and *Fatwabazir Ashubho Rajniti*, “Bad politics of *fatwa*-declarers”, by Shahriar Kabir.⁹⁰⁰ However, the traditionalists consider the articles by Borhanuddin Khan Jahangir and other columnists published in the *Daily Janakantha* on 8 April 1994 as blatantly offensive and provocative, in which the writer states,

In any system there are both civilized and uncivilized articulations. Uncivilized articulation is the *fatwa* and the *fatwa* is the tongue of the uncivilized. That is why the *fatwa* is an unquestionable domination, force and terrorism in which questions, justice and doubt have no place.⁹⁰¹

Proshika and ADAB, through the leadership of Qazi Faruque Ahmed, have, in return, mounted a more vocal and visible campaign against the Islamists. As mentioned previously, the campaign against Islamists through voter education aimed at helping the poor to identify the candidates proved to be fruitful

⁸⁹⁸ ADAB-Grassroots report 1994:106.

⁸⁹⁹ Haque 2002:425.

⁹⁰⁰ *Janakantha* 8 April 1994 and mentioned in Wllah 1999:22.

⁹⁰¹ Wllah 1999:23; *Daily Janakantha*, April 8, 1994.

whereby JIB won only three seats in the 1996 national election. Secular NGOs consider the Islamists as the oppressor of the poor, particularly women, given that the Islamists consider themselves to be the righteous and sole guardian ensuring Islamic codes and religious practices are correctly followed by the general public.⁹⁰² According to the press releases by Proshika and ADAB that were mentioned earlier, the Islamist groups are “anti-liberation forces,” “anti-women,” and the *‘madrassahs* in Brahmanbaria are centres for producing terrorist Taliban forces.⁹⁰³

Furthermore, a leaflet by ADAB, in provocation of the Islamists, denounces *ulemas* as “fundamentalists” and points out that they, along with the traditional money-lending bourgeois, have come forward to destroy the NGO-works and, in addition, were assisted by the latter in leading dangerous actions against NGOs.⁹⁰⁴ ADAB has, in one of its proclamations, been engaged in a war of words and fabricated the *ulemas* as ‘liars, terrorists and the traders of religion’. ADAB leaflets state:

One kind of trader of religion, taking the advantages of innocence, illiteracy and lack of knowledge about the health of simple people, is making the fabulous business of traditional treatment by chanting spells on them and by playing the role of “medicine men” who falsely claim to have the power to cure diseases.⁹⁰⁵

Prabir Ghosh, former General Secretary of the Science and Rationalist Association of India, presented a story about Hujoor Saidabadi, a popular and self-declared *Sufi* mystic in Bangladesh, and how he has helped childless couples to conceive through chanting mantras over a couple of eggs and a banana. Interestingly, when Saidabadi was challenged by Ghosh in February 1991 during his visit to Kolkata, India, he offered Ghosh a large, gold ball as a bribe in exchange for Ghosh promising to help Saidabadi in his mission to earn money.⁹⁰⁶ It is interesting to note that the advertisement of Hujoor Saidabadi possessing the power to help childless couples conceive has been printed in many magazines with colourful pictures of the ecstatic couples with children.⁹⁰⁷ The rationalists and the NGO-activists have been arguing against the deception of simple, helpless people in the name of super powerful religious texts and *jhar-fuk*, as mentioned earlier.

⁹⁰² Press releases and leaflets of Proshika; ADAB: December 2002.

⁹⁰³ Ibid.

⁹⁰⁴ Wllah 1999:24.

⁹⁰⁵ ADAB leaflets, stated similarly in Stiles 2002b:118-121; Wllah 1999:24.

⁹⁰⁶ Ghosh 2008, *Grand Saidabadi: Blessing Children Through Chanting Mantra*, February. The internet source is available at: <http://www.srai.org/> and could not be proved by any other sources.

⁹⁰⁷ My fieldworks between 1999, 2007 and my observation till 1995 when I lived in the country.

However, the religious groups, according to the ADAB leaflet, are using religion to turn people against NGOs, and have been using violence and perpetrating “anti-liberation” activities ever since the attack that disrupted an ostensibly patriotic Independence Day parade and the rally of 20,000 poor women in Brahmanbaria in December 1998. The NGOs response included a call for an end to government funding of *madrassahs* and country-wide rallies by what they label as “fundamentalists” which prompted a *fatwa* against Qazi Faruque Ahmed. Although Ahmed had close connections with the then Awami League government he did not receive the expected support from the government during the Brahmanbaria incident. The sources indicate that the government was displeased that ADAB should choose to orchestrate a confrontation precisely at the moment when the regime was under siege by the anti-government movements of the BNP and needed support from every political group possible, including Islamists.⁹⁰⁸

Discussions: The Impact of Microcredit and NGO Policies

Different groups comprising of academics, scholars, intellectuals and the media have reacted to the activities of NGOs and government policies both positively and negatively. NGOs represent a type of intervention that is criticised by different groups. The reactions of religious groups to the NGO and human rights activities and counter-arguments by NGOs were discussed above. Thus, this section deals with how the media, academics, intellectuals and scholars interpret the position of women in society concerning NGO interventions, government policies and social as well as institutional changes in society.

The above mentioned groups are divided on the issues of the empowerment of women as well as the impact of microcredit, and government policies through the intervention of GB and other NGOs. Many scholars, who conducted empirical studies on the process and impact of those activities, are positive about the achievements of the organizations while others criticise them.

Empirical studies show how rural women experience helplessness because of poverty, dependence on husbands or parents-in-law who are, in general, dominant in terms of household decision making. Several studies of credit relations, according to Hashmi, have highlighted the situation of perpetual dependence of rural people, especially women, on their rich patrons – *mohajons*, moneylenders, and absentee landlords – on account of the transfer of land and the *borga*, “share cropping system”, throughout rural Bangladesh.⁹⁰⁹ As a result, Muhammad Yunus, the founder of Grameen Bank, has given a comprehensive

⁹⁰⁸ Stiles 2002b:120.

⁹⁰⁹ Hashmi 2000:145.

idea about the misery and powerlessness of rural women on account of poverty in his book *Jorimon and Others: Faces of Poverty*, 1991, which was discussed previously.⁹¹⁰ The state of rural women gave rise to the idea of microcredit which helped the poor to cast off the professional moneylenders and also helped women to be more active in household decision making.

From the previous discussion, it was assumed that women have acquired self-reliance through the peer monitoring system, which has subsequently led to their empowerment. GB and other NGO-activities, according to Bernasek and Todd, have resulted in fewer gender differences among the borrowers than the non-borrowers. Bernasek considers the changes to be positive whereby women's empowerment through GB and other NGOs has weakened patriarchy by bringing women out of their homes, by providing credit and by requiring them to interact with others in public.⁹¹¹ Furthermore, Bernasek argues that GB and other NGO-activities have positive impacts on women when it concerns domestic violence. It has been shown that they are less likely to suffer abuse than the other non-Grameen Bank women in the same area. GB along with other NGOs, for instance, has been quite successful in providing health, nutrition and education for children. In conclusion, she suggests that the microcredit system of GB and other NGOs has great potential in improving women's socioeconomic status, increasing their empowerment, increasing their decision making power, especially with regards to fertility, voting in elections and working outside the homestead side by side with men, and even lifting their families out of poverty.

Syed Hashemi and Sidney Ruth Schuler, however, are quite suspicious about the achievements of those organizations. They argue that the aims of these organizations to encourage poor women to attend public meetings, interact with male members of the society and raise slogans that "deviate from traditional norms", may be reasonable, but the idea that these women have attained "empowerment" and freedom from patriarchy by merely taking loans from various microcredit institutions is not.⁹¹² They further argue that many of the female borrowers have no control over their loans, and in some cases, fail to repay them in time which results in their dependence on male family members. Furthermore, many scholars consider that the emergence of NGO-sponsored groups has simply signified the conflict between old and new elites in the rural class structure of Bangladesh.⁹¹³ According to Hashmi, the emergence of NGOs is a new dawn in the psychological horizon of rural women but even before the

⁹¹⁰ See Yunus 1991:2-4.

⁹¹¹ Bernasek 2003:379.

⁹¹² See Hashemi & Schuler 1997:15-44.

