RESEARCH MONOGRAPH

ON

"Socio-Legal Analysis of Domestic Violence in Bangladesh: A Deeper Understanding of the Root Causes and Legal Remedies"



SUBMITTED TO

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Date of Submission: 5.1.2023

Declaration

I, do hereby, declare that the Research Monograph Title "**Socio-Legal Analysis of Domestic Violence in Bangladesh: A Deeper Understanding of the Root Causes and Legal Remedies"** prepared solely by me and which has been submitted to the Department of Law, Sonargaon University (SU) for achieving the LLB (Hon's) Degree. This is an original work. No part of this research, in any way of or in from, has been submitted to any University or Institution for any Degree, Diploma or for other similar purposes.

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Abstract:

Domestic Violence has been a common practice throughout the recorded history. Corresponding to the other parts of the world, domestic violence has been one of the major problems that affect both in the urban and the rural areas of Bangladesh. Now-a-day Bangladesh ranks one of the highest in the world with respect to violence. Domestic violence often takes place in form of physical aggression or threats, sexual and emotional abuse, stalking, passive/covert abuse, and economic deprivations. [1] There are many studies for searching the reason behind Domestic Violence in Bangladesh. This paper focuses on the root causes and legal remedies behind the domestic violence. These variables work together to conceptualize domestic violence. In this study, all the relevant factors and aspects of domestic violence have been analyzed and put in context to Bangladesh. Although it is believed that women are always victims of domestic violence, this field has now expanded. Apart from women, men, children and parents are also subjected to torture. There is no separate law for men nationally or internationally. But the rate of male violence is gradually increasing. This situation is now alarming. Male do not take legal action for fear of loss of social status. If a women is abused, even if everyone sympathizes, men are laughed at, so the law has no effect. Despite the existence of laws, domestic violence has become malign because the laws are poorly drafted and poor enforcement. Through fruitful research this problem can be solved.

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1. Cause and consequence of Domestic Violence of Bangladesh: an Empirical study on Tangail Town and Mymensingh City-Minhajul Islam.

Acknowledgement

I am grateful to Almighty Allah, who has been kind to complete Publish of the research paper successful. This research is based on the study under taken as a part of the Bachelor of Laws (LL.B.) Course.

I am immensely thankful to my most honorable course teacher Md. Sagor Hossain, Lecturer, Department of Law, and supervisor Md. Deedarul Islam Bhuiyan Assistant Professor and Head, Department of Law, Sonargaon University, for providing me with an opportunity to complete my research monograph on the topic **"So**cio-legal Analysis of Domestic Violence in Bangladesh: A Deeper understanding of the Root Causes and Legal Remedies".

Last but not least, I express my special thanks to my senior brother Md. Masud Rana for the help and support extend to me during the research specially; I can mention one of my teacher Md. Deedarul Islam Bhuiyan who completely help me for completing this thesis paper.

Eventually, I remember my parents and I offer millions of my heartfelt thanks to Almighty who has given me strength to complete this research monograph.

Preface

This research monograph is an endeavor to study on "**So**cio-Legal Analysis of Domestic Violence in Bangladesh: A Deeper Understanding of the Root Causes and Legal Remedies" I have tried to put this research monograph in a systematic & easy understandable manner with my best effort, which will suit, of the reader

Throughout this exhaustive research, I tried to put my sincerest effort to collect the most reliable & complete information about this topic. Every effort has been made to assist the reader in grasping and understandable the subject matter of the research monograph.

Every comment & suggestion for further improvement of this research paper or of any new concept will inspire most.

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Chapter-1

Introduction

1.1 Introduction:

Bangladesh ranks one of the highest in the world with respect to violence against women and children in terms of domestic violence, 50% to 70% of women in the country report being abused by their male partners. Major forms of domestic violence in Bangladesh include physical, sexual, economic and psychological violence.[2]

In addition to domestic violence against men by women is an important issue in todays. digitalized Bangladesh[1]. Though domestic violence against women gets important and soft attention from heart from everyone but domestic violation against men by women doesn't get much attention.

However, an increasing number of men complain that they are also facing abuse. Recently, a few incidents on social media have shed some light on this sensitive issue.[3] Bangladesh being a Muslim-majority country, has strict laws to protect women and children from domestic violence and sexual abuse. However, no such legislation is available to protect the rights of men. Now it is time to talk about domestic violence against men by women.

1.2 Research Object:

Domestic violence is now epidemic in every family. Even though there are many laws about this, it is not possible to get out of this situation. The main aim of this research is to find out the root causes of domestic violence and solve the problem. Domestic violence in our society is a common phenomenon. My objectives of the study are given bellow:

1. To understand socio-economic characteristics of victims of domestic violence.

2. Cause and consequence of Domestic Violence of Bangladesh: an Empirical study on Tangail Town and Mymensingh City-Minhajul Islam.
3. https//www.daily-sun.com/printversion/details/588991/Domestic-Violence-against-Men-in-Bangladesh

2. To seek out the nature of behavior of family members in case of domestic violence.

3. To analyze the root cause of domestic violence in case of women, men, children and parents
4. To find out the nature of violence.
5. To find out the legal remedies for women, men, children and parents against domestic violence.

1.3 Research Methodology:

This is a qualitative research work. In acquiring and compiling all the necessary parts of paper, a combination of primary and secondary sources was used in an attempt to complete this research paper. Besides to primary sources, a large number of secondary sources were utilized. These included opinion pieces released by NGOs, scholars and experts. In addition, various reports and journal articles were pulled directly from organizations' website.

1.4 Significance of the Research:

Since domestic violence is now malign and disrupting the family and social security of children, it is imperative to address the problem quickly. Through fruitful research this problem can be solved and it is possible to make the people aware through large-scale of publicity. I hope my research will play an important role in this regard.

1.5 Research Questions:

1. Where does domestic violence originate?
2. Who is victimized by domestic violence?
3. What are the national and international laws on male violence?
4. What is the effectiveness of male abuse law?
5. Why is it not possible to solve the problem of domestic violence even after having the law?
6. How is it possible to solve problem of domestic violence?

Chapter-2

Conceptual Analysis

2.1 Conceptual Definition of Domestic Violence:

Domestic violence, social and legal concept that, in the broadcast sense, refers to any abuse including physical, emotional, sexual, or financial- between partners, often living in the same household. The term is often used specifically to designate physical assaults upon women by their male partners, but though rarer, the victim may complain and the term may also be used regarding abuse of both women and men by same partners [4]

Domestic violence which generally purports to mean the violence taking place within the four walls of home among the family members has become a common phenomenon in our lives to such an extent that it doesn't make a big deal whenever we see news of women/ children being tortured, murdered or raped in the newspaper [5]. The following give some definition:

2.1.1 Domestic Violence (Deterrent and Protection) Act, 2010,[6] Section 3 defines Domestic Violence are as follows: domestic violence means **p**hysical abuse, psychological abuse, sexual abuse or economic abuse against a woman or a child of a family by any other person of that family with whom victim is, or has been, in family relationship.

