



Attitude towards Prescribing Legal Action on Domestic Violence against Women: Context of Bangladesh during COVID-19 Pandemic Period

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Abstract

Background: Domestic violence is rampant and pervasive in Bangladesh. It has become a burning question across the world on the whole year especially during COVID-19 pandemic period. The woman is generally thought vulnerable, controlled by their father, husband or son in where dominated and subjugated approach by the man even though considered as slave to men. Generally, females are thought as subordinate, inferior and subservient to males which have become common characteristics in the patriarchal society like Bangladesh. The paper briefly explores women attitude towards taking legal actions against offenders who commit assault on domestic violence against women. **Method:** The paper is intent to use secondary data collected from Ain O Salish Kendra (ASK) accumulated published data taken from Prothom Alo, Ittefaq, Samakal, Sangbad, Janakantha, Noya Diganta, Daily Star, New Age, Dhaka Tribune (include their e-papers), some online news portals and Ain O Salish Kendra (ASK) on domestic violence against woman in the context of Bangladesh during COVID-19 pandemic period from April to August, 2020. **Result:** Of 303 cases, 76% women tortured by intimate partner called husband, 80% women tortured by husband's family members, 52% tortured by own family members and 66% committed suicide are no more concerned about taking legal actions. Cases have been filled and taken judicial proceedings who are victimized on 62% murdered by husband, 64% murdered by husband family members and 57% murdered by own family members. **Conclusion:** The handsome number of women who are engrossed to fill case on taking legal action against delinquent if they are offenders even though a good number of women who are no more concerned to fill cases against guilty on torture, murder and ultimate outcome of torture, is committed suicide as a form of domestic violence to women in where women are victim of domestic violence within their husband, family members and own family members.

Subject Areas

Gender Studies

Keywords

COVID-19, Legal Action, Domestic Violence, Pandemic Period, Women Attitude

Highlights

- Intimate partner or husband is the key factor of domestic violence in Bangladesh.
- 3 out of 4 women are unwilling to record information to fill cases on torture by their husband.
- Women are victim of domestic violence not only by their husband's family members but also their own family members.
- Women experience that 55% cases are victim of death both suicide and murder by their husband, husband's family members and own family members filled cases for trial.
- Those women who are sufferers of violence (49%) don't prescribe any initiatives to take legal action to justify domestic violence against their husband, husband's family members and own family members.

1. Introduction

Either intimate partner or husband is the key factor towards violence against women who live in a patriarchal society in where male domination, vulnerability, powerlessness, subjugation by man, non-dominant members in nature, follower to male's decision, controlled by their father, son, husband or intimate partner within different phases in their lives are the common nature of behavior towards women. On the contrary, man exercises a patriarchal order in where they are the head of the family, decision makers of all matters within the family, dominate and exercise power over child and woman (Rahman, 2019) [1].

Domestic Violence is identified as "gender violence" (Harne & Radford, 2008) [2]; "wife abuse" and "wife assault" (Ellesberg, 1999 [3]; Mears, 2003 [4]); "conjugal violence", "marital violence", "family violence"; "intimate partner violence", "domestic abuse", "domestic assault", "wife beating", "women abuse", (McCue, 2008) [5]. Ave (2011) [6] addresses domestic violence against women done by intimate partners and family members. In addition, Romito (2008) [7] identifies domestic violence as a form of violence generally a man against a woman. Furthermore, Women's Aid (2009) [8] describes domestic violence as repetitive; life-threatening may be destructive to the lives on women and children.

Women are generally treated as inferior to men, which has become a common

accepted norm of behavior in our society (Sultana, 2010) [9]. Hence, high level of domestic violence exists in Bangladesh (Home Office, 2020) [10]. Violence against woman is not limited to Bangladesh even though, almost 30% women experience worldwide physical or sexual violence in their lifetime when they were in a relationship (WHO, 2017) [11]. Domestic violence is no more limited to psychological, sexual, physical, economic or emotional abuse rather than pattern of incidents of controlling, threatening behavior, coercive, violence or abuse aged 16 or over by their intimate partners or family members (Home Office, 2020) [10].

The objective of the study is the identification of women perception of taking legal action to offenders against domestic violence during the Covid-19 pandemic period in Bangladesh. The study is descriptive in nature. It is primarily dependent on secondary sources of data. Only one source is acknowledged: Ain O Salish Kendra (ASK). The organization collects data from daily national newspapers, their online web portals and some other online newspapers. The study is structured on detecting objective to explore the conditions of women at the Covid-19 pandemic period. The paper is collected data on those women who are victim of domestic violence at the Covid-19 pandemic period in Bangladesh. Analysis is general description in nature for those women who take lawful actions against offenders of domestic violence in the situation.