⁹¹³ Hashmi 2000:143.

emergence of NGOs in the region many women harboured deep feelings of discontent against tradition, patriarchy and exploitation. Many women from rural peasant families needed an assurance from any quarter and NGOs, in many cases, have been providing this assurance to them. After the instalment of NGO-activities in rural areas, according to some empirical studies carried out by different scholars, women in rural areas are more concentrated and organized and thus subjected to a lesser extent to domestic as well as public violence.⁹¹⁴

In contrast, the rise of NGO-power, according to Haque, is considered favourably in terms of the expansion of civil society and democratization and, furthermore, a reduction in the authoritarian tendencies of government.⁹¹⁵ It seems that civil society⁹¹⁶ and Bangladesh's intellectuals have taken two different stances on the NGO-issue and their role, clearly expressing pro- and anti-NGOs sentiments. We have learnt that it is not only the Islamists, moneylenders or rural elites who are doubtful concerning the role of NGOs; it is also several secularists who similarly accuse NGO-activities and the development processes in general. A number of left-wing intellectuals have indicated that the NGOs, funded by primarily European, Australian and North American donors, are "neo-imperialists" who do not want third world countries such as Bangladesh to become self-dependent and have been neutralizing the class struggle of the exploited masses with a view to crushing social revolutions in the Third World.⁹¹⁷ They used the Canadian International Development Agency (CIDA) and some other foreign organizations as an example, stating that these organizations have been openly urging Bangladeshi women, through their publications, banners and leaflets which are displayed in public places and at the premises of some local NGOs throughout the country, to overthrow male-domination in order to establish the rights of women. Some leftist intellectuals are also critical of Islamic NGOs, funded by Middle Eastern countries, mostly from the Arabian Peninsula, for their double standards, but conversely they declare other NGOs as "exploitative" and "anti-people".⁹¹⁸ In addition, some intellectuals are severely critical towards NGOs and point out that, despite the growth in the number of NGOs in Bangladesh, the number of landless peasants has been multiplying. On issues such as women's liberation, political matters

⁹¹⁴ Hashmi 2000:144. See also Todd 1996; Bernasek 2003; Kabeer 1995, 2002, 2003.

⁹¹⁵ Haque 2002:425.

⁹¹⁶ The term is frequently used in Bangladesh to mean the intellectuals, writers and other conscious and informed public figures. Western missions in the country are also looking to civil society to solve the ongoing political crisis.

⁹¹⁷ See Hashmi 2000:149-50.

⁹¹⁸ For example, Professor Zillur Rahman Siddiqi (1994). See also Rashiduzzaman 1994:986; Kothari 1997:2-3 for further information on leftist intellectuals' anti-NGO stances.

cannot, according to them, be resolved by non-political, superficial works carried out by an unspecified number of NGOs.⁹¹⁹

Left-wing statesmen in general and Rashed Khan Menon in this particular matter, took an anti-NGO stance and firmly criticized NGOs by advocating on behalf of poor peasants who, according to him, have currently been 'falling victim to vicious circles of creditors and NGOs'.⁹²⁰ *New Nation*, a secular newspaper, even criticizes GB in its article and portrayed the bank as 'a new Shylock with great clout' and that instead of removing poverty it has been robbing whatever resources people had in rural areas.⁹²¹ Some argue against NGOs and other institutions which involve poor rural women in Bangladesh stating that although women's role in the garment factories as well as NGOs has changed gender functions in recent decades, there has not been a commensurate change in gender relations.⁹²²

Civil society and intellectuals have further criticized the NGOs for being polarized on various political issues where their partisan stances were made clear during the national election of 1996. NGOs themselves, on grounds of anti- and pro-government positions, have divided into two groups. During the election campaign, a coalition of NGOs, under their Voters Education Programme, launched a drive to ensure that the electorate rejected those who had collaborated with the Pakistani regime during the war of liberation in 1971.⁹²³ Many incidents were reported by local newspapers as well as opposition groups, in which pro-Awami League NGOs under the banner of ADAB were implicated in attempting to influence their clients in favour of their preferred candidates. The Voters Education Programme, however, had some positive effects on the women who ignored the threats and *fatwas* that had previously prevented them in casting votes, for example, in Feni district. The mobilization of the ADAB, as discussed earlier, resulted in a significant and infuriating position for the Islamists, especially JIB, whose number of seats reduced from eighteen to just three. However, the Islamists reappeared with more strength during early 2001 in the so-called pro-*fatwa* movement after the High Court verdict in January 2001 banned the practice of *fatwa* in the country. In opposition to that, a section of secularists created a common platform for action against the pro-*fatwa* movement called the United Citizens Movement, as previously discussed, which brought together a number of social organizations and prominent individuals under the auspices of the ADAB.⁹²⁴ The organizers planned a grand rally in

⁹¹⁹ Discussion with Mofizur Rhaman, Assistant Professor, Dhaka University: February 2003.

⁹²⁰ *Holiday*, 7 February 1997:8.

⁹²¹ *New Nation*, 26 October 1996.

⁹²² Hashmi 2000:151.

⁹²³ Riaz 2004:128.

⁹²⁴ Lewis 2004b:301; Riaz 2004:128.

Dhaka on 3 February 2001 in order to voice their conviction to eradicate violence and oppression against women, religious fundamentalism and to demand a proper trial of the 1971 war of independence criminals. The rally was a massive success with more than 300,000 people, mainly women and NGO beneficiaries, uniting against an open challenge thrown by the Islamists who had called a general strike on the same day.⁹²⁵

Professor Hafiz Siddiqui, pro-vice chancellor of the North-South University, commented in a seminar that the NGOs in Bangladesh target the alleviation of poverty but they are yet to reach their goal.⁹²⁶ Professor Masood Hasanuzzaman, another keynote speaker in the seminar who is a teacher in Political Science at Dhaka University, said that the NGOs are money-lending agencies with a very high rate of interest who are deeply submerged in corruption, receive huge amounts of money from foreign donors in the name of the people of Bangladesh but in fact make good profits from the funds, take women out of their homes and are engaged in activities that are against *shari'a*. The traditional banks in Bangladesh, the speakers at the seminar argued, usually take ten to twelve percent interest while the NGOs take twenty-five to thirty-six percent interest in total, which poor, simple and needy people do not have the capability to comprehend.⁹²⁷ The NGOs, in contrary to that, claim to distribute small loans to the poor without any collateral and take only fifteen to sixteen percent interest, but as the repayment is by instalments, actual interest rates, with different charges including effective interest, increase up to thirty-six percent which is much higher than any bank in the country, according to Rasheda Akhter.⁹²⁸

It is, however, interesting, according to Hashmi, that most of the NGOs did not initially have any gender bias but later began adopting issues concerning specifically women because women represent potential sources of funds from overseas donors, especially in the “decade of women”. There is, Hashmi further argues, a mutual beneficial relationship between NGOs and rural women as the former takes advantage of “women’s development issues”, especially in rural areas, to gain access to new foreign sources of funding and, in many cases, the latter also takes advantage of the new opportunities provided by NGO-sponsored labour-intensive sectors such as handicrafts or poultry rearing.⁹²⁹ It is also beyond question that, according to my informants, there are some impressive examples of NGOs’ successes such as the mobilization of women,

⁹²⁵ Riaz 2004:128.

⁹²⁶ *Weekly Purnima*, 5 May, 1999.

⁹²⁷ Wllah 1999:30.

⁹²⁸ Discussion with Akhter, NK: February 1999; *the Weekly Holiday*, 16 August, 2002.

⁹²⁹ Hashmi 2000:152.

enabling them to save themselves and their families from poverty, violence, unjust legal cases, threats of divorce or demands for dowry violence.⁹³⁰

Mofizur Rhaman argues that abject poverty had, before the advent of NGOs, forced rural women to work side by side with men in order to survive. In view of this fact, the institution of *pardah* had become a “luxury” for rural women regardless of the way female clients of some NGOs and GB have been defying patriarchy and village-elders in particular and alarming the rural triumvirate.⁹³¹ However, Rhaman further argues that the immediate, remote, local, national and international factors are responsible for the controversial judgment against women. Rajni Kothari, an Indian intellectual, while discussing NGOs, highlighted the non-religious dimension of the opposition, and comments that:

There is an emerging crisis of both identity politics and alternative politics, namely, NGOs (...) We need to distance ourselves from NGOised grassroots activities (...) floated by the World Bank. NGOs have been co-opted and corrupted.⁹³²

In recent years, according to Haque, who conducted an empirical study on the role of NGOs in Bangladesh and power between NGOs and the government, NGOs in comparison to major government agencies have gained prominence in terms of their societal roles, public image, and capacity to command external support.⁹³³ Though Westergaard criticised the achievements of NGOs in rural Bangladesh, she, in some cases, highlighted the positive aspects of NGOs, especially the decreased dependence on rich peasants and moneylenders by poor villagers due to NGO-sponsored credit facilities.⁹³⁴ But then again, she argues that in some cases NGO-sponsored political activities at the village level only empowered middle class peasants who were elected by particular NGO tickets as office-bearers of the Union Council.⁹³⁵ She also pointed out that loans offered by BRAC and other NGOs mainly benefited the influential villagers, some of whom received up to four loans at a time, ‘three of which were used for herding, while one was used for investment in a deep tube-well’ for irrigation, for instance.⁹³⁶ The way some NGOs, according to Hashmi, operate in third world countries, with special regard to their role in empowering the poor in Bangladesh such as favouring women over men, is criticised by extreme right-wing religious groups. Hashmi also criticises NGOs to a great extent for their

⁹³⁰ My visit to BRAC, Proshika and GB in January 2002 and discussion with Professor Yunus.