Explanation: For the purpose of this section-

(a) **"Physical abuse"**- that is, any act or conduct which is of such a nature as to cause bodily pain, harm, or danger to life, limb, or health or impair the health or development of the victim and includes assault, criminal intimidation and criminal force;

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4. https://www.tbsnews.net/thoughts/how-address -domestic-violence-against-men-bangladesh-336208
5. https://www.britannica.com/topic/domestic-violence-in-bangladesh.html
6. Domestic Violence (prevention and protection) Act, 2010,

b. "Psychological abuse"- that includes but is not limited to:-

(i) **verbal abuse** including insults, ridicule, humiliation, insults or threats of any nature;

(ii) harassment; or

(iii) controlling behavior, such as restrictions on mobility, communication or self-expression;

(a) **"Sexual abuse"**- that is, any conduct of a sexual nature that abuses, humiliates, degrades or otherwise violates the dignity of the victim;

(b) **"Economic abuse"** that includes but is not limited to: -

(i) deprivation of all or any economic or financial resources or property to which the victim is entitled under any law or custom whether payable under any law or custom or an order of a court or any other competent authority.

(ii) not allow to use the articles of daily necessities to the victim;

(iii) deprivation or prohibiting the victim from applying legal rights to her stridhan or dower or alimony or any consideration for marriage or any property owned by the victim;

(iv) transferring without consent of the victim or prohibiting the victim from applying legal rights to any assets whether movable or immovable owned by her;

(v) deprivation or prohibiting the victim from applying legal rights to continued access to resources or facilities which the victim is entitled to use or enjoy by virtue of the family relationship.

2.1.2. According to the Office of Law Commission of Bangladesh: [8] "Domestic violence may be defined as violence perpetrated by a man upon a woman and vice versa in course of leading a domestic life. Domestic Violence is not confined to married couples only, but extends to cover other couples who are jointly living together.

It may also cover men and women other than husbands and wives, such as parents, brothers, sisters or co-tenants, domestic servants etc. Domestic violence may also be caused to young girls who may become victims of sexual assault within the family. Male or female servants may also become objects of domestic violence."

2.1.3. UNICEF (2008) [7] different forms of abuse and exploitation in defining domestic violence perpetrated by intimate partners and other family members- "*Physical abuse* such as slapping, beating, arm twisting, stabbing, strangling, burning, choking, kicking, threats with an object or weapon, and murder.

It also includes traditional practices harmful to women such as female genital mutilation in African society or honor killings as well as s*exual abuse* such as coerced sex through threats, intimidation or physical force, forcing unwanted sexual acts or forcing sex with others.

Psychological abuse which includes behavior that is intended to intimidate and persecute, and takes the form of threats of abandonment or abuse, confinement to the home, surveillance, threats to take away custody of the children, destruction of objects, isolation, verbal aggression and constant humiliation.

Economic abuse includes acts such as the denial of funds, refusal to contribute financially, denial of food and basic needs, and controlling access to health care, employment, etc".

7. UNICEF.
8. Law Commission of Bangladesh.

2.2 Nature of Domestic Violence:

There are many types of domestic violence. These are:

1. Physical (slapping, burning, beating, arm twisting, stabbing, strangling, choking, kicking, murder)
2. Psychological (threats of abandonment or abuse, or take away custody of the children, verbal aggression and humiliation, threats of killings),
3. Sexual abuse ,
4. Economic etc.

Chapter-3

Historical Background and Present Condition of Domestic Violence:

3.1 Historical Background of Domestic Violence:

Women have been victims of violence since ancient times. The following discussed about the domestic violence according to Banglapedia:

Women Historians who have addressed the early history of Bengal have not included gender in their analyses of events. However, the names of queens and occasionally of royal sisters do find their way into these accounts, but always in relation to male power. For example, there is a story that Queen Vallabhadevi, wife of the Pala king dharmapala, was banished to the forest because she had not produced a son. In the forest, according to one legend, she was impregnated by the ocean and conceived a son, devapala. Although the Palas were Buddhists, they extended their patronage to Brahmanism.

Women had no legal or social status other than that derived from their position in the family, could not inherit, except for the widow who was allowed to 'use' her husband's property if there were no male heir, and had few options to support themselves. While women belonging to the royal court were secluded from view, this was not true of women generally, who did not veil. It is believed that widows were regarded as inauspicious, prohibited from attending ceremonies, and encouraged to immolate themselves on their husbands' funeral pyres. It is not known how sacraments were supposed to be performed and what was considered ideal behavior. Accounts of how people lived their lives are hardly available. Equally unattainable is information about women's participation in economic production and the impact of changes in crops and commerce on their lives.

During the first three decades of Muslim rule in Bengal the Hindu caste system was defined and inscribed on society. Without a Hindu ruler to enforce social hierarchy, caste councils became arbiters of custom. Greater attention to caste purity undoubtedly had an effect on women's lives as carriers of the code. Marriage was the key institution for maintaining purity and would have been subject to greater scrutiny, as would issues of paternity.

Far less is known about women in this period than one would expect. Hindu women who worshipped Shiva-Shakti became more involved in ceremonies with the introduction of Kali Puja and Durga Puja, but it is difficult to analyse the importance and significance of goddess worship for women. There are some who contend that women are empowered through goddess worship because they identify with the power of the goddess; others have pointed out that goddesses mainly benefit male devotees. Moreover, the dangerous and irrational side of goddesses such as Kali and Shitala can be rationalised to extend control over women.

The sources agree that Hindus and Muslims followed different customs but also remark on those cases where Muslims observed Hindu customs and Hindus adopted Muslim customs. The Muslim ruling class seldom brought women with them; so it seems clear that wives, and certainly female slaves, were acquired from Bengal. Female slaves served in the households, but details such as their origin or the roles they played in these families is difficult to ascertain. Tales of abduction and rape of Hindu women abound in historical accounts but are narrated without detail. Violence against women has become, nevertheless, the set explanation for growing rigidity in adherence to customs such as child marriage.

Although there were some Hindu girls who attended pathshalas and literate, women known for their erudition, formal education for women was rare. The belief that education for girls contributed to early widowhood seems to have been widespread and, along with the emphasis on early marriage and concern for female chastity, meant females who learned to read did so in the home rather than in schools. The prevalence of child marriage meant that among Hindus there were many child widows and they were required to follow strict rules in terms of dress and diet. It is not known when Hindu women first began practising purda or seclusion, but it was probably in the period between the 16th and 18th century and linked with fear of abduction and greater emphasis on chastity.

These customs: child marriage, compulsory widowhood without remarriage, and restrictions on women's mobility were the hallmarks of the Hindu upper castes, and not necessarily followed by the lower castes. The sources say less about Muslim women, but mention customs such as polygamy and seclusion as common. Little is known about education or age of marriage.

The two major communities, Hindus and Muslims, were differently affected. As Muslims, and many Hindus, withdrew into defensive positions, some members of the Hindu community reacted by examining their own society and proposing reform. From then on,

topics such as sati, child marriage, widowhood, polygamy, and prohibitions on education dominated the discussion on women.

3.2 Present picture of Domestic violence in Bangladesh:

The following discussed about the Present picture of Domestic violence in Bangladesh:

3.2.1. In case of Women and Children:[9]

According to Janet E. Jackson, the former Deputy Representative of the United Nations Population Fund (UNFPA) to Bangladesh, "sixty-five percent of Bangladeshi males think it is justifiable to beat up their wives, 38 percent have no clear idea what constitutes physical violence and 40 percent support keeping women socially dormant". It clearly tells us sad but true story of domestic violence in Bangladesh.

