

Defending Human Rights of Women: A Note from Bangladesh

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Rokeya as Women Human Right Defender

Since the early part of the last century, Begum Rokeya Shakawat Hussain was engaged in defending the human rights of women. Like many women of her time and as now she also used the notion of 'Nari Mukti' (emancipation of women) meaning freedom from all forms of violence, discrimination and inequality. She worked hard till the day she died to achieve equality and empowerment of women. When we are discussing empowering women human rights defenders, I think we may ground us more concretely if we carry with us her insights of defending women not merely as a biological entity, but defined by concrete history and socio-economic contexts including how situation of women is determined by education, religion and culture. Education to promote critical thinking was her strategic site of engagement to empower women and fight patriarchy. Emancipation to her did not mean emancipation of women egocentric individuals, but women as integral part of the community where they historically belongs. This is the reason why she was never confused about her task: defending the rights of Muslim women in a colonised and patriarchal society. Empowering of women was empowering her community to face challenges of colonialism. Her fight was on two fronts simultaneously colonialism and patriarchal structure of her society. The insight we get from her helps us to understand our task now. We defend the human rights of women in order to face the colonial legacies and at the same time the new phenomenon of imperial global structures, hegemony, war and violence, remaining fully aware that categories such as 'woman', 'feminism' and 'gender' are used as interventionist tools by predatory economies and cultures.

Rokeya was fairly familiar with some western literature on women's emancipation. However, unlike many women of Bangladesh, she did not copy the middle class 'feminism' of western women, not because that she is not concerned or sympathetic to

their problem as her 'sisters', but because they had a different history than hers. One can not reduce historical differences, experiences and imaginations just because they are biologically similar. She was fully aware that she is a woman born in a colonised country and in a community with the history and memory of struggle against British colonial power since 1757 and eventually forced to accept the defeat in 1857, after the collapse of famous sepoy mutiny. Grounding her task as a feminist as well as human rights defender in the concrete historical situation is what we must learn from her. Human right is always a right of the individual person, but such right can be realised only by emancipating the community from repressive structures, ideologies, and practices that demean the dignity of woman. The objective is to strengthen the community from external threats, war and violence. Rokeya never posed the individual, particularly women against the community as such but consistently demonstrated how the emancipation of women is directly related to the emancipation of the community.

So if we have to name anybody as the first Women Human Rights Defender in Bangladesh, she is Begum Rokeya Shakawat Hussain (1880-1932). In the beginning I want to salute her for her achievements. It is a great success story. She was also the one to face social repression because of her active initiative to provide education to Muslim girls. But Begum Rokeya did not stop, and as a result we are all here today, and we have women's movement activists and Women Human Rights Defenders.

Why 'Women' Human Rights Defenders?

The term "Women Human Rights Defenders" is new and not known to many grass root level activists. As we understand, Women Human Rights Defenders (WHRDs) is a term referring to women who individually or with others, act to promote and protect everyone's human rights. It was a question in many meetings of the WHRDs in Bangladesh that why not they be called Human Rights Defenders, like their male counterparts. But in most cases it was found that there was a need to single out women as human rights defenders because they face risks particular to their gender committed by both state and non-state actors, including governments, the military and even within communities. Besides, to be a Woman Human Rights Defender, she also has to be particularly conscious of defending women's rights within human rights paradigm and

has to be active in fighting against violence against women. However, it also remains a question, whether any woman who is in Human Rights movement can be called a Woman Human Right Defender? In many cases it is also found that incidences of human rights violence are cited in a very selective way and thereby actions are taken selectively as well.