⁹³¹ Discussion with Mofizur Rhaman, Assistant Professor, Dhaka University: February 2003.

⁹³² Kothari 1997:2-3.

⁹³³ Haque 2002:412.

⁹³⁴ See Westergaard 1994:26-28.

⁹³⁵ Westergaard 1994:26-28.

⁹³⁶ Westergaard 1994:28.

alleged dependence on foreign donors and that, at the same time, they are also much more autonomous than their Indian counterparts. For example, Hashmi says, in the wake of the devastating cyclone in coastal areas in May 1991, foreign agencies and donors refused to disburse any aid through the government implying that corrupt government officials would misappropriate relief assistance.⁹³⁷ Many other liberal and leftist intellectuals, such as Professor Anisur Rahman and Bodruddin Omar, have been critical of NGOs for their alleged reliance on donors, including the World Bank and the International Monetary Fund (IMF).⁹³⁸ Several reporters explored allegations against NGOs concerning the misuse of funds and lack of accountability, which was mentioned earlier. In addition, the anti-corruption body of the Bangladeshi government ordered steps against several NGOs in October 2003 and found some NGOs guilty of engaging in corruption. Shahjahan Majumder, Director General (DG) of the NGO Affairs Bureau said that the Bangladesh *Nari Pragoti Sangha* (BNPS) and PRIP Trust were at fault of misappropriating foreign funds.⁹³⁹ Many of the NGOs were obligated to run non-profitable services having registered under the Voluntary Social Welfare Agencies Ordinance of 1961 which was later amended by successive governments, firstly by the BNP who revised and re-titled it as the Foreign Donations (Voluntary Activities) Regulations Ordinance 1978 and later by Ershad in 1982.⁹⁴⁰ Proshika, International Voluntary Services (IVS) and the Centre for Development Services (CDS) are the three other NGOs that came under government investigations during the BNP period between 1991 and 1996. The NGO Affairs Bureau has cleared CDS but decided to probe Proshika's activities further.⁹⁴¹ The government froze all of Proshika's funds from their foreign donors for nearly two years, though the blockade could not be continued due to alleged pressure from foreign organizations such as the European Union and other western bodies.⁹⁴²

According to the statistics by some newspapers and individual bodies such as the Transparency International and Democracy Watch, it is estimated that a meagre twenty-five percent 'of donor money reaches the poor in Bangladesh'.⁹⁴³ Interestingly, a BBC survey came to the conclusion that every section of society was suspicious of NGOs. 'Only three percent surveyed wanted to give them

⁹³⁷ Hashmi 2000:149.

⁹³⁸ Rashiduzzaman 1994:986.

⁹³⁹ *The Daily Star*, October 11, 2003.

⁹⁴⁰ Haque 2002:418.

⁹⁴¹ *The Daily Star*, October 11, 2003.

⁹⁴² Hashmi 2000:151.

⁹⁴³ *New Nation*, September 26, 2003.

more power – and only two percent admired social work, the “least admired” of all kinds of work.⁹⁴⁴ The *Star Weekend Magazine* states,

Indeed, there is very little doubt that NGOs spend an excessive proportion of their budget on furnishing their members with sophisticated and expensive equipment (from computers to four-wheel drives), leaving all too little for the development projects which justify the work of the NGOs in the first place.⁹⁴⁵

Sources from collected materials indicate that the actions taken by the government in recent years against some NGOs prove the accusations raised by the traditionalists concerning the issues of funding, accountability and malpractices of power in the name of human development to be true.⁹⁴⁶

Even some liberal-democrat intellectuals share the same view and go even further with their anti-NGO stances but they never joined the Islamists. Zillur Rahman Siddiqi, a poet, scholar, writer and a former vice-chancellor of Jahangir Nagar University, states that NGOs in Bangladesh have replaced the traditional moneylenders throughout the countryside and some of them have been more exploitative than the moneylenders.⁹⁴⁷ Some studies are similarly critical of the policies of donors and additionally accuse them of an unwillingness to make the country free from its dependence on NGOs. They argue that the donors provide funds for non-farming activities and also criticize NGOs for their interest in providing credit, not in changing patriarchy in rural Bangladesh.⁹⁴⁸

The structure of patriarchy in the country, as well as family and community, has constructed an image of women in which their roles and behaviour are predetermined. This image, according to Ataur Rahman Miazi, is docile, demure, weak and submissive in the context of Bangladesh and along with women’s invisibility in the public sphere has more to do with the custom of the country than *shari’a* or religious practices, and has been perpetuated, reproduced and legitimated in the name of Islam as interpreted by rural clergies.⁹⁴⁹ On the other hand, the development agendas of NGOs were diametrically opposite to this and demanded women’s participation and visibility in all spheres of human life. The conflict on microcredit, thus, between NGOs and religious groups has existed at socioeconomic and ideological levels.⁹⁵⁰ Some studies indicate that the persecution of rural women by religious groups and their patrons during 1991-

⁹⁴⁴ *Star Weekend Magazine*, December 9, 2005.

⁹⁴⁵ Ibid.

⁹⁴⁶ Hashmi 2000:151; *New Nation*, September 26, 2003; *Star Weekend Magazine*, Dec. 9, 2005.

⁹⁴⁷ See Siddiqi 1994; *Sangbad*: 3 April.

⁹⁴⁸ Ahmad 2001:106, 107.

⁹⁴⁹ Discussion with Professor Ataur Rahman Miazi, Dhaka University: February 2003.

⁹⁵⁰ Riaz 2004:125.

1995 were by-products of JIB-BNP politics.⁹⁵¹ The late Ahmed Sharif, a professor at Dhaka University and a leading leftist intellectual, was similarly indicted by several *fatwas* issued by religious extremists for his alleged anti-Islamic and blasphemous writings and utterances, and also felt that the BNP government had been an “idle spectator” of the “reign of terror” unleashed by the Islamists in Bangladesh.⁹⁵² In addition, he accused the BNP government of weakness and felt that the religious groups were running a virtual government.

Although NGOs claim that their efforts were successful in alleviating poverty, some empirical data collected by Ali Riaz, showed that they were reaching less than ten percent of the landless poor in Bangladesh and that the impact of the NGOs was less than historic.⁹⁵³ In addition, the secularists were uncertain about their strategy for dealing with the situation and so expressed their reservation about the development models of the NGOs and, furthermore, did not want to play into their hands.⁹⁵⁴ Conversely, the secularists in the country are critical of the NGOs and accused them of working in favour of international capital and facilitating the exploitation of cheap labour and they further argued that NGOs created people’s perpetual indebtedness, especially in rural areas. These negative aspects of NGOs, according to Rhaman, blinded the secular intellectuals, and resulted in the positive roles of the NGOs in achieving the goal of changing gender relations and socioeconomic structures in rural Bangladesh to be overlooked.⁹⁵⁵ Politicians and intellectuals are thus divided rather than coincided on the issue of women and their rights in the country. Hashmi further argues that in Bangladesh only a few thousand members of the civil and military oligarchy govern in the name of different brands of nationalism, democracy and, in some cases, socialism by upholding patriarchy and the urban bias. Thus, the empowerment of women in rural areas is conceived in terms of their “growing self-confidence” and personal power, rather than women “taking power” from men.⁹⁵⁶ The division of intellectuals and politicians on the NGO-issue, on the other hand, according to Riaz, contributes to the rise of Islamists in the country.

The involvement of some NGOs in local politics, especially during the election in 1996, as mentioned earlier, is another significant accusation by both the traditionalists as well as the government itself; time and again the NGOs were warned by the government, verbally or in writing, to remain uninvolved in political issues.⁹⁵⁷ According to Lewis, BRAC and Proshika are now comparable

⁹⁵¹ Hashmi 2000:123.

⁹⁵² Discussion with Mofizur Rhaman, Assistant Professor, Dhaka University: February 2003.

⁹⁵³ Riaz 2004:127.

⁹⁵⁴ Discussion with Mofizur Rhaman, Assistant Professor, Dhaka University: February 2003.

⁹⁵⁵ Ibid.

⁹⁵⁶ Hashmi 2000:135.

⁹⁵⁷ Lewis 2004a:310.

in size and influence to some government bodies, bringing fears in some quarters of a “parallel state” in terms of exercising power and, at the same time, a lack of accountability to citizens implied by the strong link with the international donors.⁹⁵⁸ Some NGOs, under the leadership of ADAB, for instance, have engaged themselves in political polarizations. ADAB’s alleged involvement in the pro-Awami League and pro-leftist politics and the polarizing of NGOs’ anti-BNP government stance, as mentioned before, resulted in the split of the oldest forum of the NGOs during which hundreds of NGOs in the country were united into two different organizations – ADAB and the FNB.⁹⁵⁹ A draft of a government policy, that would hinder any person engaged in NGO or any other government bodies from participating in the local government election unless that person had formally resigned twelve months previously, is under consideration.⁹⁶⁰

Hashmi is harshly critical of GB and calls its empowerment processes “Grameen’s femino-socio-financial engineering” and does not believe it to be an economic miracle.⁹⁶¹ He further argues that the source of income through the empowerment process of GB is seasonal, intermittent and part-time from substance-oriented, livestock-rearing or paddy-husking projects for women, which cannot be long-term solutions to poverty. The more the village women engage themselves in such livelihood enterprises, the more competitive the market becomes. Furthermore, Hashmi argues that there is always an inherent risk in such enterprises as the poor often consume their surpluses in order to raise their standard of living.