Several studies have indicated that domestic violence against women, especially violence perpetrated by a women's husband, is a serious problem in Bangladesh. For instance, a study shows that most of the violence is done by husband. Though domestic violence includes child abuse, parent abuse, and in-law abuse committed by male aggressors on female victims, available information from research indicated that the most common type of violence in Bangladesh against women in domestic violence done by partners and ex-partners.

Most of the women and children in Bangladesh experience domestic violence in their lives which takes different forms of abuses, i.e. physical (slapping, burning, beating, arm twisting, stabbing, strangling, choking, kicking, murder) psychological (threats of abandonment or abuse, or take away custody of the children, verbal aggression and humiliation, thre killings), sexual abuse, economic etc.

9. https://bdlawdigest.org/domestic-violence-in-bangladesh.html.

Women experiencing domestic violence or living with its consequences are under-reported because in most cases violence is considered as personal or family matter. Moreover, the way of treating women socially is not gender-sensitive, and sometimes the fears of increasing sufferings or vulnerability by the victim reduce the number of violence to be reported and even expressed to others.

A significant number of domestic violence in Bangladesh is under-reported due to social stigma; women are accused of provoking the violence by their disobedience, failure as a wife, or infidelity; in fact, they have to consider the trade-offs between sufferings of violence and losing reputation in the society which contributes to the fewer reporting of the DV in Bangladesh.

Though women report about domestic violence only when it becomes a serious problem or threats to life. The magnitude is so high that Bangladesh ranked second in 2002 (The Independent-2002) and fourth (The Daily Star, in 2003 in the world in terms of different forms of violence against women.

About 87% of Bangladeshi married women are abused by their husband, this according to a nation – wide study conducted by the government that involved a sample of 12,600 women. Only 8% of respondents said that they were never abused by their partner. Titled violence against Women Survey 2011, the research was conducted by the Bangladesh Bureau of Statistics in collaboration with United Nations Population Fund. The picture it paints is alarming. The survey found that domestic violence is present in most Bangladeshi households.

3.2.2. In case of Men: [10]

An increasing number of men complain that they are also the victims of domestic violence. According to the Bangladesh Manabadhikar BastabayanSangstha (BMBS) database, in 2015, at least 500 men allegedly repressed by their contacted them for legal advice to continue their family life without harassment.

This number is increased alarmingly and the situation is getting worst. In 2018, an article published in the Guardian stated that one in six men experiences domestic violence, but only one in 20 tends to report. In 2020, an organization named Bangladesh Men's Right's Foundation (BMRF) surveyed that 80% of married men are victims of psychological torture by their wives (or their family members) in our country.

Now the Question is, **when we talk about domestic violence, why don't we think that men can also be victims of domestic violence?** Bangladesh has strict laws to protect women and children and sexual abuse but no such legislation is available to protect the rights of men.

10. https://www.tbnews.net/thoughts/how-adress-domestic-violence-against-men-bangladesh-33620

Chapter-4

Root causes & Consequences of Domestic Violence

There are many root causes of Domestic Violence against Women, Men, Children and Parents. The following explain:

4.1.Causes of Domestic Violence against women and children:

1. Mental problems.

2. Poverty and unemployment.

3. Education.

4. Young parents.

5. Relationship retention behavior.

6. Self defense.

7. Alcoholism.

8. Suspicion of infidelity.

9. Socio-economic**.**

10. Dowry
11. Poverty
12. Culture and Tradition, etc.

The following explain:

4.1.1 Mental Problems: Women who are victims of severe physical abuse are likely to suffer from mental illness. The illness included anxiety, depression, alcoholism, antisocial personality disorder, schizophrenia. It is not exactly clear if mentally ill women tend to be abused, or if abused women develop mental illness. Nonetheless, it appears likely the two unfortunate situations occur together, leading to one of the major factors that contribute to domestic violence.[11]

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11. Dr. Md. Sahal Uddin*Violence against Women in Bangladesh: A Legal Analysis with Special Reference to Causes and Consequences.

4.1.2. Poverty and Unemployment: People in dire financial straits are more likely to be involved in domestic violence. Half of homeless of women and children are victims of domestic violence. One major cause of this trend is the fact that abuse victims in poverty often lack the means to escape the situation. They may not have access to legal help or be able to afford their own housing. Abusers usually take steps to keep their victims in poverty as well.[12]

4.1.3. Education: Around the world, education makes a huge difference in the rates of causes of family violence. Each educational year of schooling is associated with an increase in awareness and a women's ability to ward off unwanted sexual advantages. Women with some secondary education lower their risk of domestic violence. This is possible because women with more education are more likely to see themselves as equal to their abusers and to have the means to secure their independence and avoid any factors of family violence.

4.1.4. Young parents: Parenting at a young age when the person is yet to learn the skills can lead to-

- Aggression
- Anger
- Frustration, and
- Depression

This is possibly tied to other factors, because young parents are more likely to be single, struggling economically, or have lower educational achievement.

4.1.5. Relationship Retention Behavior: One of the causes of domestic violence is the thought process that violence can helps save marriage. Many partners resort to domestic violence in marriage because they think this is the only way to retain their partner. Any threat to the relationship motivates the spouse to device such retention strategies.

12. https://www.marriage.com/advice/domestic-violence-and-abuse/causes-of-domestic-violence

4.1.6. Socio-economic: The socio economic scenario plays a significant role on women violence in Bangladesh. Socioeconomic scenario includes education, income, and employment status of an individual in a society. All such segments are responsible to discriminative position of women in Bangladesh.

In Bangladesh women's enrolment in Primary education is 87.8% at Secondary level 63.2%and at tertiary level .4%. At tertiary level men's enrolment is 13.3%25. About 85%women in Bangladesh have no freedom to earn with their own willing and those who earn only24% have own control over their earnings.

4.1.7. Dowry: Despite the Dowry Prohibition Act (1980) dowry transactions continue to increase and have become a socially legitimate part of marriage negotiations. Maleka Begum (1994) in her book "*Jowtuk*" ("Dowry") suggests that dowry is a major factor in violence against women, starting from verbal abuse, battering, torture and ending in death for many.

Incidents documented by the ASK Documentation Unit reveal that unfulfilled dowry demands cause brides to be physically tortured, divorced, abandoned and also burned with acid, kidnapped and trafficking. During2003-07, three hundred and seven (307) brides were murdered by either husbands or in-laws over dowry related disputes. Many were burned to death after being doused with petrol or kerosene.

Although reports from the Ministry of Women's and Children's Affairs explains this as a lack of knowledge about women's rights in general and the lack of implementation and enforcement by the judiciary and law enforcement agencies the women's movement contends that it is more a reflection of the total devaluation of women in society whereby she is considered a burden on the man and his family upon whom she is considered foisted through marriage.

4.1.8.Poverty: General or overall economic causes of family violence are considered to be increasing landlessness, unemployment which has been increased the stress and tension in male-female relations in the poor households and give rise to desertion, divorce and violence. "Violence both systematic and random is part of the condition of poverty in as much as poverty is a with relative powerlessness, and the poor are least able to defend themselves or to remove themselves from threatening situations".

Her paper shows that lack of resource especially food in poor rural households and women's failure to efficiently accomplish their traditional gender roles lead to gender violence. For instance, a mother was beaten by her son when his food ran short at mealtime; wives were beaten by husbands because there was too much or too little salt in the food; a young orphaned girl was beaten by her uncle when she asked for her share of fruits from family owned trees.