In Bangladesh, the two other noteworthy Women Human Rights Defenders are Begum Sufia Kamal and Jahanara Imam. Sufia Kamal was there in all cases of human rights violations, e.g. whenever the slums were evicted in Dhaka City, price rise of essentials and other cases of violence, she gave statements in the newspapers and joined the protests. Jahanara Imam, popularly known as *Shahid Jononi* led the movement against War Crime during the Liberation War of 1971, and faced many threats for her life. At that time, the ruling BNP-Jamaat Alliance government alleged her for Anti-State actions and filed case against her; while the main Opposition Party Awami League did not support her as much as she needed. Only few political leaders and general public were with her in her struggle against the War criminals. Although War Crime has always been an issue for the present political party in power, they were not supporting Jahanara Imam's movement. Even now, when the trial of War Crime is an election Mandate for the ruling party, Jahanara Imam's reference is hardly mentioned. Her birth and death anniversary are not observed with due solemnity. While Sufia Kamal was also a leader in the Women's Movement, Jahanara Imam was never considered a part of Women's movement. In 1994, just three months before her death, Narigrantha Prabartana – the women's Resource Centre organised a programme to acknowledge Jahanara Imam on the occasion of the International Women's Day (8th March). It was attended by over thousand people from a cross section of the society to pay tribute to her for her work as a Freedom Fighter and her fight against the War Criminals of 1971 Liberation War. However, it was the first recognition to a Woman Human Right Defender.

Various Forms of Violence against Women

Violence against women is a human rights violation. But the use of international human rights instruments to address violence against women as a human rights violation and a threat to human security and peace worldwide has not been very common. Even in

the women's movement, the emphasis is more on national laws against violence against women and among the international instruments the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) of 1979, ratified by Bangladesh government in 1984 and Beijing Platform of Action of 1995 are used. Among the national laws, the Women and Child Repression Prevention Act 2000 (amended in 2003) under which the Special Tribunals have been established at the district level and a special judge has been posted, and Special Public Prosecutors/Public Prosecutors are designated in the tribunals for conducting the trials on violence against women. The core provisions in the Constitution of the Peoples' Republic of Bangladesh include the fundamental rights of equality and equal protection (Article 27); right to be free from discrimination on the basis of religion, race, caste, sex or place of birth (Article 28); right to protection of the law (Article 31); prohibition against forced labour (Article 34); torture and cruel, inhuman or degrading treatment (Article 35); and freedom of movement (Article 36). Such provisions are not known to most of the women's rights activists, therefore they limit their actions only on the basis of the Women and Child Repression Prevention Act 2000.

Violations of rights of people have occurred at the development policy level. Bangladesh government has followed the export-oriented industrial shrimp cultivation since mid-1980s bringing in more and more land under shrimp culture as a policy to earn foreign exchange. The explosive growth of shrimp culture has created many environmental problems including degradation of land due to increased soil salinity, deterioration of water quality, loss of vegetation and bio-diversity, and decline of livestock and poultry, leading to irreversible damage to the ecosystems. It has also been a cause of violation of human rights because shrimp cultivation did not follow the rules of producing in low lands not suitable for agriculture; on the contrary it was produced in agricultural lands owned by poor and less powerful farmers. The marginalized farmers did not get even a minimal percentage of this revenue as owners of those lands. Unwillingness by the marginal land owners to lease their land was met with the use of force by the shrimp farmers to get hold of the land.

In Horinkhola of Khulna, the struggle for land rights was led by Korunamoyee Sardar, a poor woman affected by loss of land by shrimp culture. She started to protest

against the violence caused to poor and landless people of her area. On 7th of November 1990, a rich man, called Wazed Ali Biswash with some guards landed by boat in Horinkhola in polder 22. He had planned to clear land for shrimp cultivation. Korunamoyee organized people to resist such action and went to Horinkhola. When they reached Horinkhola the shrimp owners shot and hurled bombs at the procession. Korunamoyee was hit by a bullet in her head and died immediately. Another 46 of the people in procession were seriously injured and were hospitalised in Khulna or Dhaka. The incident lasted for one hour before Wazed Ali Biswash and his men took all the boats and left. Before leaving, however, they had cut up Korunamoyee's body into pieces and thrown these into the river to clear all the evidence. But Korunamoyee has become a symbol of resistance against the oppressive shrimp culture. The shrimp culture has become an area of gross violation of their human rights in the form of persistent persecution, violence, rape and even murder. Bangladesh has one of the highest records of murder and violence due to shrimp cultivation in the region.