Thomas W. Dichter is one of many scholars who criticises microcredit finance and suggests that the outcome of such microcredit based projects, in the long run, is stagnation and decline in growth, as after the second or third loan cycle people either cease borrowing, or they stop increasing the amount they borrow. There is simply little or no absorptive capacity.⁹⁶² He further accuses NGOs of ultimately playing at business rather than helping people meet the demands of a real marketplace, as those with past experiences in health, nutrition or community organizing have failed in their small efforts to generate income.⁹⁶³ In addition, Hashmi also affirms that contrary to the assertions of Grameen and NGO supporters various studies have shown that many rural poor in the countryside opt out of small loan schemes once they discover that the return on loans is lower than the cost of borrowing. Many scholars have similarly argued

⁹⁵⁸ Lewis 2004a:307.

⁹⁵⁹ Rahman 2006:464.

⁹⁶⁰ *The bdnews24.com*: May 21, 2008.

⁹⁶¹ Hashmi 2000:163.

⁹⁶² Dichter 1996:263.

⁹⁶³ Dichter 1996:261.

that no miracles take place for Grameen-borrowers, who are the poorest among the poor, to enable them to commence repayment of debt-instalments immediately after borrowing small amounts to buy cows, for example, as the likelihood of buying milch cows from anybody is very rare.⁹⁶⁴ Since it is highly unlikely that they will get immediate returns from cattle or poultry, poor women are not real beneficiaries as they cannot afford to repay the instalments to the bank except only those women who have some extra source of income or are able to borrow from other NGOs. As argued by J. A. McGregor, the poorest of the poor are not asked to join groups and it therefore implies that only those who are capable of repaying their loans can join the GB loan-groups.⁹⁶⁵

Hashmi, as referred to above, is firmly disapproving of the NGO and microcredit programmes and judges them to be exploitative. He used the *Aarong* shopping complexes as an example of the exploitation of rural artisans. By interviewing the female employees at *Aarong* and rural artisans in 1999 and 2000, he found BRAC employees, especially women working at its *Aarong* handicraft marketing outlet in Dhaka and other places, are earning between 900 and 2,000 *taka* per month.⁹⁶⁶ Hashmi and W. K. Biswas et al similarly explore that there is a huge gap between the prices of handicrafts, for example, embroidered sarees and quilts, leather products, garments and jewellery at *Aarong* outlets and their actual cost of production, including labour. While a rural female worker, for example, receives around 300 *taka* from BRAC for embroidery work on a saree, which amounts to a month's hard labour, the average selling price of each saree at *Aarong* is, according to Hashmi, 6,000 *taka*.⁹⁶⁷ He also accuses BRAC of drawing sympathy by labelling packets with the message: "manufactured by poor Bangladeshi women" and thus selling them duty-free with the support of the US and Canadian governments.

Naila Kabeer, however, has evaluated the impact of microcredit programmes both negatively and positively. In some families, Kabeer argues, women, especially those who are unmarried, have no control over the loans they receive from the microcredit institutions either on account of a lack of knowledge as to how to implement them or a lack of decision making power within the family, and it is their male family members who instead utilise the loans.⁹⁶⁸ There are multiple rationales for lending to women, Kabeer claims, apart from empowerment; women are much more likely to share their loans with male household members than men are with women. The interventions, Kabeer considers, have helped to direct resources to women, thereby overcoming past

⁹⁶⁴ Hashmi 2000:164.

⁹⁶⁵ McGregor 1994:112.

⁹⁶⁶ Hashmi 2000:155. See also Biswas et al 2001:1449; Bajaj 1999:20.

⁹⁶⁷ Hashmi 2000:155.

⁹⁶⁸ Kabeer 2001b:63-64.

barriers which have led to their suppression. Kabeer, alternatively, discovers that female members of microcredit programmes exercise high consumption and more decision making power than non-borrowers. The study conducted by Kabeer also found that ‘access to credit appeared to be associated with an overall reduction of the incidence of violence against women’.⁹⁶⁹

Conclusion

As women are often vulnerable to violence, they were primarily targeted in the conflict between NGOs and the Islamists in the country. Besides domestic violence, women in rural Bangladesh, mainly those involved in NGO-activities, faced further aggression by the anti-NGO groups who consider themselves as the protector of women and look upon the “pro-Western” NGOs as a part of a global anti-Islamic assault. The main accusations against those NGOs are that they are not only anti-Islamic but also engaged in the religious conversion of needy Muslims, Hindus and indigenous tribes into Christianity with the help of their foreign donors. NGOs that were attacked were, for example, the BRAC for their mulberry plantation, mass-education and social services, and Proshika for their alleged involvement in partisan politics as well as social activities. Other NGOs and microcredit providers provoked the anger of Islamists on account of their alleged involvement in income generating programmes that initiate the empowerment of women. The Islamists also assumed there would be a moral decline of those women working with the NGOs, and in the growing female workforce in industries, offices and businesses. Thus the first weapon used in order to halt the activities of NGOs was *fatwa* through Friday-*khutba* and *shalish* as the means of proclaiming *fatwas*. To many of the *ulemas*,⁹⁷⁰ a *fatwa* is an Islamic solution to a specific problem which – in the absence of a national *fatwa* committee as exists in many Muslim countries including Egypt, Tunisia and Indonesia – is being practised by *imams* or other religious leaders, often from a personal point of view.

It is assumed that the conflict is not only the consequence of the NGOs and their disputed activities throughout the country, but also related to wider aspects such as the Islamization of politics, the rise of militant Islamist movements across the country and the newly gained power of the latter. This is proved by the issuing of *fatwas* and attacks against NGOs along with several secular intellectuals and writers. Hence, Islam as a whole and religious practices in

⁹⁶⁹ Kabeer 2001b:63-64.

⁹⁷⁰ For instance, Mawlana Obaidul Haque, former *imam* of the Baitul Mokarram National Mosque and convenor of the United Action Council (UAC), a coalition of thirteen Islamic groups formed in 1994, censured the media, secularists and liberal intellectuals for their incendiary slandering of the learned ulemas as *fatwabaz*, see Rashiduzzaman 1997:243.

particular are the central points of this conflict in which both the religious groups and their counterparts are interrelated. In the beginning of the twentieth century, when Begum Rokeya, with due respect to religious practices, started the feminist movement against patriarchy and prevailing social norms, she did not face opposition to the same extent as Nasreen and Azad. However, all of them criticised the prevailing norms by attacking religious institutions, patriarchy and social customs. While Begum Rokeya, through symbolic utopias, demanded equal rights and opportunities for both women and men, and criticised the control of patriarchy in every aspect, both Nasreen and Azad openly attacked those institutions. The philosophy of Azad and Nasreen were, in many aspects, supported by some of the NGOs and their empowerment policies.

The Islamists, who live ideologically by performing religious services, are, in fact, in a weak position both economically and socially. Due to feeling threatened by the activities of the NGOs and microcredit providers, they have reacted to a great extent with violence throughout the country. In a multidimensional conflict, the Islamists, the NGOs, the secular intellectuals, media and the state, consider each other to be the enemy and criticise each other endlessly (Stiles 2002b). Principal Allama Abdul Jalil, in a discussion concerning NGOs and their opponents, commented that from the ordinary citizen to the statesman, everybody likes conflict and problems that can be used in order to create fury among their own people against the opposition, which, in turn, can be used to successfully lead the greater movement against the opposition.⁹⁷¹ It is equally appropriate in the context of conflict between Islamists and the NGOs on the matter of the empowerment of women in Bangladesh.

⁹⁷¹ Discussion with Principal Allama Abdul Jalil: March 2007.

Chapter Six

SUMMARY & CONCLUDING REMARKS

In the beginning of this thesis I described that brides cry when they say good-bye to their parents and family members after getting married. After discussing the position of rural women in Bangladesh throughout the thesis, I came to the conclusion that every marriage that starts with tears is not necessarily an unhappy union, as the BBC FOUR journalist Simon Chambers pointed out in his documentary *Every Good Marriage Begins with Tears*, 2007, reflecting the lives of Bangladeshi girls living in the UK.⁹⁷² Every society has its own norms and regulations that every member of that society is expected to follow. A girl cries during the time of leaving her parents' house even if she marries someone she has known for a long time and is already in love with. People, through social and cultural norms, are accustomed to seeing a bride cry when she says "yes" to her groom during the wedding ceremony and when she leaves her familiar surroundings and the house she has lived in since birth. All of a sudden, when she notices she is leaving her own world for the unknown and she will not return again in the same capacity, she bursts into tears.⁹⁷³ She knows she will visit her parents' house as a guest not as a family member ever again, and thus another woman, if she has a brother(s) who marries, will take her place and will decide over her. From experiences since my childhood and during the fieldworks, I have observed that she is also very anxious about her new home and her place in it. She might wonder how she will be received by her parents-in-law, sister(s)-in-law, brother(s)-in-law. She is similarly anxious about the other men and women in the neighbourhood and even within the domain of other females where she is only a new bride who has very little to say.