4.1.9. Culture and Tradition: The practice of Child Marriage continues to be widespread despite the existence of the Child Marriage Restraint Act 1983. A girl child is deemed as a burden to poor parents. In the marriage market the younger the bride, lesser the dowry demand. Parents' fear for their daughters' security, especially when she is an adolescent and capable of conceiving a child out of wed lock, becomes a reason for marrying them off early.

When a young single girl becomes pregnant not only does she stand to be condemned by her community (in some cases she becomes the subject of *fat was*), her parents and family are also punished with social isolation and shaming.

All these reasons make it impracticable to enforce the legal provision against child marriage. Although the State has enacted the law it has taken no other steps to counter the valuation of young girls as sexual objects and thus the practice of overvaluing younger women as brides continues.

Women activists believe that early marriage of girls, usually between the ages of 12-19 years, along with a wide age gap between spouse's results in unequal relationship and invites marital discord.

4.2 Reasons behind domestic violence against male:

There are many reasons behind domestic violence against male. These are:

1. Bad effects of modern education.
2. Mentally disorder.
3. Excessive Dower.
4. Moral degradation.
5. Strict laws for women.

6. Higher incomes than men.
7. Husband unemployed.
8. Husband not good looking.
9. Lack of legal support.
10. Men report spousal violence in private, and avoid speaking in public fearing social embarrassment. In our practical society, it is deemed shameful for men to reveal their suffering in a male-dominated society.

11. The fear of seeming 'feminine' or not 'man' persists enough. This toxic masculinity eventually affects a man and pushes him to start living him in distress.

12. Not a single non-governmental organization (NGO) addresses the issue or keeps any database ensure men's rights. Therefore, the number of men harassed by women always remains unknown.

13. Section-3 of the Domestic Violence Act, 2010, prohibits a men's status as a victim of domestic violence and hence, it is self-discriminatory. The Act overlooks any presence of domestic violence against men, which holds men from seeking legal help in case of abuse by women.

4.3 Consequences of domestic violence:

Domestic violence has adverse effects at family, society, national and international levels. The following give some points:

1. Relationships with family members getting lost.
2. Children suffer from insecurity as a result of parental separation.
3. Family members become mentally ill.
4. Family discipline is disrupted.
5. Bitter relations arise between family members.
6. Family violence leads to social stigmatization.
7. Drug addiction increases.
8. Immorality spread in the society.
9. Crime increase in the society.
10. Family members get involved in heinous crimes like murder, affray, robbery, rape etc.
11. Social peace and order is disrupted.
12. More ambitious of the family member increases domestic violence including corruption in the country.
13. The image is damaged internationally due to increase bribery, corruption, murder, affray in the country.
14. Foreign companies are afraid to invest.

Chapter: 5

Case Studies

5.1 Case Study:

- ***Case-1:*** *Rahima* Begum lives at Kartikpur village, 2no Ramvadrapur Union,Phupur, Mymensingh. She is now at the age of 30 years old. She has settle marriage and the age difference between husband and wife are 8 years. She has been married since 9 years before. She is a housewife and husband is a farmer. The education background of her is class eight and her husband is S.S.C. The monthly income of her husband is 2000 Taka but she has some income. She lives in a joint family. Her total family's members are 7. Her family members do not take care of her properly. She has to follow the advice and decision of her husband. She has to tell to maintain no relationship no relation with her parent's relatives and friends. So she stops to maintain relationship with dear and near ones. She always is victim of physical and mental abuse done by her husband. Her husband always rebuke, treat with contemn, denial with basic human needs like sleep and nutrition verbal abuse consists of derogatory comments /insults and constant put downs on physical attractiveness\incompetence because of getting dowry. She does not protest of her husband and not told to her parents. She thinks of her and her children future so she tolerates the silent domestic violence.
- ***Case-2:*** Rani paul lives at Kusumpur union, phulpur, Mymensingh. She is now at the age of 37 years old. She is a School Teacher and her monthly income is 5000 taka only. She has affair marriage and the age difference between husband and wife are 8years. She has been married since 15 years before. Her husband is husband is a Teacher. The monthly income of her husband is 8000 Taka. She lives in an Extension family.

  Her total family's members are 9. Her husband is characterless and he has another adultery relation of other women. he does not take care and she is always victim of physical abuse done by her husband. Her husband is a alcoholic and does not up bring of her and her children properly. She always quarrels with her husband because of bad behavior of her husband.

  At the time of quarrel her husband slaps her, pulling her hair, physical assault her and always make derogatory comment about her, her husband always make fear of

divorce of her. She does not protest because she is helpless. At last they have to decide to divorce, and she has been separate from her husband before 5 years.

- ***Case-3:*** Moriom Shikder lives at 5 No Chondora Union,Phulpur, Mymensingh. She is now at the age of 32years old. She is a housewife and she works in sigarate making agency. The age difference between husband and wife are 4years. She has been married since 19 years before. Her husband is a govt. service holder. The education background of her is S.S.C and her husband is BSC(hons). The monthly income of her husband is 15000 Taka. She lives in a nuclear family.

  Her total family's members are 3. Her family members do not take care of her properly. She has to follow the advice and decision of her husband. Her husband is drug addicted, and character less person, so he always rebuke, treat with contemn, denial with basic human needs like sleep and nutrition verbal abuse consists of derogatory comments /insults and constant put downs on physical attractiveness\incompetence. She does not protest of her husband and her finally get divorce from her husband.

Case-4: Khadija khatun lives at Babystand, Pourashava in Tangail Town. She is now at the age of 28years old. She has settle marriage and the age difference between husband and wife are 3 years. She has been married since 12 years before. She is a housewife and husband is a businessman. The monthly income of her husband is 15000 Taka. The educational background of her is illiterate and her husband is SSC .She lives in a joint family. Her total family's members are 12. She does not take any family planning because her husband does not like it so she has 7 children. She suffers a lot to maintain food for her large family. She does not provide education of her children properly because of money. She has a very chaotic family. She does not get enough time to take care of her properly. She always are victim of physical abuse done by her husband. Her husband is a alcoholic and does not up bring of her and her children properly. She always quarrels with her husband because of bad behavior of her husband. At the time of quarrel her husband slap her, pulling her hair ,physical assault her and always make derogatory comment about her, Her husband always make fear of divorce of her. She does not protest because she is helpless.

- ***Case-5:*** Maimuna Khatun lives at Char kamanipar village, 2 no Ramvadrapur Union,Phulpur, Mymenshing . She is now at the age of 35years old. She has affair marriage and the age difference between husband and wife are 10 years. She has been married since 15 years before. She is a housewife and husband is business man. The monthly income of her husband is 15000 Taka but she has some income. The educational background of her is under class eight and her husband is S.S.C .She lives in a joint family. Her total family's members are 5. Her family members do not take care of her properly. She has to follow the advice and decision of her husband and mother in-law. She always are victim of physical, mental and sexual abuse done by her husband and physical and mental abuse done by her mother in-law .Her husband always shaking\punching\pull hair\twisting arms\shaking\slap\derogatory comments about physical attractiveness\incompetence and sexual inter course without her consent. Her mother in-law always rebukes and verbal abuse consists of derogatory 31 comments. She is a victim of dowry and Her husband is drug addicted. Her parents knew it but they think of their daughter future and status in society.