In the Chittagong Hill Tracts, Women Human Rights Defenders have faced threats, abduction, killing, rape etc. One of the most known cases is of Kalpana Chakma, an active woman rights activist in the Chittagong Hill Tracts. She was a critic of Bangladesh military repressions and harassments on the Jumma men and women. She had specially been working for the emancipation of the Jumma women from becoming victims of the lustful flame of the armed forces in her area. She organised conferences, seminars and meetings in various parts of the CHT to protest against violence. Kalpana Chakma was abducted on 12 June 1996 from her home at Lallyaghona village by the members of the Bangladesh Army. She was not found until now. The Government of Bangladesh has not disclosed the findings of the commission of inquiry and her whereabouts remained unknown. However, such cases of abduction of indigenous Jumma women are not unusual in the CHT and are still continuing.

The Garment industry is the biggest export earners with sales abroad fetching more than nine billion dollars, or three-quarters of the country's total export earnings. But the industry has been hit by a series of protests over low wages and poor working conditions. In this sector however, there is a collective leadership and both male and female workers are on the streets together. Since the industry has 80% female workers, the particular

violence such as sexual harassment of female workers becomes a common issue of protest for male and female workers. The leadership among the female garment workers is growing, and they are becoming the spokespersons for common demand. Garment workers have shown collective leadership as Human Rights Defenders. Garment workers, particularly those women workers in the leadership in the protest against violence in the industries, face threats of job loss and harassments.

There has been a silent war against the people in Bangladesh through the population control policy, particularly of the sterilization programme and experimentation of the long-term methods such as Norplant. Since mid 1960s every government declared population as the "number one" problem of the country. The foreign aid, particularly multilateral aid from World Bank was tied to population control programme with emphasis on sterilization programme and use of contraceptive produced by multinational pharmaceutical companies. Millions of women were forced to sterilize without their knowledge and millions of women were given long-term contraceptives without information about the side-effects. Family planning workers at the field level were forced to bring contraceptive and particularly sterilization clients. There were many cases of violation of human rights where poor women were brought to have sterilisation. Women's group led by UBINIG and Narigrantha Prabartana resisted such violence against women. The simple strategies of information sharing about side-effects and the demand for ensuring "Informed-Consent" by the users have made a big challenge for the population control programme implementers.

The so-called modern agriculture was introduced in the mid-sixties of last century in a package of HYV seeds, chemicals and poisons and machines to extract ground water. The immediate effect is poisoning of the environment and ground and surface water. Pollution of water bodies and common land has reduced sources of uncultivated food, which is a survival issue for the poorest people in the villages. Farmers are supported by the government only for the HYV crops but not for their own traditional crops. This led to the marginalization of traditional farmers and created ecological, social and family crisis. Farmers' rights were denied to decide and produce according to their own choice based on their knowledge, land and seeds. Women's right to preserve seeds is taken away through introduction of HYV and hybrid seeds and GMOs. The role that women play in

preserving seeds is crucial for the enhancement of genetic resources and biodiversity. Nayakrishi farmers led by mostly women farmers have become the Human Rights Defenders by fighting against the unethical promotion of hybrid and GM seeds.

Women Must Defend Rights Unitedly

Women's united movement such as formation of Sammilita Nari Samaj has been visible against State violence against women such as rape of young girl Yasmin by police on duty. This was an incident in 1995. Since then, Sammilita Nari Samaj has taken up issues of violence against women in Police Custody, and also issues related to the government policies. Sammilita Nari Samaj also protested against the foreign aggression in the country and against anti-democratic governments. Sammilita Narisamaj led the movement for women's representation in the National Parliament for direct election in the Reserved Seats. The recent activities include protest against the proposed Tipaimukh Dam in India which has tremendous impact on the lives and livelihood of people and destruction of environment.

In conclusion, I would like to stress on the issue that whether we call ourselves women's rights activists or women human rights defenders our task is common and we can only be successful if we have a clear notion of human rights within the framework of women's rights to emancipate our communities from patriarchal structures. If we follow the western paradigm of human rights, we may act only for few selective issues and not respond to other very genuine issues which demand support and actions. We may end up posing 'women' against the community and create conditions for interventions from outside.