A woman can easily become vulnerable to domestic violence, subjected to exploitation but can also, in some cases, be a manager of her own family (Todd 1996). Her surroundings, family status, economic conditions, education and even her personal outlook decide her position in society. A girl – in cases where she and her husband live with her parents as *ghorjamai*,⁹⁷⁴ "house son-in-law", opposite to exogamous marriages – often plays a dominant role. In terms of

⁹⁷² Chambers, *Every Good Marriage Begins with Tears*, BBC 4.

⁹⁷³ A marriage, in the cultural and social atmosphere in the subcontinent, usually takes place between two individuals who have never met before and know very little about each other as it is the parents and elders who decide on their behalf. As the bride joins the bridegroom's family, the new world is almost unknown to her.

⁹⁷⁴ When a husband settles in his wife's parents' *bari*, he is called *ghorjamai* which literally means "house son-in-law" and has a negative connotation in a strictly patriarchal society that is used to seeing a man live by his own means, see Todd 1996.

exogamous marriages, newly married women pretend to be shy as is demanded by the social and cultural norms in most parts of Bangladesh, but if she is still living in her parents' house in the same neighbourhood after her marriage, she usually does not feel timid or remain submissive. In contrast, in an exogamous marriage, a girl must follow many unwritten and inconvenient laws and regulations in the new milieu; in case she flouts those rules and cultural norms, the neighbours and relatives of her husband constantly monitor and bully her until her courage wanes.

In recent decades, the situation for many women has changed. There are various options to village life such as the possibility to move more freely and to work outside the home. Developments support and convey women, for example, in legal matters, increased participation in the labour market and policies taken by the government to make women more active in society in general. The presence of NGOs and the possibility for microcredits have empowered women in rural as well as other areas. The function of the NGOs is of particular interest since the work they carry out not only helps women, but their presence also creates an awareness of the situation of Bangladeshi women to the outside world. They also create pressure on the government to take action and form policies that benefits women and, at the same time, their presence also creates opposition and resistance.

Analysis of the Conflict between NGOs and Religious Groups

As was stated in the "Introduction", this study is aimed predominately at analysing the status of rural women in Bangladesh in the perspectives of religious practices, patriarchal social norms and a new era of economic freedom through newly installed microcredit programmes as well as government policies. Another objective to analyse the conflict and debate over women and development is activities between nongovernmental organizations (NGOs) and Islamists as well as other religiously motivated and justified positions among Muslims in the country, especially in rural areas. The reasons behind the conflict, as discussed earlier, are multidimensional: interventions by different groups and their impact on religious practices and institutions, social and cultural institutions and, not least, economic institutions. Religion – Islam in this regard – works as an important source to which primarily Islamists return to substantiate their ideas, both when it concerns the changes and the conflict. The foundation of how most NGOs legitimate their position is references to principal ideas, for example, human rights and the belief that religion is something private and beyond the control of the state.

Social and cultural norms, mainly derived from Hinduism, have deeply influenced the people of Bangladesh.⁹⁷⁵ Although *Shari'a* has allocated women a share of their parents' properties, women and their families consider it a curse, prompting women to relinquish their share in favour of their brother(s) or any other male relative. It is important to note that submission of women to their husbands, giving up their rights of inheritance and an overall tendency of possessing a sacrificial attitude are a few among many other religious, social and cultural norms that are derived from the ideology of Hinduism. Islam, after social and religious confrontations with Hinduism, absorbed many of the prevailing cults in the subcontinent. Hence, the existing religious practices, social and cultural norms, institutions of *pardah* and *shalish* have played a significant role in determining the position of rural Muslim women in Bangladesh. As seen throughout the whole dissertation, the status of rural women is further affected by the prevailing patriarchy and socioeconomic subordination. The socioeconomic tradition of the country pervades the system of authority, subordination and female obedience. Use of religion by religious groups as an instrument of oppression rather than as a means to the liberation of women has been recorded in previous literature and observed during my fieldworks. Conversely, liberal intellectuals as well as activists from NGOs state that women in the country have been the primary target of the Islamization of politics. The trend of Islamization, as understood by Mandaville and discussed in the "Introduction", has further affected the status of women's rights. As Islam is seen as the complete code of human life, religious praxis affect all spheres of human activities and not least the lives of women.

The above effects have caused many people, especially women, to suffer from economic hardship, and made them victims of social stigma, religious atrocities, violence, discrimination and many other adversities. State policies, under different governments, along with many NGOs and microcredit providers, have undertaken initiatives to reduce gender disparity, terminate violence against women, diminish the gender gap in concern of opportunities to careers, health service, education, access to credit, participation in local as well as national politics, and household decision making. The actions by the government, NGOs and other microcredit providers have affected the lives of women, both in favour of and against their interests, influenced prevailing religious practices, social and cultural norms, the institutions of *pardah* and *shalish*, and succeeded in transforming those institutions. It is notable that the country was going through an ideological crisis where it concerned women and their role in a society like Bangladesh. People were accustomed to seeing the traditional role and position of women as subordinate and confined to the homesteads. The actions have further brought about social changes through ideological

⁹⁷⁵ See Azad 1995:70-80.

reconstruction, especially in relation to gender equality. To my understanding, the discussion on the role of women is a symbolic issue that brings the matters to specific points. On the one hand, it is a matter of positioning religion in society and on the other hand, it is a discussion on the values and norms in society.

Not only are religious practices, patriarchy, social and cultural norms considered obstacles for gender equality in Bangladesh, there are also other practical factors in everyday life that hinder women in attaining what the country's constitution has guaranteed them. The social problem of gender discrimination exists and women are victims of outer and inner realities because of social and cultural influences. Furthermore, there is a lack of opportunities for women in general within patriarchal Muslim societies to develop knowledge of religious traditions that spread the belief that women are to be exploited in the name of God. The author Taslima Nasreen was not the first woman to point out the inequalities prevailing between men and women in Bangladeshi society, as discussed earlier; it was, rather, Begum Rokeya who championed the cause of women's liberation throughout her life as a school teacher, social worker and writer. Nasreen, unlike Begum Rokeya, displeased every section of the community, including the women she fought for, with her writings and statements. However, Begum Rokeya realized the consequences of directly attacking the religious and social norms as well as patriarchy and thus conducted her demand for the equal rights of women in a compromising manner, in terms of the religious sensibilities of the people and social and cultural norms, without making her struggle objectionable to the society she fought for.

Again, if we look back at the conceptual framework in the context of Bangladesh, religion is considered to be the main factor that influences social norms, formal laws, especially family laws, economic institutions and gender sensitive government policies in health, nutrition, education, labour-market, infrastructure, social security and basic human rights. Furthermore, Jamaat-e-Islami, the largest Islamist political party in the country promulgate in their political ideologies that the relationship between men and women is thoroughly sexualised. Separation of public and private spheres as well as men and women are fixed within their ideal social structures. In contrast, secularists demand a separation of public and private spheres in a way where practices of religion would be private. As Islamists consider women who move freely in male spaces to be guilty of committing an act of aggression by their very presence and are subsequently met by male aggression as well as harassment, it is believed by the Islamists that the veil lessens the tension.

Inequality between men and women is a result of certain social institutions, though religious foundations do indeed control perceived aggressive sexual power. Social conflicts of interest are articulated in religious terms such as the

matters of inheritance and witness participation. Different participants such as state, NGOs, religious leaders, Civil Society Organizations (CSO), women's organizations, media, political parties, academics and the intelligentsia of the country interact with the patriarchal norms, visible at different spheres and levels such as in households, public offices, markets and local communities. On the one hand, the participants mentioned above affected the status of women through other norms, religious practices and gender-biased policies of the government. On the other hand, their presence in each section seems to be a threat for the other. However, the motives behind the Islamists' struggle are related to issues such as economy, state legitimacy, political power and preservation of patriarchal control. As understood during the fieldworks through discussions with different government representatives, intelligentsia and rural women, some of the initiatives taken by the government to minimize the inequality between men and women in the country fail due to threats issued by the Islamists as well as the unwillingness of government officials due to their personal views.⁹⁷⁶

From the historical perspective, the first government of the country in 1972 took the primary initiative of empowering women by reserving fifteen parliamentary seats for them. This effort was further extended in 1976 through Women in Development (WID) and the Second Five Year Plan where other programmes included women's issues in every possible sphere. During the UN Decade for Women (1976-85), initiatives taken by President Ziaur Rahman (Zia) to empower women through the WID programme played a leading role in the hierarchy of gender equality as prescribed by the UN and other world organizations. Zia, through forming a National Women Federation in order to combine the development activities of the government and nongovernment institutions, further emphasised the strategy of including women in development processes. As discussed earlier, the process of the empowerment of women continued and further expanded which resulted in a dominant presence of different NGOs and microcredit providers as well as institutions throughout the country.