Chapter-6

Legal Remedies against Domestic Violence in Bangladesh:

6.1. Legal Remedies for Women and Children

Bangladesh has taken some important steps to address violence against women and girls.
In 2000, in partnership with the Danish government, Bangladesh inaugurated the Multi-Sector Programmed on Violence against Women (MSPVAW) and developed a Comprehensive National Action plan to prevent Violence against women and children. Bangladesh also enacted the ***Nari o Shishu Nirjaton Daman Ain,2000*** replacing the landmark 1995 act under the same name, aimed at addressing a wide range of violence that disproportionately impact women and children.

When acid attacks peaked at nearly 500 reported cases in 2002-the vast majority which targeted women and girls-public pressure and concerted activism by women's rights organizations and survivors spurred the government to enact two laws: The Acid Offense Prevention Act, 2002, and The Acid Control Act, 2002.

In 2010, Bangladesh passed the Domestic Violence (Prevention and Protection) Act, an important step forward in defining domestic violence outer side dowry violence to include physical, psychological, sexual and economic abuse.

The Act also laid out important protections for victims and criminalized the breach of protection orders. Victims of domestic violence have certain rights under the domestic law as well as remedies to protect themselves as well as remedies to protect themselves and their children.

However, the following mention some laws for women and children against domestic violence:

1. The Domestic Violence (prevention and protection) Act,2010
2. Dowry Prohibition Act, 2018
3. Nari O Shishu Nirjaton Daman Ain, 2000
4. The Acid Offense Prevention Act,2002,
5. The Acid Control Act, 2002.
6. The Children Act, 2013.

The following explain:

6.1.1. The Domestic Violence (prevention and protection) Act, 2010:[13]

There are many legal remedies under **The Domestic Violence (prevention and protection) Act, 2010.** The following explain:

- **According to Section 4**, A Police Officer, who has received a complaint of domestic violence or is otherwise present at the place of an incident of domestic violence or when the incident of domestic violence is reported to him or her, shall inform the victim-
  - ***(a)*** of her right to make an application for obtaining a relief by way of any orders under this Act;
  - ***(b)*** of the availability of medical services;
  - ***(c)*** of the availability of services of the Enforcement Officers;
  - ***(d)*** where applicable, of her right to free legal services under the Legal Aid Act, 2000 (Act 6 of 2000);
  - ***(e)*** of her right to file a complaint under any other existing law; and
  - ***(f)*** other duties and responsibilities prescribed by the government in this behalf.

13. The Domestic Violence Prevention and Control Act, 2010.

- **According to Section-5, (1)** For the purpose of this Act, the Government shall, by notification in the official gazette, appoint one or more Enforcement Officers in each upazila, thana, district or in a metropolitan area and shall also notify the area or areas within which an Enforcement Officer shall exercise the powers and functions conferred on him or her by or under this Act.

(2) The terms and conditions of service of the Enforcement Officer shall be such as may be prescribed rule.

- **According to Section-6 (l)** The Duties and Responsibilities of Enforcement Officer shall be as follows:-
  (a) to assist the court in discharge of its functions under this Act;
  (b) to provide report to the court regarding domestic violence;
  (c) to forward copies thereof to the police officer in charge of the police station within the local limits of whose jurisdiction the domestic violence is alleged to have been committed;
  (d) to make an application to the Court, if the victim so desires, claiming relief for issuance of a protection order;
  (e) to take necessary steps so that the victim is provided legal aid under the Legal Aid Act 2000 (Act 6 of 2000), and make available the application form along with other facilities free of cost;

  (f) to maintain a list of all legal aid and human rights organization or psycho-social counseling services, shelter homes and medical facilities within the jurisdiction of the Court;
  (g) to refer the victim to a safe shelter home if the victim so requires and forward a copy of a report of having lodged the victim in a shelter home to the police station and the Court having jurisdiction in the area where the shelter home is situated;
  (h) to refer the victim for medical examination if required and forward a copy of the medical report to the police station and the Court having jurisdiction in the area where the domestic violence is alleged to have taken place;
  (i) to ensure that the order for compensation is executed; and
  (j) to perform such other duties as may be prescribed by rules.

(2) The Enforcement Officer shall be under the supervision of the Court, and shall perform the duties and responsibilities imposed on him/her by the Government or by the Court under this Act.

- **Section-7. Service provider and their duties and responsibilities. -**

(1) Subject to the provisions of this Act and rules framed under it, any voluntary association registered under the Societies Registration Act, 1860 (Act XXI of 1860), or the Voluntary Social Welfare Agencies (Registration and Control) Ordinance, 1961(Ordinance XLVI of 1961) or a nonprofit company or organization registered under the Companies Act, 1994 (Act 18 of 1994), or any non- profit organization or institution registered at NGO Affairs Bureau under Foreign Donations (Voluntary Activities) Regulation Ordinance,1978 (Ordinance XLVI of 1978),any other organization approved by the Government under any other law for the time being in force with the objective of *inter alia* protecting the human rights especially the rights and interests of women and children by any lawful means including providing of legal aid, medical, financial or other assistance shall be treated as a service provider for the purposes of this Act.

(2) Duties and responsibilities of a service provider shall be as follows:-

(a) record the domestic incident report in the prescribed form if the victim so desires and forward a copy thereof to the Court and the Enforcement Officer having jurisdiction in the area where the domestic violence took place;

(b) refer the victim for medical examination and forward a copy of the medical report to the Enforcement Officer and the police station within the local limits of which the domestic violence took place;

(c) refer the victim to a shelter home, if she so requires and forward a report of the lodging of the victim in the shelter home to the police station within the local limits of which the domestic violence took place.

(d) perform such other duties and responsibilities as may be prescribed by rules.

- **Section-8: Duties of shelter homes.-** On request by a victim or on her behalf, a police officer, an Enforcement Officer or any other person, the authority responsible for a shelter home shall provide shelter to the victim therein.

- **Section-9: Duties of medical service provider.-** On request by a victim or on her behalf, a police officer, an Enforcement Officer, a service provider or any other person, the person in charge of the medical facility in the hospital, clinic or medical centre shall provide medical aid to the aggrieved person.

- **Section-10. Right to reside in the shared home. -** The victim shall have every right to reside in the shared residence due to family relationship.

- **Section-11. Application to Court.–** (1) A victim or on her behalf, a police officer, an Enforcement Officer, a service provider or any other person, can apply to get remedy according to the provisions of this Act.

  (2) Every application under sub-section (1) shall be submitted in such form as may be prescribed by the rule.

  (3) The Court, shall fix up the date of hearing the victim within 7(seven) working days after receiving the application under sub-section (1).

- **Section-12: Place of filing application.-** A petition under this Act may be filed in any court under whose local jurisdiction the following places are situated-

  (a) the applicant resides;

  (b) the respondent resides;

  (c) the place where the domestic violence occur; or

  (d) the place where the victim temporarily resides.

- **Section-13. Interim protection order and issuance of notice.**– (1) The Court, upon receipt of an application under section 11, if satisfied by examining the documents submitted thereto that there is *prima facie* that the respondent has committed or possibility of committing or abetting to commit domestic violence, then an *ex parte* interim protection order may be issued against the respondent and simultaneously a show cause notice to the respondent to reply within 7(seven) working days why permanent protection order shall not be issued against him.

(3) The notice may be issued by registered post, process server, law enforcing agencies or by any other ways prescribed by the rules.