2. Materials and Methods

The distribution of cases mostly counts upon on secondary data collected (n = 303) cases from Ain O Salish Kendra (ASK) accumulated published data taken from Prothom Alo, Ittefaq, Samakal, Sangbad, Janakantha, Noya Diganta, Daily Star, New Age, Dhaka Tribune, notable dailies newspaper in Bangladesh (include their e-papers), some online news portals. Data collected from the COVID-19 pandemic period in Bangladesh from April to August, 2020 explores issues on those women who are victim of domestic violence filled case for legal action and those women who are victim but don't interest to take legal action. Bdnews24.com, Banglanews24.com, Daily Bangladesh, Alokito Protidin, Amader Shomoy, Bangla Insider, Bangla Tribune, Bd24live.com, Bangla Telegraph are the leading online news portals in Bangladesh. Prothom Alo is the top read Bengali newspaper in the world and second most circulated newspaper in the country in where Daily Star is the most circulated dailies in English language published from Dhaka, Bangladesh. Prothom Alo, Bdnews24.com, & New Age, are pioneer, leading and well-organized newspaper in Bangladesh (Zafri *et al.*; 2021) [12]. Samakal, Prothom Alo, Janakantha, Bangla Tribune, Amader Shomoy, Ittefaq are the top circulated daily nationals in Bangladesh (Genilo *et al.*; 2016) [13].

3. Result

Domestic violence is generally imposed on woman by husband, husband family members and own family members upon torture, murder and ultimate outcome

of torture is committed suicide as form of domestic violence. As a result of domestic violence, the woman takes attempt of committed suicide likely more than 12 times than those who do not have such experience of such inhuman violence (WHO, 2002) [14]. **Table 1** shows taking legal actions of domestic violence against women during Covid-19 Pandemic period in Bangladesh.

3.1. Torture as a Form of Domestic Violence

Of 303 cases, 76% (16) women tortured by intimate partner called husband, 80% (8) women tortured by husband's family members, 52% (12) tortured by own family members are no more concerned about taking legal action against to the guilty. After all, 67% (36) women tortured by husband, husband's family member and own family members don't prescribe case filling as a judicial proceeding of taking legal action.

3.2. Murder as a Form of Severs Domestic Violence

Cases have been filled and taken judicial proceedings who are victimized 62% (76) on murdered by husband, 64% (23) on murdered by husband family members and 57% (17) on murdered by own family members. As a whole, 62% (116) women are murdered by husband, husband's family members and own family members taken judicial proceedings for prescription of trial.

Table 1. Prescription of lawful action of domestic violence against women during Covid-19 Period.

Nature of Violence	Cases filled	No information on case filling	Total
Tortured by husband	5 (24%)	16 (76%)	21 (100%)
Tortured by husband's family members	2 (20%)	8 (80%)	10 (100%)
Tortured by own family	11 (48%)	12 (52%)	23 (100%)
Murdered by husband	76 (62%)	45 (38%)	121 (100%)
Murdered by husband's family members	23 (64%)	13 (36%)	36 (100%)
Murdered by own family	17 (57%)	13 (43%)	30 (100%)
Suicide	21 (34%)	41 (66%)	62 (100%)
Total	155 (51%)	148 (49%)	303 (100%)
Torture (Husband + husband's family members + own family)	18 (33%)	36 (67%)	54 (100%)
Murder (Husband + husband's family members + own family)	116 (62%)	71 (38%)	187 (100%)
affected by husband (Torture + Murder)	81 (57%)	61 (43%)	142 (100%)
affected by own family (Torture + Murder)	28 (52%)	25 (48%)	53 (100%)
affected by husband family members (Torture + Murder)	25 (54%)	21 (46%)	46 (100%)
Victim of death (Suicide + Murder) by Husband, husband's family members and own family	137 (55%)	112 (45%)	249 (100%)

Source: Prothom Alo, Ittefaq, Samakal, Sangbad, Janakantha, Noya Diganta, Daily Star, New Age, Dhaka Tribune (include their e-papers), some online news portals and Ain o Salish Kendra (ASK). <http://www.askbd.org/>.

3.3. Committed Suicide

Surprisingly, 66% (41) women who committed suicide obtain no more information on filling case whereas the remaining number of women who committed suicide takes judicial proceedings.

3.4. Torture, Murder and Suicide as a Form of Violation against Woman

57% (81) women who are victim of violence (torture and murder) by their husband; more than half of the cases (52%; 28) and (54%; 25) who are victims of such violence by their own family members and husband's family members' respectively filled cases. 55% (137) women are victim of death (suicide and murder) by their husband, husband's family members and down family members filled cases for trial.