The changes in social and economic institutions introduced by international as well as domestic organizations are perceived as a threat to the existence of religious groups, local elites, village elders and even some secular intellectuals. Every participant mentioned above played a role in dynamically changing the prevailing institutions that partly restrain women in gaining equal opportunities. The stereotypical status of women took a dynamic turn due to the interventions by different groups. Every action and intervention has affected society, especially women in rural areas, both positively and negatively, for example, better access

⁹⁷⁶ Recent initiatives by the government and its failure is discussed later in this chapter.

to the labour market, visibility in all spheres of social activities and, adversely, altered family relationships and higher divorce rates, especially among working women. Furthermore, this new social order, whereby men and women work together, where women stay outside the home for longer than before and mobilize themselves in search for a better future, has made the local religious leaders and the Islamists, as well as the rural elites, concerned about the deep rooted traditions and cults prevailing among ordinary people, particularly those in the countryside. It is noteworthy here that the contribution of over two million female garments workers, most of whom moved to urban industrial areas from the countryside, is in no way deniable.⁹⁷⁷ These female garments workers have, with their own salaries, provided accommodation and support to their family members and further promulgated the struggle for the equal rights of women and the dismantling of patriarchal control over society. But as said earlier, it is the NGO-activity that enraged the religious and other groups and involved conflicts between the two sides. Thus the fact that those female workers were not discussed so elaborately in my dissertation is a sign of societal change and how the situation of women may develop.

The intervention of the NGOs and microcredit providers is mainly visible in the economic institutions which benefits hundreds of thousands of people, most of whom are women in rural areas. The change was easily recognizable during my fieldworks, my recent visit to Bangladesh in 2008 and personal conversations with the rural women, community leaders and NGO-activists. Microcredit programmes successfully helped many poor and destitute women in rural regions to dispose of *mohajons*⁹⁷⁸ and moneylenders who exploited their clients by lending money with more than a hundred percent interest rates. In some cases, the *mohajons* have produced false documents with the intention to capture the properties of the helpless poor and exploited the situation through unfair contracts between them and their clients. As a result of access to credit without collateral and with easy conditions, the rural poor, especially destitute women who used to borrow money from the traditional moneylenders by agreeing to tougher conditions, turned towards NGOs and other microcredit providers which subsequently lessened their dependency on the *mohajons* and moneylenders. The credit from Grameen Bank (GB) and other NGOs not only helped the poor to eliminate the stringent conditions and high interests of the moneylenders but also helped them to be self-dependent and to learn to live self-sufficiently.

⁹⁷⁷ Personal discussion with Professor Staffan Lindberg, Lund University, Sweden in October 2009.

⁹⁷⁸ The word *mohajon* refers to entrepreneurs or local rich and influential businessmen, see Shamsuddoha 2007:8.

Microcredit institutions and NGOs not only provided credit to the needy but also helped them with advice, training and opportunities for marketing their small handicrafts. Despite the NGOs claim to take only sixteen to twenty percent interest, they sometimes take as much as thirty-six percent; however, it is still much lower than the interest charged by the moneylenders. These moneylenders are the influential village elders and *mohajons* and they have felt threatened by the NGOs. They successfully influenced the religious groups such as *madrassah* teachers, *imams* of rural mosques, Islamists such as Bangladesh Jamaat-e-Islami (JIB), Islami Oikkyo Jote (IOJ), the Islamic Constitution Movement and others who similarly felt intimidated by the expansion of NGO-activities, in terms of religious practices, mass education, empowerment of women and health services.

Probably the most discussed NGO-activity is intervention in social and human rights matters which confronted the prevailing religious practices and social norms. However, in recent years, as observed and experienced through discussions with NGO-activists and women connected to the development activities, Islamism has pervasively taken root in the politics of Bangladesh as well as in religious activities, further endangering the position of women throughout the country. Those norms and customs similarly make women victims of discrimination and more vulnerable to domestic as well as public violence. On the one hand, the organizations have been demanding equal rights for women in matters such as parents' property, ending the patriarchal social mindset concerning women and many other factors that, according to the organizations, are preventing women from gaining access to their proper rights and privileges. On the other hand, many religious groups, along with village elders, felt apprehensive when faced with the loss of control over women and weaker sections of society and thus demanded what they consider the traditional role for women.

However, the state and the NGOs have undertaken many initiatives to establish the equal rights of women alongside men, including political and socioeconomic rights, equal rights of inheritance, career opportunities, and equal rights in marriage, divorce and guardianship of children, household decision making and broader social views towards women. The reaction of the Islamists and their supporters, as mentioned earlier, was evident through violent demonstrations, attacks on NGO-offices and people engaged with NGOs, mostly women, as well as through frequent *fatwas* against the organizers whom they considered to be anti-Islamic and the destroyers of the prevailing social and cultural order in the country. Despite the strong restraints from the anti-NGOs groups, the programmes in recent years, however, have resulted in less gender disparity, better access to health services for women, access to credit and education, a change in government policies toward women, access to labour-markets, and

participation in local and national politics which have altogether also empowered women at the level of household decision making.

In the same way, medical centres run by the NGOs have facilitated villagers with modern treatments and advised them not to go to the *imams*, religious leaders or *madrasah* teachers for talismans or healings with “holy water”, *tabiz*, “amulet”, and *jhar-fuk*. The expansion of health services by different NGOs and microcredit providers, in some cases in partnership with the government, has severely affected the local faith healers. Government and nongovernment health services not only provide treatment but also endeavour to create awareness among the masses about superstitious beliefs concerning different diseases and discourage them from delaying seeking modern medical treatment due to faith healing. Interestingly, the Islamists in my study are against *bida*, “innovation”, but do not actually work and argue against the use of, for example, talismans and amulets.⁹⁷⁹

Girls in Bangladesh have gained precedence in education over boys; scholarships up to class eight and in the near future up to class ten (as mentioned in the Prime Minister’s speech on 8 March 2009)⁹⁸⁰ in order to reach the Education For All (EFA) target declared by the government are considered as milestones. The policies have resulted in not only an adverse enrolment gap between boys and girls but also favoured girls in acquiring success at all levels of education. The policies of the government of Bangladesh have further resulted in impressive gains in gender equality including the competitive government services known as the Bangladesh Civil Services (BCS). However, the twin policies of secular and religious education introduced competition between the NGOs and the religious leaders, comprising mainly of *madrasah* teachers, to have influence among the rural population. NGO-run schools were blamed for taking away students from *maktabs*, “elementary madrasahs primarily for learning to read the Qur’an”. The government policy of installing secular education initiated by different NGOs further enraged religious leaders and encouraged them to form an alliance with government primary school teachers who also felt threatened by the prospect of losing their jobs due to the NGO takeover of education.

⁹⁷⁹ I had a long discussion with Allama Abdul Jalil concerning “innovation” during my fieldwork in March 2007. Allama Abdul Jalil gave me a complete list of innovations that many *Sunni ulemas*, especially those affiliated to *Ahle Sunnat wal-Jamaat* favour. However, other radical groups such as Jammat-e-Islami (both in Bangladesh and in Pakistan), Tabligi Jamaat and Islamists named earlier assert the legitimacy of rejecting and fighting those innovations, for example, celebrating the birth anniversary of the Prophet and building tombs over the graves of Muslim saints.

⁹⁸⁰ Prime Minister’s speech on the occasion of the International Women’s Day, ATN Bangla news, 8 March 2009.

However, modernity and changes within society on grounds of intervention by the government and NGOs seems to be the main argument concerning gender relations. It is notable that the new wave of Islamist Movements throughout the Muslim world has reached even Bangladesh and is now visible after the recent years' development of religious extremism across the country. The slogan of "Return to origin" rejects all religious innovations as has been mentioned above. The interventions by the government as well as NGOs have affected religious practices. Those religious groups who oppose any religious innovations, good or bad, found the social changes to be harmful to the interests of religiosity and even to Muslim culture. It is interesting to note that extra security was visible in March 2007 while I was visiting the shrine of Hazrat Shahjalal in Sylhet, the largest pilgrimage for many Muslims in Bangladesh which had earlier been subject to a bomb attack on 12 January 2004. As the wave of modernity, recent social changes and women's mobilizations have facilitated women in the country and strengthened their presence in every strata of human life, it alarms those religious groups and makes them struggle to limit the activities of women to inside the private domain.

As a result, interested groups such as religious communities, village elites and moneylenders found the stories and arguments presented in the fifth chapter very fruitful, although they lack authenticity according to the claim of NGOs. Those symbolic stories and arguments and their reproduction in different media, as said earlier, lead the conflict forward, and affect and reshape the relationship between the groups.