- **Section-14. Protection order.-** The Court may, after giving the parties an opportunity of being heard, satisfied that domestic violence has taken place or is likely to take place, issue a protection order in favour of the victim and issue order restraining the respondent from committing following acts, namely:-

a. from committing any act of domestic violence;

b. aiding or abetting in the commission of any acts of domestic violence;

c. prohibiting or restraining from entering any protected person's place of employment, business, or educational institution or other institution which the protected person ordinarily visits;

d. prohibiting or restraining from making any personal, written, telephone, mobile phone, email or any other form of communication with the protected person;

e. prohibiting from causing violence to the dependants of the victim or any relatives or any person who gives assistance to the victim from domestic violence;

f. any other act that may be cited in the protection order.

- **Section-15. Residence orders.-** (1) The court, on the basis of application may issue the following residence orders, namely:-

(a) restraining the respondent from residing or visiting the shared residence or specified part thereof where the victim resides;

(b) restraining the respondent from dispossessing or in any other manner disturbing the possession of the victim from the shared household

(c) directing the Enforcement Officer to make arrangement for a safe shelter or safe place for the victim and her child/children, if the victim so consents to her placement in such alternative arrangement, during the existence of the protection order and if the continuous stay of the protected person at the shared residence is considered by the Court to be not safe for the protected person.

(d) directing the respondent to secure the same level of alternate accommodation for the victim as enjoyed by her in the shared residence or to pay rent for the same, if the circumstances so require;

(e) requiring the respondent against whom the order is made to permit any protected person, accompanied by the Enforcement Officer, to enter the offender's residence, shared or not, for the purpose of collecting the protected person's personal belongings including her medical, educational and professional records, documents and certificates, passport, bank account documents, savings certificate and other investment papers and documents, personal income tax documents, jeweler, cash money, mobile phone, household goods and valuables of any description;

(f) order against the respondent to permit any protected person to have the continued use and expenses of a vehicle which has previously been ordinarily used by the protected person.

(2) If a right to exclusive occupation of a shared residence or any part thereof is granted to the protected person, such order shall not affect any title or interest that the respondent against whom the order is made;

(3) The Court, shall make an order evicting the person against whom the order is made from the whole of a shared residence that is solely owned by him or her, it is satisfied that there is no other way to secure the personal safety of the protected person for the time being: Provided that such order shall revoked, if-

(a) a suitable safe shelter or safe place or alternative residence is found for the protected person; or

(b) the Court being otherwise satisfied that it is no longer necessary to continue the order for securing the personal safety of the protected person.

(4) The Court may impose any additional conditions or pass any other direction which it may deem reasonably necessary or incidental to protect or to provide for the safety of the victim or her child/children or any member of her family.

(5) The Court may require the respondent to execute a bond, with or without sureties, that neither he/she nor any of his/her family members will commit any further acts of domestic violence.

(6) While passing an order under sub-section (1), sub-section (2) or sub-section (3) the Court may also pass a written order directing the officer in charge of the nearest police station to give protection to the victim or her child/children.

(7) The Court may direct the respondent to return to the possession of the victim any immovable property, her stridhan or dower or alimony or any other marital property and moveable assets, valuables, documents, certificates and any other property or valuable security to which she is entitled.

- **Section-16. Compensation order.-** (1) If there is any personal injury or financial loss or trauma or psychological damage or damage to movable or immovable property or any possibility of such damage or loss as a result of domestic violence, she may file a claim for compensation either along with the application under section 11 or separately later on.

(2) The Court shall disposed of the application submitted under sub-section (1) within 6(six) months of it's receive.

(3) The Court, in the process of disposal of the application submitted under sub-section (1), after giving the parties opportunity of being heard, subject to the provisions of subsection (4), award such monetary compensation as it deems reasonable.

(4) Before disposal of the application submitted under sub-section (1), the Court may give responsibility on a person or any organization to find out the actual loss or damage and during the hearing of the claim for such compensation may take into consideration the following facts:

(a) the pain and suffering of the victim and the nature and extent of the physical or mental injury suffered.
(b) the cost of medical treatment for such injury;
(c) temporary or permanent effect of such injury;
(d) any loss of earnings, present and prospective, arising there from;
(e) the amount and value of the movable or immovable property taken or transferred or destroyed or damaged;
(f) reasonable expenses already incurred by or on behalf of the victim in securing protection from violence.

(5) The Court may pass an order against the respondent for the maintenance of the victim as well as her children, if any, which is adequate, reasonable and consistent with the standard of living of the victim.

(6) The Court may an order of lump sum payment or monthly payments of maintenance, if it deems fit.

(7) The Court shall send a copy of the compensation order made under this section to the concern parties and to the Officer in Charge of the police station within the local limits of whose jurisdiction the respondent ordinarily resides or stay.

(8) If the respondent is an employee of government, non-government, semi-government or an autonomous organization, then a copy of the compensation order shall be sent to the higher authority of the respondent.

(9) If the respondent fails to pay the compensation according to the order made under subsection (3), the Court may direct the employer or a debtor of the respondent, to directly pay to the victim or to deposit in her bank account a portion of the wages or salaries or debt due to or accrued to the credit of the respondent.

(10) The compensation imposed under this section may be realized according to the provisions of the Public Demands Recovery Act, 1913(Bengal Act III of 1913).

- **Section-17. Custody orders. -** Notwithstanding anything contained in any other law for the time being in force, the Court may, at any stage of hearing of the application for a protection order or for any other relief under this Act grant order for temporary custody of any child or children of the victim to the victim or to any applicant in favour of the victim and if necessary, the arrangements for any visit to such child or children by the respondent.

- **18. Court to give copies of order free of cost. -** The Court shall, in all cases where it has passed any order under this Act, order that a copy of such order shall be given free of cost to the parties to the application, the officer in-charge of the concern police station, the Enforcement Officer and if applicable, any service provider.

6.1.2. Dowry Prohibition Act, 2018:[14]

There are many remedies under this Act. These are:

- **Section 3** of the Act says that any direct or indirect demand for dowry by either party from the other will be an offence under the law. Such offence shall be punishable with imprisonment maximum five years but not less than one year or fine not exceeding 50,000 (fifty thousand taka) or with both.

- **According to section 4** of the Act, if any party to marriage gives or takes or abets in the giving or taking of dowry, or makes an agreement to give or take dowry then it shall constitute an offence. The punishment for such offence shall be imprisonment up to five years but not less than one year or fine not exceeding 50,000 (fifty thousand taka) or with both. New feature of the provisions of punishment in the new law is that the maximum amount of fine is limited below 50,000, which were unlimited in the equivalent sections of the preceding law.

6.1.3. Nari O Shishu Nirjaton Daman Ain, 2000:[15]

There are many remedies under Nari O Shishu Nirjaton Daman Ain, 2000. These are:

- **Section-4** discuss about the punishment for the offences committed by combustible and like other substances. This Section says:

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

14.Dowry Prohibition Act, 2018.

15.Nari o Shishu Nirjaton Daman Act, 2000.

If any person wounds any child or woman by combustible, erosive or poisonous substance in such way that such child or woman losses eye sight or auditory system is lost or part of the body, limb, joint is distorted or any part of the body is wounded then after such child or women-

a. in case of eye sight or auditory system distortion or facial, breast and sex organ distortion or spoliation, such person shall be convicted to death up to Taka one lakh.

b. 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 find up to Taka fifty thousand.

2. 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.

3. 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 of him who has been injured physically and mentally and incase of his death, to his heirs.