4. Discussion and Findings

In Bangladesh, most of the families maintain a patriarchal order (Rahman, 2019 [1]; Hossain, 2016 [15]). Women are mostly victim of torture and murder by their intimate partner or husband. The paper finds out that 3 out of 4 women are victim of tortured by their husband and they don't wish to inform anyone to resolve the issues. Rahman (2019) [1] reported that husbands are more likely assault to their educated or financially solvent wives if they fail to perform the demand of husband as well as household chores (Abdullah & Zeidenstein, 1982 [16]; Hartman & Boyce, 1983 [17]; Schuler *et al.*, 1996 [18]; Schuler *et al.*, 1998 [19]). Therefore, Bangladesh is faced with the challenges of experiencing high level of gender equality in South Asia.

Hindin (2003) [20] identified five major situations that a husband beats (torture) upon his wife as; if she goes out without telling him; neglects the children; argues with him; refuses to have sex with him and burns the food. WHO (2017) [11] described women all over the world have experienced that one out of three is victim of "either physical and/or sexual intimate partner violence or non-partner sexual violence in their lifetime" Hindin (2003) [20] also noted that younger women believe wife beating is justified and accepted behavior. In Latin America, 8% men and 32% women reports in case of suspected infidelity, wife beating is acceptable. Almost 50% women are no more willing to record on violence against them by the paper finds out. They are not interested because of their family reputation, status or their social behavior (Malik & Hasan, 2016) [21]. In addition to, they can't do any complain against them due to male members generally are the decision maker of social, political, religious, cultural and other issues of the family (Rahman, 2019) [1].

Domestic violence is a regular issue in our society controlled over women is prevalent. The paper also finds out that 4 out of 5 women are tortured by husband's family members and more than fifty percent women are victim of domestic violence by their own family members. Women are victim due to their vul-

nerability, powerlessness, subjugated by man, controlled by male have the probability of experiencing domestic violence at their family (Rahman, 2019) [1]. Hindin (2003) [20] quoted that “Intimate partner violence (IPV) is the third leading cause of death” among 15 - 44 years of age cases. Shilpi (2015) [22] identified that Bangladesh Rural Advancement Committee (BRAC) in partnership with the United Nations Development Program (UNDP) shows that only 68% cases violence against woman are reported in 2018 but the remaining is not published. Generally, women are not interested to disclose such issues like violence and do not complain against their partners due to hamper family reputation or status (Malik & Hasan, 2016) [21]. Though with the ascendancy of husband, husband family members also play a crucial role to dominate and control over women in a patriarchal society (Sultana, 2010) [9]. Therefore, social and economic independence will escalate the risk of violence against woman (Walker, 1984) [23].

The study findings address that 62% murdered by their intimate partner or husband; 64% by their husband’s family members and 57% by their own family members filled cases and took judicial proceedings. WHO (2017) [11] reported that 38% women are victim of murder committed by a male intimate partner or husband. In case of suicidal case of woman, two-third cases are no more information available to record for further taking legal action to justify the issue “domestic violence”. Women are thought that they are subjugated to man; have to follow their decisions without any questions those decisions imposed on by the male members of the family (Rahman, 2019) [1].

The study also reveals that more than fifty percent cases affected by their husband, husband’s family members and own family members cases filled for trial on both torture and murder. But more than 40% cases remain out of complain for further action on trial. Women generally want help from the family members and neighbors but none can raise voice and come forward to resolve the formal or legal support (Khan, 2015) [24]. Physical violence against women varies between 30% to 50% by their husband and other family members, even though they are maltreated and abused by their husband and other family members (Hossain, 2016) [15].

5. Concluding Remarks

In Bangladesh, domestic violence against women has become a fashion. It is a daily affair in Bangladesh and victim of brutal attacks across the country including psychological and psychological violence (Hossain, 2016) [15]. The impact of a pandemic period is not new on domestic violence though the COVID-19 can be measured to be an indirect reason of violence (Sharma & Borah, 2020) [25]. It affects negatively on women’s physical and mental even though sexual health and “may increase the risk of acquiring HIV in some settings” (WHO, 2017) [11]. Association of microcredit program is a widely accepted way of reducing of domestic violence in Bangladesh (Johnston & Naved, 2008) [26]. There is a

strong relationship between reductions of domestic violence with holding the length of microcredit program (Koenig *et al.*, 2003 [27]; Schuler *et al.*, 1998 [19]). Bates *et al.* (2004) [28] note that income generating women are more protective of domestic violence in Bangladesh.

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Ethical Statement

Not Applicable.

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The authors only involve in this research study and don't have any association with other people and organizations.

Originality and Plagiarism

Originality is strictly preserved whereas plagiarism is dispirited.

Conflicts of Interest

The authors declare no conflicts of interest.

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