Discrepancy between Laws and Reality

As discussed in Chapters Two and Three, many women in rural Bangladesh are subjected to verbal and physical abuse related to dowry. They are, as was found in my collected legal materials and confirmed in discussions with women activists during my fieldworks, victims of religious practices, social and cultural norms, and are discriminated in terms of legal actions. Since the beginning of 1990, violence against women has increased drastically; many have died and hundreds of women have been injured, humiliated, tortured, and victimised by *fatwas*, *shalish* and other social boycotts by religious groups, local elites and village elders. During the same period, an Islamist group in Sylhet filed a case and issued a *fatwa* concerning Taslima Nasreen for her writings criticising social and cultural norms and religious practices – an act which they considered anti-Islamic and anti-state. Another group of Islamists announced a reward of fifty thousand taka for the head of Nasreen. Some Islamists have threatened Humayun Azad, a leftist writer and reformer of social and cultural norms, finally attacked and severely injured him on the way home from the February Book

Fair in 2004. Bangladesh Jamaat-e-Islami (JIB) declared a *fatwa* concerning Dr. Ahmed Sharif, a veteran secular intellectual and self-declared atheist, and Professor Kabir Chowdhury of Dhaka University, calling them *murtads* for their provocative writings and frequent anti-Islamic statements and demanded the *fanshi*, “death sentence”⁹⁸¹ to the former.

Authorities such as the police, civil courts and administration rarely took any legal action against those who were responsible for the illegal, heinous and destructive activities that are a clear violation of the existing laws of the country. A majority of the perpetrators were local elders and religious leaders, and most of them managed to escape punishment by using weaknesses in existing laws or through political pressure. The discrepancies between laws and realities not only exist when it concerns the conflicts between NGOs and anti-NGO groups, but also in all other matters. The age-long traditional institution of *shalish*, as well as every branch of the administration and government bodies in Bangladesh, is affected by political influence and corruption (*Transparency International of Bangladesh*, 2009).

Political influence, nepotism and force seem to be common in Bangladesh and have been observed since my childhood and during the fieldworks between 1999 and 2007. The reality is also different from what the existing law and the constitution of the country prescribe. Among many factors, nationwide corruption and political pressure restrain women in every possible way from gaining their rights. If a woman is weak in a society where the discrepancy between laws and reality is beyond one’s imagination, she might be a victim of all possible vicious elements that exist in that society. For example, the law has given a woman the rights of maintenance by the husband during the *idda*, “waiting period after the divorce” but in many cases, she is deprived. The husband, in this case, applies his power, influences the authority if his wife is weak and in the worst case, makes a mockery of the law which causes a delay in processing the legal case and prolongs the woman’s suffering. The husband takes the opportunity to use weaknesses in the prevailing law. In a patriarchal society like Bangladesh, divorce is seen as a disgrace not only for the woman herself but also for her whole family which is why she unequivocally avoids further harassment during the legal processes that ensue somewhat in the man’s favour. When the husband denies delivering the wife’s rights of maintenance, she takes shelter in arbitrary councils instead of legal action in fear of the aforementioned delay and social disgrace.

The government, however, in consequence of the increasing amount of violence against women and *fatwa*- as well as *shalish*-related incidents, mostly against

⁹⁸¹ Demanding death sentences with slogans *fanshi chai*, “we want the death sentence” against any person with opposing opinions or interests is very common in Bangladesh.

rural women throughout Bangladesh, sharpened and amended the existing laws and civil codes in order to put an end to the ongoing misogynous atrocities. However, political unrest, nepotism in all levels of administration and lack of law and order in the country have further worsened the situation. Despite the stringent laws and provisions of harsh punishments, verbal threats along with political pressure greatly discourage the victims from taking refuge in the law. Many victims, in fear of further suffering and realising the consequences, usually withdraw their allegations against the perpetrators, in case the latter is able to escape justice because of a loophole in the law. Raped women especially refrain from taking any legal action for fear of further harassment by the law-enforcing agencies, verbal abuse during the process, the media's portrayal and the social stigma. Although many human rights organizations, along with the Family Court Ordinance (FCO), have come forward to help the victims, many of them are deprived of the opportunity to do so on account of a lack of resources.

If we refer back to the framework-model described in the "Introduction" it is clear that women are the focus of the model and this discussion. Their situation as well as position in Bangladeshi society is multidimensional and affected by different sets of factors such as religion and social and political movements by different religious groups, social and economic institutions, patriarchy, social and cultural norms, and religious practices. Different participants such as the state, NGOs, media, civil society organizations, women's organizations and women themselves, academics as well as the intelligentsia, including the policies taken by different organizations and the state, have actively contributed to the change of those institutions.

Conclusion

In conclusion, it can be said that though Islam was made the "state religion" in June 1988 without any serious intentions, as was discussed in the Introduction, the appeasement only remained as a declaration and was opposed even by JIB, the largest Islam-based political party in Bangladesh. Many scholars, however, have expressed their apprehensions over JIB's programmes and activities as their cherished "Islamic state" means much more than a mere declaration of Islam as the "state religion". As the main agenda of JIB is to establish the rule of *shari'a* with absolute faith and trust in the Almighty, which is, according to the manifesto of the party, everlasting and non-amendable, it has been confronted with the rule of representatives elected democratically by the people. What the liberal and secular scholars apprehend is authoritarian rule of the *ulemas*, who are opposed to democratic institutions as defined by scholars in political science, equal rights and status of women, co-education, women's involvement and participation in politics and women's appearance in public places without a veil.

However, the Amendment resulted in some changes in the state policies such as the emphasis on a society based on mosques. Interestingly, it was evident during my fieldworks between 1999 and 2007 that mass education was co-adopted by latter governments through not only mosques but also through other places of worships such as Hindu and Buddhist temples.

Here, it is noteworthy to mention that the independence of Bangladesh came about after a nine-month-long bloody war against the Pakistani military regime, which was opposed by Islamist political parties such as the Muslim League and the Jamaat-e-Islami, for both political and ideological reasons. The general population in the eastern wing of the then East Pakistan and today's Bangladesh favoured and fought the war beyond any political ideologies, either secularist or religious convictions. However, some secularists in the country fail to differentiate the followers of those who collaborated with the Pakistanis from other general non-political *ulemas*. Nonetheless, since the 1990s, Islamism and terrorism in the name of religious movements and with "Return to Origin" slogans being influenced and co-opted by the *Salafists* through *qaomi madrassahs*, JIB, Jamaat-ul-Mujahedeen (JMB), Jagrata Muslim Janata Bangladesh (JMJB), Harkatul Jihad (HJ), Hizb ut-Tahrir (HT) and other radical groups have taken firm roots and spread throughout the country. The groups are committed to purifying people of what they consider "non-Islamic" activities such as visiting and worshipping shrines and the state of its manmade laws, to limit the free mixing of men and women in the name of development activities, and to return to what they understand as the real Islam as existed during the lifetime of the Prophet by forbidding all *bida*, "innovations". The groups have included the young, poor, *madrassah* students and other economically frustrated groups among the people to fulfil their target of providing training and persuading them that their actions are for the greater interest of Islam. It is worth returning to the "Introduction" while discussing Mandaville and his understanding of religious influence throughout the Muslim world, especially among the younger generation of Muslim immigrants. It seems that the global change of religious phenomena, as understood by Mandaville, has similarly affected some religious groups in Bangladesh. The religion, as a driving force, has affected the people both positively and negatively on account of the recent development of different religious movements locally as well as globally.

In a parallel development, the influence of NGOs in recent years, relative to the state and other organizations, has increased dramatically. Nowadays, in the context of Bangladesh, NGOs are often called the "semi government" who not only operate the microcredit programmes but also actively take part in the decision making process. Their position is strengthened not only because of foreign funds but also the diplomatic and moral support provided by foreign

donors. The NGOs found a common cause with both the radical and liberal elements of the Bangladeshi elite, especially in rural areas (Stiles 2002b) and as a consequence, the growing power and role of NGOs in relation to the government has diminished the scope of their public accountability.

I ensure that I keep regularly updated with the news in the Bangladeshi media, especially during my frequent visits to the country, and have observed reports stating that both civil society and the Islamists are struggling for political power within the emerging framework of democracy in Bangladesh. Ongoing struggles such as whether the nature of the Bangladeshi state will be secular or Islamic and gender symbolic politics are played out by these groups to secure political legitimacy and authority in Bangladesh. Women collectively have a common interest in dismantling the boundaries between the public and private spheres while men have a common interest in keeping the boundaries of society intact. As we have seen, many leading human rights organizations in the country have advocated for the equal rights of women in every sphere of human life: equal share in parents' properties, an equal deal in marriage, divorce, guardianship and custody of children after divorce and even the equal representation of women in their role as witnesses. However, the power and ability of the government is limited. As discussed above, in 2008, it took initiatives to bring some changes to the Muslim personal laws but the Islamists, for instance, Jamaat-e-Islami and other radical Islamist groups, took stances against any change in the prevailing Muslim Family Laws as defined by the sacred texts. In this situation, the government was forced to withdraw the proposal for changes, taking the demonstration into consideration for the greater interest of the nation. NGOs, microcredit providers and some other organizations have further demonstrated in order to free women from the atrocities of *fatwas* and *shalish* but the protectors of these institutions, namely the religious groups, rural elites and village elders, consider the demands of the NGOs akin to destroying the existing social and cultural institutions and the religious practices prevailing in the country. Islamists report that religious, cultural or intellectual imperialism and a general negative image of Islam by what they call "the West", media and secular intellectuals has led to discrimination against Muslim societies.