- **Section-9** discussed about the punishment for causing death for dowry, etc. this section says: 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 death then the said husband, husbands 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 fined.

b. For causing of grievous hurt shall be punished with life imprisonment or not more than twelve years but not less than five years and above this monetary penalty may also be imposed.

c. For causing of simple hurt shall be punished for not more than three years and not less than one year.

6.1.4. The Acid Control Act, 2002:[16]

There are many remedies under The Acid Control Act, 2002. These are:

- **Section-13** discussed about the Rehabilitation Centre for the Acid Victims. This section says:
  1. The Government may establish one or more Rehabilitation centres for the persons who are Acid Victims.
  2. The Government may by notification in the Official Gazette, proclaim any Government establishment as the rehabilitation centre for the acid victims.

- **Section-14** discussed about the treatment of the Acid Victims. This Section says: if the Upazilla Nirbahi Officer or Deputy Commissioner or for that purpose any person authorized by him may be informed/ be aware of that any person is injured/ hurt by acid and to bring his life back treatment is necessary without any delay in that case the Deputy Commissioner of that officer may recommend to the district committee in writing for treatment of the acid victims.

- **Section-15** discussed about the legal aid to acid victims. This section says:
  1. If any person injured by acid then he or any other person on his behalf may apply asking for/demanding legal aid to the District Committee.
  2. On the basis of the received application or by other information if the District Committee thinks to give legal aid to the acid victim fit, then the District Committee may appoint lawyer, or as the case may be, paying cash shall help like that/ in that way.

16.The Acid Offense Prevention Act, 2002

6.1.5: The Acid Offense Prevention Act, 2002. [17]

There are many legal remedies under this Act for women and children against domestic violence. These are:

- **Section-4:** Punishment for causing death by acid: if any person causes death of any person, shall be punished with death or rigorous imprisonment for life and shall also be liable to fine not more than taka 1,00,000.

- **Section-5:** Punishment for causing injuries/hurt by acid: If any person injures or hurts any person in such a way that-
    - ***a.*** Eye sight or hearing power or face, breast or sexual organ if damaged or disfigured, then the person shall be punished with death or rigorous imprisonment for life and shall also be liable to fine not more than taka 1 lakh;
    - ***b.*** Any limb, gland or part of the body is disfigured or damaged or in case of injury in any part of the body, the person shall be punished with rigorous imprisonment not more than 14 years but not less than 7 years and shall also be liable to fine not more than taka 50,000.

- **Section-6:** Punishment for throwing acid or attempt to throw acid: if any person throws on any person or attempts to throw acid for that if the concerned person is not injured/hurt physically, mentally or in any other way, he shall be punished with rigorous imprisonment not more than seven years but not less than three years and shall also be liable to fine taka 50,000.
- **Section-7:** Punishment for abetment: if any person abets in committing offence, under this Act and this offence has committed for abetment or is attempted to commit offence shall be punished in for the prescribed manner for abetment of that offence or attempt to commit offence.

17.The Acid Control Act, 2002.

6.2: Legal Remedies for Male:

It is very alarming that there are no specific legal remedies for male under national or international law. Although there are no legal remedies, some remedies are prescribed by Statutory laws and these are exception. These are:

6.2.1: Legal Remedies under the Constitution of the Peoples Republic of Bangladesh.

The Constitution is our Supreme law and male can get legal remedies under this Constitution.

- **Article-27** says all citizens are equal before law and are entitled to equal protection of law. But there are many statutory laws for women and children but not for men. In this case equal protection of law is violated. So fundamental rights of men are violated here.

- **Article-44** declared the Enforcement of Fundamental Rights. This Article says:

    1. The right moves the High Court Division in accordance with clause (1) of Article -102, for the enforcement of the rights conferred by this part is guaranteed.

    2. Without prejudice to the powers of the High court Division under Article-102, parliament may by law empower any other court, within the local limits of its jurisdiction, to exercise all or any of those powers.

- **Article-102:** powers of High Court Division to issue certain orders and directions, etc:

    1. The High Court Division on the application of any person aggrieved, may give such directions or orders to any person or authority, including any person performing any function in connection with the affairs of the Republic as may be appropriate for the enforcement of any of the fundamental rights conferred by part III of this Constitution.

    2. The High Court Division may if satisfied that no other equally efficacious remedy is provided by law-

        a. On the application of any person aggrieved, make an order-

i. Directing a person performing any functions in connection with the affairs of the republic or of a local authority, to refrain from doing that which he is not permitted by law to do or to do that which he is required by law to do; or

ii. Declaring that any Act done or proceeding taken by a person performing functions in connection with the affairs of the Republic or of a local authority, has been done or taken without lawful authority and is of no legal effect.

NB. A Writ petition was filed with the High Court Division of Bangladesh seeking amendment of Section-375 of the Penal Code, 1860, to include the word "person" instead of Women. However it failed to receive much attention from the media and to the best of my knowledge a judgment in this regard yet to be given.

6.2.2. Dowry Prohibition Act, 2018:

There are many remedies under this Act. These are:

- **Section 3** of the Act says that any direct or indirect demand for dowry by ***either party*** from the other will be an offence under the law. Such offence shall be punishable with imprisonment maximum five years but not less than one year or fine not exceeding 50,000 (fifty thousand taka) or with both.

- **According to section 4** of the Act, ***if any party*** to marriage gives or takes or abets in the giving or taking of dowry, or makes an agreement to give or take dowry then it shall constitute an offence. The punishment for such offence shall be imprisonment up to five years but not less than one year or fine not exceeding 50,000 (fifty thousand taka) or with both. New feature of the provisions of punishment in the new law is that the maximum amount of fine is limited below 50,000, which were unlimited in the equivalent sections of the preceding law.

6.2.3. The Acid Control Act, 2002:

There are many remedies under The Acid Control Act, 2002. These are:

- Section-13 discussed about the Rehabilitation Centre for the Acid Victims. This section says:

    1. The Government may establish one or more Rehabilitation centres for the persons who are Acid Victims.
    2. The Government may by notification in the Official Gazette, proclaim any Government establishment as the rehabilitation centre for the acid victims.

- **Section-14** discussed about the treatment of the Acid Victims. This Section says: if the Upazilla Nirbahi Officer or Deputy Commissioner or for that purpose any person authorized by him may be informed/ be aware of that any person is injured/ hurt by acid and to bring his life back treatment is necessary without any delay in that case the Deputy Commissioner of that officer may recommend to the district committee in writing for treatment of the acid victims.

- ***Section-15*** discussed about the legal aid to acid victims. This section says:

    1. If any person injured by acid then he or any other person on his behalf may apply asking for/demanding legal aid to the District Committee.

    2. On the basis of the received application or by other information if the District Committee thinks to give legal aid to the acid victim fit, then the District Committee may appoint lawyer, or as the case may be, paying cash shall help like that/ in that way.

6.2.4: The Acid Offense Prevention Act, 2002.

There are many legal remedies under this Act for women and children against domestic violence. These are:

- **Section-4:** Punishment for causing death by acid: if any person causes death of any person, shall be punished with death or rigorous imprisonment for life and shall also be liable to fine not more than taka 1,00,000.