It is argued by different NGOs as well as human rights organizations that women in Bangladesh are discriminated against in all possible aspects and therefore need to be empowered in order to be equal to men. It is generally assumed that Islam and feminism, in the context of Bangladesh, have extreme negative correlations. The former has admitted polygamy (with restrictions) and the inferior status of women in comparison to men concerning social, political and economic gain, while the latter is in opposition and demands the equal participation of women in all spheres of life. Thus, the granting of equal rights of inheritance to women might disturb the conservative section of Bangladeshi

Muslims, especially those with a vested interest in properties. There might be misogynistic groups in the country, but also the central characters of women's liberation, including those associated with various NGOs, human rights and feminist organizations, are sometimes opportunistic and exploitative (Hashmi 2000). It is also somewhat interesting that the religious groups have even used the anti-NGO arguments by some secularists in order to gain authenticity for their anti-NGO perspective. Nevertheless, both the religious groups and the secularists are ideologically hostile towards each other.

Several religious groups, moneylenders, *mohajons*, rural elites and village elders have accused Grameen Bank and other NGOs of anti-Islamic and anti-state activities and, according to them, of attempting to destroy the social order and religious practices in the country by drawing women out of their homes and giving them opportunities to mix freely with strangers. Further accusations against NGOs and microcredit providers continue: a slack structure, limited accountabilities to beneficiaries, inadequate attention to the very poor, undue influence by donors' interests, ineffective strategy and implementation of measures to build institutional capacity and self-reliance among poor, insufficient attention to minorities and evaluations, weak planning and management capacity, a lack of broad social and economic perspective, and inadequate technical, professional and managerial skills. However, many scholars have found positive correlations between social changes and the upheavals of transition that the country has been passing through. Recent initiatives and programmes to improve the conditions of rural women have led to competition between the old and new patrons with the former representing village elders and the latter representing powerful modern-educated, urban supporters of aid agencies and missionaries. The wave of practising *fatwas* against women, demonstrations against NGO-activities and conflicts between NGOs and anti-NGO groups seems to have culminated during the 1990s and continued until the first few years of the previous decade. However, women have generally gained, thanks to the interventions, direct economic gain, marketable skills, a visible role in the household, social status in terms of their respect within the household, awareness, confidence and empowerment, which have all helped to minimize dowry, polygamy, domestic violence, and improved the status and increased the participation of women in the family.

As was raised in the problematic of this thesis, we have seen how social status, economy, social and cultural norms and religious practices have played a significant role in this regard and Islam, as the religion of the majority of people, has combined all the factors together. There are significant discrepancies between the laws and the reality in the country. In some cases, religion has been a dominant factor between the driving forces and different participants and we have also observed how various groups have argued against each other and used

religious texts in order to justify their own arguments. After the discussion, we came to the conclusion that the conflict between the groups is a conflict of power. We have also seen how religious practices, social and cultural norms have affected rural women and prevented them from gaining the rights and privileges guaranteed by the Constitution. At the same time, the conscious intervention by the government, NGOs and other microcredit providers have inspired women to be self-dependent and given them the courage to react and unite when they are discriminated against and deprived.

Nowadays, women's voices are heard both in politics and in decision making on all levels. Women are no longer trapped inside the four walls of the home, rather, they have succeeded in partly overcoming the social taboos by gaining success in education, working in the labour-market side by side with men and taking initiatives to break down men's age-long traditional mindset towards them. When the policies and programmes adopted by the government focus on the development potential of women, society can further benefit in terms of increased productivity, enhanced family welfare and reduced population growth. Although in some cases state policies such as reserved seats in parliament and local government institutions and quotas in most government jobs have been in women's favour, women are still less represented in both government and private sectors.

When women are deprived the whole family is deprived (Ahmad 2003). So, the status of women, especially those who live in remote rural areas, could be further improved via a number of approaches. These include the elimination of all forms of discrimination against women in all government as well as private levels, justice and equal salaries for female labourers, especially those who work in the garments factories. Freedom from the patriarchal norms and ideologies, the undertaking of further social movements to eliminate violence against women, with both men and women working together to reach the target of women's empowerment, and adult community-based education for women by governmental organizations, NGOs and local community leaders are additionally necessary. Awareness among rural women would be effective to uproot illiteracy, related social deficiencies in rural communities, early marriage, sex bias and dowry, and gender discrimination. As religious radicalism is one of the leading obstacles to women gaining equal rights and privileges in society, everybody beyond gender or political affiliations needs to stand against it in order to build a modern and equal society. Finally, further studies are necessary in order to explore the prevailing discrimination against female labourers in the garments industries as well as the hundreds of thousands of Bangladeshi women working in the Middle East who currently face different types of discrimination and disrespectful behaviour in their workplaces.

SAMMANFATTNING PÅ SVENSKA (SUMMARY IN SWEDISH)

Bangladesh är ett av världens folkrikaste muslimska länder. Sedan självständigheten har invånarna – trots politisk oro, massiva naturkatastrofer och utbredd administrativ korrupktion – upplevt en positiv utveckling, särskilt vad gäller kvinnors utbildning, hälsovård och familjeplanering. Denna avhandling diskuterar kvinnors levnadsförhållanden på landsbygden med fokus på rättsliga positioner, sociala och kulturella normer, religiös praxis samt konflikten mellan icke-statliga organisationer, religiösa grupper och deras allianser.

Det bangladeshiska samhället präglas inte bara av islam utan också av starka patriarkala sociala normer och det hinduiska kulturella arvet, men många människor är fromma och religion spelar en viktig roll i det dagliga livet. Kvinnors livssituation påverkas därför dels av det rådande patriarkatet, religiös praxis samt traditionella sociala och kulturella normer; dels av åtgärder från regeringen och organisationer som sysslar med mikrokreditfinansiering. Kvinnors roll och status i samhället har förändrats drastiskt, från begränsad rörlighet inom hemmet till en ansevärd närvaro på arbetsmarknaden; som småföretagare, inom medier och den privata sektorn, samt i lokal och nationell politik. De har också fått en starkt roll vad gäller beslutsfattande inom det egna hushållet.

Landet har en lång tradition av sufism där de olika ordnarna anses ha en öppnare syn på kvinnors roll i samhället och i religionsutövning. Sedan början av 1990-talet har dock Bangladesh blivit starkt påverkat av *Deobandi-wahhabitisk* islam och *salafi*-ideologi, främst genom uppkomsten av de många religiösa skolorna s.k. *qaomi madrassah* och den landsomfattande organisationen *Jamaat-e-Islami*. Bägge dessa verksamheter stöds ekonomiskt, teologiskt och moraliskt från länder i Mellanöstern. *Salafi*-ideologin förespråkar en ”återgång till ursprunget” d.v.s. budskapet i Koranen och haditherna. Denna utveckling har resulterat i landsomfattande våldsdåd, demonstrationer mot Grameen Bank och andra icke-statliga organisationer, angrepp på kvinnor och arrangörer som anlitar respektive arbetar inom dessa organisationer, samt förnekande av sekulära lagar. Samtidigt har många attacker mot offentliga lokaler och muslimska helgedomar utförts.

Denna studie ger således en analys av situationen för kvinnor på landsbygden i Bangladesh gällande religiös praxis, lagstiftning och hotet mot patriarkala sociala normer i en ny era av ekonomisk frihet genom mikrokreditprogram och regeringens politik. Dessutom analyseras den pågående konflikten och debatten mellan de icke-statliga organisationerna och olika religiösa grupperingar angående dessa frågor.

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[http://www.unhchr.ch/huridocda/huridoca.nsf/\(Symbol\)/A.CONF.157.23.En?OpenDocument](http://www.unhchr.ch/huridocda/huridoca.nsf/(Symbol)/A.CONF.157.23.En?OpenDocument)

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Dr. Dipu Moni, Minister for Foreign Affairs

Professor Muhammad Ibrahim, Islamic History and Culture, Dhaka University

Professor Muhammad Aatur Rahman Miazi, Islamic History and Culture, DU

Ms. Nasima Islam, Nijera Kori

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Mawlana Sirajul Islam, Boro Huzoor, Brahmanbaria

Mofizur Rhaman, Asst. Professor, Mass Communication and Journalism, DU

Swapon Pathan, Chairman, Shadullahpur Union Council, Matlab North

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