- **Section-5:** Punishment for causing injuries/hurt by acid: If any person injures or hurts any person in such a way that-
    a. Eye sight or hearing power or face, breast or sexual organ if damaged or disfigured, then the person shall be punished with death or rigorous imprisonment for life and shall also be liable to fine not more than taka 1 lakh;
    b. Any limb, gland or part of the body is disfigured or damaged or in case of injury in any part of the body, the person shall be punished with rigorous imprisonment not more than 14 years but not less than 7 years and shall also be liable to fine not more than taka 50,000.

- **Section-6:** Punishment for throwing acid or attempt to throw acid: if any person throws on any person or attempts to throw acid for that if the concerned person is not injured/hurt physically, mentally or in any other way, he shall be punished with rigorous imprisonment not more than seven years but not less than three years and shall also be liable to fine taka 50,000.

- **Section-7:** Punishment for abetment: if any person abets in committing offence, under this Act and this offence has committed for abetment or is attempted to commit offence shall be punished in for the prescribed manner for abetment of that offence or attempt to commit offence.

6.3: Legal Remedies for parents:

The Parents Maintenance Act, 2013 (Pita-mata Voronposhon Ain, 2013):

Parents can get legal remedies under this Act. The following explain:
It is a law to ensure social security of the senior citizens, compels the children to take good care of their parents. According to the law, the children will have to take necessary steps to look after their parents and provide them with food and shelter. [18]
Each of the children will have to pay 10% of their total income regularly to their parents if they do not live with their parents. Moreover, children will have to meet their parents regularly if they live in separate residences. Furthermore, under no circumstances are children allowed to send their parents in old homes beyond their wishes. [19]
The law also allows aggrieved parents to file cases against their children if they decline support them. A First Class Magistrate Court will settle issues related to the violation of the law. For reconciliation of any issues, local government representatives such as chairman, members and also others authorized by them will settle the disputes.

The law has the provision of taka 200,000 as fined and, in default, six months jail term for violation of the law. Spouse or any relative, including the in laws, will be considered as offenders and will be punished if they are proved to be guilty of having objected to such report.

18.https://www.hrw.org/report.2020/10/29/i-sleep-my-own-deathbed/violence-against-women-and-girls-bangladesh-barriers

19.https://nyaaya.org/legal-explainer/what-are-the-rights-and-remedies-for-victims-against-domestic-violence/

Chapter-7

Answering Question

Answer to the Question no. 1:

Women have been victims of violence since ancient times. In a male dominated society, women's opinions had no value. They did not even have the right to go to the Pathshalas to study. Although in todays modern society, this continuity is maintained, the field of domestic violenc has now widened.

Answer to the Question no. 2:

Although it is believed that women are always victims of domestic violence, this field has niw expanded. Apart from women, men, children and parents are also subjected to torture.

Answer to the Question no. 3:

There is no separate law for men nationally or internationally. But the rate of male violence is gradually increasing. This situation is now alarming.

Answer to the Question no. 4:

Male do not take legal action for fear of loss of social status. If a women is abused, even if everyone sympathizes, men are laughed at, so the law has no effect.

Answer to the Question no. 5:

Despite the existence of laws, domestic violence has become malign because the laws are poorly drafted and poor enforcement. Through fruitful research this problem can be solved.

Answer to the Question no. 6:

Despite some flaws, there are enough laws both national and international to solve domestic violence. In this case, it is possible to solve this problem only through the development of people's morals and good will to live together as a family. But it is impossible.

Chapter-8

Recommendations & Conclusions:

8.1 Recommendations:

1. Domestic violence is now like an epidemic and this situation is alarming. So there is a need of recognition at the national level of the issue. Though government of Bangladesh has considered this issue but, consistent follow-up is mandatory.
2. Enough educational programs in all societies and cultures, both for women and men can be solved this problem.
3. The primary factor concern on domestic violence against men is the lack of legal support. So, the first step should be to alter the definition of 'domestic violence' in the Domestic Violence Act, 2010. The definition given in chapter-2; Section-3 of the Act should substitute the word 'woman' with 'individual'; this difference will make it a gender-natural Act.

   This slight difference will have two significant impacts: institutional recognition of domestic violence against men and open up legislative support. As a result, men will have the courage to report their victims after legal protection. More complaints will be filed, more reliable and correct statistics will be available for further research in this area, alongside other benefit. Moreover, judicial support will reduce such abuses.[20]
4. Government should take some plan like enough opportunities of employments and participation in political parties along with security and safety for women and the seat allocation for recruitments of both genders should be considered on equality grounds. More funds should be allocated to women's development in the country.

5. Government should make it compulsory to incorporate the programme in all health care facilities of Bangladesh for proper screening of all types of domestic violence and abuse. Adequate emergency treatments with rehabilitative should be provided.

20.https://www.researchgate-net/publication/6487675-Strategies-and-recommendations-for-prevention-and-control-of-domestic-violence-against-women-in-pakistan/

All health professionals should be made aware of domestic violence, its factors, possible treatment and moreover the preventive measures. Along with medical facility, government also can have crisis centers for violated women in the main health care centers and tertiary hospitals throughout the country.

Furthermore, specialized health care professionals should be introduced in the crisis centers who could easily handle any case. All of the facilities should be easily accessible to all women in any setting throughout the country.[21]

6. Public Awareness programmes should be conducted for both women and men. It should be done by using the resources like nurses, doctors and psychologists, working under governmental and non-governmental organizations (NGOs). This could easily be done either by direct or indirect teaching.

The direct methods would include one to one teaching, counseling, or group based teaching. Indirect methods would involve the use of media, pamphlets, role plays, drama and talk shows.

7. There should be religious definitions of the basic rights of women like autonomy and freedom in Bangladesh and the government needs to evaluate all of the basic rights of women. For this a central committee can be made which should include religious leaders, Ulema, and scholars who can consensually define the rights of women in the lights of Islamic teaching and literature.

But, for this the other ethnic and minority religious groups should be considered when finalizing any package for basic rights of women. Government should also ensure that every citizen of the country is following the main themes defined by the religious committee.

8. Make sure that women have enough access to reach any political opportunity and there should be a training programme available for their capacity building on politics.

9. There is also a need of reforms in the police departments and judicial processes. Police should be trained to deal domestic violence so that they could feel safe and protected.

21.https//www.daily-sun.com/printversion/details/588991/Domestic-Violence-against-Men-in-Bangladesh.

10. Social groups, religious leaders can help Government and Government can strengthen their law and order to decrease alcohol and other addictive material usage in the country.

11. Weighty dower systems should be banned and fix certain amount in the lights of Islamic religious teachings.

12. Recreational programs like family parks, and other entertaining places where women along with their family can enjoy and relax should be developed by government.

8.2 Conclusion

Domestic violence is prevalent in Bangladesh at an alarming rate. Women, men, parents are the sufferers and are subjected to physical, psychological and sexual abuse in their home by partners, in-laws and in some circumstances.The factors associated with domestic violence in Bangladesh are low-economical status, lack of awareness about women rights, lack of education, falsified beliefs, imbalanced empowerment issues between males and females, male dominant social structure and lack of support from the government. Integrated supportive services, legal intervention and redress should be made available in situations of domestic violence [22]

There are many of causes of domestic violence in Bangladesh like Mental problems, Poverty and unemployment, Education, Young parents, Relationship retention behavior, Self defense,Alcoholism etc. Despite some flaws, there are enough laws both national and international to solve domestic violence.But this problem is increasing day by day and this situation is alarming now. In this case, it is possible to solve this problem only through the development of people's morals and good will to live together as a family. But it is impossible.

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